

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1261 Session of 2011

INTRODUCED BY QUIGLEY, AUMENT, BAKER, BARRAR, BENNINGHOFF, BOBACK, BOYD, CAUSER, CHRISTIANA, CLYMER, D. COSTA, COX, CREIGHTON, CUTLER, ELLIS, EVERETT, GABLER, GEIST, GILLEN, GINGRICH, GOODMAN, GRELL, GROVE, HARHART, HARPER, HARRIS, HEFFLEY, HESS, HICKERNELL, KAUFFMAN, M. K. KELLER, KNOWLES, KRIEGER, MAJOR, MARSHALL, MARSICO, MASSER, METCALFE, METZGAR, MILLER, MILNE, MOUL, MURT, MUSTIO, O'NEILL, PERRY, PETRI, PICKETT, PYLE, QUINN, READSHAW, REED, REICHLEY, ROAE, ROCK, SAYLOR, SCAVELLO, SCHRODER, STEVENSON, SWANGER, TALLMAN, TOOHL, VEREB, VULAKOVICH, ADOLPH, FARRY, DELOZIER, MALONEY, RAPP, KORTZ, STEPHENS, BURNS, CALTAGIRONE, GILLESPIE AND BEAR, APRIL 1, 2011

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, JUNE 29, 2012

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 ~~further providing for definitions and for determination of~~ ←
5 ~~eligibility~~ IN GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF ←
6 PUBLIC WELFARE, PROVIDING FOR COUNTY HUMAN SERVICES
7 CONSOLIDATED PLANNING AND REPORTING; IN PUBLIC ASSISTANCE,
8 FURTHER PROVIDING FOR DEFINITIONS, PROVIDING FOR CESSATION OF
9 THE GENERAL ASSISTANCE CASH PROGRAM AND THE CONTINUATION OF
10 THE GENERAL ASSISTANCE-RELATED MEDICAL ASSISTANCE PROGRAMS,
11 FURTHER PROVIDING FOR ESTABLISHMENT OF RESET, FOR
12 DETERMINATION OF ELIGIBILITY, FOR FAILURE TO COMPLY WITH
13 EMPLOYMENT AND WORK-RELATED ACTIVITY REQUIREMENTS AND FOR
14 MEDICALLY NEEDY AND DETERMINATION OF ELIGIBILITY; IN CHILDREN ←
15 AND YOUTH, FURTHER PROVIDING FOR DEFINITIONS; ~~AND~~ IN NURSING ←
16 FACILITY ASSESSMENTS, FURTHER PROVIDING FOR TIME PERIODS; IN
17 KINSHIP CARE, FURTHER PROVIDING FOR DEFINITIONS AND FOR
18 KINSHIP CARE PROGRAM, PROVIDING FOR SUBSIDIZED PERMANENT
19 LEGAL CUSTODIANSHIP PROGRAM AND FOR PERMANENT LEGAL
20 CUSTODIANSHIP SUBSIDY AND REIMBURSEMENT; PROVIDING FOR HUMAN ←
21 SERVICES BLOCK GRANT PILOT PROGRAM; AND MAKING RELATED
22 REPEALS.

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

~~Section 1. Section 402 of the act of June 13, 1967 (P.L.31,
No.21), known as the Public Welfare Code, is amended by adding
definitions to read:~~

~~Section 402. Definitions. As used in this article, unless
the content clearly indicates otherwise:~~

~~"Applicant" means an individual who applies for assistance
under this article.~~

~~* * *~~

~~"Recipient" means an individual who receives assistance under
this article.~~

~~* * *~~

~~"Residence" means permanent legal residence.~~

~~* * *~~

~~Section 2. Section 432.2(b) and (c) of the act, amended or
added July 15, 1976 (P.L.993, No.202) and April 8, 1982
(P.L.231, No.75), are amended to read:~~

~~Section 432.2. Determination of Eligibility. * * *~~

~~(b) As a condition of eligibility for assistance, all
applicants and recipients of assistance shall cooperate with the
department in providing and verifying information necessary for
the department to determine initial or continued eligibility in
accordance with the provisions of this act. An individual
applying for assistance shall complete an application containing
such information required to establish eligibility and amount of
grant. The application shall include, but not be limited to, the
following information:~~

~~(1) Names of all persons to receive aid;~~

~~(2) Birth dates of all persons to receive aid;~~

~~(3) Social security numbers of all persons to receive aid,
or proof of application for such social security number;
(4) Place of residence for all persons to receive aid;
(5) The names of any legally responsible relative living
in the home;
(6) Any income or resources as defined in this act or in
regulations promulgated pursuant to this act.~~

~~The department shall provide assistance as needed to complete
the application and shall insure that all applicants or
recipients have or promptly obtain a social security number. The
department shall determine all elements of eligibility based
upon the circumstances as exist at the applicant's place of
residence prior to awarding assistance.~~

~~(c) The department shall determine all elements of
eligibility periodically based upon the circumstances as exist
at the recipient's place of residence and in accordance with the
provisions of this section: Provided, however, That such
determination shall not be less frequent than every six months.
The department shall require the completion of a continuing
application form at the time of redetermination recertifying the
information required by subsection (b) and the provisions of
section 432.15 shall be applicable to this subsection.~~

~~* * *~~

~~SECTION 1. SECTION 432.2(B) OF THE ACT OF JUNE 13, 1967
(P.L.31, NO.21), KNOWN AS THE PUBLIC WELFARE CODE, AMENDED JUNE
30, 2011 (P.L.89, NO.22), IS AMENDED TO READ:~~

~~SECTION 1. THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN
AS THE PUBLIC WELFARE CODE, IS AMENDED BY ADDING A SECTION TO
READ:~~

SECTION 205.1. COUNTY HUMAN SERVICES CONSOLIDATED PLANNING

1 AND REPORTING.-- (A) THE DEPARTMENT SHALL DEVELOP A UNIFORM,
2 CONSOLIDATED PROCESS FOR COUNTIES TO SUBMIT PLANS AND REPORTS
3 REGARDING ALL OF THE FOLLOWING:

4 (1) FUNDS ALLOCATED TO COUNTIES UNDER THE ACT OF OCTOBER 5,
5 1994 (P.L.531, NO.78), KNOWN AS THE HUMAN SERVICES DEVELOPMENT
6 FUND ACT.

7 (2) FUNDS ALLOCATED TO COUNTIES FOR MENTAL HEALTH AND
8 INTELLECTUAL DISABILITY SERVICES UNDER THE ACT OF OCTOBER 20,
9 1966 (3RD SP.SESS., P.L.96, NO.6), KNOWN AS THE MENTAL HEALTH
10 AND INTELLECTUAL DISABILITY ACT OF 1966.

11 (3) FUNDS ALLOCATED TO COUNTIES FOR BEHAVIORAL HEALTH
12 SERVICES.

13 (4) FUNDS ALLOCATED TO COUNTIES FOR DRUG AND ALCOHOL
14 ADDICTION TREATMENT SERVICES UNDER SECTION 2334 OF THE ACT OF
15 APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE
16 CODE OF 1929.

17 (5) FUNDS ALLOCATED TO COUNTIES FOR THE PROVISION OF
18 SERVICES TO THE HOMELESS.

19 (6) FUNDS ALLOCATED TO COUNTY CHILD WELFARE AGENCIES AS
20 ADDITIONAL GRANTS UNDER SECTION 704.1(B).

21 (B) COUNTIES SHALL SUBMIT PLANS AND REPORTS IN A FORM,
22 CONTAINING SUCH INFORMATION, AND BY SUCH DEADLINE AS THE
23 DEPARTMENT MAY PRESCRIBE. THE PLANS AND REPORTS SHALL INCLUDE AT
24 LEAST ALL OF THE FOLLOWING:

25 (1) DELIVERY OF COUNTY-BASED HUMAN SERVICES BY CLIENT
26 POPULATION SERVED, INCLUDING A DETAILED DESCRIPTION OF HOW EACH
27 COUNTY INTENDS TO USE THE FUNDS IDENTIFIED IN SUBSECTION (A) TO
28 PROVIDE SERVICES TO ITS RESIDENTS IN THE LEAST RESTRICTIVE
29 SETTING APPROPRIATE TO THEIR NEEDS.

30 (2) THE DISTRIBUTION AND PROJECTED EXPENDITURE LEVEL OF THE

1 FUNDS IDENTIFIED IN SUBSECTION (A), INCLUDING BLOCK GRANT FUNDS
2 FOR THOSE COUNTIES PARTICIPATING IN THE HUMAN SERVICES BLOCK
3 GRANT PILOT PROGRAM PURSUANT TO ARTICLE XIV-B.

4 (3) PUBLIC HEARINGS BY COUNTIES UNDER 65 PA.C.S. CH. 7
5 (RELATING TO OPEN MEETINGS), INCLUDING THE OPPORTUNITY FOR
6 INDIVIDUALS AND THEIR FAMILIES RECEIVING HUMAN SERVICES TO
7 TESTIFY ABOUT THE COUNTY PLAN.

8 SECTION 2. SECTION 402 INTRODUCTORY PARAGRAPH AND THE
9 DEFINITION OF "GENERAL ASSISTANCE" IN SECTION 402 OF THE ACT,
10 AMENDED MAY 16, 1996 (P.L.175, NO.35), ARE AMENDED AND THE
11 SECTION IS AMENDED BY ADDING A DEFINITION TO READ:

12 SECTION 402. DEFINITIONS.--AS USED IN THIS ARTICLE, UNLESS
13 THE [CONTENT] CONTEXT CLEARLY INDICATES OTHERWISE:

14 * * *

15 ["GENERAL ASSISTANCE" MEANS ASSISTANCE GRANTED UNDER THE
16 PROVISIONS OF SECTION 432(3) OF THIS ACT.]

17 "GENERAL ASSISTANCE-RELATED CATEGORICALLY NEEDY MEDICAL
18 ASSISTANCE" MEANS MEDICAL ASSISTANCE FOR PERSONS WHO MEET THE
19 REQUIREMENTS UNDER SECTION 432(3).

20 * * *

21 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 403.2. GENERAL ASSISTANCE-RELATED CATEGORICALLY
23 NEEDY AND MEDICALLY NEEDY ONLY MEDICAL ASSISTANCE PROGRAMS.--(A)
24 SUBJECT TO SUBSECTION (B) AND NOTWITHSTANDING ANY OTHER
25 PROVISION OF LAW, THE GENERAL ASSISTANCE CASH ASSISTANCE PROGRAM
26 SHALL CEASE AUGUST 1, 2012.

27 (B) THE GENERAL ASSISTANCE-RELATED CATEGORICALLY NEEDY
28 MEDICAL ASSISTANCE PROGRAM SHALL CONTINUE, INCLUDING, BUT NOT
29 LIMITED TO, THE ELIGIBILITY AND WORK AND WORK-RELATED
30 REQUIREMENTS UNDER THIS ARTICLE. THE GENERAL ASSISTANCE-RELATED

1 MEDICAL ASSISTANCE PROGRAM FOR THE MEDICALLY NEEDY ONLY SHALL
2 CONTINUE.

3 SECTION 4. SECTION 405.1(A.2)(3) OF THE ACT, AMENDED MAY 16,
4 1996 (P.L.175, NO.35), IS AMENDED TO READ:

5 SECTION 405.1. ESTABLISHMENT OF RESET.--* * *

6 (A.2) IN ACCORDANCE WITH RESET, THE FOLLOWING REQUIREMENTS
7 SHALL APPLY:

8 * * *

9 (3) [A NONEXEMPT APPLICANT'S INITIAL WORK-RELATED ACTIVITY
10 SHALL BE TO CONDUCT AN INDEPENDENT JOB SEARCH FOR A PERIOD NOT
11 TO EXCEED EIGHT WEEKS. A PERSON WHO IS ON THE EFFECTIVE DATE OF
12 THIS SUBSECTION A NONEXEMPT RECIPIENT SHALL BE REQUIRED TO
13 CONDUCT AN INDEPENDENT JOB SEARCH WITHIN EIGHT WEEKS OF THE
14 RECIPIENT'S NEXT REDETERMINATION OF ELIGIBILITY. THE APPLICANT
15 OR RECIPIENT MUST DOCUMENT SUCH EFFORTS AND PRESENT THE
16 DOCUMENTATION TO THE APPROPRIATE COUNTY ASSISTANCE OFFICE UPON
17 REQUEST. FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION
18 SHALL RESULT IN THE IMPOSITION OF THE SANCTIONS SET FORTH IN
19 SECTION 432.3.] AS A CONDITION OF ELIGIBILITY, AN APPLICANT
20 SHALL APPLY FOR AT LEAST THREE POSITIONS OF UNSUBSIDIZED
21 EMPLOYMENT EACH WEEK, UNLESS THE APPLICANT ESTABLISHES GOOD
22 CAUSE FOR FAILURE TO COMPLY. AN APPLICANT SHALL CONTINUE TO
23 APPLY FOR UNSUBSIDIZED EMPLOYMENT UNTIL PAID EMPLOYMENT OF AT
24 LEAST TWENTY HOURS PER WEEK IS SECURED. THE APPLICANT SHALL
25 VERIFY COMPLIANCE WITH THESE REQUIREMENTS IN THE MANNER AND FORM
26 PRESCRIBED BY THE DEPARTMENT.

27 * * *

28 SECTION 5. SECTION 432.2(B) OF THE ACT, AMENDED JUNE 30,
29 2011 (P.L.89, NO.22), IS AMENDED TO READ:

30 SECTION 432.2. DETERMINATION OF ELIGIBILITY.--* * *

(B) AS A CONDITION OF ELIGIBILITY FOR ASSISTANCE, ALL APPLICANTS AND RECIPIENTS OF ASSISTANCE SHALL COOPERATE WITH THE DEPARTMENT IN PROVIDING AND VERIFYING INFORMATION NECESSARY FOR THE DEPARTMENT TO DETERMINE INITIAL OR CONTINUED ELIGIBILITY IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT. AN INDIVIDUAL APPLYING FOR ASSISTANCE SHALL COMPLETE AN APPLICATION CONTAINING SUCH INFORMATION REQUIRED TO ESTABLISH ELIGIBILITY AND AMOUNT OF GRANT. THE APPLICATION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING INFORMATION:

- (1) NAMES OF ALL PERSONS TO RECEIVE AID;
- (2) BIRTH DATES OF ALL PERSONS TO RECEIVE AID;
- (3) SOCIAL SECURITY NUMBERS OF ALL PERSONS TO RECEIVE AID, OR PROOF OF APPLICATION FOR SUCH SOCIAL SECURITY NUMBER;
- (4) PLACE OF RESIDENCE FOR ALL PERSONS TO RECEIVE AID;
- (5) THE NAMES OF ANY LEGALLY RESPONSIBLE RELATIVE LIVING IN THE HOME;
- (6) ANY INCOME OR RESOURCES AS DEFINED IN THIS ACT OR IN REGULATIONS PROMULGATED PURSUANT TO THIS ACT.

THE DEPARTMENT SHALL PROVIDE ASSISTANCE AS NEEDED TO COMPLETE THE APPLICATION AND SHALL [INSURE] ENSURE THAT ALL APPLICANTS OR RECIPIENTS HAVE OR PROMPTLY OBTAIN A SOCIAL SECURITY NUMBER. THE DEPARTMENT SHALL DETERMINE ALL ELEMENTS OF ELIGIBILITY BASED UPON THE CIRCUMSTANCES THAT EXIST AT THE APPLICANT'S OR RECIPIENT'S PLACE OF RESIDENCE PRIOR TO AWARDING ASSISTANCE.

* * *

SECTION 6. SECTIONS 432.3(A) AND 442.1(A)(3) OF THE ACT, AMENDED MAY 16, 1996 (P.L.175, NO.35), ARE AMENDED TO READ:

SECTION 432.3. FAILURE TO COMPLY WITH EMPLOYMENT AND WORK-RELATED ACTIVITY REQUIREMENTS.--(A) [AN APPLICANT OR] A RECIPIENT WHO IS NOT EXEMPT FROM PARTICIPATION IN THE EMPLOYMENT



1 OR WORK-RELATED ACTIVITY REQUIREMENTS SET FORTH IN SECTION
2 405.1 (A.2) AND WHO WITHOUT GOOD CAUSE: (I) VOLUNTARILY
3 TERMINATES EMPLOYMENT OR REDUCES EARNINGS; (II) FAILS TO APPLY
4 FOR WORK AT SUCH TIME AND IN SUCH MANNER AS THE DEPARTMENT MAY
5 PRESCRIBE; OR (III) FAILS OR REFUSES TO ACCEPT REFERRAL TO AND
6 PARTICIPATE IN A WORK-RELATED ACTIVITY, OR REFUSES TO ACCEPT
7 REFERRAL TO AND WORK IN AND RETAIN EMPLOYMENT IN WHICH THE
8 [APPLICANT OR] RECIPIENT IS ABLE TO ENGAGE, PROVIDED SUCH
9 EMPLOYMENT CONFORMS TO THE STANDARDS ESTABLISHED FOR A BONA FIDE
10 OFFER OF EMPLOYMENT, SHALL BE DISQUALIFIED FROM RECEIVING
11 ASSISTANCE AS FOLLOWS:

12 (1) [A] FOR THE FIRST VIOLATION, A MINIMUM OF THIRTY DAYS
13 [FOR THE FIRST VIOLATION] AND CONTINUING THEREAFTER UNTIL SUCH
14 TIME AS [HE OR SHE IS WILLING TO COMPLY] THE RECIPIENT HAS
15 DEMONSTRATED AND MAINTAINED COMPLIANCE FOR AT LEAST A ONE-WEEK
16 PERIOD WITH THE REQUIREMENTS OF SECTION 405.1[; A MINIMUM OF
17 SIXTY DAYS FOR]. AFTER THE RECIPIENT HAS BEEN DISQUALIFIED FOR
18 NINETY DAYS, THE ENTIRE ASSISTANCE GROUP SHALL BE DISQUALIFIED
19 UNTIL THE RECIPIENT HAS DEMONSTRATED AND MAINTAINED COMPLIANCE
20 FOR AT LEAST A ONE-WEEK PERIOD WITH THE REQUIREMENTS OF SECTION
21 405.1.

22 (2) FOR THE SECOND VIOLATION, A MINIMUM OF SIXTY DAYS AND
23 CONTINUING THEREAFTER UNTIL SUCH TIME AS [HE OR SHE IS WILLING
24 TO COMPLY] THE RECIPIENT HAS DEMONSTRATED AND MAINTAINED
25 COMPLIANCE FOR AT LEAST A ONE-WEEK PERIOD WITH THE REQUIREMENTS
26 OF SECTION 405.1[; AND PERMANENTLY FOR A THIRD VIOLATION]. AFTER
27 THE RECIPIENT HAS BEEN DISQUALIFIED FOR SIXTY DAYS, THE ENTIRE
28 ASSISTANCE GROUP SHALL BE DISQUALIFIED UNTIL THE RECIPIENT HAS
29 DEMONSTRATED AND MAINTAINED COMPLIANCE FOR AT LEAST A ONE-WEEK
30 PERIOD WITH THE REQUIREMENTS OF SECTION 405.1.

1 [(2) IF THE REASON FOR THE DISQUALIFICATION OCCURS DURING
2 THE FIRST TWENTY-FOUR MONTHS THAT CASH ASSISTANCE IS RECEIVED,
3 WHETHER THOSE MONTHS ARE CONSECUTIVE OR INTERRUPTED, ONLY THE
4 INDIVIDUAL IS DISQUALIFIED. IF THE REASON FOR THE
5 DISQUALIFICATION OCCURS AFTER THE INDIVIDUAL HAS RECEIVED
6 ASSISTANCE FOR MORE THAN TWENTY-FOUR MONTHS, WHETHER THOSE
7 MONTHS ARE CONSECUTIVE OR INTERRUPTED, THE DISQUALIFICATION IS
8 IMPOSED ON THE ENTIRE ASSISTANCE GROUP.]

9 [(3) FOR THE THIRD VIOLATION, THE ENTIRE ASSISTANCE GROUP
10 SHALL BE PERMANENTLY DISQUALIFIED.]

11 * * *

12 SECTION 442.1. THE MEDICALLY NEEDY; DETERMINATION OF
13 ELIGIBILITY.-- (A) A PERSON SHALL BE CONSIDERED MEDICALLY NEEDY
14 IF THAT PERSON MEETS THE REQUIREMENTS OF CLAUSES (1), (2) AND
15 (3):

16 * * *

17 (3) COMPLIES WITH [EITHER] SUBCLAUSE [(I) OR] (II):

18 [(I) RECEIVES GENERAL ASSISTANCE IN THE FORM OF CASH.]

19 (II) IS NOT ELIGIBLE FOR CASH ASSISTANCE BUT IS:

20 (A) A CHILD UNDER TWENTY-ONE YEARS OF AGE;

21 (B) A CUSTODIAL PARENT OF A DEPENDENT CHILD UNDER TWENTY-ONE
22 YEARS OF AGE[;] WHO VERIFIES EMPLOYMENT OF AT LEAST ONE HUNDRED
23 HOURS PER MONTH EARNING AT LEAST THE MINIMUM WAGE;

24 (C) A PERSON FIFTY-NINE YEARS OF AGE OR OLDER;

25 (D) A REFUGEE FOR WHOM FEDERAL FINANCIAL PARTICIPATION IS
26 AVAILABLE;

27 (E) A PREGNANT WOMAN;

28 (F) A PERSON WITH A DISABILITY WHO IS RECEIVING SOCIAL
29 SECURITY DISABILITY BENEFITS, WHO HAS BEEN REFERRED TO THE
30 SOCIAL SECURITY ADMINISTRATION FOR A DETERMINATION OF

1 ELIGIBILITY FOR SUPPLEMENTAL SECURITY INCOME OR WHO IS UNDER
2 REVIEW FOR A DISABILITY BY THE DEPARTMENT BASED UPON SOCIAL
3 SECURITY DISABILITY CRITERIA; OR

4 (G) A PERSON WHO VERIFIES EMPLOYMENT OF AT LEAST ONE HUNDRED
5 HOURS PER MONTH EARNING AT LEAST THE MINIMUM WAGE.

6 * * *

7 SECTION 2 7. THE DEFINITION OF "CHILD" IN SECTION 772 OF THE
8 ACT, ADDED DECEMBER 30, 1974 (P.L.1039, NO.339), IS AMENDED TO
9 READ:

10 SECTION 772. DEFINITIONS.--AS USED IN THIS SUBDIVISION:

11 * * *

12 "CHILD" MEANS AN INDIVIDUAL WHO:

13 (1) IS UNDER THE AGE OF EIGHTEEN YEARS[.]; OR

14 (2) IS UNDER THE AGE OF TWENTY-ONE YEARS AND WHO ATTAINED

15 THIRTEEN YEARS OF AGE BEFORE THE ADOPTION ASSISTANCE AGREEMENT

16 BECAME EFFECTIVE AND WHO IS:

17 (I) COMPLETING SECONDARY EDUCATION OR AN EQUIVALENT

18 CREDENTIAL;

19 (II) ENROLLED IN AN INSTITUTION WHICH PROVIDES POSTSECONDARY

20 OR VOCATIONAL EDUCATION;

21 (III) PARTICIPATING IN A PROGRAM ACTIVELY DESIGNED TO

22 PROMOTE OR REMOVE BARRIERS TO EMPLOYMENT;

23 (IV) EMPLOYED FOR AT LEAST EIGHTY HOURS PER MONTH; OR

24 (V) INCAPABLE OF DOING ANY OF THE ACTIVITIES DESCRIBED IN

25 SUBCLAUSE (I), (II), (III) OR (IV) DUE TO A MEDICAL OR

26 BEHAVIORAL HEALTH CONDITION, WHICH IS SUPPORTED BY REGULARLY

27 UPDATED INFORMATION IN THE PERMANENCY PLAN OF THE CHILD.

28 * * *

29 SECTION 8. SECTION 815-A OF THE ACT, AMENDED JUNE 30, 2007
30 (P.L.49, NO.16), IS AMENDED TO READ:

SECTION 815-A. TIME PERIODS.--THE ASSESSMENT AUTHORIZED IN THIS ARTICLE SHALL NOT BE IMPOSED PRIOR TO JULY 1, 2003, OR AFTER JUNE 30, [2012] 2016.

SECTION ~~3~~ 9. SECTION 1302 OF THE ACT, ADDED SEPTEMBER 30, 2003 (P.L.169, NO.25), IS AMENDED TO READ:

SECTION 1302. 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:

"CHILD." AN INDIVIDUAL WHO:

(1) IS UNDER 18 YEARS OF AGE; OR

(2) IS UNDER 21 YEARS OF AGE AND WHO ATTAINED 13 YEARS OF AGE BEFORE THE SUBSIDIZED PERMANENT LEGAL CUSTODIANSHIP AGREEMENT BECAME EFFECTIVE AND WHO IS:

(I) COMPLETING SECONDARY EDUCATION OR AN EQUIVALENT CREDENTIAL;

(II) ENROLLED IN AN INSTITUTION WHICH PROVIDES POSTSECONDARY OR VOCATIONAL EDUCATION;

(III) PARTICIPATING IN A PROGRAM ACTIVELY DESIGNED TO PROMOTE OR REMOVE BARRIERS TO EMPLOYMENT;

(IV) EMPLOYED FOR AT LEAST 80 HOURS PER MONTH; OR

(V) INCAPABLE OF DOING ANY OF THE ACTIVITIES DESCRIBED IN SUBPARAGRAPH (I), (II), (III) OR (IV) DUE TO A MEDICAL OR BEHAVIORAL HEALTH CONDITION, WHICH IS SUPPORTED BY REGULARLY UPDATED INFORMATION IN THE PERMANENCY PLAN OF THE CHILD.

"COUNTY AGENCY." THE COUNTY CHILDREN AND YOUTH SOCIAL SERVICE AGENCY EXERCISING THE POWER AND DUTIES PROVIDED FOR IN SECTION 405 OF THE ACT OF JUNE 24, 1937 (P.L.2017, NO.396), KNOWN AS THE COUNTY INSTITUTION DISTRICT LAW, OR ITS SUCCESSOR, AND

SUPERVISED BY THE DEPARTMENT UNDER ARTICLE IX.

"ELIGIBLE CHILD." A CHILD WHO:

(1) HAS A COURT-ORDERED DISPOSITION OF PLACEMENT WITH A
PERMANENT LEGAL CUSTODIAN PURSUANT TO 42 PA.C.S. § 6351(A)
(2.1) (RELATING TO DISPOSITION OF DEPENDENT CHILD);

(2) HAS LIVED WITH AN ELIGIBLE PERMANENT LEGAL CUSTODIAN
FOR AT LEAST SIX MONTHS, WHICH NEED NOT BE CONSECUTIVE; AND

(3) IS A CITIZEN OR AN ALIEN LAWFULLY RESIDING IN THIS
COMMONWEALTH.

"ELIGIBLE PERMANENT LEGAL CUSTODIAN." A RELATIVE OR KIN:

(1) WHOSE HOME IS APPROVED PURSUANT TO APPLICABLE
REGULATIONS FOR PLACEMENT OF FOSTER CHILDREN;

(2) WITH WHOM AN ELIGIBLE CHILD HAS RESIDED FOR AT LEAST
SIX MONTHS, WHICH NEED NOT BE CONSECUTIVE; AND

(3) WHO MEETS THE REQUIREMENTS FOR EMPLOYMENT IN CHILD-
CARE SERVICES PURSUANT TO 23 PA.C.S. § 6344 (RELATING TO
INFORMATION RELATING TO PROSPECTIVE CHILD-CARE PERSONNEL).

"FOSTER PARENT." AN INDIVIDUAL APPROVED BY A PUBLIC OR
PRIVATE FOSTER FAMILY CARE AGENCY TO PROVIDE FOSTER FAMILY CARE
SERVICES TO A CHILD WHO IS TEMPORARILY SEPARATED FROM THE
CHILD'S LEGAL FAMILY AND PLACED IN THE LEGAL CUSTODY OF AN
AGENCY.

"KIN." AN INDIVIDUAL 21 YEARS OF AGE OR OLDER WHO IS ONE OF
THE FOLLOWING:

(1) A GODPARENT OF THE CHILD AS RECOGNIZED BY AN
ORGANIZED CHURCH.

(2) A MEMBER OF THE CHILD'S TRIBE, NATION OR TRIBAL
ORGANIZATION.

(3) AN INDIVIDUAL WITH A SIGNIFICANT, POSITIVE
RELATIONSHIP WITH THE CHILD OR FAMILY.

1 "PERMANENT LEGAL CUSTODIAN." A PERSON TO WHOM LEGAL CUSTODY
2 OF THE CHILD HAS BEEN GIVEN BY ORDER OF A COURT PURSUANT TO 42
3 PA.C.S. § 6351(A)(2.1) (RELATING TO DISPOSITION OF DEPENDENT
4 CHILD).

5 "RELATIVE." AN INDIVIDUAL WHO IS:

6 (1) RELATED WITHIN THE [THIRD] FIFTH DEGREE OF
7 CONSANGUINITY OR AFFINITY TO THE PARENT OR STEPPARENT OF A
8 CHILD.

9 (2) AT LEAST 21 YEARS OF AGE.

10 "SUBSIDIZED PERMANENT LEGAL CUSTODIANSHIP." A COURT-ORDERED
11 DISPOSITION OF A DEPENDENT CHILD PURSUANT TO 42 PA.C.S. §
12 6351(A)(2.1) (RELATING TO DISPOSITION OF DEPENDENT CHILD) FOR
13 WHICH THE CHILD'S PERMANENT LEGAL CUSTODIAN RECEIVES A MONETARY
14 PAYMENT FROM THE COUNTY AGENCY PURSUANT TO A SUBSIDIZED
15 PERMANENT LEGAL CUSTODIANSHIP AGREEMENT.

16 "SUBSIDIZED PERMANENT LEGAL CUSTODIANSHIP AGREEMENT." A
17 WRITTEN AGREEMENT SIGNED BY THE DIRECTOR OF THE COUNTY AGENCY,
18 OR A DESIGNEE, AND A PERMANENT LEGAL CUSTODIAN, THAT SETS FORTH
19 THE TERMS AND SUBSIDY PAYMENTS FOR A SUBSIDIZED PERMANENT LEGAL
20 CUSTODIANSHIP.

21 SECTION 4 10. SECTION 1303(B) OF THE ACT, ADDED SEPTEMBER
22 30, 2003 (P.L.169, NO.25), IS AMENDED AND THE SECTION IS AMENDED
23 BY ADDING A SUBSECTION TO READ:

24 SECTION 1303. KINSHIP CARE PROGRAM.

25 * * *

26 (A.1) RELATIVE NOTIFICATION.--EXCEPT IN SITUATIONS OF FAMILY
27 OR DOMESTIC VIOLENCE, THE COUNTY AGENCY SHALL EXERCISE DUE
28 DILIGENCE TO IDENTIFY AND NOTIFY ALL GRANDPARENTS AND OTHER
29 ADULT RELATIVES TO THE FIFTH DEGREE OF CONSANGUINITY OR AFFINITY
30 TO THE PARENT OR STEPPARENT OF A DEPENDENT CHILD WITHIN 30 DAYS

1 OF THE CHILD'S REMOVAL FROM THE CHILD'S HOME WHEN TEMPORARY
2 LEGAL AND PHYSICAL CUSTODY HAS BEEN TRANSFERRED TO THE COUNTY
3 AGENCY. THE NOTICE MUST EXPLAIN ALL OF THE FOLLOWING:


4 (1) ANY OPTIONS UNDER FEDERAL AND STATE LAW AVAILABLE TO
5 THE RELATIVE TO PARTICIPATE IN THE CARE AND PLACEMENT OF THE
6 CHILD, INCLUDING ANY OPTIONS THAT WOULD BE LOST BY FAILING TO
7 RESPOND TO THE NOTICE.

8 (2) THE REQUIREMENTS TO BECOME A FOSTER PARENT,
9 PERMANENT LEGAL CUSTODIAN OR ADOPTIVE PARENT.

10 (3) THE ADDITIONAL SUPPORTS THAT ARE AVAILABLE FOR
11 CHILDREN REMOVED FROM THE CHILD'S HOME.

12 (B) PLACEMENT OF CHILDREN.--IF A CHILD HAS BEEN REMOVED FROM
13 THE CHILD'S HOME UNDER A VOLUNTARY PLACEMENT AGREEMENT OR IS IN
14 THE LEGAL CUSTODY OF THE COUNTY AGENCY, THE COUNTY AGENCY SHALL
15 GIVE FIRST CONSIDERATION TO PLACEMENT WITH RELATIVES OR KIN. THE
16 COUNTY AGENCY SHALL DOCUMENT THAT AN ATTEMPT WAS MADE TO PLACE
17 THE CHILD WITH A RELATIVE OR KIN. IF THE CHILD IS NOT PLACED
18 WITH A RELATIVE OR KIN, THE AGENCY SHALL DOCUMENT THE REASON WHY
19 SUCH PLACEMENT WAS NOT POSSIBLE.

20 * * *

21 SECTION 5 11. THE ACT IS AMENDED BY ADDING SECTIONS TO READ: 
22 SECTION 1303.1. SUBSIDIZED PERMANENT LEGAL CUSTODIANSHIP
23 PROGRAM.

24 (A) ESTABLISHMENT OF PROGRAM.--THE SUBSIDIZED PERMANENT
25 LEGAL CUSTODIANSHIP PROGRAM IS ESTABLISHED IN THE DEPARTMENT.

26 (B) IMPLEMENTATION.--THE DEPARTMENT SHALL ESTABLISH AND
27 DEVELOP CRITERIA AND PROMULGATE NECESSARY REGULATIONS FOR COUNTY
28 AGENCIES TO IMPLEMENT THE SUBSIDIZED PERMANENT LEGAL
29 CUSTODIANSHIP PROGRAM IN ACCORDANCE WITH THE PROVISIONS OF THIS
30 ARTICLE. THE CRITERIA AND REGULATIONS SHALL INCLUDE, BUT NOT BE

1 LIMITED TO, IDENTIFICATION OF ELIGIBLE CHILDREN AND ELIGIBLE
2 PERMANENT LEGAL CUSTODIANS, PROCEDURES FOR IMPLEMENTING THE
3 PROGRAM AND REPORTING REQUIREMENTS BY COUNTY AGENCIES.

4 SECTION 1303.2. PERMANENT LEGAL CUSTODIANSHIP SUBSIDY AND
5 REIMBURSEMENT.

6 (A) AMOUNT.--THE AMOUNT OF PERMANENT LEGAL CUSTODIANSHIP
7 SUBSIDY FOR MAINTENANCE COSTS TO A PERMANENT LEGAL CUSTODIAN
8 SHALL NOT EXCEED THE MONTHLY PAYMENT RATE FOR FOSTER FAMILY CARE
9 IN THE COUNTY IN WHICH THE CHILD RESIDES.

10 (B) COUNTY REIMBURSEMENT.--THE DEPARTMENT SHALL REIMBURSE
11 THE COUNTY AGENCY FOR AT LEAST 80% OF THE COST OF A PERMANENT
12 LEGAL CUSTODIANSHIP SUBSIDY PAYMENT PROVIDED BY A COUNTY AGENCY
13 IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE, PROVIDED THAT
14 THE COUNTY AGENCY COMPLIES WITH THE REQUIREMENTS ESTABLISHED BY
15 THE DEPARTMENT.

16 SECTION 12. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ: 

17 ARTICLE XIV-B

18 HUMAN SERVICES BLOCK GRANT PILOT PROGRAM

19 SECTION 1401-B. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 "BLOCK GRANT." THE HUMAN SERVICES BLOCK GRANT PILOT PROGRAM
24 ESTABLISHED IN SECTION 1402-B.

25 "COUNTY-BASED HUMAN SERVICES." PROGRAMS APPROVED BY THE
26 DEPARTMENT OF PUBLIC WELFARE AND PROVIDED BY COUNTY GOVERNMENTS
27 THROUGH DIRECT OR CONTRACTED SERVICES, SUPPORTIVE SERVICES AND
28 SERVICE COORDINATION. THE TERM INCLUDES SERVICES DESIGNED TO
29 MEET SERVICE NEEDS OF THE FOLLOWING:

30 (1) INDIVIDUALS IN NEED OF BEHAVIORAL HEALTH SERVICES.

1 (2) INDIVIDUALS WITH INTELLECTUAL DISABILITIES.

2 (3) INDIVIDUALS IN NEED OF DRUG AND ALCOHOL TREATMENT
3 SERVICES.

4 (4) INDIVIDUALS WHO ARE HOMELESS OR AT IMMEDIATE RISK OF
5 BECOMING HOMELESS.

6 (5) DEPENDENT AND DELINQUENT CHILDREN AS DEFINED IN 42
7 PA.C.S. § 6302 (RELATING TO DEFINITIONS).

8 (6) LOW-INCOME ADULTS ELIGIBLE TO RECEIVE SERVICES UNDER
9 THE ACT OF OCTOBER 5, 1994 (P.L.531, NO.78), KNOWN AS THE
10 HUMAN SERVICES DEVELOPMENT FUND ACT.

11 (7) OLDER INDIVIDUALS AS PROVIDED FOR UNDER SECTION
12 2206-A OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN
13 AS THE ADMINISTRATIVE CODE OF 1929 AND ELIGIBLE TO RECEIVE
14 SERVICES UNDER THE HUMAN SERVICES DEVELOPMENT FUND ACT.

15 "LOCAL COLLABORATIVE ARRANGEMENTS." TWO OR MORE COUNTIES
16 ACTING IN CONCERT TO PROVIDE COUNTY-BASED HUMAN SERVICES THROUGH
17 A SINGLE PUBLIC OR PRIVATE ENTITY.

18 SECTION 1402-B. ESTABLISHMENT OF HUMAN SERVICES BLOCK GRANT
19 PILOT PROGRAM.

20 THE HUMAN SERVICES BLOCK GRANT PILOT PROGRAM IS ESTABLISHED
21 FOR THE PURPOSE OF ALLOCATING BLOCK GRANT FUNDS TO COUNTY
22 GOVERNMENTS TO PROVIDE LOCALLY IDENTIFIED COUNTY-BASED HUMAN
23 SERVICES THAT WILL MEET THE SERVICE NEEDS OF COUNTY RESIDENTS. A
24 COUNTY'S REQUEST TO PARTICIPATE IN THE BLOCK GRANT SHALL BE ON A
25 FORM AND CONTAIN SUCH INFORMATION AS THE DEPARTMENT MAY
26 PRESCRIBE. THE DEPARTMENT, IN ITS DISCRETION, MAY APPROVE A
27 COUNTY'S REQUEST BASED ON CRITERIA DETERMINED BY THE DEPARTMENT.
28 NO MORE THAN 20 COUNTIES MAY PARTICIPATE IN THE BLOCK GRANT IN
29 ANY FISCAL YEAR.

30 SECTION 1403-B. POWERS AND DUTIES OF THE DEPARTMENT.

1 (A) DISTRIBUTION OF FUNDS.--NOTWITHSTANDING ANY OTHER LAW,
2 THE DEPARTMENT MAY DISTRIBUTE THOSE FUNDS THAT HAVE BEEN
3 APPROPRIATED TO THE DEPARTMENT FOR THE PROGRAMS SET FORTH IN
4 SECTION 1405-B(A) (1) AS A BLOCK GRANT FOR COUNTY-BASED HUMAN
5 SERVICES.

6 (B) ADMINISTRATION OF PILOT PROGRAM.--THE DEPARTMENT SHALL
7 HAVE THE POWER AND DUTY TO:

8 (1) MONITOR COUNTY GOVERNMENTS' ADMINISTRATION OF THE
9 BLOCK GRANT TO ENSURE COMPLIANCE WITH APPLICABLE FEDERAL AND
10 STATE REQUIREMENTS.

11 (2) ALLOCATE AND DISBURSE BLOCK GRANT FUNDS TO COUNTIES
12 ON A QUARTERLY BASIS IN ACCORDANCE WITH SECTION 1405-B.

13 (3) PROVIDE TECHNICAL SUPPORT AND ASSISTANCE TO
14 COUNTIES.

15 (4) REQUIRE COUNTIES TO SUBMIT REPORTS CONTAINING SUCH
16 INFORMATION PURSUANT TO THE IMPLEMENTATION OF THIS ARTICLE
17 AND IN THE FORM AND BY THE DEADLINE PRESCRIBED BY THE
18 DEPARTMENT.

19 (5) MONITOR, INSPECT OR AUDIT THE FINANCIAL, OPERATING
20 AND ACCOUNTING RECORDS OF ANY COUNTY AGENCY OR CONTRACTED
21 ENTITY THAT RECEIVES ANY BLOCK GRANT FUNDS IF DEEMED
22 NECESSARY BY THE DEPARTMENT.

23 (6) WITHHOLD, RECOVER OR REDUCE ANY BLOCK GRANT FUNDS OF
24 A COUNTY AGENCY OR CONTRACTED ENTITY DETERMINED TO HAVE BEEN
25 SPENT OR DISBURSED IN VIOLATION OF FEDERAL OR STATE
26 REQUIREMENTS.

27 (7) ESTABLISH PROCEDURES FOR THE ANNUAL SUBMISSION,
28 REVIEW AND APPROVAL PROCESS OF COUNTY BLOCK GRANT PLANS FOR
29 THE EXPENDITURE OF BLOCK GRANT FUNDS AND THE DELIVERY OF
30 COUNTY-BASED HUMAN SERVICES SUBMITTED UNDER SECTION

1 1404-B(5). THE DEPARTMENT SHALL NOT APPROVE A COUNTY PLAN
2 WHICH PROPOSES THE ELIMINATION OF ANY OF THE FOLLOWING
3 COUNTY-BASED HUMAN SERVICES:

4 (I) COMMUNITY-BASED MENTAL HEALTH SERVICES.

5 (II) INTELLECTUAL DISABILITY SERVICES.

6 (III) CHILD WELFARE SERVICES.

7 (IV) DRUG AND ALCOHOL TREATMENT AND PREVENTION
8 SERVICES.

9 (V) HOMELESS ASSISTANCE SERVICES.

10 (VI) BEHAVIORAL HEALTH SERVICES.

11 (8) PREPARE AND SUBMIT BY JANUARY 1, 2014, AND BY
12 NOVEMBER 30 EACH YEAR THEREAFTER, A REPORT TO THE CHAIRMAN
13 AND MINORITY CHAIRMAN OF THE PUBLIC HEALTH AND WELFARE
14 COMMITTEE OF THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN
15 OF THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIRMAN
16 AND MINORITY CHAIRMAN OF THE HEALTH COMMITTEE OF THE HOUSE OF
17 REPRESENTATIVES, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
18 HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND
19 THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
20 COMMITTEE OF THE HOUSE OF REPRESENTATIVES OF THE EXPENDITURES
21 OF BLOCK GRANT FUNDS BY COUNTY GOVERNMENTS TO INCLUDE:

22 (I) THE ALLOCATION LEVELS.

23 (II) THE EXPENDITURE LEVELS.

24 (III) THE NUMBER OF INDIVIDUALS SERVED BY THE HUMAN
25 SERVICES PROVIDED.

26 (IV) ANY OTHER INFORMATION DEEMED NECESSARY BY THE
27 DEPARTMENT, INCLUDING ANY INFORMATION WHICH WOULD
28 DETERMINE THE EFFECTIVENESS OF THE BLOCK GRANT.

29 (9) THE ANNUAL REPORT UNDER PARAGRAPH (8) SHALL BE MADE
30 AVAILABLE FOR PUBLIC INSPECTION AND POSTED ON THE

1 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

2 (10) PROMULGATE REGULATIONS AS MAY BE NECESSARY TO CARRY
3 OUT THIS ARTICLE.

4 SECTION 1404-B. POWERS AND DUTIES OF COUNTIES.

5 THE LOCAL COUNTY OFFICIALS OF EACH COUNTY GOVERNMENT
6 PARTICIPATING IN THE BLOCK GRANT SHALL HAVE THE POWER AND DUTY
7 TO:

8 (1) ADMINISTER AND DISBURSE BLOCK GRANT FUNDS FOR THE
9 PROVISION OF COUNTY-BASED HUMAN SERVICES IN ACCORDANCE WITH
10 THIS ARTICLE AND REGULATIONS PROMULGATED UNDER SECTION 1403-
11 B(10) AND FEDERAL REQUIREMENTS.

12 (2) ESTABLISH OR MAINTAIN, IN AGREEMENT WITH ANOTHER
13 COUNTY OR COUNTIES, LOCAL COLLABORATIVE ARRANGEMENTS FOR THE
14 DELIVERY OF ANY COUNTY-BASED HUMAN SERVICE. COUNTIES MAY
15 ESTABLISH NEW LOCAL COLLABORATIVE ARRANGEMENTS UNDER THIS
16 PARAGRAPH FOR THE PROVISION OF A SPECIFIC COUNTY-BASED HUMAN
17 SERVICE OR COUNTY-BASED HUMAN SERVICES, SUBJECT TO APPROVAL
18 BY THE SECRETARY.

19 (3) DETERMINE AND REDETERMINE, WHEN NECESSARY, WHETHER A
20 PERSON IS ELIGIBLE TO PARTICIPATE IN A COUNTY-BASED HUMAN
21 SERVICE, SUBJECT TO APPEAL UNDER 2 PA.C.S. CH. 5 SUBCH. B
22 (RELATING TO PRACTICE AND PROCEDURES OF LOCAL AGENCIES).

23 (4) SUBMIT REQUIRED REPORTS UNDER SECTION 1403-B(B) (4).

24 (5) SUBMIT TO THE DEPARTMENT AN ANNUAL HUMAN SERVICES
25 BLOCK GRANT PILOT PLAN TO INCLUDE THE INTENDED DELIVERY OF
26 COUNTY-BASED HUMAN SERVICES BY CLIENT POPULATION TO BE
27 SERVED, INCLUDING A DETAILED DESCRIPTION HOW THE COUNTY
28 INTENDS TO SERVE ITS RESIDENTS IN THE LEAST RESTRICTIVE
29 SETTING APPROPRIATE TO THEIR NEEDS, AND THE DISTRIBUTION AND
30 THE PROJECTED EXPENDITURE LEVEL OF BLOCK GRANT FUNDS BY

1 COUNTY-BASED HUMAN SERVICES ALLOCATED UNDER THIS ARTICLE IN
2 SUCH FORM AND CONTAINING SUCH INFORMATION AS THE DEPARTMENT
3 MAY REQUIRE. PRIOR TO SUBMITTING THE ANNUAL HUMAN SERVICES
4 BLOCK GRANT PILOT PLAN TO THE DEPARTMENT, THE COUNTY SHALL
5 HOLD AT LEAST TWO PUBLIC HEARINGS ON THE PLAN UNDER 65
6 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS), WHICH SHALL
7 INCLUDE AN OPPORTUNITY FOR INDIVIDUALS AND FAMILIES WHO
8 RECEIVE SERVICES TO TESTIFY ABOUT THE PLAN.

9 SECTION 1405-B. ALLOCATION.

10 (A) ALLOCATION.--THE DEPARTMENT SHALL ALLOCATE STATE BLOCK
11 GRANT FUNDS TO COUNTIES AS FOLLOWS:

12 (1) THE DEPARTMENT SHALL ALLOCATE STATE BLOCK GRANT
13 FUNDS ACCORDING TO EACH COUNTY'S PROPORTIONAL SHARE OF THE
14 AGGREGATE AMOUNT OF THE FOLLOWING STATE FUNDS ALLOCATED FOR
15 FISCAL YEAR 2011-2012:

16 (I) FUNDS ALLOCATED TO COUNTIES UNDER THE ACT OF
17 OCTOBER 5, 1994 (P.L.531, NO.78), KNOWN AS THE HUMAN
18 SERVICES DEVELOPMENT FUND ACT.

19 (II) FUNDS ALLOCATED TO COUNTIES FOR MENTAL HEALTH
20 AND INTELLECTUAL DISABILITY SERVICES UNDER THE ACT OF
21 OCTOBER 20, 1966 (3RD SP.SESS., P.L.96, NO.6), KNOWN AS
22 THE MENTAL HEALTH AND INTELLECTUAL DISABILITY ACT OF
23 1966.

24 (III) FUNDS ALLOCATED TO COUNTIES FOR BEHAVIORAL
25 HEALTH SERVICES.

26 (IV) FUNDS ALLOCATED TO COUNTIES FOR DRUG AND
27 ALCOHOL SERVICES UNDER SECTION 2334 OF THE ACT OF APRIL
28 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE
29 CODE OF 1929.

30 (V) FUNDS ALLOCATED TO COUNTIES FOR THE PROVISION OF

1 SERVICES TO THE HOMELESS.

2 (VI) FUNDS ALLOCATED TO COUNTY CHILD WELFARE
3 AGENCIES AS CERTAIN ADDITIONAL GRANTS UNDER SECTION
4 704.1(B).

5 (2) THE DEPARTMENT SHALL ALLOCATE FEDERAL BLOCK GRANT
6 FUNDS TO COUNTIES ACCORDING TO EACH COUNTY'S FISCAL YEAR
7 2011-2012 PROPORTIONAL SHARE OF EACH FEDERAL APPROPRIATION
8 ASSOCIATED WITH THE FUNDS IDENTIFIED IN PARAGRAPH (1).

9 (3) FUNDS IDENTIFIED IN PARAGRAPHS (1) AND (2) THAT WERE
10 ALLOCATED TO COUNTY LOCAL COLLABORATIVE ARRANGEMENTS SHALL BE
11 ALLOCATED TO INDIVIDUAL COUNTIES BASED ON THE INDIVIDUAL
12 COUNTY POPULATION.

13 (4) THE DEPARTMENT MAY REVISE THE ALLOCATION OF FEDERAL
14 FUNDS IDENTIFIED IN PARAGRAPH (2) AS NECESSARY TO COMPLY WITH
15 APPLICABLE FEDERAL REQUIREMENTS.

16 (B) EXPENDITURE.--EACH COUNTY PARTICIPATING IN THE BLOCK
17 GRANT SHALL EXPEND ITS ALLOCATED BLOCK GRANT FUNDS AS FOLLOWS:

18 (1) FOR STATE FISCAL YEAR 2012-2013, EACH COUNTY SHALL
19 EXPEND ON EACH OF THE FOLLOWING COUNTY-BASED HUMAN SERVICES
20 AT LEAST 80% OF THE AMOUNT THE COUNTY IS ALLOCATED UNDER THE
21 FUNDS IDENTIFIED IN SUBSECTION (A)(1) FOR THAT COUNTY-BASED
22 HUMAN SERVICE:

23 (I) COMMUNITY-BASED MENTAL HEALTH SERVICES.

24 (II) INTELLECTUAL DISABILITY SERVICES.

25 (III) CHILD WELFARE SERVICES.

26 (IV) DRUG AND ALCOHOL TREATMENT AND PREVENTION
27 SERVICES.

28 (V) HOMELESS ASSISTANCE SERVICES.

29 (VI) BEHAVIORAL HEALTH SERVICES.

30 (2) FOR STATE FISCAL YEAR 2013-2014, EACH COUNTY SHALL

1 EXPEND ON EACH OF THE FOLLOWING COUNTY-BASED HUMAN SERVICES
2 AT LEAST 75% OF THE AMOUNT THE COUNTY WAS ALLOCATED UNDER THE
3 FUNDS IDENTIFIED IN SUBSECTION (A) (1) FOR THAT COUNTY-BASED
4 HUMAN SERVICE:

5 (I) COMMUNITY-BASED MENTAL HEALTH SERVICES.

6 (II) INTELLECTUAL DISABILITY SERVICES.

7 (III) CHILD WELFARE SERVICES.

8 (IV) DRUG AND ALCOHOL TREATMENT AND PREVENTION
9 SERVICES.

10 (V) HOMELESS ASSISTANCE SERVICES.

11 (VI) BEHAVIORAL HEALTH SERVICES.

12 (3) FOR STATE FISCAL YEAR 2014-2015, EACH COUNTY SHALL
13 EXPEND ON EACH OF THE FOLLOWING COUNTY-BASED HUMAN SERVICES
14 AT LEAST 50% OF THE AMOUNT THE COUNTY IS ALLOCATED UNDER THE
15 FUNDS IDENTIFIED IN SUBSECTION (A) (1) FOR THAT COUNTY-BASED
16 HUMAN SERVICE:

17 (I) COMMUNITY-BASED MENTAL HEALTH SERVICES.

18 (II) INTELLECTUAL DISABILITY SERVICES.

19 (III) CHILD WELFARE SERVICES.

20 (IV) DRUG AND ALCOHOL TREATMENT AND PREVENTION
21 SERVICES.

22 (V) HOMELESS ASSISTANCE SERVICES.

23 (VI) BEHAVIORAL HEALTH SERVICES.

24 (4) FOR STATE FISCAL YEAR 2015-2016, EACH COUNTY SHALL
25 EXPEND ON EACH OF THE FOLLOWING COUNTY-BASED HUMAN SERVICES
26 AT LEAST 25% OF THE AMOUNT THE COUNTY IS ALLOCATED UNDER THE
27 FUNDS IDENTIFIED IN SUBSECTION (A) (1), FOR THAT COUNTY-BASED
28 HUMAN SERVICE:

29 (I) COMMUNITY-BASED MENTAL HEALTH SERVICES.

30 (II) INTELLECTUAL DISABILITY SERVICES.

1 (III) CHILD WELFARE SERVICES.

2 (IV) DRUG AND ALCOHOL TREATMENT AND PREVENTION
3 SERVICES.

4 (V) HOMELESS ASSISTANCE SERVICES.

5 (VI) BEHAVIORAL HEALTH SERVICES.

6 (5) FOR STATE FISCAL YEAR 2016-2017 AND THEREAFTER,
7 COUNTIES MAY EXPEND BLOCK GRANT FUNDS ON COUNTY-BASED HUMAN
8 SERVICES AS DETERMINED BY LOCAL NEED.

9 (C) WAIVER.--A COUNTY MAY REQUEST IN WRITING THAT THE
10 DEPARTMENT WAIVE THE REQUIREMENTS OF SUBSECTION (B). THE
11 DEPARTMENT MAY, IN ITS DISCRETION, GRANT THE REQUEST UPON GOOD
12 CAUSE SHOWN BY THE COUNTY.

13 (D) USE OF REMAINING FUNDS.--EXCEPT AS PROVIDED IN
14 SUBSECTION (B), COUNTIES MAY EXPEND THE REMAINING BLOCK GRANT
15 FUNDS ON COUNTY-BASED HUMAN SERVICES NEEDS AS DETERMINED BY
16 COUNTY OFFICIALS.

17 (E) CONTRIBUTION TO LOCAL COLLABORATIVE ARRANGEMENT.--EACH
18 COUNTY THAT IS PART OF A LOCAL COLLABORATIVE ARRANGEMENT IN
19 ACCORDANCE WITH SECTION 1404-B(2) SHALL CONTRIBUTE AT A MINIMUM
20 THE PERCENTAGE OF FUNDS SPECIFIED IN SUBSECTION (B) TO THE LOCAL
21 COLLABORATIVE ARRANGEMENT FOR THE PROVISION OF THE COUNTY-BASED
22 HUMAN SERVICES DELIVERED BY THE LOCAL COLLABORATIVE ARRANGEMENT.
23 SECTION 1406-B. USE OF BLOCK GRANT FUNDS.

24 (A) GENERAL RULE.--BLOCK GRANT FUNDS RECEIVED BY COUNTIES
25 UNDER THIS ARTICLE SHALL BE USED SOLELY FOR THE PROVISION OF
26 COUNTY-BASED HUMAN SERVICES.

27 (B) REINVESTMENT.--A COUNTY PARTICIPATING IN THE BLOCK GRANT
28 MAY SUBMIT TO THE DEPARTMENT A WRITTEN PLAN TO REINVEST UP TO 3%
29 OF ITS BLOCK GRANT ALLOCATION FOR ANY STATE FISCAL YEAR TO BE
30 EXPENDED ON COUNTY-BASED HUMAN SERVICES IN THE NEXT STATE FISCAL

YEAR. THE 3% LIMITATION MAY BE WAIVED BY THE DEPARTMENT UPON
GOOD CAUSE SHOWN BY THE COUNTY.

(C) ELIGIBILITY.--NO COUNTY SHALL BE REQUIRED TO EXPEND
BLOCK GRANT FUNDS UNDER THIS ARTICLE ON BEHALF OF AN INDIVIDUAL
UNTIL THE INDIVIDUAL HAS EXHAUSTED ELIGIBILITY AND RECEIPT OF
BENEFITS UNDER ALL OTHER EXISTING FEDERAL, STATE, LOCAL OR
PRIVATE PROGRAMS.

(D) ALLOCATION.--FOR STATE FISCAL YEAR 2012-2013, EACH
COUNTY IN EXPENDING BLOCK GRANT FUNDS SHALL PROVIDE LOCAL
MATCHING FUNDS FOR BLOCK GRANT FUNDS ALLOCATED TO IT IN THE SAME
PERCENTAGE AS THAT COUNTY'S AGGREGATE LOCAL MATCH PERCENTAGE FOR
THE STATE FUNDS IDENTIFIED IN SECTION 1405-B(A) (1) IN STATE
FISCAL YEAR 2010-2011. FOR EACH STATE FISCAL YEAR THEREAFTER,
EACH COUNTY IN EXPENDING BLOCK GRANT FUNDS SHALL PROVIDE LOCAL
MATCHING FUNDS FOR BLOCK GRANT FUNDS ALLOCATED TO IT IN THE SAME
PERCENTAGE AS THAT COUNTY'S AGGREGATE LOCAL MATCH PERCENTAGE FOR
THE STATE FUNDS IDENTIFIED IN SECTION 1405-B(A) (1) IN STATE
FISCAL YEAR 2011-2012.

(E) COUNTY OBLIGATION.--EXCEPT AS PROVIDED IN SUBSECTION
(D), COUNTIES SHALL HAVE NO FINANCIAL OBLIGATION TO PROVIDE
HUMAN SERVICES UNDER THIS ARTICLE IN EXCESS OF THEIR ALLOCATION
OF BLOCK GRANT FUNDS FOR ANY FISCAL YEAR.

SECTION 1407-B. APPLICABILITY OF OTHER STATUTES.

(A) DEPARTMENT.--THE DEPARTMENT'S ALLOCATION OF BLOCK GRANT
FUNDS TO COUNTIES PARTICIPATING IN THE BLOCK GRANT UNDER THIS
ARTICLE SHALL FULLY DISCHARGE ITS RESPONSIBILITIES AND
LIABILITIES WITH RESPECT TO THOSE COUNTIES UNDER:

(1) SECTION 704.1(B).

(2) SECTIONS 201(1) AND (7), 503, 509, 510 AND 511 OF
THE ACT OF OCTOBER 20, 1966 (3RD SP.SESS., P.L.96, NO.6),

1 KNOWN AS THE MENTAL HEALTH AND INTELLECTUAL DISABILITY ACT OF
2 1966.

3 (B) COUNTY.--

4 (1) EXCEPT AS SPECIFIED IN PARAGRAPH (2), EACH COUNTY'S
5 PROVISION OF COUNTY-BASED HUMAN SERVICES THROUGH THE
6 EXPENDITURE OF BLOCK GRANT FUNDS, IN COMBINATION WITH
7 REQUIRED LOCAL MATCHING FUNDS, SHALL FULLY DISCHARGE THE
8 COUNTY'S RESPONSIBILITIES AND LIABILITIES TO PROVIDE OR FUND
9 COUNTY-BASED HUMAN SERVICES UNDER:

10 (I) SECTION 704.1(B).

11 (II) SECTIONS 301(D), 503, 509, 510 AND 511 OF THE
12 ACT OF OCTOBER 20, 1966 (3RD SP.SESS., P.L.96, NO.6),
13 KNOWN AS THE MENTAL HEALTH AND MENTAL INTELLECTUAL
14 DISABILITY ACT OF 1966.

15 (III) SECTION 401 OF THE ACT OF JUNE 24, 1937
16 (P.L.2017, NO.396), KNOWN AS THE COUNTY INSTITUTION
17 DISTRICT LAW.

18 (2) THIS ARTICLE SHALL NOT BE CONSTRUED TO AFFECT THE
19 OBLIGATION OF ANY COUNTY TO PROVIDE FUNDS FOR CARE IN ANY
20 COUNTY NURSING HOME UNDER SECTIONS 443.1 OR 472, CARE IN ANY
21 STATE INSTITUTION AS DEFINED BY SECTION 901, MEDICAL
22 ASSISTANCE FOR INMATES PURSUANT TO SECTION 441.1 OR ARTICLE
23 XIV-A, OR MENTAL HEALTH OR INTELLECTUAL DISABILITY SERVICES
24 PROVIDED BY THE DEPARTMENT UNDER SECTIONS 505(B) OR 508(C) OF
25 THE MENTAL HEALTH AND INTELLECTUAL DISABILITY ACT OF 1966.

26 SECTION 1408-B. APPEALS.

27 A COUNTY AGENCY OR CONTRACTED ENTITY AGGRIEVED BY A
28 DEPARTMENT DETERMINATION MADE UNDER SECTION 1403-B(B) (6) MAY
29 FILE A REQUEST FOR A REVIEW WITH THE DEPARTMENT'S BUREAU OF
30 HEARINGS AND APPEALS, WHICH SHALL HAVE EXCLUSIVE JURISDICTION IN

1 SUCH MATTERS. THE PROCEDURES AND REQUIREMENTS OF 2 PA.C.S. CH. 5
2 SUBCH. A (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH
3 AGENCIES) AND 1 PA. CODE PT. II (RELATING TO GENERAL RULES OF
4 ADMINISTRATIVE PRACTICE AND PROCEDURE) SHALL APPLY TO REQUESTS
5 FOR REVIEW FILED UNDER THIS SECTION, EXCEPT THAT IN A REQUEST
6 FOR A REVIEW, THE COUNTY AGENCY OR CONTRACTED ENTITY MAY NOT
7 CHALLENGE THE BLOCK GRANT FUNDS ALLOCATION UNDER SECTION 1405-B.
8 SECTION 1409-B. LIMITATIONS.

9 (A) CALCULATION OF STATE APPROPRIATION.--NO FUNDS ALLOCATED
10 FOR THE BLOCK GRANT MAY BE CONSIDERED AS PART OF THE BASE FOR
11 THE CALCULATION OF ANY STATE APPROPRIATION FOR ANY FISCAL YEAR,
12 INCLUDING THE COUNTY CHILD WELFARE NEEDS-BASED BUDGET.

13 (B) NON-STATE MATCH.--NO FUNDS ALLOCATED FOR THE BLOCK GRANT
14 MAY BE USED AS THE NON-STATE MATCH FOR OTHER STATE FUNDS,
15 PROGRAMS OR GRANTS.

16 (C) OTHER REIMBURSEMENT.--NO FUNDS ALLOCATED TO THE BLOCK
17 GRANT MAY BE USED FOR SERVICES REIMBURSABLE PURSUANT TO SECTION
18 704.1 (A) IN EXCESS OF A COUNTY'S MINIMUM EXPENDITURE FOR CHILD
19 WELFARE SERVICES REQUIRED UNDER SECTION 1405-B(B), UNTIL THE
20 COUNTY HAS EXHAUSTED ITS ALLOCATION OF STATE FUNDS PURSUANT TO
21 SECTION 709.3 FOR THE STATE FISCAL YEAR. THIS PROVISION EXCLUDES
22 CONGREGATE CARE AND INSTITUTIONAL PLACEMENTS FOR DEPENDENT AND
23 DELINQUENT CHILDREN WHICH ARE NOT REIMBURSABLE WITH BLOCK GRANT
24 FUNDS.

25 (D) CERTAIN RESIDENTIAL SERVICE.--NO FUNDS ALLOCATED TO THE
26 BLOCK GRANT MAY BE USED FOR RESIDENTIAL SERVICE FOR DEPENDENT OR
27 DELINQUENT CHILDREN OTHER THAN FOSTER CARE.

28 SECTION 1410-B. CONSTRUCTION.


29 (A) FEDERAL MONEYS.--THIS ARTICLE SHALL BE CONSTRUED SO AS
30 TO MAINTAIN AND NOT DECREASE OR LIMIT THE ELIGIBILITY OF ANY


1 PERSON OR FACILITY OR THE COMMONWEALTH OR ANY POLITICAL
2 SUBDIVISION OF THE COMMONWEALTH TO RECEIVE ANY FEDERAL
3 ASSISTANCE, GRANT OR FUNDS.

4 (B) AVAILABILITY OF SERVICES.--NOTHING IN THIS ARTICLE
5 CREATES OR PROVIDES AN INDIVIDUAL WITH AN ENTITLEMENT TO
6 SERVICES OR BENEFITS. SERVICES UNDER THIS ARTICLE SHALL ONLY BE
7 AVAILABLE FROM COUNTY GOVERNMENTS TO THE EXTENT THAT FUNDS ARE
8 APPROPRIATED.

9 (C) COUNTY CHILD WELFARE SERVICES.--THIS ARTICLE APPLIES
10 NOTWITHSTANDING THE PROVISIONS OF ARTICLE VII.

11 SECTION 13. ALL ACTS AND PARTS OF ACTS ARE REPEALED INsofar
12 AS THEY ARE INCONSISTENT WITH THIS ACT.

13 Section ~~3~~ 6 14. All regulations inconsistent with this act 
14 are abrogated.

15 Section ~~4~~ 7 15. This act shall take effect ~~in 60 days~~ JULY 
16 1, 2012, OR IMMEDIATELY, WHICHEVER IS LATER.