

Attachment B: CERTIFICATION OF REQUIRED LEGISLATION

Instructions for title IV-E agencies: The official with authority to sign the title IV-E plan must complete and sign either section 1 *OR* section 2 below.

SECTION 1: Title IV-E agency request for a delayed effective date:

A. Title IV-B of the Act. *Check only those provisions that require legislationⁱ:*

I hereby request a delayed effective date and certify that legislation is necessary to comply with the following plan requirements under title IV-B of the Social Security Act (the Act) as amended by Public Law 115-123, The Family First Prevention and Services Act (FFPSA).

- Title IV-B requirement at section 422(b)(15)(A)(vii) of the Act that modifies title IV-B, subpart 1 plan for protocols to prevent inappropriate diagnoses.
- For State title IV-E agencies only*, title IV-B requirements at section 422(b)(19) of the Act, that modifies existing title IV-B, subpart 1 plan requirement related to child maltreatment deaths.

B. Title IV-E of the Act *Check only those provisions that require legislationⁱⁱ:*

I hereby request a delayed effective date and certify that legislation is necessary to comply with the following plan requirements under title IV-E of the Act as amended by FFPSA:

- Title IV-E plan requirement at 471(a)(20)(D) of the Act, that modifies the requirements for criminal record and registry checks for adults working in child-care institutions.
- For State title IV-E agencies only*, title IV-E plan requirements at section 471(a)(36) of the Act, that requires agencies to follow model licensing standards for foster family homes.

C. Effective Date and Signature

The delayed effective date is the first day of the first calendar quarter beginning after the close of the first regular session of the legislature that begins after the date of enactment of FFPSA. In the case of a State or Tribe that has a two-year legislative session, each year of the session shall be deemed to be a separate regular session of the legislature.

- The first regular session of the legislature that begins after February 9, 2018 (date of enactment) begins on _____ and closes on _____.
- The calendar quarter that begins after the close date above is _____.
- The delayed effective date for the checked requirement(s) above will be _____ (The first day of the calendar quarter above).

(Date)

(Signature and Title of Designated Agency Official)

CB Approval Date: _____

(Signature, Associate Commissioner, Children's Bureau)

SECTION 2: Title IV-E agencies not requesting a delayed effective date:

I hereby certify that legislation is not necessary to comply with the plan requirements under title IV-B/IV-E of the Act, amended by FFPSA and enumerated above. Therefore a delayed effective date is not applicable.

(Date)

(Signature and Title of Designated Agency Official)

ⁱ In the case of a State plan under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by parts I through III of this subtitle, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

ⁱⁱ Id.