

104TH CONGRESS
1ST SESSION

S. 1214

To direct the Secretary of Health and Human Services to establish a program to provide pregnant women with certificates to cover expenses incurred in receiving services at maternity homes and to establish a demonstration program to provide maternity care services to certain unwed, pregnant teenagers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 6 (legislative day, SEPTEMBER 5), 1995

Mr. COATS introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To direct the Secretary of Health and Human Services to establish a program to provide pregnant women with certificates to cover expenses incurred in receiving services at maternity homes and to establish a demonstration program to provide maternity care services to certain unwed, pregnant teenagers, and for other purposes.

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 “Maternity Shelter Act
5 of 1995”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) pregnancy among unmarried teenagers is
4 one of the most difficult and far-reaching social
5 problems faced by the United States;

6 (2) in 1988, the most recent year for which sta-
7 tistics are available, 816,000 unmarried teenagers
8 became pregnant, and of such pregnancies, 44 per-
9 cent ended in abortion, 12 percent in miscarriage or
10 still birth, and 44 percent in birth;

11 (3) less than 10 percent of unwed teenage
12 mothers place their children for adoption;

13 (4) only half as many unmarried teenagers
14 begin prenatal care in the first trimester of preg-
15 nancy as do teenagers who become pregnant after
16 marriage, with the result that unmarried teenagers
17 are twice as likely to give birth to low-birth-weight
18 babies than their married teenage counterparts and
19 the rate of infant mortality is twice as high as moth-
20 ers giving birth in their twenties; and

21 (5) Federal policy should assist and encourage
22 States to provide pre- and postnatal maternity care
23 services to pregnant teenagers in order to protect
24 the future health and well-being of their newborn
25 children.

1 **TITLE I—MATERNAL HEALTH**
2 **CERTIFICATES PROGRAM**

3 **SEC. 101. MATERNAL HEALTH CERTIFICATES FOR ELIGI-**
4 **BLE PREGNANT WOMEN.**

5 (a) ESTABLISHMENT OF MATERNAL HEALTH CER-
6 TIFICATES FOR ELIGIBLE PREGNANT WOMEN.—Not later
7 than 180 days after the date of the enactment of this Act,
8 the Secretary shall establish a program to provide mater-
9 nal health certificates for eligible pregnant women to use
10 to cover expenses incurred in receiving services at a mater-
11 nity home.

12 (b) ELIGIBILITY OF INDIVIDUALS.—

13 (1) IN GENERAL.—A pregnant woman is eligi-
14 ble to receive a maternal health certificate under the
15 program established under subsection (a) if the
16 woman—

17 (A) has an annual individual income (de-
18 termined without taking into account the in-
19 come of any parent or guardian of the individ-
20 ual) not greater than 175 percent of the income
21 official poverty line (as defined by the Office of
22 Management and Budget, and revised annually
23 in accordance with section 673(2) of the Omni-
24 bus Budget Reconciliation Act of 1981) applica-
25 ble to such individual; and

1 (B) provides the Secretary with such other
2 information and assurances as the Secretary
3 may require.

4 (2) INCOME OF ESTRANGED SPOUSE NOT IN-
5 CLUDED.—In determining the income of an individ-
6 ual for purposes of paragraph (1)(A), there shall not
7 be included the income of a spouse if the spouse has
8 been living apart from the woman for not less than
9 6 months, or if the spouse is incarcerated.

10 (3) PARTICIPATION IN AFDC PROGRAM NOT RE-
11 QUIRED.—An individual otherwise eligible to receive
12 a maternal health certificate under the program es-
13 tablished under subsection (a) shall not be found in-
14 eligible to receive such a certificate solely on the
15 grounds that the individual does not receive or is not
16 eligible to receive aid under the State plan for aid
17 to families with dependent children under part A of
18 title IV of the Social Security Act.

19 (c) LIMITATIONS ON AMOUNT OF EXPENSES IN-
20 CURRED.—A certificate received under the program estab-
21 lished under subsection (a) may be used to cover an
22 amount of expenses incurred by an individual at a mater-
23 nity home that does not exceed an amount equal to—

24 (1) \$100; multiplied by

1 (2) the number of days during which such serv-
2 ices are provided to the individual at such facility.

3 (d) DEFINITIONS.—For purposes of this section:

4 (1) MATERNITY HOME.—The term “maternity
5 home” means a nonprofit facility licensed or other-
6 wise approved by the State (including accreditation
7 or other peer review systems that may be recognized
8 by the State) in which the facility is located to serve
9 as a residence for not fewer than 4 pregnant women
10 during pregnancy and for a limited period after the
11 date on which the child carried during the pregnancy
12 is born, as the Secretary may determine, that pro-
13 vides such pregnant women with appropriate sup-
14 portive services, which—

15 (A) shall include the following services—

16 (i) instruction and counseling regard-
17 ing future health care for the woman and
18 her child;

19 (ii) nutrition counseling;

20 (iii) counseling and education concern-
21 ing all aspects of prenatal care, childbirth,
22 and motherhood;

23 (iv) general family counseling, includ-
24 ing child and family development counsel-
25 ing;

- 1 (v) adoption counseling;
- 2 (vi) employability training, job assist-
- 3 ance, and counseling; and
- 4 (vii) medical care or referral for medi-
- 5 cal care for the woman and her child, in-
- 6 cluding—
- 7 (I) prenatal, delivery, and post-
- 8 delivery care;
- 9 (II) screening or referral for
- 10 screening for illegal drug use and
- 11 treatment; and
- 12 (III) screening or referral for
- 13 screening and treatment of sexually
- 14 transmitted diseases; and
- 15 (B) may include the following services—
- 16 (i) housing;
- 17 (ii) board and nutrition services;
- 18 (iii) basic transportation services to
- 19 enable the woman to obtain services from
- 20 the facility;
- 21 (iv) incidental dental care;
- 22 (v) referral for job training; and
- 23 (vi) such other services as are consist-
- 24 ent with the purposes of this section.

1 (2) PREGNANT WOMAN.—The term “pregnant
2 woman” means a woman determined to have one or
3 more fetuses in utero.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated for maternal health cer-
6 tificates under this section—

7 (1) \$50,000,000 for fiscal year 1996;

8 (2) \$75,000,000 for fiscal year 1997; and

9 (3) \$100,000,000 for fiscal year 1998.

10 **TITLE II—MATERNITY HOME** 11 **DEMONSTRATIONS**

12 **SEC. 201. PURPOSES.**

13 It is the purpose of this title to support demonstra-
14 tions—

15 (1) to improve and expand the availability of,
16 and access to, needed comprehensive maternity care
17 services that enable pregnant adolescents to obtain
18 proper care and to assist pregnant adolescents and
19 adolescent parents to become productive independent
20 contributors to family and community life; and

21 (2) to promote innovative, comprehensive, and
22 integrated approaches to the delivery of such serv-
23 ices.

24 **SEC. 202. ESTABLISHMENT OF DEMONSTRATION PROGRAM.**

25 (a) GRANTS.—

1 (1) IN GENERAL.—The Secretary of Health and
2 Human Services (hereinafter referred to in this Act
3 as the “Secretary”) may make demonstration grants
4 to any State that submits an application under this
5 section (in such form and containing such informa-
6 tion as the Secretary may require) to reimburse the
7 State for amounts expended under an eligible grant
8 program for maternity care services furnished to eli-
9 gible beneficiaries.

10 (2) LIMITATIONS.—No grant made under para-
11 graph (1)—

12 (A) shall exceed an amount equal to 50
13 percent of the total amount expended by the
14 State under the demonstration program for ma-
15 ternity care services furnished to eligible bene-
16 ficiaries; or

17 (B) shall be used for the performance,
18 counseling, or referral for abortion.

19 (3) DEFINITIONS.—As used in this subsection:

20 (A) DEMONSTRATION PROGRAM.—The
21 term “demonstration program” means any pro-
22 gram conducted by a nonprofit private organi-
23 zation or agency that (as determined by the
24 Secretary) is capable of furnishing in a single
25 setting maternity care services which—

1 (i) shall include the following serv-
2 ices—

3 (I) instruction and counseling re-
4 garding future health care for the
5 woman and her child;

6 (II) nutrition counseling;

7 (III) counseling and education
8 concerning all aspects of prenatal
9 care, childbirth, and motherhood;

10 (IV) general family counseling,
11 including child and family develop-
12 ment counseling;

13 (V) adoption counseling;

14 (VI) employability training, job
15 assistance, and counseling; and

16 (VII) medical care or referral for
17 medical care for the woman and her
18 child, including—

19 (aa) prenatal, delivery, and
20 post-delivery care;

21 (bb) screening or referral for
22 screening for illegal drug use and
23 treatment; and

1 (cc) screening or referral for
2 screening and treatment of sexu-
3 ally transmitted diseases; and

4 (ii) may include the following serv-
5 ices—

6 (I) housing;

7 (II) board and nutrition services;

8 (III) basic transportation services
9 to enable the woman to obtain serv-
10 ices from the facility;

11 (IV) incidental dental care;

12 (V) referral for job training; and

13 (VI) such other services as are
14 consistent with the purposes of this
15 section.

16 (B) ELIGIBLE BENEFICIARY.—The term
17 “eligible beneficiary” means any individual
18 who—

19 (i) is under the age of 19;

20 (ii) has not completed high school;

21 and

22 (iii) (I) is pregnant; or

23 (II) has given birth in the preceding
24 90 days.

1 (b) ADMINISTRATION.—The officer or employee of
2 the Department of Health and Human Services des-
3 ignated by the Secretary to administer the grant program
4 under this section shall report directly to the Assistant
5 Secretary for Health with respect to the activities of such
6 officer or employee in administering such program.

7 (c) AUTHORIZATION OF APPROPRIATIONS; AMOUNTS
8 FOR ADMINISTRATION AND EVALUATION.—

9 (1) AUTHORIZATION OF APPROPRIATIONS.—
10 There are authorized to be appropriated
11 \$50,000,000 for each of the fiscal years 1996, 1997,
12 and 1998 for the purpose of carrying out the grant
13 program under this section.

14 (2) ADMINISTRATION AND START UP.—Not
15 more than 25 percent of the amounts appropriated
16 pursuant to paragraph (1) may be used for the pur-
17 pose of administering or starting up the grant pro-
18 gram under this section.

19 (d) REGULATIONS.—The Secretary shall adopt such
20 regulations as are necessary to carry out this section.

1 **TITLE III—REHABILITATION**
2 **GRANTS FOR MATERNITY**
3 **HOUSING AND SERVICES FA-**
4 **CILITIES**

5 **SEC. 301. ESTABLISHMENT OF GRANT PROGRAM.**

6 The Secretary of Housing and Urban Development
7 shall carry out a program to provide assistance under this
8 title to eligible nonprofit entities for rehabilitation of exist-
9 ing structures for use as facilities to provide housing and
10 services to pregnant women.

11 **SEC. 302. AUTHORITY AND APPLICATIONS.**

12 (a) **AUTHORITY.**—The Secretary may make grants
13 under the program under this title to eligible nonprofit
14 entities to rehabilitate existing structures for use as ma-
15 ternity housing and services facilities.

16 (b) **APPLICATIONS.**—The Secretary may make grants
17 only to nonprofit entities that submit applications for
18 grants under this title in the form and manner that the
19 Secretary shall prescribe, which shall include assurances
20 that grant amounts will be used to provide a maternity
21 housing and services facility.

22 **SEC. 303. GRANT LIMITATIONS.**

23 (a) **MAXIMUM GRANT AMOUNT.**—A grant under this
24 title may not be in an amount greater than \$1,000,000.

1 An eligible nonprofit entity may not receive more than 1
2 grant under this title in any fiscal year.

3 (b) MAXIMUM NUMBER OF GRANTS.—The Secretary
4 may not make grants under this title to more than 100
5 eligible nonprofit entities in any fiscal year.

6 (c) USE OF GRANTS FOR REHABILITATION ACTIVI-
7 TIES.—Any eligible nonprofit entity that receives a grant
8 under this title shall use the grant amounts for the acqui-
9 sition or rehabilitation (or both) of existing structures for
10 use as a maternity housing and services facility, which
11 may include planning and development costs, professional
12 fees, and administrative costs related to such acquisition
13 or rehabilitation.

14 (d) TIME LIMITATION.—Rehabilitation projects that
15 receive assistance under this title shall be operated for not
16 less than 10 years for the purposes described in this title.

17 (e) REPAYMENT.—

18 (1) REQUIREMENT.—The Secretary shall re-
19 quire a recipient of a grant under this title to repay
20 100 percent of the amount of such grant if the Sec-
21 retary determines that the recipient has failed to use
22 such grant to operate maternity housing during the
23 1-year period beginning on the date such housing is
24 placed in service. If the Secretary determines that
25 such recipient is operating maternity housing under

1 such grant for periods in excess of such 1-year pe-
2 riod, the Secretary shall reduce the percentage of
3 the amount required to be repaid by 10 percentage
4 points for each year such maternity housing is in op-
5 eration in excess of such 1-year period.

6 (2) EXCEPTION.—A recipient of a grant under
7 this title shall not be required to comply with the
8 terms and conditions prescribed under this sub-
9 section if the recipient elects to sell or dispose of the
10 property involved and such sale or disposition results
11 in the use of the project for the direct benefit of very
12 low income individuals or if all of the proceeds gen-
13 erated from such sale or disposition are used to pro-
14 vide maternity housing that meets the requirements
15 of this title.

16 **SEC. 304. REPORTS.**

17 The Secretary shall require each eligible nonprofit en-
18 tity that receives a grant under this title to submit to the
19 Secretary a report, at such times and including such infor-
20 mation as the Secretary shall determine, describing the
21 activities carried out by the eligible nonprofit entity with
22 the grant amounts.

23 **SEC. 305. DEFINITIONS.**

24 For purposes of this title:

1 (1) ELIGIBLE NONPROFIT ENTITIES.—The term
2 “eligible nonprofit entity” means any organization
3 that—

4 (A) is described in section 501(c)(3) of the
5 Internal Revenue Code of 1986 that is exempt
6 from taxation under subtitle A of such Code;
7 and

8 (B) has submitted an application under
9 section 702(b) for a grant under this title.

10 (2) MATERNITY HOUSING AND SERVICES FACIL-
11 ITY.—The term “maternity housing and services fa-
12 cility” means a facility licensed or otherwise ap-
13 proved by the State in which the facility is located
14 to serve as a residence for not fewer than 4 preg-
15 nant women during pregnancy and for a limited pe-
16 riod after the date on which the child carried during
17 the pregnancy is born, as the Secretary may deter-
18 mine, that provides such pregnant women with ap-
19 propriate supportive services, which

20 (A) shall include the following services—

21 (i) instruction and counseling regard-
22 ing future health care for the woman and
23 her child;

24 (ii) nutrition counseling;

- 1 (iii) counseling and education concern-
2 ing all aspects of prenatal care, childbirth,
3 and motherhood;
- 4 (iv) general family counseling, includ-
5 ing child and family development counsel-
6 ing;
- 7 (v) adoption counseling;
- 8 (vi) employability training, job assist-
9 ance, and counseling; and
- 10 (vii) medical care or referral for medi-
11 cal care for the woman and her child, in-
12 cluding—
- 13 (I) prenatal, delivery, and post-
14 delivery care;
- 15 (II) screening or referral for
16 screening for illegal drug use and
17 treatment; and
- 18 (III) screening or referral for
19 screening and treatment of sexually
20 transmitted diseases; and
- 21 (B) may include the following services—
- 22 (i) housing;
- 23 (ii) board and nutrition services;

1 (iii) basic transportation services to
2 enable the woman to obtain services from
3 the facility;

4 (iv) incidental dental care;

5 (v) referral for job training; and

6 (vi) such other services as are consist-
7 ent with the purposes of this section.

8 (3) PREGNANT WOMAN.—The term “pregnant
9 woman” means a woman determined to have one or
10 more fetuses in utero.

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of Housing and Urban Development.

13 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to carry out
15 this title \$25,000,000 for fiscal year 1996, \$40,000,000
16 for fiscal year 1997, and \$60,000,000 for fiscal year 1998.

17 **TITLE IV—MISCELLANEOUS**
18 **PROVISIONS**

19 **SEC. 401. EVALUATIONS AND REPORTS.**

20 (a) EVALUATION.—The Secretary of Health and
21 Human Services (with respect to titles I and II) and the
22 Secretary of Housing and Urban Development (with re-
23 spect to title III) shall conduct an evaluation of each pro-
24 gram receiving a grant under this Act and may require
25 each recipient of a grant under this Act to submit such

1 information to the appropriate Secretary as such Sec-
2 retary determines is necessary to conduct such evaluation.

3 (b) REPORT.—Each Secretary referred to in sub-
4 section (a) shall for each year of the grant program under
5 this Act submit to the Congress a summary of each eval-
6 uation conducted under subsection (a) and of the informa-
7 tion submitted to each such Secretary by recipients of
8 grants under this Act.

9 (c) FUNDING.—Of the amounts appropriated pursu-
10 ant to this Act—

11 (1) the Secretary of Health and Human Serv-
12 ices shall reserve not less than 3 percent nor more
13 than 10 percent of the amount appropriated under
14 titles I and II; and

15 (2) the Secretary of Housing and Urban Devel-
16 opment shall reserve not less than 3 percent nor
17 more than 10 percent of the amount appropriated
18 under title III;

19 for the purpose of carrying out the activities under sub-
20 sections (a) and (b).

21 **SEC. 402. PROHIBITION ON ABORTION.**

22 Amounts may be made available under this Act only
23 to programs or projects that—

24 (1) do not provide for the performance of abor-
25 tions or provide abortion counseling or referral;

1 (2) do not subcontract with or make any pay-
2 ments to any person who provides for the perform-
3 ance of abortions or provides abortion counseling or
4 referral; and

5 (3) do not advocate, promote, or encourage
6 abortion;

7 except where the life of the mother would be endangered
8 of the fetus were carried to term.

○