

**Summary of HR 6893**  
**Fostering Connections to Success and Increasing Adoptions Act**  
**Enacted October 7, 2008**

**Purpose:**

Facilitating permanency for youth in the child welfare system through adoption and relative guardianship  
Assist youth in the transition from foster care to adulthood

**Summary:**

All appropriations are for FY 2009-2013

**Kinship Care**

Provides financial assistance to states to promote kinship care.  
Extends Medicaid and Chafee eligibility for some Foster Youth.  
Amends Social Security Act to allow coverage of children over 18.  
Provides funding for public and community-based prevention programs and family reconnection programs that help kinship caregivers in navigating public agency bureaucracy.  
Requires that states notify relatives of child removed to foster care within 30 days of removal; state must explain requirements of foster care and give preference to relatives in placement.  
Enacts new federal reporting requirements for state agencies concerning the number of foster children in kinship and non-kinship care.  
Provides funds for training of child welfare personnel, relative guardians, and court personnel

**Tribal Child Welfare Systems**

Extends funding and technical assistance to tribal child welfare systems  
States eligible for portion of state funding

**Improving Incentives for Adoption**

States must inform adoptive parents of available tax credits  
Expands funding eligibility for programs promoting adoption of special needs or older foster youth.

**Enhanced State Program Requirements**

State programs eligible for funding under HR 6893 must:

- Implement transition/age out case review system
- Include plan for educational stability for foster youth
- Oversee/insure continuity of medical care for foster youth
- Make reasonable efforts to place siblings jointly or provide for frequent visitation between siblings placed separately.

***For more information and a copy of the bill, please visit:***  
***<http://www.govtrack.us/congress/bill.xpd?bill=h110-6893>***

**Details:**

**Title I - Connecting and Supporting Relative Caregivers**

**Section 101 -**

Amends part E (Federal Payments for Foster Care and Adoption Assistance) of title IV of the Social Security Act (SSA) to give state plans the option of providing for the state to enter into agreements to provide kinship guardianship assistance payments to grandparents and other relatives who have assumed legal guardianship of children for whom they have: (1) cared as foster parents; and (2) committed to care on a permanent basis.

Requires the state to pay up to \$2,000 of the total costs associated with obtaining legal guardianship of the child.

Makes children who exit foster care for relative guardianship or adoption after age 16 eligible for independent living services and education and training vouchers under the John H. Chafee Foster Care Independence Program.

Makes individuals with whom kinship guardianship assistance payments are being made categorically eligible for Medicaid.

**Section 102 -**

Amends SSA title IV part B (Child and Family Services) to authorize matching grants to state, local, or tribal child welfare agencies, and experienced private nonprofit organizations to help children in, or at risk of entering, foster care to reconnect with family members.

Cites as components of a family reconnect program: (1) a kinship navigator program to assist kinship caregivers in finding and utilizing programs and services for themselves and their children; (2) intensive family-finding efforts, including work to reestablish relationships and explore ways to find a permanent family placement for the children; (3) family group decision-making meetings for children in the child welfare system; and (4) residential family treatment programs.

Makes appropriations for FY2009-FY2013.

Renames the Child Welfare Services program under SSA title IV part B (Child and Family Services) the Stephanie Tubbs Jones Child Welfare Services Program.

**Section 103 -**

Requires a state plan for foster care and adoption assistance to provide that, within 30 days after removal of a child from the parent's or parents' custody, the state shall exercise due diligence to identify and notify all the child's adult relatives of the removal, and: (1) explain the relative's options to participate in the child's care and placement; (2) describe the requirements to become a foster family home, and the additional services and supports available for children placed in such a home; and (3) explain the availability, if any, of kinship guardianship assistance payments.

**Section 104 -**

Requires state foster care and adoption assistance plans to provide that a waiver of any non-safety licensing standard for relative foster family homes may be made only on a case-by-case basis for specific children in care.

Directs the Secretary to report to specified congressional committees on: (1) the number and percentage of children in foster care, nationally and for each state, placed in either licensed or unlicensed relative foster family homes; and (2) the frequency, types, and effects of case-by-case waivers of non-safety licensing standards for such homes.

**Section 105 -**

Requires the Secretary to make comparisons and disclosures of information in the Federal Parent Locator Service for child welfare, foster care, and adoption assistance program purposes.

**Title II - Improving Outcomes for Children in Foster Care**

**Section 201 -**

Amends SSA title IV part E to give states the option of covering under part E certain children in foster care, and certain children in an adoptive or guardianship placement, after attaining age 18.

**Section 202 -**

Requires a case review system to include a procedure for assuring that a case worker aids and supports a child aging out of foster care in developing a personalized transition plan.

**Section 203 -**

Provides for short-term training for child welfare agencies, relative guardians, and court personnel. Phases in increased expenditures for such training.

**Section 204 -**

Removes a child's immunizations from the health and education records required as part of a case plan.

Requires case plans to include a plan for ensuring the educational stability of the child while in foster care.

Requires the state plan for foster care and adoption assistance to insure that each child who has attained the minimum age for compulsory school attendance under state law, and with respect to whom there is eligibility for a payment under the state plan, is a full-time elementary or secondary school student or has completed secondary school.

**Section 205 -**

Requires each state child welfare services plan to provide that the state will develop a plan for the ongoing oversight and coordination of health care services for any child in a foster care placement.

**Section 206 -**

Requires a state plan to provide for reasonable efforts for joint placement of siblings in the same foster care, kinship guardianship, or adoptive placement unless contrary to safety or well being.

Requires the plan also to provide, in the case of siblings removed from their homes who are not jointly placed, for frequent visitation or other ongoing interaction between the siblings, unless it would be contrary to the safety or well being of any of them.

**Title III - Tribal Foster Care and Adoption Access**

**Section 301 -**

Amends SSA title IV part E to allow an Indian tribe to receive direct federal funds for programs operated by Indian organizations

Authorizes an Indian tribe to receive a portion of a state plan allotment as part of an agreement to operate the John H. Chafee Foster Care Independence Program.

**Section 302 -**

Provides for technical assistance and implementation services for tribal programs.

Makes appropriations for FY2009 and ensuing fiscal years.

**Title IV - Improvements of Incentives for Adoption**

**Section 401 -**

Revises the adoption incentives payment program, extending it for five years through FY2012, and increasing incentive payments for special needs adoptions and older child adoptions, among other changes.

**Section 402 -**

Provides for the promotion of adoption of all children with special needs, regardless of birth family or adoptive family income.

**Section 403 -**

Requires the state plan for foster care and adoption assistance to provide that the state will inform any individual who is adopting, or considering adopting, a child in foster care of the individual's potential eligibility for a federal tax credit.

**Title V - Clarification of Uniform Definition of Child And Other Provisions**

**Section 501 -**

Amends the Internal Revenue Code, with respect to the tax exemption for dependents, to require that an individual: (1) be younger than the taxpayer

claiming the individual as a qualifying child; and (2) not have filed a joint return (other than only for a refund claim) with the individual's spouse for the taxable year in question.

Limits the child tax credit to qualifying children for which the taxpayer is allowed a deduction.

Prohibits a non-parent from claiming another individual as a qualifying child, if no parent claims the individual, unless the non-parent's adjusted gross income is higher than the highest adjusted gross income of any of the individual's parents.

**Section 502 -**

Authorizes the Secretary of the Treasury to invest U.S. operating cash in repurchase agreements with acceptable parties.

Repeals the declaration that this investment authority does not permit the Secretary to require the sale of obligations by a particular person, dealer, or financial institution. (Thus allows the Secretary to make such requirements.)

Requires the Secretary to report annually to the appropriate congressional committees on the investment of operating cash, describing the Secretary's consideration of associated risks and the actions taken to manage such risks.

**Section 503 -**

Denies federal funding to individuals unlawfully present in the United States.

**Title VI - Effective Date**

**Section 601 -**

**Sets forth the effective date of this Act.**

Provides funding to states to extend and increase incentives for adoption, particularly incentives for the adoption of children with special needs and older youth in foster care

Provides funding to states to subsidize kinship care for children removed to the foster care system in an effort to promote permanency. We support the program to help kinship care givers navigate their way through the social services system and codification of variations in licensing that would allow more children in foster care to be placed safely with relatives.