

103^D CONGRESS
1ST SESSION

H. R. 3463

To amend part E of title IV of the Social Security Act to facilitate the placement of foster children in permanent kinship care arrangements.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1993

Mrs. MALONEY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend part E of title IV of the Social Security Act to facilitate the placement of foster children in permanent kinship care arrangements.

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. PLACEMENT OF FOSTER CHILDREN IN PERMA-**
4 **NENT KINSHIP CARE ARRANGEMENTS.**

5 (a) STATE OPTION TO DEEM KINSHIP PLACEMENT
6 AS ADOPTION.—Section 473(a) of the Social Security Act
7 (42 U.S.C. 673(a)) is amended by adding at the end the
8 following:

9 “(7) If a State places a child (who has been in foster
10 care under the supervision of the State) with a blood rel-

1 ative of the child or of a half-sibling of the child, and
2 transfers legal custody of the child to the relative, pursu-
3 ant to a written agreement, entered into between the State
4 and the relative, that contains provisions of the type de-
5 scribed in section 475(3), then, at the option of the State,
6 for purposes of this part—

7 “(A) the placement is deemed an adoption;

8 “(B) the initiation of the proceeding to so place
9 the child is deemed an adoption proceeding;

10 “(C) the relative is deemed the adoptive parent
11 of the child;

12 “(D) the agreement is deemed an adoption as-
13 sistance agreement;

14 “(E) the payments made under the agreement
15 are deemed to be adoption assistance payments; and

16 “(F) any reasonable and necessary court costs,
17 attorneys fees, and other expenses which are directly
18 related to the placement or the transfer of legal cus-
19 tody and are not in violation of State or Federal law
20 are deemed nonrecurring adoption expenses.”.

21 (b) CONSIDERATION OF KINSHIP PLACEMENT OP-
22 TION AT DISPOSITIONAL HEARING.—Section 475(5)(C) of
23 such Act (42 U.S.C. 675(5)(C)) is amended by inserting
24 “should be placed with a relative of the child as provided

1 in section 473(a)(7),” before “should be placed for adop-
2 tion”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to payments under part E of title
5 IV of the Social Security Act for quarters beginning after
6 the date of the enactment of this Act.

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