

115TH CONGRESS
1ST SESSION

S. _____

To amend title V of the Social Security Act to extend the Maternal, Infant,
and Early Childhood Home Visiting Program.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To amend title V of the Social Security Act to extend the
Maternal, Infant, and Early Childhood Home Visiting
Program.

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
5 “_____ Act of 2017”.

6 **SEC. 2. CONTINUING EVIDENCE-BASED HOME VISITING**
7 **PROGRAM.**

8 Section 511(j)(1)(H) of the Social Security Act (42
9 U.S.C. 711(j)(1)(H)) is amended by striking “fiscal year

1 2017” and inserting “each of fiscal years 2017 through
2 2022”.

3 **SEC. 3. CONTINUING TO DEMONSTRATE RESULTS TO HELP**
4 **FAMILIES.**

5 (a) REQUIRE SERVICE DELIVERY MODELS TO DEM-
6 ONSTRATE IMPROVEMENT IN APPLICABLE BENCHMARK
7 AREAS.—Section 511 of the Social Security Act (42
8 U.S.C. 711) is amended in each of subsections (d)(1)(A)
9 and (h)(4)(A) by striking “each of”.

10 (b) DEMONSTRATION OF IMPROVEMENTS IN SUBSE-
11 QUENT YEARS.—Section 511(d)(1) of such Act (42 U.S.C.
12 711(d)(1)) is amended by adding at the end the following:

13 “(D) DEMONSTRATION OF IMPROVEMENTS
14 IN SUBSEQUENT YEARS.—

15 “(i) CONTINUED MEASUREMENT OF
16 IMPROVEMENT IN APPLICABLE BENCH-
17 MARK AREAS.—The eligible entity, after
18 demonstrating improvements for eligible
19 families as specified in subparagraphs (A)
20 and (B), shall continue to track and re-
21 port, not later than 30 days after the end
22 of fiscal year 2020 and every 3 years
23 thereafter, information demonstrating that
24 the program results in improvements for
25 the eligible families participating in the

1 program in at least 4 of the areas specified
2 in subparagraph (A) that the service deliv-
3 ery model or models selected by the entity
4 are intended to improve.

5 “(ii) CORRECTIVE ACTION PLAN.—If
6 the eligible entity fails to demonstrate im-
7 provement in at least 4 of the areas speci-
8 fied in subparagraph (A), as compared to
9 eligible families who do not receive services
10 under an early childhood home visitation
11 program, the entity shall develop and im-
12 plement a plan to improve outcomes in
13 each of the areas specified in subparagraph
14 (A) that the service delivery model or mod-
15 els selected by the entity are intended to
16 improve, subject to approval by the Sec-
17 retary. The plan shall include provisions
18 for the Secretary to monitor implementa-
19 tion of the plan and conduct continued
20 oversight of the program, including
21 through submission by the entity of reg-
22 ular reports to the Secretary.

23 “(iii) TECHNICAL ASSISTANCE.—The
24 Secretary shall provide an eligible entity
25 required to develop and implement an im-

1 improvement plan under clause (ii) with tech-
2 nical assistance to develop and implement
3 the plan. The Secretary may provide the
4 technical assistance directly or through
5 grants, contracts, or cooperative agree-
6 ments.

7 “(iv) NO IMPROVEMENT OR FAILURE
8 TO SUBMIT REPORT.—If the Secretary de-
9 termines after a period of time specified by
10 the Secretary that an eligible entity imple-
11 menting an improvement plan under clause
12 (ii) has failed to demonstrate any improve-
13 ment in at least 4 of the areas specified in
14 subparagraph (A), or if the Secretary de-
15 termines that an eligible entity has failed
16 to submit the report required by clause (i),
17 the Secretary shall terminate the grant
18 made to the entity under this section and
19 may include any unexpended grant funds
20 in grants made to nonprofit organizations
21 under subsection (h)(2)(B).”.

22 (c) INCLUDING INFORMATION ON APPLICABLE
23 BENCHMARKS IN APPLICATION.—Section 511(e)(5) of
24 such Act (42 U.S.C. 711(e)(5)) is amended by inserting
25 “that the service delivery model or models selected by the

1 entity are intended to improve” before the period at the
2 end.

3 **SEC. 4. REVIEWING STATEWIDE NEEDS TO TARGET RE-**
4 **SOURCES.**

5 Section 511(b)(1) of the Social Security Act (42
6 U.S.C. 711(b)(1)) is amended by striking “Not later
7 than” and all that follows through “section 505(a)” and
8 inserting “Each State shall, as a condition of receiving
9 payments from an allotment for the State under section
10 502, conduct a statewide needs assessment (which may be
11 separate from but in coordination with the statewide needs
12 assessment required under section 505(a) and which shall
13 be reviewed and updated by the State not later than Octo-
14 ber 1, 2020)”.

15 **SEC. 5. IMPROVING THE LIKELIHOOD OF SUCCESS IN**
16 **HIGH-RISK COMMUNITIES.**

17 Section 511(d)(4)(A) of the Social Security Act (42
18 U.S.C. 711(d)(4)(A)) is amended by inserting “, taking
19 into account the staffing, community resource, and other
20 requirements to operate at least one approved model of
21 home visiting and demonstrate improvements for eligible
22 families” before the period.

1 **SEC. 6. OPTION TO FUND EVIDENCE-BASED HOME VISITING**
2 **ON A PAY FOR OUTCOME BASIS.**

3 (a) IN GENERAL.—Section 511(c) of the Social Secu-
4 rity Act (42 U.S.C. 711(c)) is amended by redesignating
5 paragraphs (3) and (4) as paragraphs (4) and (5), respec-
6 tively, and by inserting after paragraph (2) the following:

7 “(3) AUTHORITY TO USE GRANT FOR A PAY
8 FOR OUTCOMES INITIATIVE.—An eligible entity to
9 which a grant is made under paragraph (1) may use
10 up to 25 percent of the grant for outcomes or suc-
11 cess payments related to a pay for outcomes initia-
12 tive that will not result in a reduction of funding for
13 services delivered by the entity under a childhood
14 home visitation program under this section while the
15 eligible entity develops or operates such an initia-
16 tive.”.

17 (b) DEFINITION OF PAY FOR OUTCOMES INITIA-
18 TIVE.—Section 511(k) of such Act (42 U.S.C. 711(k)) is
19 amended by adding at the end the following:

20 “(4) PAY FOR OUTCOMES INITIATIVE.—The
21 term ‘pay for outcomes initiative’ means a perform-
22 ance-based grant, contract, cooperative agreement,
23 or other agreement awarded by a public entity in
24 which a commitment is made to pay for improved
25 outcomes that result in social benefit and direct cost

1 savings or cost avoidance to the public sector. Such
2 an initiative shall include—

3 “(A) a feasibility study that describes how
4 the proposed intervention is based on evidence
5 of effectiveness;

6 “(B) a rigorous, third-party evaluation
7 that uses experimental or quasi-experimental
8 design or other research methodologies that
9 allow for the strongest possible causal infer-
10 ences to determine whether the initiative has
11 met its proposed outcomes;

12 “(C) an annual, publicly available report
13 on the progress of the initiative; and

14 “(D) a requirement that payments are
15 made to the recipient of a grant, contract, or
16 cooperative agreement only when agreed upon
17 outcomes are achieved, except that this require-
18 ment shall not apply with respect to payments
19 to a third party conducting the evaluation de-
20 scribed in subparagraph (B).”.

21 (c) EXTENDED AVAILABILITY OF FUNDS.—Section
22 511(j)(3) of such Act (42 U.S.C. 711(j)(3)) is amended—

23 (1) by striking “(3) AVAILABILITY.—Funds”
24 and inserting the following:

25 “(3) AVAILABILITY.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), funds”; and

3 (2) by adding at the end the following:

4 “(B) FUNDS FOR PAY FOR OUTCOMES INI-
5 TIATIVES.—Funds made available to an eligible
6 entity under this section for a fiscal year (or
7 portion of a fiscal year) for a pay for outcomes
8 initiative shall remain available for expenditure
9 by the eligible entity for not more than 10 years
10 after the funds are so made available.”.

11 **SEC. 7. DATA EXCHANGE STANDARDS FOR IMPROVED**
12 **INTEROPERABILITY.**

13 (a) IN GENERAL.—Section 511(h) of the Social Secu-
14 rity Act (42 U.S.C. 711(h)) is amended by adding at the
15 end the following:

16 “(5) DATA EXCHANGE STANDARDS FOR IM-
17 PROVED INTEROPERABILITY.—

18 “(A) DESIGNATION AND USE OF DATA EX-
19 CHANGE STANDARDS.—

20 “(i) DESIGNATION.—The head of the
21 department or agency responsible for ad-
22 ministering a program funded under this
23 section shall, in consultation with an inter-
24 agency work group established by the Of-
25 fice of Management and Budget and con-

1 sidering State government perspectives,
2 designate data exchange standards for nec-
3 essary categories of information that a
4 State agency operating the program is re-
5 quired to electronically exchange with an-
6 other State agency under applicable Fed-
7 eral law.

8 “(ii) DATA EXCHANGE STANDARDS
9 MUST BE NONPROPRIETARY AND INTER-
10 OPERABLE.—The data exchange standards
11 designated under clause (i) shall, to the ex-
12 tent practicable, be nonproprietary and
13 interoperable.

14 “(iii) OTHER REQUIREMENTS.—In
15 designating data exchange standards under
16 this paragraph, the Secretary shall, to the
17 extent practicable, incorporate—

18 “(I) interoperable standards de-
19 veloped and maintained by an inter-
20 national voluntary consensus stand-
21 ards body, as defined by the Office of
22 Management and Budget;

23 “(II) interoperable standards de-
24 veloped and maintained by intergov-
25 ernmental partnerships, such as the

1 National Information Exchange
2 Model; and

3 “(III) interoperable standards
4 developed and maintained by Federal
5 entities with authority over con-
6 tracting and financial assistance.

7 “(B) DATA EXCHANGE STANDARDS FOR
8 FEDERAL REPORTING.—

9 “(i) DESIGNATION.—The head of the
10 department or agency responsible for ad-
11 ministering a program referred to in this
12 section shall, in consultation with an inter-
13 agency work group established by the Of-
14 fice of Management and Budget, and con-
15 sidering State government perspectives,
16 designate data exchange standards to gov-
17 ern Federal reporting and exchange re-
18 quirements under applicable Federal law.

19 “(ii) REQUIREMENTS.—The data ex-
20 change reporting standards required by
21 clause (i) shall, to the extent practicable—

22 “(I) incorporate a widely accept-
23 ed, nonproprietary, searchable, com-
24 puter-readable format;

1 “(II) be consistent with and im-
2 plement applicable accounting prin-
3 ciples;

4 “(III) be implemented in a man-
5 ner that is cost-effective and improves
6 program efficiency and effectiveness;
7 and

8 “(IV) be capable of being contin-
9 ually upgraded as necessary.

10 “(iii) INCORPORATION OF NONPROPRI-
11 ETARY STANDARDS.—In designating data
12 exchange standards under this paragraph,
13 the Secretary shall, to the extent prac-
14 ticable, incorporate existing nonproprietary
15 standards, such as the eXtensible Mark up
16 Language.

17 “(iv) RULE OF CONSTRUCTION.—
18 Nothing in this paragraph shall be con-
19 strued to require a change to existing data
20 exchange standards for Federal reporting
21 about a program referred to in this sec-
22 tion, if the head of the department or
23 agency responsible for administering the
24 program finds the standards to be effective
25 and efficient.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall take effect on the date that is 2 years
3 after the date of enactment of this Act.