

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2582 Session of
2008

INTRODUCED BY BISHOP, MANN, HERSHEY, MUNDY, GRUCELA, ROCK,
JAMES, THOMAS, HENNESSEY, KULA, MELIO, SIPTROTH, HARPER,
YOUNGBLOOD, HICKERNELL AND MYERS, JUNE 4, 2008

AS REPORTED FROM COMMITTEE ON CHILDREN AND YOUTH, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 17, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in juvenile matters,
3 further providing for disposition of dependent child.

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

6 Section 1. Section 6351 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding subsections to read:
8 § 6351. Disposition of dependent child.

9 * * *

10 (g.1) Termination of jurisdiction.--At the required court
11 hearing to terminate jurisdiction over a dependent child who is
12 18 years of age or older, the county agency shall do the
13 following:

14 (1) Ensure that the child is present in court, unless
15 good cause is shown and accepted by the court. If the child
16 cannot be located, the county agency must document efforts to
17 locate the child.

1 (2) Submit a report to court verifying that the
2 following information, documents and services have been
3 provided to the child:

4 (i) Written information concerning the child's
5 dependency case, including the child's family history and
6 placement history, the whereabouts of any siblings under
7 the jurisdiction of the juvenile court, unless the court
8 determines that sibling contact would jeopardize the
9 safety or welfare of the sibling and the date on which
10 the jurisdiction of the juvenile court would be
11 terminated.

12 (ii) The following documents:

13 (A) Social Security card.

14 (B) Certified birth certificate.

15 (C) Immunization and health records.

16 (D) Education records.

17 (E) Legal documents relating to custody.

18 (F) If applicable, proof of citizenship or
19 residence as described in 55 Pa.Code § 3130.45
20 (relating to permanent documents).

21 (iii) Evidence that the child has received
22 assistance in completing an application for medical
23 assistance or other health insurance.

24 (iv) In cases where the county agency is aware that
25 the child has or may need mental health services,
26 documentation that:

27 (A) The child has been referred to the local
28 office of mental health.

29 (B) An assessment of current mental health needs
30 has been completed by a mental health professional.

1 (C) If appropriate, a case manager through the
2 local office of mental health has been assigned to
3 the child.

4 (D) If the assessment reveals a need for
5 services, an interagency meeting has occurred among
6 the child, any family members or individuals
7 identified as important to the child, the county
8 child welfare agency worker, the child's county
9 mental health case manager, if any, a representative
10 of the county adult mental health system and any
11 involved service providers and relevant systems'
12 representatives to develop a written plan that
13 identifies appropriate services and supports for the
14 child's transition from the child welfare system.

15 (E) The services and supports recommended
16 through the assessment and agreed upon during the
17 interagency meeting described in clause (D), and
18 included in the written plan, were made available on
19 or before the planned discharge date, or the services
20 were applied for in a timely manner and there is an
21 explanation as to why the services could not be made
22 available before discharge.

23 (v) In cases where the child has been identified as
24 having mental retardation, documentation that:

25 (A) The child has been registered with the local
26 office of mental retardation.

27 (B) A service coordinator has been assigned to
28 the child.

29 (C) A Supports Intensity Scale (SIS) has been
30 completed.

1 (D) A current Prioritization of Urgency of Need
2 for Services (PUNS) has been completed.

3 (E) An interagency meeting to plan for the
4 child's transition from the child welfare system
5 occurred at least one year before the planned date of
6 discharge, or at the earliest time possible if the
7 child's discharge date is set for less than one year
8 from the date it is recorded in the child's
9 permanency plan, and included the child, any family
10 members or individuals identified as important to the
11 child, the county child welfare agency worker, any
12 involved provider of mental retardation services,
13 representatives from the county office of mental
14 retardation, the child's supports coordinator,
15 representative from the regional office of
16 developmental programs and representatives from the
17 education system.

18 (vi) In cases where the child has autism,
19 documentation that:

20 (A) The Bureau of Autism Services or its
21 designee was contacted at least one year prior to the
22 child's planned discharge date recorded on the
23 child's permanency plan or at the earliest time
24 possible if the child's discharge date is set for
25 less than one year from the date it is recorded in
26 the child's permanency plan.

27 (B) The child's needs have been assessed and all
28 appropriate services and waivers have been applied
29 for.

30 (C) An interagency meeting to plan for the

1 child's transition from the child welfare system
2 occurred at least one year before the planned date of
3 discharge, or at the earliest time possible if the
4 child's discharge date is set for less than one year
5 from the date it is recorded in the child's
6 permanency plan, and included the child, any family
7 members or individuals identified as important to the
8 child, the county child welfare agency worker, a
9 representative from the regional office of
10 developmental programs and representatives from the
11 education system.

12 (vii) In cases where the child has a physical
13 disability, documentation that contact has been made with
14 the local agencies which administer home-based and
15 community-based waivers for adults with disabilities and
16 an assessment has been made as to which waivers the child
17 may be eligible for and an appropriate application has
18 been submitted at least six months prior to the planned
19 discharge recorded in the child's permanency plan or the
20 earliest time possible if the child's discharge date is
21 set for less than six months from the date it is recorded
22 in the child's permanency plan.

23 (viii) A description of the child's suitable housing
24 plan.

25 (ix) Documentation that the child has a source of
26 income through employment or other legitimate means,
27 which shall not include public benefits unless the child
28 has been determined to be unable to work due to a
29 disability.

30 (x) Documentation of the child's education plan and

1 that assistance has been provided in applying for
2 admission to college, a vocational training program or
3 other educational institution and in obtaining financial
4 aid.

5 (xi) Documentation that the county agency assisted
6 the child in identifying individuals who can support the
7 child in the child's transition to adulthood.

8 (xii) Documentation that the child has had the <—
9 opportunity to receive services through the Statewide
10 Adoption and Permanency Network or any of its affiliates.
11 RECEIVED PERMANENCY AND ADOPTIVE SERVICES. <—

12 (xiii) Documentation that an application for
13 Supplemental Security Income (SSI) benefits has been
14 submitted for any child with a disability.

15 (3) Inform the child that the child may request that the
16 court continue its jurisdiction until the child attains 21
17 years of age if the child is in a course of treatment or
18 instruction pursuant to paragraph (3) of the definition of
19 "child" in section 6302.

20 (g.2) Continued jurisdiction.--The court may continue
21 jurisdiction if it finds that the county agency has not met the
22 requirements of subsection (g.1)(2) and (3). If the court
23 determines that continued jurisdiction is warranted pursuant to
24 this subsection, the continuation shall be ordered for that
25 period of time necessary for the county agency to meet the
26 requirements of subsection (g.1)(2) and (3). This subsection
27 shall not be construed to limit the ability of the juvenile
28 court to continue jurisdiction pursuant to paragraph (3) of the
29 definition of "child" in section 6302.

30 (g.3) Reentry.--A child who was adjudicated dependent prior <—

1 ~~to attaining~~ DEPENDENT CHILD WHOSE JURISDICTION WAS TERMINATED
2 AT 18 years of age may petition the court to reenter the child
3 welfare system at any time prior to attaining 21 years of age.
4 The petition may be made by the child, the child's former
5 attorney or guardian ad litem, the child's former agency or
6 independent living care worker or any interested party. The
7 court may adjudicate the child dependent if the child meets any
8 of the criteria listed under the definition of "dependent child"
9 in section 6302.

10 * * *

11 Section 2. This act shall take effect in 60 days.