

115TH CONGRESS
1ST SESSION

S. 439

To amend part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17 (legislative day, FEBRUARY 16), 2017

Mr. BLUNT (for himself, Ms. STABENOW, Mr. BOOZMAN, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care.

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 “Timely Mental Health
5 for Foster Youth Act”.

1 **SEC. 2. TIMELY MENTAL HEALTH SCREENINGS AND AS-**
 2 **SESSMENTS FOR CHILDREN AND YOUTH**
 3 **UPON ENTRY INTO FOSTER CARE.**

4 (a) STATE PLAN REQUIREMENT.—Section
 5 422(b)(15)(A) of the Social Security Act (42 U.S.C.
 6 622(b)(15)(A)) is amended—

7 (1) in clause (i), by inserting “and that require
 8 that an initial mental health screening of any child
 9 in foster care be completed not later than 30 days
 10 after the date the child enters into foster care and,
 11 in the case of any child in foster care for whom a
 12 mental health issue is identified in such initial
 13 screening, that a comprehensive assessment of the
 14 mental health of the child be completed not later
 15 than 60 days after the date the child enters into fos-
 16 ter care” before the semicolon; and

17 (2) in clause (ii), by striking “screenings” and
 18 inserting “such screenings and assessments”.

19 (b) TECHNICAL AMENDMENT.—Section
 20 422(b)(15)(A) of such Act (42 U.S.C. 622(b)(15)(A)) is
 21 further amended in the matter before clause (i), by strik-
 22 ing “provides” and inserting “provide”.

23 (c) EFFECTIVE DATE.—

24 (1) IN GENERAL.—Except as provided in para-
 25 graph (2), the amendments made by this section
 26 shall take effect on January 1, 2018.

1 (2) DELAY PERMITTED IF STATE LEGISLATION
2 REQUIRED.—In the case of a State plan approved
3 under part B of title IV of the Social Security Act
4 which the Secretary of Health and Human Services
5 determines requires State legislation (other than leg-
6 islation appropriating funds) in order for the plan to
7 meet the additional requirements imposed by this
8 section, the State plan shall not be regarded as fail-
9 ing to comply with the requirements of such part
10 solely on the basis of the failure of the plan to meet
11 such additional requirements before the first day of
12 the first calendar quarter beginning after the close
13 of the first regular session of the State legislature
14 that begins after the date of enactment of this sec-
15 tion. For purposes of the previous sentence, in the
16 case of a State that has a 2-year legislative session,
17 each year of such session shall be deemed to be a
18 separate regular session of the State legislature.

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