



# EVERY CHILD DESERVES A FAMILY ACT

## *Section-by-Section Summary*

### **Section 1. Short Title.**

- The title of the bill is the *Every Child Deserves a Family Act*.

### **Section 2. Findings and Purpose.**

- The purposes of the *Every Child Deserves a Family Act* are to:
  - Prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services receiving Federal funds; and
  - Improve safety, well-being, and permanency for LGBTQ children and youth in child welfare.

### **Section 3. Every Child Deserves a Family.**

- Prohibits discrimination by child welfare agencies (“covered entities”) receiving Federal funds through the Social Security Act against children, youth, families, and individuals on the basis of religion, sex (including sexual orientation and gender identity), and marital status.
- Creates a private right of action for those whose rights are violated under this Act within 6 months.
- Requires HHS to publish Federal guidance for covered entities about compliance with this Act.
- Requires HHS to provide technical assistance to covered entities by --
  - identifying laws, regulations, and casework practices inconsistent with this Act;
  - increasing recruitment of all prospective adoptive or foster parents;
  - creating comprehensive cultural competency training; and
  - training judges and attorneys.
- Requires covered entities to provide services, delivery, and training that on youth needs, appropriate language, and cultural sensitivities for current or prospective youth and their families.
- Defines ‘social identity’ to include an individual’s race, ethnicity, nationality, sex, gender identity, sexual orientation, socioeconomic status, physical or cognitive ability, language, beliefs, values, behavior patterns, and customs.
- Requires HHS to collect data through the Adoption and Foster Care Analysis and Reporting System on the sexual orientation and gender identity of adoptive and foster children, youth, and parents, and whether a conflict based on the child or youth’s identity or orientation was a factor in their removal.
- Directs the HHS Secretary to establish a National Resource Center on Safety, Well-Being, Placement Stability, and Permanency for LGBTQ Children and Youth Involved with Child Welfare Services and collect, analyze, and share the Center’s data and research.
- Authorizes such funding as may be necessary to carry out this subsection.
- Requires covered entities to comply with this Act six months after the agency guidance is published or within one year of enactment -- whichever occurs first.
- Gives HHS the ability to extend the deadline for States that need to amend state law and allows HHS to withhold child welfare funds from states that do not comply with this Act.

- Requires GAO to complete a study no later than three years after enactment detailing States' compliance with this Act and to submit the report to the House Ways and Means Committee and Senate Finance Committee.
- Establishes that nothing in this Act invalidates or limits rights, remedies, or legal standards under Title VI of the Civil Rights Act of 1964.
- Provides that the Religious Freedom Restoration Act of 1993 cannot be used to challenge or invalidate this Act.
- Defines terms in the Act.