

116TH CONGRESS
1ST SESSION

S. 1070

To require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers.

IN THE SENATE OF THE UNITED STATES

APRIL 9, 2019

Mr. KAINE introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers.

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 “Child Welfare Work-
5 force Support Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to demonstrate the impact
8 of recruitment and retention strategies in the child welfare
9 workforce and identify effective evidence-based strategies

1 for improved worker recruitment, retention, and advance-
2 ment.

3 **SEC. 3. DEFINITIONS.**

4 In this Act—

5 (1) the term “caseworker” means an individual
6 employed or contracted by a State who works in the
7 field of prevention, identification, and treatment of
8 child abuse and neglect;

9 (2) the term “child welfare workforce” means
10 professional and paraprofessional personnel em-
11 ployed by, or affiliated with, a State in the fields of
12 health care, medicine, law enforcement, judiciary, so-
13 cial work and child protection, education, child care,
14 and other relevant fields, or individuals such as
15 court appointed special advocates or guardian ad
16 litem, who are engaged in, or intend to work in, the
17 field of prevention, identification, and treatment of
18 child abuse and neglect;

19 (3) the term “Indian Tribe” has the meaning
20 given the term “Indian tribe” in section 4 of the In-
21 dian Self-Determination and Education Assistance
22 Act (25 U.S.C. 450b);

23 (4) the term “secondary trauma” means the
24 secondary traumatic stress or vicarious trauma that
25 can occur when a professional experiences stress or

1 symptoms of trauma when working with children
2 and families who are experiencing abuse, neglect, or
3 family violence;

4 (5) the term “Secretary” means the Secretary
5 of Health and Human Services; and

6 (6) the term “State” has the meaning given
7 such term in section 3 of the Child Abuse Preven-
8 tion and Treatment Act (42 U.S.C. 5101 note).

9 **SEC. 4. DEMONSTRATION PROGRAM.**

10 (a) IN GENERAL.—The Secretary shall conduct a 5-
11 year demonstration program under which the Secretary
12 awards, on a competitive basis, grants to eligible entities
13 to plan and implement activities to achieve the strategic
14 objectives described in subsection (d) with respect to the
15 child welfare workforce.

16 (b) ELIGIBLE ENTITIES.—To be eligible to receive a
17 grant under this section, an entity shall be a State or local
18 governmental agency, Indian Tribe or Tribal organization,
19 a nonprofit entity, or the lead entity administering a grant
20 to the applicable State or Indian Tribe under title II of
21 the Child Abuse Prevention and Treatment Act (42 U.S.C.
22 5116 et seq.).

23 (c) APPLICATIONS.—An eligible entity desiring a
24 grant under this section shall submit an application to the
25 Secretary at such time, in such manner, and containing

1 such information as the Secretary may require, includ-
2 ing—

3 (1) a description of the strategic objectives de-
4 scribed in subsection (d) that the eligible entity in-
5 tends to strengthen the child welfare workforce;

6 (2) a description of the eligible entity and evi-
7 dence of the eligible entity's capacity to carry out ac-
8 tivities to achieve the strategic objectives as de-
9 scribed under paragraph (1);

10 (3) an analysis of child welfare workforce needs
11 of the State, and barriers to recruitment and reten-
12 tion of such workforce, including the impact of case-
13 loads, salaries, and workplace violence prevention
14 plans on retention, and which may include consider-
15 ation of any employee surveys on the organizational
16 structure of relevant entities;

17 (4) a description of the current or prospective
18 employees that will be targeted or recruited by the
19 strategic objectives selected from subsection (d), in-
20 cluding an analysis of the demographic characteris-
21 tics of the child welfare workforce;

22 (5) a description of the activities the eligible en-
23 tity intends to undertake to sustainable progress to-
24 wards achieving such strategic objectives;

1 (6) a description of the performance measures
2 the eligible entity intends to use to measure progress
3 towards achieving such strategic objectives;

4 (7) a description of the eligible entity's pre-
5 service training and continuum of support that such
6 entity intends to use for the child welfare workforce,
7 including professionalization of the supervisory
8 workforce;

9 (8) a description of the Federal and non-Fed-
10 eral resources, available under provisions of law
11 other than this section and the Child Abuse Preven-
12 tion and Treatment Act (42 U.S.C. 5101 et seq.),
13 that will be leveraged in support of the activities
14 under the grant;

15 (9) a timeline for implementing and making
16 progress towards achieving such strategic objectives,
17 and assurances that the eligible entity will provide
18 periodic reports to the Secretary on such progress,
19 as the Secretary may require; and

20 (10) an identification of technology infrastruc-
21 ture updates the eligible entity intends to employ in
22 order to improve case worker support.

23 (d) STRATEGIC OBJECTIVES.—The activities to be
24 carried out under each grant awarded under this section
25 shall be designed to achieve strategic objectives that—

1 (1) include—

2 (A) analysis of the child welfare workforce
3 needs in the applicable State, in order to reduce
4 barriers to recruitment, development, and reten-
5 tion of such workforce, which may include con-
6 ducting a time study to determine how the child
7 welfare workforce allocated working hours to-
8 ward required work activities;

9 (B) planning for the recruitment, hiring,
10 and pre-service training of prospective case-
11 workers and other members of the child welfare
12 workforce, utilizing evidence-based, evidence-in-
13 formed, or other promising practices;

14 (C) planning for ongoing professional de-
15 velopment opportunities and continuum of sup-
16 port to improve retention of child welfare work-
17 force; and

18 (D) consideration of best practices to meet
19 the unique needs and development of infants,
20 children, and youth, including such individuals
21 with disabilities and children under the age of
22 3; and

23 (2) may include updating technology infrastruc-
24 ture in child welfare work systems and data sharing
25 across child-serving systems.

1 (e) AWARD REQUIREMENTS.—

2 (1) DURATION.—Each grant awarded under
3 this section shall be for a period not to exceed 5
4 years, subject to the availability of funds.

5 (2) AMOUNT.—Each grant awarded under this
6 section shall be in an amount that is not more than
7 \$100,000 per year for the duration of the grant pe-
8 riod. An eligible entity receiving a grant under this
9 section may allocate not more than 5 percent of the
10 funds awarded through a grant under this section to
11 administrative expenses.

12 (3) ALLOCATION OF AWARDS.—The Secretary
13 shall award up to 10 grants to States or counties
14 and up to 3 grants to Indian Tribes, and shall en-
15 sure that grantees are regionally diverse and serve
16 both rural and urban populations.

17 (4) PRIORITY.—In awarding grants under this
18 section, the Secretary shall give priority to eligible
19 entities that have high rates of child welfare work-
20 force turnover.

21 (f) DEMONSTRATION PROJECT ACTIVITIES.—

22 (1) REQUIRED ACTIVITIES.—To achieve the
23 strategic objectives identified in an eligible entity's
24 application under subsection (c)(3), each eligible en-
25 tity receiving a grant under this section shall carry

1 out the following activities, in a manner that inte-
2 grates services and funding sources to ensure effec-
3 tiveness of the activities and that uses the grant
4 funds efficiently:

5 (A) RECRUITMENT AND HIRING EF-
6 FORTS.—The eligible entity shall provide serv-
7 ices to expand awareness of, interest in, and
8 preparation for, careers in the child welfare
9 workforce, which—

10 (i) shall include prioritizing recruit-
11 ment of nontraditional candidates (such as
12 older workers transitioning from other
13 fields or reentering the workforce after
14 raising families; candidates whose race,
15 ethnicity, and language capacity are reflec-
16 tive of communities they will be serving; or
17 students); and

18 (ii) may include—

19 (I) updating child welfare work-
20 force marketing and recruitment ma-
21 terials;

22 (II) developing partnerships be-
23 tween the State and institutions of
24 higher education to implement train-
25 ing programs specific to the needs of

1 the child welfare workforce of the
2 State;

3 (III) providing internship and job
4 shadowing opportunities for individ-
5 uals considering careers in the child
6 welfare workforce;

7 (IV) developing a competency-
8 based recruitment, screening, and se-
9 lection process that may include com-
10 pletion of realistic caseworker exer-
11 cises;

12 (V) developing and using simula-
13 tion activities to share with potential
14 new caseworkers during the applica-
15 tion process;

16 (VI) creating materials depicting
17 real job experiences and interactions
18 with clients, emphasizing the direct
19 impact that caseworker turnover has
20 on children; and

21 (VII) developing publicly avail-
22 able career opportunity hub and offer
23 position matching services.

24 (B) SUPPORT SERVICES.—The eligible en-
25 tity shall provide services to support the success

1 of individuals employed by a child welfare agen-
2 cy, which shall include the following:

3 (i) EARLY EMPLOYMENT SERVICES.—

4 Services provided to such individuals who
5 are in their first 6 months of employment
6 in the child welfare workforce, to ensure
7 that such individuals succeed in such ca-
8 reers, including—

9 (I) mentoring from colleague
10 with 2 or more years of child welfare
11 work experience and may include com-
12 pensation for mentors;

13 (II) phased training and orienta-
14 tion over initial 6 months of employ-
15 ment, including explicit training re-
16 lated to identifying traumatic stress
17 and secondary traumatic stress and
18 support resources available to employ-
19 ees;

20 (III) joint field visits with experi-
21 enced child welfare worker; and

22 (IV) low-risk initial caseload as-
23 signment with gradual increase in
24 caseload size and difficulty.

1 (ii) EMPLOYMENT SERVICES.—Serv-
2 ices to ensure that such individuals em-
3 ployed by the State for more than 6
4 months have access to ongoing professional
5 development and support to increase job
6 sustainability and long-term retention,
7 which—

8 (I) shall include—

9 (aa) providing peer men-
10 toring, a crisis helpline, and on-
11 site crisis response to address
12 traumatic stress and secondary
13 traumatic stress for caseworkers;

14 (bb) providing support for
15 supervisory personnel, including
16 by conducting interviews, to as-
17 sist employees in long-term ca-
18 reer planning and discuss oppor-
19 tunities for advancement within
20 the child welfare workforce;

21 (cc) developing best prac-
22 tices to address caseworker burn-
23 out and other areas known to in-
24 crease turnover; and

- 1 (dd) providing a system of
2 career advancement with wage
3 progression and opportunities to
4 attain further education and pro-
5 fessional development; and
6 (II) may include—
7 (aa) creating additional posi-
8 tions to achieve manageable case-
9 loads that reflect industry stand-
10 ards such as coaches, mental
11 health specialists, substance
12 abuse specialists, homelessness
13 specialist, developmental dis-
14 ability specialists, and child psy-
15 chiatrists;
16 (bb) safety awareness train-
17 ing and supports in the field;
18 (cc) providing multi-modal
19 training opportunities (such as
20 eLearning, blended classroom,
21 video, webinar, and tools and job
22 aids); and
23 (dd) providing employee
24 wellness programs and edu-
25 cational leave.

1 (2) TECHNOLOGY INFRASTRUCTURE.—In addi-
2 tion to the activities under paragraph (1), an eligible
3 entity receiving a grant under this section may use
4 such grant funds to identify and act upon opportuni-
5 ties for technology infrastructure updates to State
6 systems to support the child welfare workforce,
7 which may include—

8 (A) ensuring technological accessibility for
9 child welfare workers and other systems serving
10 children and families;

11 (B) equipping caseworkers with smart
12 phones, tablets, or laptop computers;

13 (C) providing technology professional de-
14 velopment;

15 (D) improving mobile and remote access
16 capabilities for use of telehealth or similar serv-
17 ices; and

18 (E) addressing other needs within States.

19 (g) EVALUATION AND PROGRESS REPORTS.—Not
20 later than 2 years after receiving a grant under this sec-
21 tion, and annually thereafter until the grant period ends,
22 each eligible entity shall submit a report to the Secretary
23 and to the governor of the State in which the eligible enti-
24 ty serves, that describes—

25 (1) the activities funded by the grant; and

1 (2) the progress the eligible entity has made to-
2 wards achieving the strategic objectives identified
3 under subsection (d)(3).

4 (h) ADMINISTRATION BY THE SECRETARY.—

5 (1) IN GENERAL.—The Secretary may use not
6 more than 10 percent of the amount appropriated
7 under subsection (i) for each fiscal year for adminis-
8 trative expenses to carry out this section, including
9 the expenses of providing the technical assistance
10 and oversight activities under paragraph (2).

11 (2) TECHNICAL ASSISTANCE; OVERSIGHT.—The
12 Secretary shall provide technical assistance and
13 oversight to assist eligible entities in applying for
14 grants under this section and carrying out programs
15 using grants awarded under this section.

16 (3) EVALUATION AND REPORT.—

17 (A) IN GENERAL.—The Secretary shall
18 conduct an evaluation of each grant awarded
19 under this section and submit to Congress a re-
20 port on such evaluation. Such report shall—

21 (i) examine the results of the recruit-
22 ment and retention initiatives supported by
23 the States on the outcomes of the activities
24 under subsection (f); and

1 (ii) be completed not later than 180
2 days after the date on which the Secretary
3 receives the report under subsection (g)
4 from an eligible entity.

5 (B) DATA.—Recipients of grants under
6 this section shall submit to the Secretary any
7 data the Secretary may require for the evalua-
8 tion and report under this paragraph.

9 (i) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as may be
11 necessary to carry out this section.

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