To provide any State with a child welfare demonstration project that is scheduled to terminate at the end of fiscal year 2019 the option to extend the project for up to 2 additional years.

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IN THE SENATE OF THE UNITED STATES

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

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A BILL

To provide any State with a child welfare demonstration project that is scheduled to terminate at the end of fiscal year 2019 the option to extend the project for up to 2 additional years.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “State Flexibility for Family First Transitions Act”.

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SEC. 2. STATE OPTION TO EXTEND A CHILD WELFARE DEMONSTRATION PROJECT.

(a) IN GENERAL.—Section 1130(d)(2) of the Social Security Act (42 U.S.C. 1320a–9(d)(2)) is amended—

(1) by striking “In no event” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), in no event”;

(2) by adding at the end the following:

“(B) STATE OPTION TO EXTEND TERMINATION DATE.—

“(i) NOTICE OF EXTENSION.—Any State conducting a demonstration project under this section that is scheduled to terminate on September 30, 2019, may notify the Secretary at any time prior to August 31, 2019, in such form and manner as the Secretary may require, that the State elects to extend the termination date of the demonstration project, on the same terms and conditions, for such additional period as the State may determine, but in no event beyond September 30, 2021.

“(ii) TRANSITION PLAN REQUIRED.—

No State conducting a demonstration project described in clause (i) may extend
the termination date of the project unless
the State includes with the notice provided
under clause (i) a plan specifying—

“(I) how the State will transition
from the demonstration project to
compliance with the requirements of
the amendments made by sections
50741(a), 50741(b), and 50742 of
Public Law 115–123 by September
30, 2021; and

“(II) the measures the State will
implement to improve permanency
outcomes and reduce emancipation
from foster care during the remainder
of the demonstration project.

“(iii) EFFECT OF EXTENSION ON CERTAIN REQUIREMENTS.—If a State submits
a notice under clause (i) and a transition
plan described in clause (ii) to the Secre-
try, then—

“(I) during the period the State
continues to conduct a demonstration
project under this section, the amend-
ments made by sections 50741(a),
50741(b), and 50742 of Public Law
115–123, to the extent such amend-
ments are inconsistent with the terms
of the demonstration project, shall not
apply with respect to that State; and

“(II) the State shall be deemed
to have requested a delayed effective
date under section 50746(b)(2) of
Public Law 115–123 for the same pe-
period.

“(iv) APPLICATION TO COUNTY-AD-
MINISTERED AND HYBRID-ADMINISTERED
CHILD WELFARE SERVICES.—In the case
of a demonstration project described in
clause (i) that is administered by 1 or
more counties of a State, or that is par-
tially administered by a State and partially
administered by a 1 or more counties of a
State, each State with such an administra-
tive system shall, as a condition of having
the State plans under parts B and E of
title IV approved for fiscal year 2020—

“(I) determine whether any coun-
ty administering the demonstration
project as of the date of enactment of
this subparagraph wants to continue
the project, on the same terms and conditions, and have the conditions described in clause (iii) applied with respect to that county while the demonstration project remains in effect (without regard to whether the State submits a notice under clause (i) or requests a delayed effective date under section 50746(b)(2) of Public Law 115–123);

“(II) agree to allow any such county to continue to administer the demonstration project in that county for such additional period as the county may determine (but in no event beyond September 30, 2021);

“(III) notify the Secretary, in such form and manner as the Secretary may require, of the counties electing to continue to administer the demonstration project for an additional period and specify what the additional period will be; and

“(IV) include with the notice described in subclause (III) a transition
plan prepared by each county identified in the notice that contains the information described in subclauses (I) and (II) of clause (ii) (but prepared with respect to that county instead of with respect to the State).”.

(b) CONFORMING AMENDMENT.—Section 50746(d) of Public Law 115–123 (42 U.S.C. 622 note) is amended by inserting “other than extensions made under subsection (d)(2)(B) of such section” after “determined without regard to any extensions”.