

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1246 Session of
2008

INTRODUCED BY WASHINGTON, WOZNIAK, BROWNE, COSTA, FONTANA, FUMO,
ORIE, GREENLEAF, KITCHEN, TARTAGLIONE AND RAFFERTY,
JANUARY 15, 2008

REFERRED TO PUBLIC HEALTH AND WELFARE, JANUARY 15, 2008

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 children and youth,
4 further providing for payment to counties for services to
5 children; and providing for voluntary foster care extension.

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

8 Section 1. Section 704.1(a) of the act of June 13, 1967
9 (P.L.31, No.21), known as the Public Welfare Code, amended
10 August 5, 1991 (P.L.315, No.30), is amended by adding a
11 paragraph to read:

12 Section 704.1. Payments to Counties for Services to
13 Children.--(a) The department shall reimburse county
14 institution districts or their successors for expenditures
15 incurred by them in the performance of their obligation pursuant
16 to this act and the act of December 6, 1972 (P.L.1464, No.333),
17 known as the "Juvenile Act," in the following percentages:

18 * * *

19 (2.1) One hundred percent of the reasonable cost of

department-approved services for extended foster home care for
children who meet all of the following:

(i) were adjudicated dependent before reaching eighteen
years of age;

(ii) are at least eighteen years of age and under twenty-one
years of age; and

(iii) entered into a voluntary written agreement with a
county agency for continuation of foster care placement and
services in accordance with Article VII-A, and where the
agreement was approved by the court that adjudicated the child
dependent.

* * *

Section 2. The act is amended by adding an article to read:

ARTICLE VII-A

VOLUNTARY FOSTER CARE EXTENSION

Section 701-A. Scope of article.

This article relates to the extension of voluntary foster
care.

Section 702-A. Definitions.

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

"Agreement." A voluntary foster care extension agreement
pursuant to this article.

"Child." An individual:

(1) whose custody has been transferred to the county
agency under 42 Pa.C.S. Ch. 63 (relating to juvenile
matters), or whom the agency has otherwise accepted for
service;

(2) who is at least 18 years of age and under 21 years

1 of age; and

2 (3) who was adjudicated dependent before reaching 18
3 years of age.

4 "County agency." The county children and youth social
5 service agency exercising the powers and duties provided for in
6 section 405 of the act of June 24, 1937 (P.L.2017, No.396),
7 known as the County Institution District Law, or its successor
8 agency, and supervised by the Department of Public Welfare under
9 Article IX.

10 Section 703-A. Voluntary Foster Care Extension Program.

11 (a) Establishment.--The Voluntary Foster Care Extension
12 Program is established within the department.

13 (b) Voluntary foster care agreements.--

14 (1) A county agency shall be authorized to enter into a
15 written voluntary foster care extension agreement with a
16 child for the continuation of foster care placement and
17 services commencing at 18 years of age through 21 years of
18 age or any lesser continuous period of time commencing at 18
19 years of age as provided by agreement.

20 (2) The court that declared the child dependent must
21 approve the agreement in order for it to take effect.

22 (c) Court approval of agreement.--The court shall grant
23 approval of the agreement if the court determines the agreement
24 to be in the best interest of the child. This determination
25 shall include consideration of the safety, protection, mental
26 and moral welfare of the child.

27 (d) Contents of agreement.--An agreement shall include, but
28 not be limited to, the following:

29 (1) A stated intent by the child to comply with the
30 terms of the agreement.

1 (2) Authority for the county agency to petition the
2 court to discontinue foster care placement and services
3 resulting from a violation of the agreement by the child.

4 (3) Any requirement imposed by a county agency.

5 (4) Any requirement as determined by the department and
6 required by regulation.

7 (e) Additional terms of agreement.--An agreement may include
8 the following:

9 (1) Any requirement by the county agency for the child
10 to seek or obtain one or more of the following:

11 (i) a graduate equivalency degree;

12 (ii) vocational training;

13 (iii) job counseling, training and placement;

14 (iv) personal health education and instruction; or

15 (v) other support services.

16 (2) Other requirements determined by the county agency.

17 Section 3. The department shall promulgate regulations
18 necessary to carry out the provisions of this act. The
19 regulations shall be subject to review pursuant to the act of
20 June 25, 1982 (P.L.633, No.181), known as the Regulatory Review
21 Act.

22 Section 4. This act shall take effect in 180 days.