
42 U.S. Code § 711

Maternal, infant, and early childhood home visiting programs

(a) Purposes

The purposes of this section are—

- (1) to strengthen and improve the programs and activities carried out under this subchapter;
- (2) to improve coordination of services for at risk communities; and
- (3) to identify and provide comprehensive services to improve outcomes for families who reside in at risk communities.

(b) Requirement for all States to assess statewide needs and identify at risk communities

(1) In general

Each State shall, as a condition of receiving payments from an allotment for the State under section 702 of this title, conduct a statewide needs assessment (which may be separate from but in coordination with the statewide needs assessment required under section 705(a) of this title and which shall be reviewed and updated by the State not later than October 1, 2020) that identifies—

(A) communities with concentrations of—

- (i) premature birth, low-birth weight infants, and infant mortality, including infant death due to neglect, or other indicators of at-risk prenatal, maternal, newborn, or child health;
- (ii) poverty;
- (iii) crime;
- (iv) domestic violence;
- (v) high rates of high-school drop-outs;
- (vi) substance abuse;
- (vii) unemployment; or
- (viii) child maltreatment;

(B) the quality and capacity of existing programs or initiatives for early childhood home visitation in the State including—

- (i) the number and types of individuals and families who are receiving services under such programs or initiatives;
- (ii) the gaps in early childhood home visitation in the State; and
- (iii) the extent to which such programs or initiatives are meeting the needs of eligible families described in subsection (1)(2); and

(C) the State's capacity for providing substance abuse treatment and counseling services to individuals and families in need of such treatment or services.

(2) Coordination with other assessments

In conducting the statewide needs assessment required under paragraph (1), the State shall coordinate with, and take into account, other appropriate needs assessments conducted by the State, as determined by the Secretary, including the needs assessment required under section 705(a) of this title (both the most recently completed assessment and any such assessment in progress), the communitywide strategic planning and needs assessments conducted in accordance with section 9835(g)(1)(C) of this title, and the inventory of current unmet needs and current community-based and prevention-focused programs and activities to prevent child abuse and neglect, and other family resource services operating in the State required under section 205(3) of the Child Abuse Prevention and Treatment Act [42 U.S.C. 5116d(3)].

(3) Submission to the Secretary

Each State shall submit to the Secretary, in such form and manner as the Secretary shall require—

- (A) the results of the statewide needs assessment required under paragraph (1); and
- (B) a description of how the State intends to address needs identified by the assessment, particularly with respect to communities identified under paragraph (1)(A), which may include applying for a grant to conduct an early childhood home visitation program in accordance with the requirements of this section.

(c) Grants for early childhood home visitation programs

(1) Authority to make grants

In addition to any other payments made under this subchapter to a State, the Secretary shall make grants to eligible entities to enable the entities to deliver services under early childhood home visitation programs that satisfy the requirements of subsection (d) to eligible families in order to promote improvements in maternal and prenatal health, infant health, child health and development, parenting related to child development outcomes, school readiness, and the socioeconomic status of such families, and reductions in child abuse, neglect, and injuries.

(2) Authority to use initial grant funds for planning or implementation

An eligible entity that receives a grant under paragraph (1) may use a portion of the funds made available to the entity during the first 6 months of the period for which the grant is made for planning or implementation activities to assist with the establishment of early childhood home visitation programs that satisfy the requirements of subsection (d).

(3) Authority to use grant for a pay for outcomes initiative

An eligible entity to which a grant is made under paragraph (1) may use up to 25 percent of the grant for outcomes or success payments related to a pay for outcomes initiative that will not result in a reduction of funding for services delivered by the entity under a childhood home visitation program under this section while the eligible entity develops or operates such an initiative.

(4) Grant amounts

(A) Base grants

(i) In general

(I) General rule

With respect to each of fiscal years 2023 through 2027 for which an eligible entity not referred to in subsection (k)(2)(A) is awarded a base grant under this section, the amount of the grant payable to the eligible entity for the fiscal year is the amount described by clause (ii) of this subparagraph with respect to the eligible entity, except as provided in subclause (II) of this clause.

(II) Substitution of successor eligible entity for predecessor

If the 1st fiscal year for which an eligible entity is awarded a base grant under this section for a program operated in a State is among fiscal years 2024 through 2027, the amount described by clause (ii) with respect to the eligible entity is the amount of the base grant for which a program operated in the State was eligible under this subparagraph for fiscal year 2023.

(ii) Amount described

(I) General rule

Subject to the succeeding provisions of this clause, the amount described by this clause with respect to an eligible entity is—

(aa) the amount made available under subsection (k) for base grants for fiscal year 2023 that remains after making the reservations required by subsection (k)(2) or any other reductions required by Federal law for fiscal year 2023; multiplied by

(bb) the percentage of children in all States who have not attained 5 years of age (as determined by the Secretary on the basis of the data most recently available before fiscal year 2023) that is represented by the number of such children in the State in which the eligible entity is operating a program pursuant to this section (as so determined).

(II) Adjustments to ensure stable funding

If the amount otherwise payable to an eligible entity under subclause (I) for fiscal year 2023 is less than 90 percent, or greater than 110 percent, of the amount payable under this section to the eligible entity for the program for fiscal year 2021, the Secretary shall increase the amount otherwise so payable to 90 percent, or decrease the amount otherwise so payable to 110 percent, as the case may be, of the amount otherwise so payable.

(III) Adjustment to ensure all base grant funds are allocated

If the amount described by subclause (I)(aa) is different than the total of the amounts otherwise described by subclause (I) after applying subclause (II), the Secretary shall increase or decrease the amounts otherwise so described after applying subclause (II) by such equal percentage as is necessary to reduce that difference to zero.

(IV) Minimum base grant amount

Notwithstanding the preceding provisions of this clause, the amount described by this clause with respect to an eligible entity shall be not less than \$1,000,000.

(B) Matching grants

(i) Amount of grant

(I) General rule

With respect to each of fiscal years 2024 through 2027 for which an eligible entity not referred to in subsection (k)(2)(A) is awarded a grant under this section, the Secretary shall increase the amount of the grant payable to the eligible entity for the fiscal year under subparagraph (A) of this paragraph by the matching amount (if any) determined under subclause (II) of this clause with respect to the eligible entity for the fiscal year and the additional matching amount (if any) determined under clause (iii) of this subparagraph with respect to the eligible entity for the fiscal year.

(II) Matching amount

(aa) In general

Subject to item (bb) of this subclause, the matching amount with respect to an eligible entity for a fiscal year is 75 percent of the sum of—

(AA) the total amount obligated by the eligible entity for home visiting services in the State for the fiscal year, from Federal funds made available for the fiscal year under this subparagraph; and
(BB) the total amount so obligated by the eligible entity from non-Federal funds, determined under subclause (III).

(bb) Limitation

The matching amount with respect to an eligible entity for a fiscal year shall not exceed the allotment under subclause (IV) for the State in which the eligible entity is operating a program under this section for the fiscal year.

(III) Determination of obligations from non-Federal funds

For purposes of this clause, the total amount obligated by an eligible entity from non-Federal funds is the total of the amounts that are obligated by the eligible entity from non-Federal sources, to the extent that—

- (aa) the services are delivered in compliance with subsections (d)(2) and (d)(3);
- (bb) the eligible entity has reported the obligations to the Secretary; and
- (cc) the amount is not counted toward meeting the maintenance of effort requirement in subsection (f).

(IV) State allotments

The amount allotted under this subclause for a State in which an eligible entity is operating a program under this section for a fiscal year is—

- (aa) the minimum matching grant allocation amount for the fiscal year; plus
- (bb)

(AA) the amount (if any) by which the amount made available under subsection (k) for matching grants for the fiscal year that remains after making the reservations required by subsection (k)(2) or any other reduction required by Federal law for the fiscal year exceeds the sum of the minimum matching grant allocation amounts for all eligible entities for the fiscal year; multiplied by

(BB) the percentage of children in all States who have not attained 5 years of age and are members of families with income not exceeding the poverty line (as determined by the Secretary on the basis of the most recently available data) that is represented by the number of such children in the State (as so determined).

(V) Minimum matching grant allocation amount

Subject to subclause (VI), for purposes of subclause (IV), the minimum matching grant allocation amount for a fiscal year is—

- (aa) in the case of fiscal year 2024, \$776,000;
- (bb) in the case of fiscal year 2025, \$1,000,000;
- (cc) in the case of fiscal year 2026, \$1,500,000; and
- (dd) in the case of fiscal year 2027, \$2,000,000.

(VI) Special rule

If, after making any reductions otherwise required by law for a fiscal year, the amount made available for matching grants under this clause for the fiscal year is insufficient to provide the minimum matching grant allocation amount to each eligible entity operating a program under this section for the fiscal year, the Secretary may make a proportionate adjustment to the minimum matching grant allocation amount for the fiscal year to accommodate the reductions.

(ii) Submission of statement expressing interest in additional matching funds if available

Before the beginning of a fiscal year for which an eligible entity desires a matching grant under this subparagraph for a program operated under this section, the eligible entity shall submit to the Secretary a statement as to whether the eligible entity desires additional matching grant funds that may be made available under clause (iii) for the fiscal year.

(iii) Carryover and reallocation of unobligated funds

(I) In general

If the Secretary determines that an amount allotted under clause (i)(IV) of this subparagraph for a fiscal year will not be awarded during the fiscal year, or that an amount made available under subsection (k)(1) for a fiscal year for matching grants will not be obligated by an eligible entity for the fiscal year, the amount shall be available for matching grants under this subparagraph for the succeeding fiscal year for eligible entities that have made submissions under clause (ii) of this subparagraph for additional matching grant funds from the amount.

(II) State allotments

The Secretary shall allot to each eligible entity that has made such a submission for a fiscal year—

- (aa) the total amount (if any) made available under subclause (I) for the fiscal year; multiplied by
- (bb) the percentage of children who have not attained 5 years of age and are members of families with income not exceeding the poverty line (as determined by the Secretary on the basis of the most recently available data) in all of the States in which any eligible entity that has made such a submission is so operating a program, that is represented by the number of such children in the State (as so determined) in which the eligible entity is operating such a program.

(III) Additional matching amount

(aa) In general

Subject to item (bb) of this subclause, the additional matching amount with respect to an eligible entity for a fiscal year is 75 percent of the sum of—

- (AA) the total amount obligated by the eligible entity for home visiting services in the State for the fiscal year, from Federal funds made available for the fiscal year under this subparagraph; and
- (BB) the total amount so obligated by the eligible entity from non-Federal funds, determined under clause (i)(III),

that are not taken into account in determining the matching amount with respect to the eligible entity under clause (i).

(bb) Limitation

The additional matching amount with respect to an eligible entity for a fiscal year shall not exceed the allotment under subclause (II) for the State in which the eligible entity is operating a program under this section for the fiscal year.

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)