
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1201 Session of
2020

INTRODUCED BY SCHWANK AND L. WILLIAMS, JUNE 22, 2020

REFERRED TO HEALTH AND HUMAN SERVICES, JUNE 22, 2020

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in public assistance,
4 providing for child care payments during the pandemic of
5 2020.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Human Services Code, is amended by adding a section to
10 read:

11 Section 408.4. Child Care Payments During the Pandemic of
12 2020.--(a) This section applies only to the fiscal year 2019-
13 2020 as a result of the global pandemic declared by the World
14 Health Organization on March 11, 2020. The following shall
15 apply:

16 (1) A child care center or family child care home shall
17 continue to receive subsidized child care payments from the
18 department as the child care center or family child care home
19 would otherwise be entitled to receive for the fiscal year 2019-
20 2020 had the pandemic of 2020 not occurred. For the time period

1 a child care center or family child care home is closed or has
2 lower subsidized child care attendance due to the pandemic of
3 2020, the child care center or family child care home shall
4 receive subsidized child care payments based upon its enrollment
5 as of March 13, 2020.

6 (2) A child care center or family child care home may
7 collect copayments from the parent or caretaker of a child
8 enrolled in subsidized child care during the pandemic of 2020
9 for days a child is in attendance. A child care center or family
10 child care home may not collect copayments from the parent or
11 caretaker of a child enrolled in subsidized child care during
12 the pandemic of 2020 if the child care center or family child
13 care home is closed or for days a child is not in attendance.

14 (3) The department shall issue payments to child care
15 centers and family child care homes for the cost of uncollected
16 subsidized child care copayments as the result of a closure or
17 lower subsidized child care attendance due to the pandemic of
18 2020. Payment shall be prioritized to child care centers and
19 family child care homes that have attained a STAR 2, 3 or 4
20 rating under the Keystone STARS Program first if funds are
21 limited.

22 (4) The department shall establish a grant program for child
23 care centers and family child care homes to support the costs of
24 children enrolled as of March 13, 2020, who were not enrolled in
25 subsidized child care when:

26 (i) there is a closure of the child care center or family
27 child care home due to the pandemic of 2020; or

28 (ii) the child is not in attendance due to the pandemic of
29 2020. For this clause, the following shall apply:

30 (A) Payment shall be equivalent to the payment which would

1 be received by the child care center or family child care home
2 for a child enrolled in subsidized child care based on:

3 (I) The age level of the child.

4 (II) Whether the child attends a full day or half day.

5 (III) The quality rating level of the program.

6 (B) Grant payments shall be provided to child care centers
7 and family child care homes serving at least one child in
8 subsidized child care and that have attained a STAR 2, 3 or 4
9 rating under the Keystone STARS Program first and then programs
10 that have not received funds through the Paycheck Protection
11 Program established under the Coronavirus Aid, Relief, and
12 Economic Security Act (Public Law 116-136, 134 Stat. 281).

13 (C) The child care center or family child care home shall
14 provide the signed agreement with a parent or caretaker to the
15 department to prove enrollment in order to receive payment.

16 (5) Every child care center shall have a minimum of two
17 staff persons and every family child care home shall have a
18 minimum of one staff person participate in a training on the
19 best practices for sanitization related to the pandemic of 2020
20 and sanitize the center or home prior to reopening. The
21 following shall apply:

22 (i) Training shall be:

23 (A) Offered at no cost.

24 (B) Credit-bearing.

25 (C) Approved or offered by the department, in consultation
26 with the Department of Health.

27 (ii) Child care centers and family child care homes with
28 children enrolled in subsidized child care and child care
29 centers with children enrolled in the Pre-K Counts Program or
30 the Head Start Supplemental Assistance Program as of March 13,

1 2020, shall be issued a payment of forty dollars (\$40) per
2 child, to assist with the costs of reopening, including
3 sanitization, meeting COVID-19 public health requirements and
4 standards, providing supplies and training.

5 (6) Notwithstanding any other provision of law, the sum of
6 one hundred seventeen million dollars (\$117,000,000) is
7 appropriated from money received by the Commonwealth under the
8 Coronavirus Aid, Relief, and Economic Security Act (Public Law
9 116-136, 134 Stat. 281) to the department for the purpose of
10 child care.

11 (b) As used in this section, the following words and phrases
12 shall have the meanings given to them in this subsection unless
13 the context clearly indicates otherwise:

14 "Child care center." An entity providing child care under
15 section 901 and child care centers under section 1001.

16 "Family child care home." As defined under section 1001.

17 "Head Start Supplemental Assistance Program." The program
18 established under section 1502-D of the act of March 10, 1949
19 (P.L.30, No.14), known as the Public School Code of 1949.

20 "Keystone STARS Program." The child care quality rating and
21 improvement system administered by the department.

22 "Pre-K Counts Program." The program established under
23 section 1512-D of the Public School Code of 1949.

24 Section 2. This act shall take effect immediately.