

## HR 5876

Stop Child Abuse in Residential Programs for Teens Act of 2008

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Families

**Introduced:** Apr 23, 2008

**Current Status:** DEBATE - The House proceeded with ten minutes of debate on the Bachmann motion to recommit with inst

**Latest Action:** DEBATE - The House proceeded with ten minutes of debate on the Bachmann motion to recommit with instructions. The instructions contained in the motion seek to add an amendment requiring parents or legal guardians to give consent before prescription medication is administered to children. During the course of debate, further proceedings on H.R. 5876 were postponed until a time to be announced. (Jun 24, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/5876>

### Sponsor

**Name:** Rep. Miller, George [D-CA-7]

**Party:** Democratic • **State:** CA • **Chamber:** House

### Cosponsors (18 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Davis, Danny K. [D-IL-7]	D · IL		Apr 23, 2008
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Apr 23, 2008
Rep. Hare, Phil [D-IL-17]	D · IL		Apr 23, 2008
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Apr 23, 2008
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Apr 23, 2008
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Apr 23, 2008
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Apr 23, 2008
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Apr 23, 2008
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Apr 23, 2008
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Apr 23, 2008
Rep. Cohen, Steve [D-TN-9]	D · TN		May 6, 2008
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		May 6, 2008
Rep. Lewis, John [D-GA-5]	D · GA		May 6, 2008
Rep. McDermott, Jim [D-WA-7]	D · WA		May 6, 2008
Rep. Sestak, Joe [D-PA-7]	D · PA		May 6, 2008
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		May 22, 2008
Rep. Holt, Rush [D-NJ-12]	D · NJ		May 22, 2008
Rep. Yarmuth, John A. [D-KY-3]	D · KY		May 22, 2008

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	May 22, 2008

Subjects & Policy Tags

Policy Area:

Families

Related Bills

Bill	Relationship	Last Action
110 HR 6358	Related bill	<b>Jun 26, 2008:</b> Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
110 HRES 1276	Procedurally related	<b>Jun 20, 2008:</b> Motion to reconsider laid on the table Agreed to without objection.

Summary (as of May 22, 2008)

Stop Child Abuse in Residential Programs for Teens Act of 2008 - (Sec. 3) Directs the Assistant Secretary for Children and Families of the Department of Health and Human Services to require each location of a covered program to meet specified minimum standards if individually or together with other locations it has an effect on interstate commerce.

Defines "covered program" as one not operated by a governmental entity that for children unrelated to the program owner or operator: (1) provides a residential environment; and (2) operates with a focus on serving children with emotional, behavioral, or mental health problems or disorders, or problems with alcohol or substance abuse.

Directs the Assistant Secretary to require each location of a covered program that, individually or together with other locations, has an effect on interstate commerce, to meet certain minimum health and safety standards.

Directs the Assistant Secretary also to: (1) establish a process for conducting unannounced site inspections of each covered program location to determine compliance with such standards; (2) implement an ongoing review process for investigating and evaluating reports of child abuse and neglect; (3) establish civil penalties for violations of standards; (4) establish public websites with information about each covered program, as well as a national toll-free telephone hotline to receive complaints; and (5) establish a process to ensure that complaints received by the hotline are promptly reviewed by persons with appropriate expertise.

(Sec. 4) Requires the Assistant Secretary to refer any violation of such standards to the Attorney General for appropriate action. Authorizes the Attorney General to file such a complaint on his or her own initiative regardless of whether such a referral has been made.

(Sec. 5) Authorizes a private right of action in a U.S. district court for harm caused by a violation of minimum standards.

(Sec. 7) Authorizes appropriations for FY2009-FY2013.

(Sec. 8) Amends the Child Abuse Prevention and Treatment Act to establish additional eligibility requirements for grants to states to prevent child abuse and neglect at residential programs. Requires such states to develop policies and procedures to prevent child abuse and neglect at covered programs consistent with the standards specified by this Act. Authorizes appropriations for FY2009-FY2013.

## Actions Timeline

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- **Jun 24, 2008:** Considered under the provisions of rule H. Res. 1276. (consideration: CR H5949-5953, H5953-5962; text of measure as reported in House: CR H5956-5958)
- **Jun 24, 2008:** Rule provides for consideration of H.R. 5876 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.
- **Jun 24, 2008:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1276 and Rule XVIII.
- **Jun 24, 2008:** The Speaker designated the Honorable Betty McCollum to act as Chairwoman of the Committee.
- **Jun 24, 2008:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5876.
- **Jun 24, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1276, the Committee of the Whole proceeded with twenty minutes of debate on the George Miller (CA) amendment.
- **Jun 24, 2008:** POSTPONED PROCEEDINGS - At the conclusion of debate on the George Miller (CA) amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. George Miller (CA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 24, 2008:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5876.
- **Jun 24, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H5961)
- **Jun 24, 2008:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H5956-5958)
- **Jun 24, 2008:** Mrs. Bachmann moved to recommit with instructions to Education and Labor. (consideration: CR H5961-5962; text: CR H5961)
- **Jun 24, 2008:** DEBATE - The House proceeded with ten minutes of debate on the Bachmann motion to recommit with instructions. The instructions contained in the motion seek to add an amendment requiring parents or legal guardians to give consent before prescription medication is administered to children. During the course of debate, further proceedings on H.R. 5876 were postponed until a time to be announced.
- **Jun 20, 2008:** Rule H. Res. 1276 passed House.
- **Jun 17, 2008:** Rules Committee Resolution H. Res. 1276 Reported to House. Rule provides for consideration of H.R. 5876 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.
- **May 22, 2008:** Reported (Amended) by the Committee on Education and Labor. H. Rept. 110-669.
- **May 22, 2008:** Placed on the Union Calendar, Calendar No. 421.
- **May 14, 2008:** Committee Consideration and Mark-up Session Held.
- **May 14, 2008:** Ordered to be Reported (Amended) by the Yeas and Nays: 27 - 16.
- **Apr 23, 2008:** Introduced in House
- **Apr 23, 2008:** Referred to the House Committee on Education and Labor.