

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 282 Session of
1997

INTRODUCED BY BARD, VANCE, YOUNGBLOOD, WALKO, GIGLIOTTI, NAILOR,
SATHER, MELIO, SAINATO, PETTIT, FAIRCHILD, OLASZ, BAKER,
RUBLEY, EGOLF, WOJNAROSKI, McCALL, HERMAN, LAUGHLIN, MYERS,
COLAFELLA, STEELMAN, JAMES, PETRARCA, GEIST, BROWNE, CORNELL,
HENNESSEY, HESS, RAMOS, E. Z. TAYLOR, TIGUE, BOSCOLA, TRELLO,
MILLER, BELFANTI, ROONEY, BELARDI, CAWLEY AND L. I. COHEN,
FEBRUARY 5, 1997

REFERRED TO COMMITTEE ON AGING AND YOUTH, FEBRUARY 5, 1997

AN ACT

1 Establishing, on a demonstration basis, a volunteer service
2 credit program; and providing for powers and duties of the
3 Department of Aging.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Volunteer
8 Service Credit Program for Older Adults and Disabled Act.

9 Section 2. Legislative intent.

10 It is the intent of the General Assembly to establish a
11 demonstration program which provides service credits to
12 volunteers who provide in-home services to senior citizens or
13 adults with disabilities in this Commonwealth and to guarantee
14 that volunteers can exchange service credits earned for receipt
15 of in-home services at such time when they become elderly or
16 disabled and are in need of services.

1 Section 3. Definitions.

2 The following words and phrases when used in this act shall
3 have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Adult with disabilities." A person with physical or mental
6 disabilities who is 18 years of age or older and who is eligible
7 for public disability benefits or a State-supported program for
8 persons with disabilities.

9 "Department." The Department of Aging of the Commonwealth.

10 "In-home services." Health and social services and other
11 assistance required to enable older adults or persons with
12 disabilities to remain in their homes. Services include, but are
13 not limited to, home health aide services, attendant care
14 services, companion services, chore and homemaker services and
15 respite care.

16 "Older adult." A resident of this Commonwealth who is 65
17 years of age or older.

18 "Provider." A public or private nonprofit agency awarded a
19 grant pursuant to this act.

20 Section 4. Demonstration program established.

21 A demonstration volunteer service credit program is hereby
22 established to serve older adults and adults with disabilities.
23 The demonstration program shall be administered by the
24 department in at least five sites throughout this Commonwealth.

25 Section 5. Program guidelines.

26 (a) Standard of operations.--The department shall develop
27 standards for the operation of volunteer service credit programs
28 and solicit proposals from and provide grants to providers which
29 meet those standards.

30 (b) Mandatory services.--The programs shall provide, at a

1 minimum, the following services:

2 (1) A training program which gives volunteers the skills
3 necessary for the safe and efficient provision of in-home
4 services.

5 (2) Organization, supervision and dispatch of
6 volunteers.

7 (3) Recruitment of volunteers.

8 (4) Determination of eligibility of persons requesting
9 services.

10 (5) An accounting system to track service credits earned
11 and spent by volunteers.

12 Section 6. Powers and duties of department.

13 (a) Central registry.--The department shall develop and
14 maintain a central registry to receive from providers, on a
15 monthly basis, service credits earned and spent by volunteers.
16 The registry shall consist of individual accounts in which the
17 number of service credits earned and spent by each volunteer is
18 tabulated as necessary.

19 (b) Recruitment of volunteers.--The department shall develop
20 a public awareness campaign designed to recruit volunteers for
21 participation in the demonstration program.

22 (c) Rules and regulations.--The department shall promulgate
23 the rules and regulations necessary for the implementation of
24 this act. Regulations shall include a ratio for the exchange of
25 service credits to in-home services provided.

26 (d) Report to General Assembly.--The department shall make a
27 report to the General Assembly on the level of participation in
28 the demonstration program once each fiscal year.

29 Section 7. Eligibility.

30 All older adults and adults with disabilities who are

1 residents of this Commonwealth and who need in-home services are
2 eligible for the services provided through this act.

3 Section 8. Contingency plan.

4 The department shall develop a contingency plan for using
5 staff and programs to guarantee that in-home services are
6 available in return for credit in the event that no appropriate
7 volunteer is available.

8 Section 9. Confidentiality.

9 All documents and records concerning persons receiving in-
10 home services shall be kept confidential and, without the
11 consent of persons receiving in-home services, may not be
12 released or the contents thereof disclosed to anyone except
13 persons engaged in the provision of in-home services.

14 Section 10. Immunity.

15 (a) General rule.--No person shall be held civilly liable
16 for actions performed as a volunteer in a program established
17 pursuant to this act if he acted in good faith and not falsely,
18 corruptly, maliciously or without reasonable cause.

19 (b) Limitation.--Causes of action based upon gross
20 negligence or incompetence shall not be affected by the
21 immunities granted by this section.

22 Section 11. Funding.

23 The Department of Aging shall apply for and use all Federal
24 funds which may be available for volunteer service credit
25 programs.

26 Section 12. Effective date.

27 This act shall take effect January 1, 1998.