



National Clearinghouse on Child Abuse and Neglect Information National Adoption Information Clearinghouse



Gateways to Information: Protecting Children and Strengthening Families

2003 Child Abuse and Neglect State Statute Series Keeping Children and Families Safe Act of 2003

Current Status

Two versions of the Keeping Children and Families Safe Act of 2003 (the Act) are currently pending before the 108th Congress. The House version (H.R. 14) was introduced in January. The Senate version (S. 342) was introduced in February. The Act reauthorizes the Child Abuse Prevention and Treatment Act (CAPTA), as well as the Adoption Opportunities program, the Abandoned Infants Assistance Act, and the Family Violence Prevention and Services Act.

Background

CAPTA was last authorized in 1996. Re-authorizing legislation failed to pass during the 107th Congress when the House and Senate were unable to reach agreement on several issues. Both versions of the Act build upon the work of the previous Congress, utilizing much of the same language as the bills under consideration in 2002. Some key provisions include:

- Basic State grant funding to improve the child protective services system through attention to case management; training, supervision, recruitment, and retention of caseworkers; and improved reporting of suspected child maltreatment.
- Grants for demonstration projects to support the development of linkages between child protective service agencies and public health, mental health, and developmental disabilities agencies.
- Focus on the prevention of child abuse and neglect through support for community-based services to families.
- Implementation of programs that increase the number of older foster children placed in adoptive families, including a grants program to eliminate barriers to placing children for adoption across jurisdictional boundaries.

The legislation provides for reauthorization for funding of programs for Fiscal Years (FYs) 2004 through 2008. Funding for these programs for FY 2003 was included as part of the Omnibus Appropriations bill (H.J. Res. 2) that recently was approved by both the House and the Senate.

House Version (H.R. 14)

The following is a summary of H.R. 14, the House version of the bill, as provided by *Thomas*, the legislative tracking service of the Library of Congress:

- Amends the Child Abuse Prevention and Treatment Act to revise requirements for: (1) national clearinghouse dissemination of information on child abuse

programs, including community-based programs; (2) related research and assistance activities; (3) grants for additional demonstration projects, including enhanced linkage between child protective service agencies and public health, mental health, and developmental disabilities agencies; (4) additional discretionary grants; and (5) development and operation grants to the States.

- Repeals the authority for existing grants to: (1) the Community-Based Family Resource programs; (2) the Family Support Center programs; (3) the Emergency Child Abuse Prevention Services grant program; and (4) programs under the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986.
- Includes parents with disabilities within the eligibility and performance guidelines governing community-based grants for the prevention of child abuse and neglect.
- Amends the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 to direct the Secretary of Health and Human Services (HHS) to provide for the implementation of programs that increase the number of older foster care children placed in adoptive families, with a special emphasis on child-specific recruitment strategies, including a grants program to eliminate barriers to placing children for adoption across jurisdictional boundaries.
- Amends the Abandoned Infants Assistance Act of 1988 to prohibit the HHS Secretary from making a grant unless the grantee agrees to give priority to abandoned infants and young children who: (1) are infected with, or have been perinatally exposed to, the human immunodeficiency virus, or have a life-threatening illness or other special medical need; or (2) have been perinatally exposed to a dangerous drug.

Senate Version (S. 342)

The Senate version of the bill contains much of the same language, but there are some significant differences. For example, the House bill requires hospitals to report to child protective services the birth of a fetal alcohol or drug-exposed infant, and referral of the infant for evaluation for developmental disabilities to the State's early intervention program provided by a Part C agency. The Senate version requires referral "as appropriate" for infants affected by illegal substance abuse, but not including fetal alcohol abuse.

Some additional provisions in the Senate bill that are not in the House bill include:

- Authorizes grants to organizations that demonstrate innovation in preventing child sexual abuse through school-based training programs that focus on both adolescent victims and victimizers.
- Amends the Family Violence Prevention and Services Program to provide services for children who witness domestic violence, and to provide for training for and collaboration among agencies that provide victim services.
- Directs the General Accounting Office to conduct a study on the effectiveness of training programs for child protective services personnel.

The summaries presented here are for provisions as they have been *proposed*. Many changes can and do occur to the specific language of a bill as it progresses through the legislative process, both to resolve differences between the House and Senate versions and due to amendments that may be offered by members of Congress.

To track the progress of these bills, or any Federal legislation, you can visit *Thomas*, the legislative tracking service of the Library of Congress at <http://thomas.loc.gov/>. Progress of the bill will also be covered in *Children's Bureau Express*, the electronic, on-line newsletter published by the Children's Bureau. For information on how to subscribe, visit www.calib.com/cbexpress/.