

Strengthening Families for Success Act of 2020

Summary: Parents play a significant role in their children's lives, even if they do not have legal custody or live with their children fulltime. Currently, the only universal program for noncustodial parent involvement within the United States is the child support program, which has the goal of ensuring noncustodial parents contribute financially to their children's wellbeing. In practice, however, current law disproportionately hurts low-income families who receive social services like Temporary Assistance for Needy Families (TANF), federal foster care and Medicaid, preventing them from benefiting from the child support program. That's because child support paid by noncustodial parents in these families may never make it to the child. Instead, the support is often used to reimburse federal and state governments for the social services the family might be receiving - a tactic known as cost recovery. The *Strengthening Families for Success Act* would address this problem by eliminating cost recovery in the child support program, ensuring low-income children and families actually get the financial support they need to thrive.

Recognizing that noncustodial parents not only make monetary contributions but also social and emotional contributions over the course of their children's lives, the legislation would also help reinforce healthy relationships between noncustodial parents and their children. The *Strengthening Families for Success Act* would invest in parenting time agreements that are common for divorced couples to facilitate more time with a child and their noncustodial parent. The legislation also reauthorizes the Healthy Marriage Promotion and Responsible Fatherhood grant program to help strengthen relationships between parents and parents and children.

The *Strengthening Families for Success Act of 2020* would:

Modernize child support program by eliminating cost recovery, incentivizing uncontested parenting time agreements and encouraging closure of unnecessary enforcement referrals:

- Eliminate child support cost recovery for TANF and Title IV-E foster care maintenance payments. Starting in FY 2026, all child support paid by a noncustodial parent will be paid to children and families, despite current or former receipt of TANF and involvement in the foster care system.
- Eliminate child support cost recovery of Medicaid costs for births effective in FY 2026.
- Provide bridge funding to assist child support programs to update their systems by increasing the Federal Financial Participation (FFP) rate to 90 percent for FY 2022 and FY 2023.
- Incentivize early system updates by providing states, District of Columbia, Indian tribes or tribal organizations, and territories that eliminate child support cost recovery for TANF by FY 2024 two additional years of enhanced FFP rate of 90 percent in FY 2024 and FY 2025.
- Establish a new 5-year Parenting Time Services Pilot program that would provide payments to states, local governments, Indian tribes or tribal organizations, and territories so that they can develop and implement uncontested parenting time agreements in child support orders.
- Direct states to close child support enforcement referrals in instances where the custodial and noncustodial parents of the child comprise an intact 2-parent household for the child

(even if a parent is temporarily living elsewhere) and the custodial parent of the child has not requested that the case record be kept open or enforced.

Reauthorize Healthy Marriage Promotion and Responsible Fatherhood (HMRF) grant program:

- Reauthorize HMRF grants for 5 years (through fiscal year 2025). These grants provide funding to community-based programs aimed at strengthening relationships between parents and providing parenting education and support.
- Require the development of criteria and best practices for coordination and partnership between domestic violence shelter and service organizations and HMRF programs; establish procedures that HMRF grantees must take related to domestic violence; and establish a new grant program to support partnerships between HMRF grantees or participants in the bill's Parenting Time Services Pilot program and domestic violence organizations.
- Require HMRF grants to describe in their grant applications how they would continue services and programming during a public health emergency.
- Create infrastructure for HMRF grants to measure outcomes for families and receive technical assistance from the Department of Health and Human Services to improve outcomes.
- Create pilot program to test the impact of not requiring child support establishment and payments with the consent of the custodial parent while a noncustodial parent is an active participant in an HMRF grant program.

Address COVID-19 public health emergency's impact on child support program and families:

- Provide emergency flexibility for child support programs during the COVID-19 pandemic including waiving federal penalties for agencies not meeting child support performance measures during the pandemic.
- Not applying the 6.2 percentage point increase in FMAP from the CARES Act to child support as it applies to retained child support collections that are paid back to the federal government for TANF cost recovery.
- Exempt 2020 Economic Income Payments from CARES Act from reduction or offset with respect to past-due child support.