

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend part B of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct a family recovery and reunification program replication project to help reunify families and protect children with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

---

IN THE SENATE OF THE UNITED STATES

Mr. MENENDEZ (for himself and Mr. SCOTT) introduced the following bill; which was read twice and referred to the Committee on

---

**A BILL**

To amend part B of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct a family recovery and reunification program replication project to help reunify families and protect children with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Improving Recovery  
3 and Reunifying Families Act”.

4 **SEC. 2. FAMILY RECOVERY AND REUNIFICATION PROGRAM**  
5 **REPLICATION PROJECT.**

6 Section 435 of the Social Security Act (42 U.S.C.  
7 629e) is amended by adding at the end the following:

8 “(e) FAMILY RECOVERY AND REUNIFICATION PRO-  
9 GRAM REPLICATION PROJECT.—

10 “(1) PURPOSE.—The purpose of this subsection  
11 is to provide resources to the Secretary to support  
12 the conduct and evaluation of a family recovery and  
13 reunification program replication project (referred to  
14 in this subsection as the ‘project’) and to determine  
15 the extent to which such programs may be appro-  
16 priate for use at different intervention points (such  
17 as when a child is at risk of entering foster care or  
18 when a child is living with a guardian while a parent  
19 is in treatment). The family recovery and reunifica-  
20 tion program conducted under the project shall use  
21 a recovery coach model that is designed to help re-  
22 unify families and protect children by working with  
23 parents or guardians with a substance use disorder  
24 who have temporarily lost custody of their children.

25 “(2) PROGRAM COMPONENTS.—The family re-  
26 recovery and reunification program conducted under

1 the project shall adhere closely to the elements and  
2 protocol determined to be most effective in other re-  
3 covery coaching programs that have been rigorously  
4 evaluated and shown to increase family reunification  
5 and protect children and, consistent with such ele-  
6 ments and protocol, shall provide such items and  
7 services as—

8 “(A) assessments to evaluate the needs of  
9 the parent or guardian;

10 “(B) assistance in receiving the appro-  
11 priate benefits to aid the parent or guardian in  
12 recovery;

13 “(C) services to assist the parent or guard-  
14 ian in prioritizing issues identified in assess-  
15 ments, establishing goals for resolving such  
16 issues that are consistent with the goals of the  
17 treatment provider, child welfare agency,  
18 courts, and other agencies involved with the  
19 parent or guardian or their children, and mak-  
20 ing a coordinated plan for achieving such goals;

21 “(D) home visiting services coordinated  
22 with the child welfare agency and treatment  
23 provider involved with the parent or guardian  
24 or their children;

1           “(E) case management services to remove  
2 barriers for the parent or guardian to partici-  
3 pate and continue in treatment, as well as to  
4 re-engage a parent or guardian who is not par-  
5 ticipating or progressing in treatment;

6           “(F) access to services needed to monitor  
7 the parent’s or guardian’s compliance with pro-  
8 gram requirements;

9           “(G) frequent reporting between the treat-  
10 ment provider, child welfare agency, courts, and  
11 other agencies involved with the parent or  
12 guardian or their children to ensure appropriate  
13 information on the parent’s or guardian’s sta-  
14 tus is available to inform decision-making; and

15           “(H) assessments and recommendations  
16 provided by a recovery coach to the child wel-  
17 fare caseworker responsible for documenting the  
18 parent’s or guardian’s progress in treatment  
19 and recovery as well as the status of other  
20 areas identified in the treatment plan for the  
21 parent or guardian, including a recommenda-  
22 tion regarding the expected safety of the child  
23 if the child is returned to the custody of the  
24 parent or guardian that can be used by the

1 caseworker and a court to make permanency  
2 decisions regarding the child.

3 “(3) RESPONSIBILITIES OF THE SECRETARY.—

4 “(A) IN GENERAL.—The Secretary shall,  
5 through a grant or contract with 1 or more en-  
6 tities, conduct an evaluation of the family recov-  
7 ery and reunification program under the  
8 project.

9 “(B) REQUIREMENTS.—In identifying 1 or  
10 more entities to conduct the evaluation of the  
11 family recovery and reunification program, the  
12 Secretary shall—

13 “(i) determine that the area or areas  
14 in which the program will be conducted  
15 have sufficient substance use disorder  
16 treatment providers and other resources  
17 (other than those provided with funds  
18 made available to carry out the project) to  
19 successfully conduct the program;

20 “(ii) determine that the area or areas  
21 in which the program will be conducted  
22 have enough potential program partici-  
23 pants, and will serve a sufficient number of  
24 parents or guardians and their children, so  
25 as to allow for the formation of a control

1 group, evaluation results to be adequately  
2 powered, and preliminary results of the  
3 evaluation to be available within 4 years of  
4 the program's implementation;

5 “(iii) provide the entity or entities  
6 with technical assistance for the program  
7 design, including by working with 1 or  
8 more entities that are or have been in-  
9 volved in recovery coaching programs that  
10 have been rigorously evaluated and shown  
11 to increase family reunification and protect  
12 children so as to make sure the program  
13 conducted under the project adheres closely  
14 to the elements and protocol determined to  
15 be most effective in such other recovery  
16 coaching programs;

17 “(iv) assist the entity or entities in se-  
18 curing adequate coaching, treatment, child  
19 welfare, court, and other resources needed  
20 to successfully conduct the family recovery  
21 and reunification program under the  
22 project; and

23 “(v) ensure the entity or entities will  
24 be able to monitor the impacts of the pro-  
25 gram in the area or areas in which it is

1           conducted for at least 5 years after parents  
2           or guardians and their children are ran-  
3           domly assigned to participate in the pro-  
4           gram or to be part of the program’s con-  
5           trol group.

6           “(4) EVALUATION REQUIREMENTS.—

7           “(A) IN GENERAL.—The Secretary, in con-  
8           sultation with the entity or entities conducting  
9           the family recovery and reunification program  
10          under the project, shall conduct an evaluation  
11          to determine whether the program has been im-  
12          plemented effectively and resulted in improve-  
13          ments for children and families. The evaluation  
14          shall have 3 components: a pilot phase, an im-  
15          pact study, and an implementation study.

16          “(B) PILOT PHASE.—The pilot phase com-  
17          ponent of the evaluation shall consist of the  
18          Secretary providing technical assistance to the  
19          entity or entities conducting the family recovery  
20          and reunification program under the project to  
21          ensure—

22                  “(i) the program’s implementation ad-  
23                  heres closely to the elements and protocol  
24                  determined to be most effective in other re-  
25                  covery coaching programs that have been

1 rigorously evaluated and shown to increase  
2 family reunification and protect children;  
3 and

4 “(ii) random assignment of parents or  
5 guardians and their children to be partici-  
6 pates in the program or to be part of the  
7 program’s control group is being carried  
8 out.

9 “(C) IMPACT STUDY.—The impact study  
10 component of the evaluation shall determine the  
11 impacts of the family recovery and reunification  
12 program conducted under the project on the  
13 parents and guardians and their children par-  
14 ticipating in the program. The impact study  
15 component shall—

16 “(i) be conducted using an experi-  
17 mental design that uses a random assign-  
18 ment research methodology;

19 “(ii) consistent with previous studies  
20 of other recovery coaching programs that  
21 have been rigorously evaluated and shown  
22 to increase family reunification and protect  
23 children, measure outcomes for parents  
24 and guardians and their children over mul-

1 tiple time periods, but not for any period  
2 of less than 5 years; and

3 “(iii) include measurements of family  
4 stability and parent, guardian, and child  
5 safety for program participants and the  
6 program control group that are consistent  
7 with measurements of such factors for par-  
8 ticipants and control groups from previous  
9 studies of other recovery coaching pro-  
10 grams so as to allow results of the impact  
11 study to be compared with the results of  
12 such prior studies, including with respect  
13 to comparisons between program partici-  
14 pants and the program control group re-  
15 garding—

16 “(I) safe family reunification;

17 “(II) time to reunification;

18 “(III) permanency (such as  
19 through measures of reunification,  
20 adoption, or placement with guard-  
21 ians);

22 “(IV) safety (such as through  
23 measures of subsequent maltreat-  
24 ment);





1                   as the Secretary determines appro-  
2                   priate.

3                   “(5) AUTHORIZATION OF APPROPRIATIONS.—In  
4                   addition to any amount otherwise made available to  
5                   carry out this subpart, there are authorized to be  
6                   appropriated to the Secretary, \$15,000,000 for fiscal  
7                   year 2019 to carry out the project, which shall re-  
8                   main available through fiscal year 2026.”.