

115TH CONGRESS
2D SESSION

S. 2642

To require the Secretary of Labor, in consultation with the Secretary of Health and Human Services, to establish a pilot program for Jobs Plus Recovery programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 2018

Mr. Kaine (for himself, Mr. Young, and Mr. Jones) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require the Secretary of Labor, in consultation with the Secretary of Health and Human Services, to establish a pilot program for Jobs Plus Recovery programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jobs Plus Recovery
5 Act of 2018”.

6 **SEC. 2. PILOT PROGRAM FOR JOBS PLUS RECOVERY PRO-**
7 **GRAMS.**

8 (a) **DEFINITIONS.**—In this section:

1 (1) EDUCATION PROVIDER.—The term “edu-
 2 cation provider” has the meaning given the term
 3 “institution of higher education” in section 3 of the
 4 Workforce Innovation and Opportunity Act (29
 5 U.S.C. 3102).

6 (2) JOBS PLUS RECOVERY PROGRAM.—The
 7 term “Jobs Plus Recovery program” means a pro-
 8 gram carried out through a grant under this section.

9 (3) LOCAL AREA; LOCAL BOARD; ONE-STOP OP-
 10 ERATOR.—The terms “local area”, “local board”,
 11 and “one-stop operator” have the meanings given
 12 such terms in section 3 of the Workforce Innovation
 13 and Opportunity Act (29 U.S.C. 3102).

14 (4) PEER RECOVERY SUPPORT SERVICES.—The
 15 term “peer recovery support services” means a col-
 16 lection of community services that—

17 (A) are designed and delivered by individ-
 18 uals who have experienced both substance use
 19 disorder and recovery from such disorder;

20 (B) are delivered to individuals with a sub-
 21 stance use disorder; and

22 (C) include peer-to-peer programs, job and
 23 life-skills training, assistance in obtaining sup-
 24 portive housing or recovery housing, and other

1 services that contribute to better overall health
2 and well-being.

3 (5) PROGRAM PARTICIPANT.—The term “pro-
4 gram participant” means an individual that is iden-
5 tified as having a substance use disorder and enrolls
6 in a Job Plus Recovery program to receive any of
7 the services described in subsection (d)(1).

8 (6) TREATMENT PROVIDERS.—The term “treat-
9 ment provider”—

10 (A) means a health care provider that of-
11 fers services for treating substance use dis-
12 orders; and

13 (B) may include—

14 (i) a nonprofit provider of peer recov-
15 ery support services;

16 (ii) a community health care provider,
17 or any other health care provider;

18 (iii) a federally qualified health center
19 (as defined in section 1861(aa) of the So-
20 cial Security Act (42 U.S.C. 1395x)); or

21 (iv) any other health care provider or
22 health-related organization that treats a
23 substance use disorder, including a pro-
24 vider that offers medication-assisted ther-
25 apy or a provider listed on the Behavioral

1 Health Treatment Services Locator of the
2 Substance Abuse and Mental Health Serv-
3 ices Administration.

4 (7) SECRETARY.—The term “Secretary” means
5 the Secretary of Labor.

6 (8) STATE BOARD.—The term “State board”
7 means a State workforce development board estab-
8 lished under section 101 of the Workforce Innova-
9 tion and Opportunity Act (29 U.S.C. 3111).

10 (9) SUBSTANCE USE DISORDER.—The term
11 “substance use disorder” means such a disorder
12 within the meaning of title V of the Public Health
13 Service Act (42 U.S.C. 290aa et seq.).

14 (b) ESTABLISHMENT OF THE PILOT PROGRAM.—

15 (1) IN GENERAL.—The Secretary, in consulta-
16 tion with the Secretary of Health and Human Serv-
17 ices, shall establish and carry out a pilot program to
18 award grants to local boards (which, for purposes of
19 this section, may include consortia of local boards)
20 to carry out Jobs Plus Recovery programs through
21 a partnership described in subsection (c)(1).

22 (2) APPLICATIONS.—A local board desiring a
23 grant under this section shall submit an application
24 to the Secretary at such time and in such form and
25 manner as the Secretary may reasonably require.

1 Such application shall include a demonstration that
2 the local board has notified the applicable State
3 board of its application for such grant.

4 (3) SELECTION.—

5 (A) IN GENERAL.—The Secretary, in con-
6 sultation with the Secretary of Health and
7 Human Services, shall select grant recipients
8 under this section based on each of the fol-
9 lowing criteria:

10 (i) An analysis of the demand for the
11 Jobs Plus Recovery program in the local
12 area served by the local board, including
13 analyzing demand by determining whether
14 the local board is in a local area with a
15 high annual rate of—

16 (I) individuals with a substance
17 use disorder;

18 (II) drug and alcohol overdose
19 and mortality;

20 (III) illicit drug use and binge
21 drinking among adults;

22 (IV) suicide; and

23 (V) underemployment or unem-
24 ployment.

(ii) An analysis of the estimated performance of the local board in carrying out a Jobs Plus Recovery program, including—

(I) using key performance indicators to assess the estimated effectiveness of the program, including the estimated number of individuals with a substance use disorder who may be served by the program;

(II) analyzing the record of the local board in serving individuals with a barrier to employment; and

(III) analyzing the ability of the local board to establish the partnership described in subsection (c)(1).

(iii) Consideration of geographic distribution (such as urban and rural distribution) of grants awarded under this section.

(B) ANALYSIS.—The analysis described in subparagraph (A)(i) may include or utilize—

(i) data from the National Center for Health Statistics of the Centers for Disease Control and Prevention;

(ii) data from the Center for Behavioral Health Statistics and Quality of the Substance Abuse and Mental Health Services Administration;

(iii) State vital statistics;

(iv) municipal police department records; and

(v) local coroners' reports.

(c) PARTNERSHIP.—

(1) IN GENERAL.—Each local board receiving a grant under this section shall enter into a partnership to provide the services and carry out the activities under subsection (d), by contracting with at least one of each of the following entities:

(A) A treatment provider that—

(i) meets the standard under paragraph (2); and

(ii) is a nonprofit entity, unless no such entity that meets the requirements under this subparagraph is located in the local area.

(B) A one-stop operator, or other entity with experience in providing comprehensive job training services.

(C) An education provider.

1 (D) A justice or law enforcement organiza-
 2 tion.

3 (E) A community-based organization.

4 (F) Any other organization as the Sec-
 5 retary determines appropriate.

6 (2) STANDARD FOR TREATMENT PROVIDERS.—

7 The Secretary, in consultation with the Secretary of
 8 Health and Human Services, shall establish a stand-
 9 ard that each treatment provider entering into a
 10 partnership under paragraph (1)(A) shall meet
 11 based on best practices identified by the Secretary.

12 (d) USE OF FUNDS.—

13 (1) SERVICES AND ACTIVITIES.—Each partner-
 14 ship described in subsection (c)(1) shall, through a
 15 Jobs Plus Recovery program, provide a minimum of
 16 each of the following services:

17 (A) SCREENING SERVICES.—Screening
 18 services, including—

19 (i) using an evidence-based screening
 20 method to screen each individual seeking
 21 participation in the Jobs Plus Recovery
 22 program to determine whether the indi-
 23 vidual has a substance use disorder;

24 (ii) conducting an assessment of each
 25 such individual to determine the services

needed for such individual to obtain or retain employment, including an assessment of strengths and general work readiness; and

(iii) accepting walk-ins or referrals from employers, labor organizations, or other entities recommending individuals to participate in such program.

(B) INDIVIDUAL TREATMENT AND EMPLOYMENT PLAN.—Developing an individual treatment and employment plan for each program participant, which shall include providing a case manager to work with each participant to—

(i) identify employment and career goals;

(ii) explore career pathways that lead to high-demand industries and sectors as determined by the State board and the lead State official responsible for the administration of workforce investment activities;

(iii) set appropriate achievement objectives to attain the employment and career goals identified under clause (i); and

1 (iv) develop the appropriate combina-
 2 tion of services to enable the participant to
 3 achieve such employment and career goals.

4 (C) OUTPATIENT TREATMENT AND RECOV-
 5 ERY CARE.—Individualized and group out-
 6 patient treatment and recovery services for pro-
 7 gram participants that are offered during the
 8 day, evening, weekends. Such treatment and re-
 9 covery services—

10 (i) shall—

11 (I) be based on a model that uti-
 12 lizes combined behavioral interven-
 13 tions and other evidence-based or evi-
 14 dence-informed interventions; and

15 (II) comply with the standard de-
 16 scribed in subsection (c)(2); and

17 (ii) may include additional services
 18 such as—

19 (I) health (including mental
 20 health) services, addiction services, or
 21 other forms of outpatient treatment
 22 that may impact opioid use disorder
 23 and co-occurring conditions;

24 (II) linkages to community serv-
 25 ices, including services designed to

1 support program participants that are
2 offered by the entities that compose
3 the partnership described in sub-
4 section (c)(1); and

5 (III) referrals to health care pro-
6 viders, including referrals to providers
7 of substance use disorder treatment
8 and mental health services.

9 (D) SUPPORTIVE SERVICES.—Supportive
10 services provided to program participants to en-
11 sure that such participants maintain employ-
12 ment for at least 12 months. Such supportive
13 services—

14 (i) shall include—

15 (I) coordinated wraparound serv-
16 ices to provide maximum support for
17 program participants to ensure that
18 the program participants maintain
19 employment and recovery for at least
20 12 months; and

21 (II) assistance in establishing eli-
22 gibility for assistance under Federal,
23 State, and local programs providing
24 health services (including mental
25 health services), housing services,

1 transportation services, or social serv-
 2 ices; and

3 (ii) may include additional supportive
 4 services such as—

5 (I) peer recovery support serv-
 6 ices;

7 (II) networking and mentorship
 8 opportunities; and

9 (III) any other supportive serv-
 10 ices determined necessary by the local
 11 board.

12 (E) CAREER JOB TRAINING SERVICES.—
 13 Career and job training services offered concur-
 14 rently or sequentially with the services provided
 15 under subparagraphs (A) through (D). Such
 16 services shall include each of the following:

17 (i) Services provided to program par-
 18 ticipants in a pre-employment stage of the
 19 program, which may include—

20 (I) initial education and skills as-
 21 sessments;

22 (II) traditional classroom train-
 23 ing funded through individual training
 24 accounts under section 134(c)(3)(F)
 25 of the Workforce Innovation and Op-

portunity Act (29 U.S.C.
3174(c)(3)(F));

(III) employability skills such as
punctuality, personal maintenance
skills, and professional conduct;

(IV) in-depth interviewing and
evaluation to identify employment bar-
riers and to develop individual em-
ployment plans;

(V) career planning that in-
cludes—

(aa) career pathways leading
to high-demand, high-wage jobs;
and

(bb) job coaching, job
matching, and job placement
services;

(VI) payments and fees for em-
ployment and training-related applica-
tions, tests, and certifications; and

(VII) any other appropriate
training service described in section
134(c) of the Workforce Innovation
and Opportunity Act (29 U.S.C.
3174(c)).

1 (ii) Services provided to program par-
2 ticipants during their first 6 months of
3 employment to ensure job retention, which
4 may include—

5 (I) case management and support
6 services, including a continuation of
7 the services described in clause (i);

8 (II) a continuation of skills train-
9 ing, and career and technical edu-
10 cation, described in clause (i) that are
11 conducted in collaboration with the
12 employers of such participants;

13 (III) mentorship services and job
14 retention support for such partici-
15 pants; or

16 (IV) targeted training for man-
17 agers, workers working with such par-
18 ticipants (such as mentors), and
19 human resource representatives in the
20 business in which such participants
21 are employed.

22 (iii) Services to ensure program par-
23 ticipants maintain employment for at least
24 12 months.

1 (2) ENGAGING EMPLOYERS.—Each local board
2 receiving a grant under this section shall, through
3 the partnership under subsection (c)(1), engage with
4 employers to—

5 (A) learn about the skill and hiring re-
6 quirements of employers;

7 (B) learn about the support needed by em-
8 ployers to hire and retain program participants,
9 and other individuals with a substance use dis-
10 order, and the support needed by such employ-
11 ers to obtain their commitment to testing cre-
12 ative solutions to employing such participants
13 and individuals;

14 (C) connect employers and workers to on-
15 the-job or customized training programs to help
16 facilitate program participant employment;

17 (D) connect employers with an education
18 provider, or a provider of career and technical
19 education under the Carl D. Perkins and Tech-
20 nical Education Act of 2006 (20 U.S.C. 2301
21 et seq.), to develop classroom instruction to
22 complement on-the-job learning for such partici-
23 pants and individuals;

1 (E) help employers develop the curriculum
 2 design of a work-based learning program for
 3 such participants and individuals; or

4 (F) help employers employ such partici-
 5 pants or individuals engaging in a work-based
 6 learning program for a transitional period be-
 7 fore hiring the participant or individual for full-
 8 time employment of not less than 30 hours a
 9 week.

10 (3) PROVEN AND PROMISING PRACTICES.—A
 11 local board receiving a grant under this section shall,
 12 in carrying out a Jobs Plus Recovery program, lead
 13 efforts in the local area to identify and promote
 14 proven and promising strategies and initiatives for
 15 meeting the needs of employers and program partici-
 16 pants.

17 (4) LIMITATIONS.—A local board receiving a
 18 grant under this section may not use—

19 (A) more than 5 percent of the funds re-
 20 ceived under such grant for administrative costs
 21 of the partnership described in subsection
 22 (c)(1);

23 (B) more than 10 percent of the funds re-
 24 ceived under such grant for the provision of

1 outpatient treatment and recovery services de-
2 scribed in subsection (d)(1)(C); and

3 (C) more than 10 percent of the funds re-
4 ceived under such grant for the provision of
5 supportive services described in subsection
6 (d)(1)(D).

7 (e) PERFORMANCE ACCOUNTABILITY.—

8 (1) REPORTS.—The Secretary shall establish
9 quarterly reporting requirements for recipients of
10 grants under this section that, to the extent prac-
11 ticable, are based on the performance accountability
12 system under section 116 of the Workforce Innova-
13 tion and Opportunity Act (29 U.S.C. 3141), includ-
14 ing the indicators described in subsection (c)(1)(A),
15 and requirements for local area performance reports
16 under subsection (d), of such section.

17 (2) EVALUATIONS.—

18 (A) AUTHORITY TO ENTER INTO AGREE-
19 MENTS.—The Secretary shall ensure that an
20 independent evaluation is conducted on each
21 Jobs Plus Recovery program to determine the
22 impact of the program on employment of indi-
23 viduals with substance use disorders. The Sec-
24 retary shall enter into an agreement with the

1 local board carrying out the program to pay for
2 all or part of such evaluation.

3 (B) METHODOLOGIES TO BE USED.—The
4 independent evaluation required under this
5 paragraph shall use experimental designs using
6 random assignment or, when random assign-
7 ment is not feasible, other reliable, evidence-
8 based research methodologies that allow for the
9 strongest possible causal inferences.

10 (f) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 such sums as may be necessary.

13 **SEC. 3. AMENDMENT TO THE WORKFORCE INNOVATION**
14 **AND OPPORTUNITY ACT.**

15 Section 3(24) of the Workforce Innovation and Op-
16 portunity Act (29 U.S.C. 3102(24)) is amended—

17 (1) by redesignating subparagraph (N) as sub-
18 paragraph (O); and

19 (2) by inserting after subparagraph (M) the fol-
20 lowing:

21 “(N) Individuals with a substance use dis-
22 order (within the meaning of such term in title
23 V of the Public Health Service Act (42 U.S.C.
24 290aa et seq.).”.

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