

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1131

Session of
1991

INTRODUCED BY RICHARDSON, DeWEESE, CORRIGAN, KUKOVICH, VEON, MIHALICH, MURPHY, PESCI, M. N. WRIGHT, FEE, DALEY, BELFANTI, COLAIZZO, JOSEPHS, McCALL, ROEBUCK, WILLIAMS, CARN, DeLUCA, TANGRETTI, COWELL, SAURMAN, ACOSTA, STABACK, VAN HORNE, MARKOSEK, R. C. WRIGHT, LESCOVITZ, MELIO, TIGUE, JAROLIN, PRESTON, COLAFELLA, TRELLO, McNALLY, PISTELLA, KASUNIC, FREEMAN, LINTON, ITKIN, TRICH, JOHNSON, OLASZ, CAWLEY, LEVDANSKY, PETRARCA, WOZNIAK, KOSINSKI, GANNON, HALUSKA, HARPER, BLAUM, BUNT, LAUGHLIN, CIVERA, SCRIMENTI, D. W. SNYDER, HUGHES, BATTISTO, BISHOP, NAHILL, TELEK, STURLA, THOMAS, EVANS, OLIVER, ROBINSON, STEELMAN, MICHLOVIC, JAMES, BILLOW, HANNA, LaGROTTA, LUCYK, PETRONE, GAMBLE, RITTER, GODSHALL, DONATUCCI, BLACK, GIGLIOTTI, COHEN, RUDY, McHALE AND BELARDI, APRIL 10, 1991

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 17, 1992

AN ACT

1 ~~Amending the act of June 24, 1937 (P.L.2045, No.397), entitled,~~ <—
2 ~~as amended, "An act relating to the support of indigent~~
3 ~~persons; providing for the support of such persons by certain~~
4 ~~relatives, and for the recovery of public moneys expended for~~
5 ~~care and assistance from the property and estates of certain~~
6 ~~persons; providing for guardians of the person and property~~
7 ~~of such persons; providing for the arrest and seizure and~~
8 ~~sale of the property of deserters; and providing procedure,"~~
9 ~~providing that no lien shall be imposed against the real~~
10 ~~property of persons receiving assistance.~~
11 ~~AMENDING THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), ENTITLED "AN~~ <—
12 ~~ACT TO CONSOLIDATE, EDITORIALY REVISE, AND CODIFY THE PUBLIC~~
13 ~~WELFARE LAWS OF THE COMMONWEALTH," PROVIDING FOR RESIDENCE~~
14 ~~REQUIREMENTS FOR GENERAL ASSISTANCE; FURTHER PROVIDING FOR~~
15 ~~LIENS FOR SUPPORT AND ASSISTANCE; AND MAKING A REPEAL.~~
16 ~~AMENDING THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), ENTITLED "AN~~ <—
17 ~~ACT TO CONSOLIDATE, EDITORIALY REVISE, AND CODIFY THE PUBLIC~~
18 ~~WELFARE LAWS OF THE COMMONWEALTH," FURTHER PROVIDING FOR~~
19 ~~PUBLIC ASSISTANCE ADMINISTRATION, FOR PUBLIC ASSISTANCE~~
20 ~~COMMUNITY WORK, FOR PUBLIC ASSISTANCE ELIGIBILITY, FOR PUBLIC~~

1 ASSISTANCE IDENTIFICATION AND RESIDENCE AND FOR MEDICAL
2 ASSISTANCE; PROVIDING FOR LIENS FOR SUPPORT AND ASSISTANCE;
3 PROVIDING FOR MAXIMIZING FEDERAL FUNDS AND FOR SCHOOL
4 ATTENDANCE REQUIREMENTS FOR PUBLIC ASSISTANCE; AND MAKING A
5 REPEAL.

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

8 ~~Section 1. Section 4 of the act of June 24, 1937 (P.L.2045,~~ <—
9 ~~No.397), known as The Support Law, amended August 22, 1961~~
10 ~~(P.L.1029, No.464), July 26, 1963 (P.L.318, No.172) and August~~
11 ~~13, 1963 (P.L.682, No.361), is amended to read:~~

12 ~~Section 4. Property of Persons Liable for Expenses Incurred~~
13 ~~for Support and Assistance. (a) Except as limited by~~
14 ~~subsection (c) hereof, the real and personal property of any~~
15 ~~person shall be liable for the expenses of his support,~~
16 ~~maintenance, assistance and burial, and for the expenses of the~~
17 ~~support, maintenance, assistance and burial of the spouse and~~
18 ~~unemancipated minor children of such property owner, incurred by~~
19 ~~any public body or public agency, if such property was owned~~
20 ~~during the time such expenses were incurred, or if a right or~~
21 ~~cause of action existed during the time such expenses were~~
22 ~~incurred from which the ownership of such property resulted. Any~~
23 ~~public body or public agency may sue the owner of such property~~
24 ~~for moneys so expended, and any judgment obtained shall be a~~
25 ~~lien upon the said [real] estate of such person and be collected~~
26 ~~as other judgments, except as to the real and personal property~~
27 ~~comprising the home and furnishings of such person[, which home~~
28 ~~shall be subject to the lien of such judgment but shall not be~~
29 ~~subject to execution on such judgment during the lifetime of the~~
30 ~~person, surviving spouse, or dependent children].~~

31 ~~(b) Except as limited by subsection (c) hereof, any claim~~
32 ~~for the expenses of support, maintenance, assistance and burial~~

1 of a person and for the support, maintenance, assistance and
2 burial of his spouse and unemancipated minor children, held by
3 any public body or public agency, shall have the same force and
4 effect against the real and personal estate of a deceased person
5 as other debts of a decedent, and shall be ascertained and
6 recovered in the same manner.

7 (c) ~~No lien may be imposed against the real property which~~
8 ~~is the primary residence of any individual or of his spouse on~~
9 ~~account of [medical] assistance [for the aged] paid or to be~~
10 ~~paid on his behalf (except pursuant to the judgment of a court~~
11 ~~on account of benefits incorrectly paid on behalf of such~~
12 ~~individual), and there shall be no adjustment or recovery from~~
13 ~~such individual's estate or from the estate of his spouse of any~~
14 ~~[medical] assistance [for the aged] correctly paid on behalf of~~
15 ~~such individual.~~

16 Section 2. ~~On and after the effective date of this act, all~~
17 ~~real property used as the primary residence of an individual~~
18 ~~theretofore subject to the lien is released from the lien.~~

19 Section 3. ~~This act shall take effect in 60 days.~~

20 SECTION 1. ~~SECTION 432.4 OF THE ACT OF JUNE 13, 1967~~ <—
21 ~~(P.L.31, NO.21), KNOWN AS THE PUBLIC WELFARE CODE, AMENDED APRIL~~
22 ~~8, 1982 (P.L.231, NO.75), IS AMENDED TO READ:~~

23 SECTION 432.4. ~~IDENTIFICATION AND PROOF OF RESIDENCE. ALL~~
24 ~~PERSONS APPLYING FOR ASSISTANCE SHALL PROVIDE ACCEPTABLE~~
25 ~~IDENTIFICATION AND PROOF OF RESIDENCE; THE DEPARTMENT SHALL BY~~
26 ~~REGULATIONS SPECIFY WHAT CONSTITUTES ACCEPTABLE IDENTIFICATION~~
27 ~~AND PROOF OF RESIDENCE. A PERSON SHALL BE DEEMED TO BE A~~
28 ~~RESIDENT WHEN HE OR SHE DOCUMENTS HIS OR HER RESIDENCY AND THAT~~
29 ~~RESIDENCY IS VERIFIED BY THE DEPARTMENT. VERIFICATION MAY~~
30 ~~INCLUDE, BUT IS NOT LIMITED TO THE PRODUCTION OF RENT RECEIPTS,~~

~~MORTGAGE PAYMENT RECEIPTS, UTILITY RECEIPTS, BANK ACCOUNTS OR
ENROLLMENT OF CHILDREN IN LOCAL SCHOOLS. GENERAL ASSISTANCE
APPLICANTS MUST ESTABLISH THAT THEY HAVE BEEN RESIDENTS OF THE
COMMONWEALTH FOR AT LEAST SIXTY DAYS IMMEDIATELY PRECEDING THEIR
APPLICATION.~~

~~FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR ASSISTANCE,
THE CONTINUED ABSENCE OF A RECIPIENT FROM THE COMMONWEALTH FOR A
PERIOD OF THIRTY DAYS OR LONGER SHALL BE PRIMA FACIE EVIDENCE OF
THE INTENT OF THE RECIPIENT TO HAVE CHANGED HIS RESIDENCE TO A
PLACE OUTSIDE THE COMMONWEALTH.~~

~~IF A RECIPIENT IS PREVENTED BY ILLNESS OR OTHER GOOD CAUSE
FROM RETURNING TO THE COMMONWEALTH AT THE END OF THIRTY DAYS,
AND HAS NOT ACTED TO ESTABLISH RESIDENCE ELSEWHERE, HE SHALL NOT
BE DEEMED TO HAVE LOST HIS RESIDENCE IN THE COMMONWEALTH.~~

~~WHEN A RECIPIENT OF AID TO FAMILIES WITH DEPENDENT CHILDREN
OR GENERAL ASSISTANCE IS ABSENT FROM THE UNITED STATES FOR A
PERIOD IN EXCESS OF THIRTY DAYS, HIS AID SHALL THEREAFTER BE
SUSPENDED WHENEVER NEED CANNOT BE DETERMINED FOR THE ENSUING
PERIOD OF HIS ABSENCE.~~

SECTION 1. SECTIONS 403(B) AND 405.2(A) AND (B) OF THE ACT
OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE PUBLIC WELFARE
CODE, AMENDED OR ADDED APRIL 8, 1982 (P.L.231, NO.75), ARE
AMENDED AND THE SECTIONS ARE AMENDED BY ADDING SUBSECTIONS TO
READ:

SECTION 403. UNIFORMITY IN ADMINISTRATION OF ASSISTANCE;
REGULATIONS AS TO ASSISTANCE.--* * *

(B) THE DEPARTMENT SHALL ESTABLISH RULES, REGULATIONS AND
STANDARDS, CONSISTENT WITH THE LAW, AS TO ELIGIBILITY FOR
ASSISTANCE AND AS TO ITS NATURE AND EXTENT. WHENEVER POSSIBLE,
EXCEPT FOR RESIDENCY REQUIREMENTS FOR GENERAL ASSISTANCE, AND

1 CONSISTENT WITH STATE LAW, THE DEPARTMENT SHALL ESTABLISH RULES,
2 REGULATIONS AND STANDARDS FOR GENERAL ASSISTANCE CONSISTENT WITH
3 THOSE ESTABLISHED FOR AID TO FAMILIES WITH DEPENDENT CHILDREN.
4 IN NO INSTANCE SHALL THE RULES, REGULATIONS AND STANDARDS
5 ESTABLISHED FOR GENERAL ASSISTANCE PROVIDE FOR BENEFITS GREATER
6 THAN THOSE BENEFITS PROVIDED FOR AID TO FAMILIES WITH DEPENDENT
7 CHILDREN. IF FIVE OR MORE GENERAL ASSISTANCE RECIPIENTS RESIDE
8 TOGETHER IN THE SAME HOUSEHOLD, THEIR INCOME ELIGIBILITY AND
9 CASH BENEFITS SHALL BE NO GREATER THAN INCOME ELIGIBILITY AND
10 CASH BENEFITS FROM AID TO FAMILIES WITH DEPENDENT CHILDREN FOR A
11 HOUSEHOLD OF THE SAME SIZE. THE SECRETARY OR HIS DESIGNEE IN
12 WRITING IS THE ONLY PERSON AUTHORIZED TO ADOPT REGULATIONS,
13 ORDERS, OR STANDARDS OF GENERAL APPLICATION TO IMPLEMENT,
14 INTERPRET, OR MAKE SPECIFIC THE LAW ADMINISTERED BY THE
15 DEPARTMENT. THE SECRETARY SHALL ISSUE INTERIM REGULATIONS
16 WHENEVER CHANGES IN FEDERAL LAWS AND REGULATIONS SUPERSEDE
17 EXISTING STATUTES. IN ADOPTING REGULATIONS, ORDERS, OR STANDARDS
18 OF GENERAL APPLICATION, THE SECRETARY SHALL STRIVE FOR CLARITY
19 OF LANGUAGE WHICH MAY BE READILY UNDERSTOOD BY THOSE
20 ADMINISTERING AID AND BY THOSE WHO APPLY FOR OR RECEIVE AID. FOR
21 THE PURPOSE OF THIS SUBSECTION, THE TERM "HOUSEHOLD" DOES NOT
22 INCLUDE SINGLE-ROOM OCCUPANCY RESIDENCES, ROOMING HOUSES,
23 PERSONAL CARE FACILITIES OR NONPROFIT RESIDENTIAL PROGRAMS
24 RECEIVING CHARITABLE FUNDING, FEDERAL, STATE OR LOCAL GOVERNMENT
25 FUNDING.

26 * * *

27 (F) BEGINNING NO LATER THAN JULY 1, 1992, THE DEPARTMENT
28 SHALL COLLECT INFORMATION ON EACH GENERAL ASSISTANCE APPLICANT
29 TO DETERMINE HOW LONG THEY HAVE BEEN RESIDENTS OF THE
30 COMMONWEALTH.

1 (G) NO GENERAL ASSISTANCE SHALL BE PAID TO INITIAL
2 APPLICANTS WHO VOLUNTARILY TERMINATE THEIR EMPLOYMENT UNTIL
3 THIRTY DAYS AFTER THE DATE OF TERMINATION.

4 SECTION 405.2. COMMUNITY WORK PROGRAM.--(A) THE DEPARTMENT
5 SHALL COORDINATE THE ESTABLISHMENT OF COMMUNITY WORK PROJECTS BY
6 DEPARTMENTS, AGENCIES OR INSTITUTIONS OF THE COMMONWEALTH OR ANY
7 POLITICAL SUBDIVISION LOCATED WITHIN THE COMMONWEALTH OR ANY
8 AGENCY OF THE FEDERAL GOVERNMENT OR DEPARTMENT-APPROVED
9 NONPROFIT ORGANIZATIONS THAT RECEIVE STATE OR COUNTY FUNDS AND
10 SHALL ASSIGN TO THESE WORK PROJECTS CASH ASSISTANCE RECIPIENTS
11 FOR WHOM THE OFFICE OF EMPLOYMENT SECURITY HAS BEEN UNABLE TO
12 SECURE EMPLOYMENT. IN INSTANCES WHEN COMMUNITY WORK PROJECTS ARE
13 NOT AVAILABLE FOR ALL ABLE-BODIED CASH ASSISTANCE RECIPIENTS,
14 PRIORITY SHALL BE GIVEN TO GENERAL ASSISTANCE RECIPIENTS FOR
15 REFERRAL TO AVAILABLE PROJECTS.

16 (B) EVERY INDIVIDUAL WHO HAS NOT RECEIVED A BONA FIDE OFFER
17 OF TRAINING OR EMPLOYMENT UNDER SECTION 405.1 SHALL, AS A
18 CONDITION OF CONTINUING ELIGIBILITY FOR CASH ASSISTANCE, REPORT
19 TO AND WORK IN A COMMUNITY WORK PROJECT ESTABLISHED UNDER THIS
20 SECTION UNLESS SUCH INDIVIDUAL [IS OVER THE AGE OF FORTY-FIVE
21 OR] IS EXEMPT FROM THE REGISTRATION REQUIREMENTS OF SECTION
22 405.1. SUCH INDIVIDUAL SHALL BE REQUIRED TO WORK THAT NUMBER OF
23 HOURS WHICH WHEN MULTIPLIED BY THE APPLICABLE MINIMUM WAGE
24 EQUALS THE AMOUNT OF CASH ASSISTANCE SUCH PERSON RECEIVES:
25 PROVIDED, HOWEVER, THAT THE PARENT OR OTHER CARETAKER OF A CHILD
26 BETWEEN THE AGES OF SIX AND FOURTEEN WHO IS PERSONALLY PROVIDING
27 CARE FOR THE CHILD WITH ONLY VERY BRIEF AND INFREQUENT ABSENCES
28 FROM THE CHILD SHALL NOT BE REQUIRED TO PARTICIPATE IN COMMUNITY
29 WORK PROJECTS EXCEPT ON DAYS AND AT TIMES WHEN THE CHILD IS IN
30 SCHOOL OR WHEN THERE ARE ADEQUATE DAY-CARE ARRANGEMENTS

1 AVAILABLE FOR THE CHILD AT NO COST TO THE RECIPIENT. NO LIEN
2 SHALL BE IMPOSED AGAINST THE REAL PROPERTY OF THE INDIVIDUAL
3 UNDER THE ACT OF JUNE 24, 1937 (P.L.2045, NO.397), KNOWN AS "THE
4 SUPPORT LAW," TO RECOVER CASH ASSISTANCE PAYMENTS PAID TO THAT
5 INDIVIDUAL FOR THE PERIOD THAT THE INDIVIDUAL ACTUALLY WORKS IN
6 COMMUNITY WORK PROJECTS.

7 * * *

8 (G) THE DEPARTMENT SHALL ESTABLISH COMMUNITY WORK EXPERIENCE
9 PROJECTS TO INSURE THAT ALL TRANSITIONALLY NEEDY GENERAL
10 ASSISTANCE CASH RECIPIENTS CAN CONTINUE RECEIVING THEIR
11 BENEFITS. THE DEPARTMENT SHALL PLACE A CLIENT IN A COMMUNITY
12 WORK PROJECT ONLY IF THE DEPARTMENT IS UNABLE TO PLACE THE
13 CLIENT IN AN APPROPRIATE EDUCATION TRAINING OR JOB SEARCH
14 ACTIVITY TO IMPROVE HIS EMPLOYABILITY OR OBTAIN BONA FIDE
15 EMPLOYMENT, OR IF THE DEPARTMENT DETERMINES THAT PARTICIPATION
16 IN COMMUNITY WORK EXPERIENCE IS THE MOST APPROPRIATE ACTIVITY TO
17 ENHANCE EMPLOYABILITY.

18 (H) THE DEPARTMENT SHALL REQUIRE THE WORKSITE TO BE
19 RESPONSIBLE FOR ALL RECORDKEEPING ASSOCIATED WITH THE COMMUNITY
20 WORK EXPERIENCE EMPLOYEES.

21 SECTION 2. SECTION 408 OF THE ACT, AMENDED APRIL 8, 1982
22 (P.L.231, NO.75), IS AMENDED TO READ:

23 SECTION 408. MEETING SPECIAL NEEDS; ENCOURAGING SELF-SUPPORT
24 AND EMPLOYMENT.--(A) THE DEPARTMENT SHALL TAKE MEASURES NOT
25 INCONSISTENT WITH THE PURPOSES OF THIS ARTICLE; AND WHEN OTHER
26 FUNDS OR FACILITIES FOR SUCH PURPOSES ARE INADEQUATE OR
27 UNAVAILABLE TO PROVIDE FOR SPECIAL NEEDS OF INDIVIDUALS ELIGIBLE
28 FOR ASSISTANCE; TO RELIEVE SUFFERING AND DISTRESS ARISING FROM
29 HANDICAPS AND INFIRMITIES; TO PROMOTE THEIR REHABILITATION; TO
30 HELP THEM IF POSSIBLE TO BECOME SELF-DEPENDENT; AND, TO

1 COOPERATE TO THE FULLEST EXTENT WITH OTHER PUBLIC AGENCIES
2 EMPOWERED BY LAW TO PROVIDE VOCATIONAL TRAINING, REHABILITATIVE
3 OR SIMILAR SERVICES.

4 (B) FOR THE PURPOSE OF INCREASING FEDERAL FUNDING AND
5 FACILITATING HEALTH IN CHILDREN, PREVENTING MALNUTRITION, LOW
6 BIRTH WEIGHT AND INFANT MORTALITY, AND PROVIDING NUTRITIOUS
7 FOODS FOR INFANTS, CHILDREN, PREGNANT WOMEN AND NURSING MOTHERS,
8 THE DEPARTMENT SHALL DESIGNATE STATE SUPPLEMENTAL WOMEN INFANTS
9 AND CHILDREN (WIC) BENEFITS AS A SPECIAL NEED ITEM FOR PERSONS
10 ELIGIBLE FOR FEDERALLY FUNDED CATEGORIES OF CASH ASSISTANCE.

11 SECTION 3. SECTION 432(3) AND (5) OF THE ACT, AMENDED APRIL
12 1, 1976 (P.L.64, NO.28) AND APRIL 8, 1982 (P.L.231, NO.75), ARE
13 AMENDED AND THE SECTION IS AMENDED BY ADDING A CLAUSE TO READ:

14 SECTION 432. ELIGIBILITY.--EXCEPT AS HEREINAFTER OTHERWISE
15 PROVIDED, AND SUBJECT TO THE RULES, REGULATIONS, AND STANDARDS
16 ESTABLISHED BY THE DEPARTMENT, BOTH AS TO ELIGIBILITY FOR
17 ASSISTANCE AND AS TO ITS NATURE AND EXTENT, NEEDY PERSONS OF THE
18 CLASSES DEFINED IN CLAUSES (1), (2), AND (3) SHALL BE ELIGIBLE
19 FOR ASSISTANCE:

20 * * *

21 (3) OTHER PERSONS WHO ARE CITIZENS OF THE UNITED STATES, OR
22 LEGALLY ADMITTED ALIENS AND WHO ARE CHRONICALLY NEEDY OR
23 TRANSITIONALLY NEEDY PERSONS.

24 (I) CHRONICALLY NEEDY PERSONS ARE THOSE PERSONS CHRONICALLY
25 IN NEED WHO MAY BE ELIGIBLE FOR AN INDETERMINATE PERIOD AS A
26 RESULT OF MEDICAL, SOCIAL OR RELATED CIRCUMSTANCES AND SHALL BE
27 LIMITED TO:

28 (A) A CHILD WHO IS UNDER AGE EIGHTEEN OR WHO IS ATTENDING A
29 SECONDARY OR EQUIVALENT VOCATIONAL OR TECHNICAL SCHOOL FULL-TIME
30 AND MAY REASONABLY BE EXPECTED TO COMPLETE THE PROGRAM BEFORE

1 REACHING AGE NINETEEN.

2 (B) A PERSON WHO IS OVER [FORTY-FIVE] FIFTY-FIVE YEARS OF
3 AGE.

4 (C) A PERSON WHO HAS A SERIOUS PHYSICAL OR MENTAL HANDICAP
5 WHICH PREVENTS HIM OR HER FROM WORKING IN ANY SUBSTANTIAL
6 GAINFUL ACTIVITY AS DETERMINED IN ACCORDANCE WITH STANDARDS
7 ESTABLISHED BY THE DEPARTMENT. THE DEPARTMENT MAY REQUIRE THAT
8 DOCUMENTATION OF DISABILITY BE SUBMITTED FROM A PHYSICIAN OR
9 PSYCHOLOGIST. THE DEPARTMENT MAY ALSO ORDER AT THE DEPARTMENT'S
10 EXPENSE A PERSON TO SUBMIT TO AN INDEPENDENT EXAMINATION AS A
11 CONDITION OF RECEIVING ASSISTANCE UNDER THIS CLAUSE. THE
12 DEPARTMENT SHALL DETERMINE ELIGIBILITY WITHIN THIRTY DAYS FROM
13 THE DATE OF APPLICATION. PERSONS DISCHARGED FROM MENTAL
14 INSTITUTIONS SHALL BE CLASSIFIED AS CHRONICALLY NEEDY IN
15 ACCORDANCE WITH DEPARTMENT REGULATIONS.

16 (D) A PERSON WHO IS A CARETAKER. THIS CATEGORY OF PERSONS
17 SHALL INCLUDE PERSONS WHOSE PRESENCE IS REQUIRED IN THE HOME TO
18 CARE FOR ANOTHER PERSON AS DETERMINED IN ACCORDANCE WITH
19 DEPARTMENT REGULATIONS.

20 (E) A PERSON SUFFERING FROM DRUG OR ALCOHOL ABUSE WHO IS
21 CURRENTLY UNDERGOING ACTIVE TREATMENT IN [AN APPROVED PROGRAM] A
22 PROGRAM APPROVED BY THE SINGLE-COUNTY AUTHORITY. NO INDIVIDUAL
23 SHALL QUALIFY AS CHRONICALLY NEEDY UNDER THIS CLAUSE FOR MORE
24 THAN NINE MONTHS.

25 (F) A PERSON WHO IS EMPLOYED FULL-TIME AND WHO DOES NOT HAVE
26 EARNINGS IN EXCESS OF CURRENT GRANT LEVELS.

27 (G) ANY PERSON WHO IS INELIGIBLE FOR UNEMPLOYMENT
28 COMPENSATION AND WHOSE INCOME FALLS BELOW THE ASSISTANCE
29 ALLOWANCE LEVEL AS A RESULT OF A NATURAL DISASTER AS DETERMINED
30 BY THE DEPARTMENT.

1 (H) ANY PERSON WHO HAS PREVIOUSLY BEEN EMPLOYED FULL TIME
2 FOR AT LEAST FORTY-EIGHT MONTHS OUT OF THE PREVIOUS EIGHT YEARS
3 AND HAS EXHAUSTED HIS OR HER UNEMPLOYMENT COMPENSATION BENEFITS
4 PRIOR TO APPLYING FOR ASSISTANCE.

5 (I) ANY PERSON WHO DOES NOT OTHERWISE QUALIFY AS CHRONICALLY
6 NEEDY, AND WHO IS RECEIVING GENERAL ASSISTANCE ON THE DATE THIS
7 SECTION IS ENACTED INTO LAW AND WHO HAS NOT REFUSED A BONA FIDE
8 JOB OFFER OR OTHERWISE FAILED TO COMPLY WITH ALL EMPLOYMENT
9 REQUIREMENTS OF THIS ACT AND REGULATIONS PROMULGATED THEREUNDER.
10 SUCH PERSON MUST COMPLY WITH ALL EMPLOYMENT REQUIREMENTS OF THIS
11 ACT AND REGULATIONS PROMULGATED THEREUNDER. IF AFTER THE DATE
12 THIS SECTION IS ENACTED INTO LAW A PERSON'S GENERAL ASSISTANCE
13 GRANTS ARE TERMINATED, THEN THAT PERSON MAY NOT SUBSEQUENTLY
14 QUALIFY FOR GENERAL ASSISTANCE UNDER THIS CLAUSE EXCEPT WHEN
15 SUCH PERSON HAS BEEN TERMINATED FROM EMPLOYMENT THROUGH NO FAULT
16 OF HIS OWN AND HAS NOT MET THE MINIMUM CREDIT WEEK
17 QUALIFICATIONS OF THE ACT OF DECEMBER 5, 1936 (2ND SP.SESS.,
18 1937 P.L.2897, NO.1), KNOWN AS THE "UNEMPLOYMENT COMPENSATION
19 LAW." IF IT IS DETERMINED THAT THE CLASSIFICATION OF PERSONS
20 ACCORDING TO THEIR STATUS ON THE DATE OF ENACTMENT AS PROVIDED
21 IN THIS CLAUSE IS INVALID, THEN THE REMAINDER OF THIS ACT SHALL
22 BE GIVEN FULL FORCE AND EFFECT AS IF THIS CLAUSE HAD BEEN
23 OMITTED FROM THIS ACT, AND INDIVIDUALS DEFINED IN THIS CLAUSE
24 SHALL BE CONSIDERED TRANSITIONALLY NEEDY IF OTHERWISE ELIGIBLE.
25 NO PERSON SHALL QUALIFY FOR GENERAL ASSISTANCE UNDER THIS CLAUSE
26 AFTER DECEMBER 31, 1982.

27 (II) ASSISTANCE FOR CHRONICALLY NEEDY PERSONS SHALL CONTINUE
28 AS LONG AS THE PERSON REMAINS ELIGIBLE. REDETERMINATIONS SHALL
29 BE CONDUCTED ON AT LEAST AN ANNUAL BASIS AND PERSONS CAPABLE OF
30 WORK, EVEN THOUGH OTHERWISE ELIGIBLE FOR ASSISTANCE TO THE

1 CHRONICALLY NEEDY, WOULD BE REQUIRED TO REGISTER FOR EMPLOYMENT
2 AND ACCEPT EMPLOYMENT IF OFFERED AS A CONDITION OF ELIGIBILITY
3 EXCEPT AS OTHERWISE EXEMPT UNDER SECTION 405.1.

4 (III) TRANSITIONALLY NEEDY PERSONS ARE THOSE PERSONS WHO ARE
5 OTHERWISE ELIGIBLE FOR GENERAL ASSISTANCE BUT DO NOT QUALIFY AS
6 CHRONICALLY NEEDY. [ASSISTANCE] EXCEPT AS OTHERWISE PROVIDED IN
7 THIS SUBCLAUSE, ASSISTANCE FOR TRANSITIONALLY NEEDY PERSONS
8 SHALL BE AUTHORIZED ONLY ONCE IN ANY TWELVE-MONTH PERIOD IN AN
9 AMOUNT NOT TO EXCEED THE AMOUNT OF NINETY DAYS' ASSISTANCE. TO
10 CONTINUE CASH ASSISTANCE BENEFITS BEYOND NINETY DAYS IN ANY
11 TWELVE-MONTH PERIOD, A TRANSITIONALLY NEEDY PERSON WHO IS OVER
12 FORTY-FIVE YEARS OF AGE MUST PARTICIPATE IN ONE OF THE FOLLOWING
13 DEPARTMENT-APPROVED PROGRAMS:

14 (A) JOB TRAINING.

15 (B) GENERAL EQUIVALENCY DIPLOMA.

16 (C) ENGLISH AS A SECOND LANGUAGE.

17 (D) LITERACY TRAINING.

18 (E) COMMUNITY WORK EXPERIENCE.

19 (F) DRUG OR ALCOHOL TREATMENT.

20 CASH ASSISTANCE BENEFITS FOR TRANSITIONALLY NEEDY RECIPIENTS
21 OVER FORTY-FIVE YEARS OF AGE SHALL NOT EXCEED TWENTY-FOUR MONTHS
22 IN ANY THIRTY-SIX-MONTH PERIOD.

23 * * *

24 (5) ASSISTANCE MAY BE GRANTED ONLY TO OR IN BEHALF OF A
25 RESIDENT OF PENNSYLVANIA.

26 (I) NEEDY PERSONS WHO DO NOT MEET THE RESIDENCE REQUIREMENTS
27 STATED IN THIS CLAUSE AND WHO ARE TRANSIENTS OR WITHOUT
28 RESIDENCE IN ANY STATE, MAY BE GRANTED ASSISTANCE UP TO SEVEN
29 DAYS IN THE FORM OF VENDOR PAYMENTS, ALL IN ACCORDANCE WITH
30 RULES, REGULATIONS, AND STANDARDS ESTABLISHED BY THE DEPARTMENT.

1 (II) NOTWITHSTANDING THE MAXIMUM AID PAYMENTS AS DETERMINED
2 BY THE DEPARTMENT, RECIPIENTS OF GENERAL ASSISTANCE AND AID TO
3 FAMILIES WITH DEPENDENT CHILDREN WHO HAVE RESIDED IN THIS
4 COMMONWEALTH FOR LESS THAN TWELVE MONTHS SHALL BE PAID AN AMOUNT
5 CALCULATED IN ACCORDANCE WITH DEPARTMENT STANDARDS, BUT NOT TO
6 EXCEED THE MAXIMUM AID PAYMENT THAT WOULD HAVE BEEN RECEIVED
7 FROM THE RECIPIENT'S STATE OF PRIOR RESIDENCE, UNLESS THAT
8 AMOUNT EXCEEDS THE MAXIMUM PAYMENT LEVEL AVAILABLE TO RECIPIENTS
9 IN THIS COMMONWEALTH. WHEN THE MAXIMUM AID PAYMENT FROM A
10 RECIPIENT'S STATE OF PRIOR RESIDENCE EXCEEDS THAT AMOUNT WHICH
11 WOULD OTHERWISE BE AVAILABLE IN THIS COMMONWEALTH, THE RECIPIENT
12 SHALL RECEIVE AN AMOUNT NOT TO EXCEED THE AMOUNT AVAILABLE IN
13 THIS COMMONWEALTH. THE PROVISIONS OF THIS SUBCLAUSE SHALL NOT
14 APPLY TO AID FOR FAMILIES WITH DEPENDENT CHILDREN OR GENERAL
15 ASSISTANCE RECIPIENTS WHO CAN ESTABLISH THAT THEY MOVED TO THIS
16 COMMONWEALTH TO ESCAPE AN ABUSIVE LIVING SITUATION. THE
17 DEPARTMENT SHALL ADOPT RULES GOVERNING THE PROOF REQUIRED TO
18 ESTABLISH THAT THE APPLICANT HAS MOVED TO THIS COMMONWEALTH TO
19 ESCAPE AN ABUSIVE LIVING SITUATION.

20 * * *

21 (8) THE DEPARTMENT SHALL NOT CATEGORIZE ANY SUCH PERSON AS
22 CHRONICALLY NEEDY UNLESS IT HAS FULLY EXPLORED WHETHER THE CHILD
23 IS ELIGIBLE FOR AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC).
24 IN FURTHERANCE OF THIS END, THE DEPARTMENT SHALL:

25 (I) USE THE BROADEST POSSIBLE DEFINITION OF INCAPACITY UNDER
26 FEDERAL LAW AND REGULATIONS AND DESIGN A MEDICAL ASSESSMENT FORM
27 CONSISTENT WITH THAT DEFINITION;

28 (II) USE THE BROADEST POSSIBLE CRITERIA PERMITTED UNDER
29 FEDERAL LAW AND REGULATIONS REGARDING ELIGIBILITY FOR AFDC FOR
30 UNEMPLOYED PARENTS (AFDC-U); AND

1 (III) CREATE FLEXIBLE VERIFICATION CRITERIA FOR ESTABLISHING
2 THE NECESSARY DEGREE OF RELATEDNESS FOR SPECIFIED RELATIVES.
3 THE PURSUIT OF AFDC ELIGIBILITY FOR ANY CHILD SHALL NOT DELAY
4 THE CHILD'S RECEIPT OF PUBLIC ASSISTANCE. BY OCTOBER 1, 1992,
5 THE DEPARTMENT SHALL COMPLETE A REVIEW OF ALL GENERAL ASSISTANCE
6 HOUSEHOLD CASES THAT CONTAIN AT LEAST ONE CHILD TO DETERMINE
7 WHETHER SAID HOUSEHOLD CAN BE CONVERTED TO AFDC.

8 SECTION 4. SECTIONS 432.4 AND 432.5(C) OF THE ACT, AMENDED
9 APRIL 8, 1982 (P.L.231, NO.75), ARE AMENDED TO READ:

10 SECTION 432.4. IDENTIFICATION AND PROOF OF RESIDENCE.--(A)
11 ALL PERSONS APPLYING FOR ASSISTANCE SHALL PROVIDE ACCEPTABLE
12 IDENTIFICATION AND PROOF OF RESIDENCE; THE DEPARTMENT SHALL BY
13 REGULATIONS SPECIFY WHAT CONSTITUTES ACCEPTABLE IDENTIFICATION
14 AND PROOF OF RESIDENCE. A PERSON SHALL BE DEEMED TO BE A
15 RESIDENT WHEN HE OR SHE DOCUMENTS HIS OR HER RESIDENCY AND THAT
16 RESIDENCY IS VERIFIED BY THE DEPARTMENT. VERIFICATION MAY
17 INCLUDE, BUT IS NOT LIMITED TO THE PRODUCTION OF RENT RECEIPTS,
18 MORTGAGE PAYMENT RECEIPTS, UTILITY RECEIPTS, BANK ACCOUNTS OR
19 ENROLLMENT OF CHILDREN IN LOCAL SCHOOLS. GENERAL ASSISTANCE
20 APPLICANTS MUST ESTABLISH THAT THEY HAVE BEEN RESIDENTS OF THE
21 COMMONWEALTH FOR AT LEAST NINETY DAYS IMMEDIATELY PRECEDING
22 THEIR APPLICATION. THE PROVISIONS OF THIS SUBSECTION SHALL NOT
23 APPLY TO GENERAL ASSISTANCE APPLICANTS WHO CAN ESTABLISH THAT
24 THEY MOVED TO THIS COMMONWEALTH TO ESCAPE AN ABUSIVE LIVING
25 SITUATION. THE DEPARTMENT SHALL ADOPT RULES GOVERNING THE PROOF
26 REQUIRED TO ESTABLISH THAT THE APPLICANT HAS MOVED TO THIS
27 COMMONWEALTH TO ESCAPE AN ABUSIVE LIVING SITUATION.

28 (B) FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR
29 ASSISTANCE, THE CONTINUED ABSENCE OF A RECIPIENT FROM THE
30 COMMONWEALTH FOR A PERIOD OF THIRTY DAYS OR LONGER SHALL BE

1 PRIMA FACIE EVIDENCE OF THE INTENT OF THE RECIPIENT TO HAVE
2 CHANGED HIS RESIDENCE TO A PLACE OUTSIDE THE COMMONWEALTH.

3 (C) IF A RECIPIENT IS PREVENTED BY ILLNESS OR OTHER GOOD
4 CAUSE FROM RETURNING TO THE COMMONWEALTH AT THE END OF THIRTY
5 DAYS, AND HAS NOT ACTED TO ESTABLISH RESIDENCE ELSEWHERE, HE
6 SHALL NOT BE DEEMED TO HAVE LOST HIS RESIDENCE IN THE
7 COMMONWEALTH.

8 (D) WHEN A RECIPIENT OF AID TO FAMILIES WITH DEPENDENT
9 CHILDREN OR GENERAL ASSISTANCE IS ABSENT FROM THE UNITED STATES
10 FOR A PERIOD IN EXCESS OF THIRTY DAYS, HIS AID SHALL THEREAFTER
11 BE SUSPENDED WHENEVER NEED CANNOT BE DETERMINED FOR THE ENSUING
12 PERIOD OF HIS ABSENCE.

13 SECTION 432.5. LIMITS ON PROPERTY HOLDINGS.--* * *

14 (C) OTHER PROPERTY IN EXCESS OF TWO HUNDRED FIFTY DOLLARS
15 (\$250) FOR A SINGLE PERSON ASSISTANCE UNIT AND OTHER PROPERTY IN
16 EXCESS OF ONE THOUSAND DOLLARS (\$1,000) FOR ASSISTANCE UNITS
17 WITH MORE THAN ONE PERSON SHALL BE CONSIDERED AN AVAILABLE
18 RESOURCE. THE FOLLOWING ITEMS SHALL NOT BE CONSIDERED AN
19 AVAILABLE RESOURCE, UNLESS SUCH CONSIDERATION IS REQUIRED UNDER
20 FEDERAL LAW OR REGULATIONS:

21 (1) WEDDING AND ENGAGEMENT RINGS, FAMILY HEIRLOOMS, CLOTHING
22 AND CHILDREN'S TOYS.

23 (2) HOUSEHOLD FURNISHINGS, PERSONAL EFFECTS AND OTHER ITEMS
24 USED TO PROVIDE, EQUIP, AND MAINTAIN A HOUSEHOLD FOR THE
25 APPLICANT AND RECIPIENT.

26 (3) EQUIPMENT AND MATERIAL WHICH ARE NECESSARY TO IMPLEMENT
27 EMPLOYMENT, REHABILITATION, OR SELF CARE PLAN FOR THE APPLICANT
28 OR RECIPIENT.

29 (4) A MOTOR VEHICLE WITH AN EQUITY VALUE THAT DOES NOT
30 EXCEED LIMITS AS THE DEPARTMENT MAY ESTABLISH BY REGULATION.

(5) RETROACTIVE ASSISTANCE PAYMENTS RECEIVED AS A RESULT OF
A PREHEARING CONFERENCE OR A FAIR HEARING DECISION.

(6) ACCUMULATED ASSETS ESTABLISHED UNDER THE ACT OF APRIL 3,
1992 (P.L.28, NO.11), KNOWN AS THE "TUITION ACCOUNT PROGRAM AND
COLLEGE SAVINGS BOND ACT," OR A RESTRICTED EDUCATION SAVINGS
ACCOUNT APPROVED BY THE DEPARTMENT.

* * *

SECTION 5. SECTION 432.21 OF THE ACT IS AMENDED BY ADDING
SUBSECTIONS TO READ:

SECTION 432.21. REQUIREMENT THAT CERTAIN FEDERAL BENEFITS BE
PRIMARY SOURCES OF ASSISTANCE.--* * *

(C) THE DEPARTMENT SHALL INSTITUTE STEPS TO IDENTIFY ANY
RECIPIENTS AND APPLICANTS FOR ASSISTANCE WHO MAY BE ELIGIBLE FOR
SOCIAL SECURITY SURVIVOR'S BENEFITS AND SHALL PROVIDE ASSISTANCE
TO THEM IN APPLYING FOR AND OBTAINING SAID BENEFITS, INCLUDING,
BUT NOT LIMITED TO, INFORMING RECIPIENTS AND APPLICANTS OF THE
ELIGIBILITY STANDARDS FOR SOCIAL SECURITY SURVIVOR'S BENEFITS,
HELPING THEM COMPLETE SOCIAL SECURITY APPLICATION FORMS AND
HELPING THEM OBTAIN RECORDS ESTABLISHING PATERNITY.

(D) THE DEPARTMENT SHALL INSTITUTE STEPS TO AID RECIPIENTS
OR APPLICANTS FOR ASSISTANCE WHO ARE USERS OF MENTAL HEALTH AND
MENTAL RETARDATION (MH/MR) SERVICES, BEGINNING WITH HIGH USERS
OF SERVICES, TO APPLY FOR AND RECEIVE FEDERAL SUPPLEMENTAL
SECURITY INCOME (SSI) AND FEDERAL SOCIAL SECURITY RETIREMENT,
SURVIVOR'S AND DISABILITY INCOME BENEFITS (RSDI). IN FURTHERANCE
OF THIS END, THE DEPARTMENT SHALL:

(1) OFFER INCENTIVES, FINANCIAL AND OTHERWISE, TO PROVIDERS
OF MH/MR SERVICES, INCLUDING HOSPITALS AND COMMUNITY-BASED
MENTAL HEALTH/MENTAL RETARDATION CENTERS, TO ASSIST THEIR
PATIENTS IN APPLYING FOR SSI AND RSDI AND TO PROVIDE MEDICAL

1 RECORDS AND REPORTS TO SUPPORT SAID APPLICATIONS;

2 (2) REQUIRE EACH MH/MR CENTER TO DESIGNATE A PUBLIC BENEFITS
3 COUNSELOR TO COORDINATE EFFORTS TO OBTAIN SSI AND RSDI FOR
4 PATIENTS OF THE CENTER AND TO SERVE AS A LIAISON WITH THE
5 DEPARTMENT'S DISABILITY ADVOCACY PROGRAM (DAP) WORKERS AND WITH
6 THE SOCIAL SECURITY ADMINISTRATION, INCLUDING THE STATE BUREAU
7 OF DISABILITY DETERMINATIONS UNDER FEDERAL CONTRACT, TO DO
8 DISABILITY EVALUATIONS; AND

9 (3) REQUIRE ALL PROVIDERS OF MENTAL HEALTH AND MENTAL
10 RETARDATION SERVICES TO REFER ANY DENIALS OF SSI AND RSDI TO THE
11 DAP.

12 SECTION 2 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

13 SECTION 436.1. PROPERTY OF PERSONS LIABLE FOR EXPENSES
14 INCURRED FOR SUPPORT AND ASSISTANCE.--(A) EXCEPT AS LIMITED BY
15 SUBSECTION (C), THE REAL AND PERSONAL PROPERTY OF ANY PERSON
16 SHALL BE LIABLE FOR THE EXPENSES OF HIS SUPPORT, MAINTENANCE,
17 ASSISTANCE AND BURIAL, AND FOR THE EXPENSES OF THE SUPPORT,
18 MAINTENANCE, ASSISTANCE AND BURIAL OF THE SPOUSE AND
19 UNEMANCIPATED MINOR CHILDREN OF SUCH PROPERTY OWNER, INCURRED BY
20 ANY PUBLIC BODY OR PUBLIC AGENCY, IF SUCH PROPERTY WAS OWNED
21 DURING THE TIME SUCH EXPENSES WERE INCURRED, OR IF A RIGHT OR
22 CAUSE OF ACTION EXISTED DURING THE TIME SUCH EXPENSES WERE
23 INCURRED FROM WHICH THE OWNERSHIP OF SUCH PROPERTY RESULTED. ANY
24 PUBLIC BODY OR PUBLIC AGENCY MAY SUE THE OWNER OF SUCH PROPERTY
25 FOR MONEYS SO EXPENDED, AND ANY JUDGMENT OBTAINED SHALL BE A
26 LIEN UPON THE SAID REAL ESTATE OF SUCH PERSON AND BE COLLECTED
27 AS OTHER JUDGMENTS, EXCEPT AS TO THE REAL AND PERSONAL PROPERTY
28 COMPRISING THE HOME AND FURNISHINGS OF SUCH PERSON.

29 (B) EXCEPT AS LIMITED BY SUBSECTION (C), ANY CLAIM FOR THE
30 EXPENSES OF SUPPORT, MAINTENANCE, ASSISTANCE AND BURIAL OF A

1 PERSON AND FOR THE SUPPORT, MAINTENANCE, ASSISTANCE AND BURIAL
2 OF HIS SPOUSE AND UNEMANCIPATED MINOR CHILDREN, HELD BY ANY
3 PUBLIC BODY OR PUBLIC AGENCY, SHALL HAVE THE SAME FORCE AND
4 EFFECT AGAINST THE REAL AND PERSONAL ESTATE OF A DECEASED PERSON
5 AS OTHER DEBTS OF A DECEDENT, AND SHALL BE ASCERTAINED AND
6 RECOVERED IN THE SAME MANNER.

7 (C) NO LIEN MAY BE IMPOSED AGAINST THE REAL PROPERTY WHICH
8 IS THE PRIMARY RESIDENCE OF ANY INDIVIDUAL OR OF HIS SPOUSE ON
9 ACCOUNT OF SUPPORT, MAINTENANCE, ASSISTANCE OR BURIAL EXPENSES
10 PAID OR TO BE PAID ON HIS BEHALF (EXCEPT PURSUANT TO THE
11 JUDGMENT OF A COURT ON ACCOUNT OF BENEFITS INCORRECTLY PAID ON
12 BEHALF OF SUCH INDIVIDUAL), AND THERE SHALL BE NO ADJUSTMENT OR
13 RECOVERY OF ANY SUPPORT, MAINTENANCE, ASSISTANCE OR BURIAL
14 EXPENSES, CORRECTLY PAID ON BEHALF OF THE INDIVIDUAL, FROM HIS
15 ESTATE OR FROM THE ESTATE OF HIS SPOUSE TO THE EXTENT THAT THE
16 ESTATE IS REAL PROPERTY COMPRISING THE HOME AND FURNISHINGS OF
17 THE INDIVIDUAL OR HIS SPOUSE, OR THE PROCEEDS OF THE SALE OF
18 SUCH REAL PROPERTY.

19 SECTION 7. SECTION 443.3 OF THE ACT, AMENDED NOVEMBER 28, <—
20 1973 (P.L.364, NO.128), IS AMENDED TO READ:

21 SECTION 443.3. OTHER MEDICAL ASSISTANCE PAYMENTS.--(A)
22 PAYMENTS ON BEHALF OF ELIGIBLE PERSONS SHALL BE MADE FOR OTHER
23 SERVICES, AS FOLLOWS:

24 (1) RATES ESTABLISHED BY THE DEPARTMENT FOR OUTPATIENT
25 SERVICES AS SPECIFIED BY REGULATIONS OF THE DEPARTMENT ADOPTED
26 UNDER TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT CONSISTING OF
27 PREVENTIVE, DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE OR
28 PALLIATIVE SERVICES; FURNISHED BY OR UNDER THE DIRECTION OF A
29 PHYSICIAN, CHIROPRACTOR OR PODIATRIST, BY A HOSPITAL OR
30 OUTPATIENT CLINIC WHICH QUALIFIES TO PARTICIPATE UNDER TITLE XIX

1 OF THE FEDERAL SOCIAL SECURITY ACT, TO A PATIENT TO WHOM SUCH
2 HOSPITAL OR OUTPATIENT CLINIC DOES NOT FURNISH ROOM, BOARD AND
3 PROFESSIONAL SERVICES ON A CONTINUOUS, TWENTY-FOUR HOUR A DAY
4 BASIS.

5 (2) RATES ESTABLISHED BY THE DEPARTMENT FOR (I) OTHER
6 LABORATORY AND X-RAY SERVICES PRESCRIBED BY A PHYSICIAN,
7 CHIROPRACTOR OR PODIATRIST AND FURNISHED BY A FACILITY OTHER
8 THAN A HOSPITAL WHICH IS QUALIFIED TO PARTICIPATE UNDER TITLE
9 XIX OF THE FEDERAL SOCIAL SECURITY ACT, (II) PHYSICIAN'S
10 SERVICES CONSISTING OF PROFESSIONAL CARE BY A PHYSICIAN,
11 CHIROPRACTOR OR PODIATRIST IN HIS OFFICE, THE PATIENT'S HOME, A
12 HOSPITAL, A NURSING HOME OR ELSEWHERE, (III) THE FIRST THREE
13 PINTS OF WHOLE BLOOD, (IV) REMEDIAL EYE CARE, AS PROVIDED IN
14 ARTICLE VIII CONSISTING OF MEDICAL OR SURGICAL CARE AND AIDS AND
15 SERVICES AND OTHER VISION CARE PROVIDED BY A PHYSICIAN SKILLED
16 IN DISEASES OF THE EYE OR BY AN OPTOMETRIST WHICH ARE NOT
17 OTHERWISE AVAILABLE UNDER THIS ARTICLE, (V) SPECIAL MEDICAL
18 SERVICES FOR SCHOOL CHILDREN, AS PROVIDED IN THE PUBLIC SCHOOL
19 CODE OF 1949, CONSISTING OF MEDICAL, DENTAL, VISION CARE
20 PROVIDED BY A PHYSICIAN SKILLED IN DISEASES OF THE EYE OR BY AN
21 OPTOMETRIST OR SURGICAL CARE AND AIDS AND SERVICES WHICH ARE NOT
22 OTHERWISE AVAILABLE UNDER THIS ARTICLE.

23 (B) AS USED IN SUBSECTION (A)(2)(V), SPECIAL MEDICAL
24 SERVICES SHALL ALSO INCLUDE SUPPLEMENTAL FOOD, PRESCRIBED BY A
25 PHYSICIAN FOR CHILDREN, INFANTS, PREGNANT WOMEN AND NURSING
26 MOTHERS, AVAILABLE UNDER THE STATE SUPPLEMENTAL WIC
27 APPROPRIATION.

28 SECTION 8. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

29 SECTION 454. PROCEDURE IN RELATION TO CERTAIN MEDICAL
30 ASSISTANCE CLAIMS.--(A) THE DEPARTMENT SHALL AMEND THE STATE

1 MEDICAL ASSISTANCE PLAN TO ADOPT THE OPTION OF MAKING
2 INDEPENDENT DISABILITY DETERMINATIONS OF PERSONS WITH ALCOHOLISM
3 AND OTHER DRUG DEPENDENCIES FOR PURPOSES OF MEDICAL ASSISTANCE
4 ELIGIBILITY AS AUTHORIZED BY TITLE XIX OF THE SOCIAL SECURITY
5 ACT (PUBLIC LAW 74-271, 42 U.S.C. § 1396A(V)).

6 (B) THE DEPARTMENT SHALL TRANSFER PERSONS ON GENERAL
7 ASSISTANCE WHO APPEAR TO MEET THE SOCIAL SECURITY DISABILITY
8 CRITERIA TO FEDERAL MEDICAL ASSISTANCE AND SHALL SEEK FEDERAL
9 MATCH FOR THE COST OF THESE SERVICES.

10 SECTION 455. PURCHASE OF PRIVATE INSURANCE.--THE DEPARTMENT
11 SHALL, AS PROVIDED FOR IN TITLE XIX OF THE SOCIAL SECURITY ACT
12 (PUBLIC LAW 74-271, 42 U.S.C. § 1396A), PURCHASE PRIVATE
13 INSURANCE WITH MEDICAID FUNDS, UNDER THE MOST COST-EFFECTIVE
14 OPTION ALLOWED BY FEDERAL LAW.

15 SECTION 456. MAXIMIZATION OF FEDERAL FUNDS FOR ALCOHOL AND
16 OTHER DRUG DEPENDENCY TREATMENT UNDER MEDICAL ASSISTANCE.--THE
17 DEPARTMENT SHALL TAKE ALL EFFORTS NECESSARY TO MAXIMIZE FEDERAL
18 FUNDS UNDER THE MEDICAL ASSISTANCE PROGRAM FOR ALCOHOL AND OTHER
19 DRUG DEPENDENCY TREATMENT NOW FUNDED WITH PURELY STATE FUNDS.
20 SUCH EFFORTS SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING:

21 (1) TRAIN DISABILITY ADVOCACY PROJECT WORKERS IN SOCIAL
22 SECURITY DISABILITY CRITERIA FOR PERSONS WITH ALCOHOLISM AND
23 OTHER DRUG DEPENDENCIES;

24 (2) DESIGN A SYSTEM TO IDENTIFY PERSONS ON GENERAL
25 ASSISTANCE WHO ARE ALCOHOL OR OTHER DRUG DEPENDENT AND REFER
26 THOSE PERSONS TO SPECIALLY TRAINED DISABILITY ADVOCACY PROJECT
27 WORKERS;

28 (3) AMEND THE STATE MEDICAL ASSISTANCE PLAN TO ADOPT THE
29 OPTION OF MAKING INDEPENDENT DISABILITY DETERMINATIONS OF
30 PERSONS WITH ALCOHOLISM AND OTHER DRUG DEPENDENCIES FOR PURPOSES

OF MEDICAL ASSISTANCE ELIGIBILITY AS AUTHORIZED BY TITLE XIX OF
THE SOCIAL SECURITY ACT (PUBLIC LAW 74-271, 42 U.S.C. §
1396A(V)); AND

(4) TRANSFER PERSONS ON GENERAL ASSISTANCE WHO APPEAR TO
MEET THE SOCIAL SECURITY DISABILITY CRITERIA TO FEDERAL MEDICAL
ASSISTANCE AND SEEK FEDERAL MATCH FOR THE COST OF THE SERVICES
PROVIDED TO THEM.

SECTION 457. MAXIMIZATION OF FEDERAL FUNDS FOR RESIDENTIAL
ALCOHOL AND OTHER DRUG DEPENDENCY TREATMENT.--THE DEPARTMENT
SHALL TAKE ALL EFFORTS NECESSARY TO MAXIMIZE FEDERAL FUNDS UNDER
THE MEDICAL ASSISTANCE PROGRAM FOR RESIDENTIAL ALCOHOL AND OTHER
DRUG DEPENDENCY TREATMENT NOW FUNDED WITH PURELY STATE FUNDS
PURSUANT TO SECTIONS 2334 AND 2335 OF THE ACT OF APRIL 9, 1929
(P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929."
SUCH EFFORTS SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING:

(1) WHERE COST EFFECTIVE, PROVIDE FUNDS TO RESIDENTIAL
ALCOHOL AND OTHER DRUG DEPENDENCY TREATMENT FACILITIES THAT
SERVE PERSONS UNDER TWENTY-ONE YEARS OF AGE TO BECOME ACCREDITED
BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTH CARE
ORGANIZATIONS AND THEN SEEK FEDERAL MATCH FOR MEDICAID ELIGIBLE
PERSONS UNDER TWENTY-ONE YEARS OF AGE TREATED IN SUCH
FACILITIES;

(2) AMEND THE STATE MEDICAL ASSISTANCE PLAN AND SEEK FEDERAL
MATCH FOR ANY INDIVIDUAL ELIGIBLE FOR MEDICAL ASSISTANCE UNDER
FEDERAL REQUIREMENTS BEING TREATED IN A RESIDENTIAL FACILITY
HAVING LESS THAN SEVENTEEN TREATMENT BEDS;

(3) AMEND THE STATE MEDICAL ASSISTANCE PLAN AND SEEK FEDERAL
MATCH UNDER THE OPTIONAL TARGETED CASE MANAGEMENT PROVISION OF
THE FEDERAL MEDICAL ASSISTANCE PROGRAM AS PROVIDED FOR IN THE
SOCIAL SECURITY ACT (PUBLIC LAW 74-271, 42 U.S.C. § 1396N(G))

1 FOR ANY CASE MANAGEMENT SERVICES CURRENTLY OR ANTICIPATED TO BE
2 PROVIDED UNDER SECTIONS 2334 AND 2335 OF "THE ADMINISTRATIVE
3 CODE OF 1929," INCLUDING THOSE CASE MANAGEMENT SERVICES TO BE
4 PROVIDED UNDER CONTRACT WITH THE SINGLE COUNTY DRUG AND ALCOHOL
5 AUTHORITIES; AND

6 (4) ENTER INTO NEGOTIATIONS WITH THE HEALTH CARE FINANCING
7 ADMINISTRATION REGARDING OBTAINING FEDERAL MATCH UNDER MEDICAL
8 ASSISTANCE FOR OTHER INDIVIDUALS RECEIVING RESIDENTIAL ALCOHOL
9 AND OTHER DRUG DEPENDENCY TREATMENT.

10 SECTION 9. ARTICLE IV OF THE ACT IS AMENDED BY ADDING A
11 SUBARTICLE TO READ:

12 ARTICLE IV

13 PUBLIC ASSISTANCE

14 * * *

15 (G.1) MINIMUM SCHOOL ATTENDANCE REQUIREMENTS

16 SECTION 461. LEGISLATIVE INTENT.--(A) THE GENERAL ASSEMBLY
17 FINDS AND DECLARES THAT:

18 (1) AS A RESULT OF CONTINUING CHANGES IN THE ECONOMY AND
19 THEREFOR THE TYPES OF JOBS AVAILABLE IN TODAY'S ECONOMIC
20 CLIMATE, EDUCATION AND KNOWLEDGE SKILLS, INCLUDING A HIGH SCHOOL
21 DIPLOMA OR ITS EQUIVALENT AS A MINIMUM EDUCATIONAL ATTAINMENT,
22 ARE BECOMING MORE AND MORE CRITICAL TO BOTH SHORT-TERM AND LONG-
23 TERM PROSPECTS FOR ECONOMIC INDEPENDENCE THROUGH EMPLOYMENT.

24 (2) A LARGE PERCENTAGE OF AFDC RECIPIENTS DROP OUT OF
25 SECONDARY SCHOOL AND FAIL TO OBTAIN A HIGH SCHOOL DIPLOMA OR ITS
26 EQUIVALENT PRIOR TO TWENTY-ONE YEARS OF AGE. THESE INCLUDE MANY
27 TEENAGE PARENTS WHO RECEIVE CASH ASSISTANCE THROUGH THE AFDC
28 PROGRAM.

29 (3) PRESENT WELFARE POLICY FAILS TO PROVIDE ANY INCENTIVE TO
30 WELFARE FAMILIES TO KEEP THEIR CHILDREN IN SCHOOL UNTIL THEY

1 RECEIVE A HIGH SCHOOL DIPLOMA; IN FACT, EXISTING POLICY PROVIDES
2 CONTINUING FINANCIAL SUPPORT FOR HIGH SCHOOL DROPOUTS, WITH NO
3 RESPONSIBILITIES FOR EDUCATIONAL ATTAINMENT BY AFDC RECIPIENTS.

4 (B) IT IS THE POLICY OF THIS COMMONWEALTH TO REQUIRE SCHOOL
5 ATTENDANCE AS A CONDITION OF THE RECEIPT OF CASH ASSISTANCE
6 UNDER THE AFDC PROGRAM FOR MEMBERS OF AFDC FAMILIES, IN ORDER TO
7 INCREASE THE FUTURE EMPLOYABILITY AND ECONOMIC INDEPENDENCE OF
8 PENNSYLVANIA CHILDREN PRESENTLY ON THE WELFARE ROLL.

9 SECTION 462. DEFINITIONS.--AS USED IN THIS SUBARTICLE:

10 "AFDC" IS AN ACRONYM FOR THE PROGRAM WHICH PROVIDES AID TO
11 FAMILIES WITH DEPENDENT CHILDREN UNDER THIS ACT.

12 "ATTENDANCE PROBLEM" MEANS A SITUATION WHICH ARISES WHEN A
13 QUALIFIED INDIVIDUAL HAS BEEN REPORTED AS ILLEGALLY ABSENT UNDER
14 SECTION 1354 OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN
15 AS THE "PUBLIC SCHOOL CODE."

16 "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC WELFARE OF THE
17 COMMONWEALTH.

18 "FULL DAY" MEANS THE ENTIRE SCHOOL DAY AS DEFINED BY THE
19 SCHOOL BOARD.

20 "QUALIFIED INDIVIDUAL" MEANS AN INDIVIDUAL WHO RECEIVES AFDC
21 PAYMENTS OR A CHILD WHOSE PARENT OR GUARDIAN RECEIVES AFDC
22 PAYMENTS, WHO IS EIGHT TO EIGHTEEN YEARS OF AGE AND WHO HAS NOT
23 GRADUATED FROM SCHOOL OR OBTAINED A CERTIFICATE OF SATISFACTORY
24 COMPLETION OF A GENERAL EDUCATIONAL DEVELOPMENT TEST.

25 "SCHOOL" MEANS ANY PUBLIC OR PRIVATE SCHOOL OPERATED PURSUANT
26 TO THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE
27 "PUBLIC SCHOOL CODE OF 1949"; ANY VOCATIONAL, TECHNICAL OR
28 COLLEGE AFFILIATED PROGRAM WHICH SATISFIES REQUIREMENTS FOR
29 COMPLETION OF A HIGH SCHOOL EDUCATION PROGRAM; ANY PROGRAM WHICH
30 LEADS TO A CERTIFICATE OF SATISFACTORY COMPLETION OF A GENERAL

1 EDUCATIONAL DEVELOPMENT TEST; OR ANY HOME EDUCATIONAL PROGRAM
2 APPROVED BY THE DEPARTMENT OF EDUCATION.

3 SECTION 463. REQUIRED SCHOOL ATTENDANCE.--(A) AN INDIVIDUAL
4 WHO IS AN AFDC RECIPIENT OR IS A DEPENDENT CHILD OF AN AFDC
5 RECIPIENT SHALL BE REQUIRED TO ATTEND SCHOOL WITHOUT ANY
6 ATTENDANCE PROBLEMS AS A REQUIREMENT FOR CONTINUING ELIGIBILITY
7 FOR SUCH AFDC ASSISTANCE IF ALL OF THE FOLLOWING APPLY:

8 (1) THE INDIVIDUAL IS:

9 (I) EIGHT TO FOURTEEN YEARS OF AGE IN THE FIRST FULL SCHOOL
10 YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION;

11 (II) EIGHT TO FIFTEEN YEARS OF AGE IN THE SECOND FULL SCHOOL
12 YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION;

13 (III) EIGHT TO SIXTEEN YEARS OF AGE IN THE THIRD FULL SCHOOL
14 YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION;

15 (IV) EIGHT TO SEVENTEEN YEARS OF AGE IN THE FOURTH FULL
16 SCHOOL YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION;

17 (V) EIGHT TO EIGHTEEN YEARS OF AGE IN THE FIFTH AND EACH
18 SUBSEQUENT FULL SCHOOL YEAR AFTER THE EFFECTIVE DATE OF THIS
19 SECTION.

20 (2) THE INDIVIDUAL HAS NOT GRADUATED FROM A PUBLIC OR
21 PRIVATE HIGH SCHOOL OR OBTAINED A CERTIFICATE OF SATISFACTORY
22 COMPLETION OF A GENERAL EDUCATIONAL DEVELOPMENT TEST.

23 (3) THE INDIVIDUAL IS NOT ENROLLED IN A HOME SCHOOL PROGRAM
24 UNDER SECTION 1327.1 OF THE ACT OF MARCH 10, 1949 (P.L.30,
25 NO.14), KNOWN AS THE "PUBLIC SCHOOL CODE OF 1949."

26 (4) THE INDIVIDUAL IS NOT LEGALLY EXCUSED FROM ATTENDING
27 SCHOOL.

28 (5) THE INDIVIDUAL IS NOT PROHIBITED FROM ATTENDING SCHOOL
29 WHILE AN EXPULSION IS PENDING.

30 (6) IF THE INDIVIDUAL WAS EXPELLED FROM A SCHOOL, THERE IS

1 ANOTHER SCHOOL AVAILABLE WHICH THE INDIVIDUAL CAN ATTEND.

2 (7) THE INDIVIDUAL DOES NOT HAVE GOOD CAUSE FOR FAILING TO
3 ATTEND SCHOOL, AS SET FORTH IN SECTION 464.

4 (B) AN INDIVIDUAL WHO FAILS TO MEET THE REQUIREMENTS OF
5 SUBSECTION (A) SHALL BE SUBJECT TO THE SANCTIONS SPECIFIED IN
6 SECTION 465.

7 (C) THE DEPARTMENT MAY REQUIRE CONSENT TO THE RELEASE OF
8 SCHOOL ATTENDANCE RECORDS AS A CONDITION OF ELIGIBILITY.

9 (D) IF AN INDIVIDUAL REQUIRED TO ATTEND SCHOOL UNDER
10 SUBSECTION (A) IS ENROLLED IN A PUBLIC SCHOOL, COMMUNICATIONS
11 BETWEEN THE SCHOOL DISTRICT AND THE DEPARTMENT OR A COUNTY
12 AGENCY CONCERNING THE INDIVIDUAL'S SCHOOL ATTENDANCE MAY ONLY BE
13 MADE BY THE DISTRICT'S ATTENDANCE OFFICER AS DESIGNATED UNDER
14 SECTION 1341 OF THE "PUBLIC SCHOOL CODE OF 1949."

15 SECTION 464. QUALIFIED REASONS FOR NONATTENDANCE.--AN AFDC
16 RECIPIENT SHALL NOT BE SUBJECT TO ANY SANCTIONS FOR
17 NONATTENDANCE FOR ANY ONE OF THE FOLLOWING REASONS:

18 (1) THE QUALIFIED INDIVIDUAL IS A CARETAKER FOR A CHILD WHO
19 IS LESS THAN NINETY DAYS OLD.

20 (2) THE QUALIFIED INDIVIDUAL REQUIRES THE USE OF CHILD CARE
21 SERVICES WHICH ARE UNAVAILABLE OR UNAFFORDABLE.

22 (3) PUBLIC OR PRIVATE TRANSPORTATION IS NECESSARY BUT IS
23 NEITHER AVAILABLE NOR AFFORDABLE.

24 (4) THE REASONS DEFINED IN SECTIONS 1329, 1330 AND 1417 OF
25 THE "PUBLIC SCHOOL CODE OF 1949" AND 22 PA. CODE CH. 11
26 (RELATING TO PRELIMINARY PROVISIONS).

27 SECTION 465. SANCTIONS FOR FAILURE TO COMPLY WITH MANDATORY
28 ATTENDANCE.--(A) THE COUNTY BOARD OF ASSISTANCE SHALL REVIEW
29 THE SCHOOL ATTENDANCE OF, AND MAINTAIN ATTENDANCE RECORDS FOR,
30 EVERY QUALIFIED INDIVIDUAL SUBJECT TO ITS JURISDICTION. WHEN THE

TOTAL NUMBER OF UNEXCUSED ABSENCES IN ANY ONE SCHOOL MONTH
EXCEEDS THREE FULL DAYS, THE COUNTY BOARD OF ASSISTANCE SHALL
NOTIFY THE QUALIFIED INDIVIDUAL OF THE EXISTENCE OF AN
ATTENDANCE PROBLEM FOR THAT SCHOOL YEAR AND THE POSSIBLE
IMPOSITION OF SANCTIONS UNDER SUBSECTION (B). THIS NOTIFICATION
SHALL BE SENT BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE
QUALIFIED INDIVIDUAL OR THE INDIVIDUAL'S PARENT OR LEGAL
GUARDIAN, WHOEVER IS THE PRIMARY AFDC RECIPIENT WITHIN TEN DAYS
OF THE REVIEW.

(B) IF, AFTER NOTIFICATION UNDER SUBSECTION (A), THE COUNTY
BOARD OF ASSISTANCE DETERMINES IN ANY SUBSEQUENT MONTH WITHIN
THE SCHOOL YEAR THAT THE QUALIFIED INDIVIDUAL CONTINUES TO HAVE
AN ATTENDANCE PROBLEM, THE COUNTY BOARD OF ASSISTANCE SHALL
REMOVE THAT QUALIFIED INDIVIDUAL FROM THE FORMULA USED TO
DETERMINE THE AMOUNT OF THE AFDC GRANT. THE QUALIFIED INDIVIDUAL
SHALL REMAIN INELIGIBLE FOR AFDC ASSISTANCE UNTIL THE ATTENDANCE
PROBLEM IS RESOLVED.

(C) THE SANCTION SHALL BE EFFECTIVE FOR ONE PAYMENT MONTH
FOR EACH MONTH THAT THE QUALIFIED INDIVIDUAL FAILED TO MEET THE
ATTENDANCE REQUIREMENT.

(D) IN THE CASE OF A DROPOUT, THE SANCTION SHALL REMAIN IN
EFFECT UNTIL THE QUALIFIED INDIVIDUAL PROVIDES WRITTEN PROOF
FROM THE SCHOOL DISTRICT THAT HE OR SHE HAS RE-ENROLLED AND HAS
MET THE ATTENDANCE REQUIREMENT FOR ONE MONTH. ANY MONTH IN WHICH
SCHOOL IS "IN SESSION" AS DEFINED BY THE SCHOOL BOARD MAY BE
USED TO MEET THE ATTENDANCE REQUIREMENT. THE SANCTION SHALL BE
REMOVED IN THE NEXT POSSIBLE PAYMENT MONTH.

SECTION 466. POWERS AND DUTIES OF DEPARTMENT.--(A) WITHIN
NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT, THE SECRETARY
SHALL SUBMIT TO THE APPROPRIATE FEDERAL AGENCY A REQUEST FOR ANY

1 AND ALL WAIVERS OF FEDERAL LAW AND REGULATIONS AND FOR ANY OTHER
2 APPROVALS BY THE FEDERAL GOVERNMENT NECESSARY FOR THE
3 IMPLEMENTATION OF THIS ACT FOR AN INITIAL DEMONSTRATION PERIOD
4 OF FIVE YEARS. IT SHALL BE THE OBLIGATION OF THE SECRETARY TO
5 ENTER INTO GOOD FAITH NEGOTIATIONS WITH THE APPROPRIATE FEDERAL
6 OFFICIALS AND TO MAKE EVERY EFFORT TO OBTAIN THE NECESSARY
7 FEDERAL WAIVERS AND APPROVALS.

8 (B) THE DEPARTMENT AND THE COUNTY BOARD OF ASSISTANCE SHALL
9 BE RESPONSIBLE FOR MAKING THE AFDC ELIGIBILITY DETERMINATIONS
10 AND BUDGET COMPUTATIONS NECESSARY FOR THE IMPLEMENTATION OF THE
11 PROVISIONS OF SECTION 463.

12 (C) THE DEPARTMENT SHALL OBTAIN THE NECESSARY SCHOOL
13 ATTENDANCE INFORMATION AT THE INITIAL ELIGIBILITY DETERMINATION
14 AND SHALL REVIEW THE SCHOOL ATTENDANCE INFORMATION AT ALL
15 SUBSEQUENT ELIGIBILITY DETERMINATION REVIEWS.

16 (D) THE DEPARTMENT SHALL DISQUALIFY FOR AFDC BENEFITS ANY
17 PARENT, GUARDIAN OR OTHERWISE QUALIFIED INDIVIDUAL WHO FAILS TO
18 COOPERATE WITH OR HINDERS THE DEPARTMENT IN OBTAINING OR
19 REVIEWING SCHOOL ATTENDANCE ENROLLMENT INFORMATION.

20 (E) THE DEPARTMENT SHALL PROVIDE TO EACH SCHOOL DISTRICT, ON
21 A MONTHLY BASIS, A LIST OF ALL AFDC RECIPIENTS UNDER NINETEEN
22 YEARS OF AGE WHO ARE RESIDING IN THE SCHOOL DISTRICT.

23 (F) THE DEPARTMENT SHALL ESTABLISH PROCEDURES TO PROVIDE
24 HEARINGS FOR PERSONS AGGRIEVED BY THE PROVISIONS OF THIS ACT.
25 THESE HEARINGS SHALL BE CONDUCTED UNDER THE PROVISIONS OF 2
26 PA.C.S. (RELATING TO ADMINISTRATIVE LAW AND PROCEDURE).

27 (G) ON OR BEFORE SEPTEMBER 15 FOLLOWING THE FIRST SCHOOL
28 YEAR OF THE IMPLEMENTATION OF THIS ACT, AND ON OR BEFORE THAT
29 DATE IN EACH SUCCEEDING YEAR, THE DEPARTMENT SHALL PROVIDE A
30 REPORT COVERING THE PRECEDING SCHOOL AND FISCAL YEAR TO THE

1 SECRETARY OF THE SENATE AND THE CHIEF CLERK OF THE HOUSE OF
2 REPRESENTATIVES FOR DISTRIBUTION TO MEMBERS OF THE GENERAL
3 ASSEMBLY. THE REPORT SHALL PROVIDE AN EVALUATION OF THE
4 EFFECTIVENESS OF THIS ACT IN MEETING ITS STATED PURPOSES. THE
5 ANNUAL REPORT SHALL CONTAIN, BUT NOT BE LIMITED TO, THE
6 FOLLOWING INFORMATION, PROVIDED FOR EACH COUNTY IN THIS
7 COMMONWEALTH AND FOR THE COMMONWEALTH AS A WHOLE:

8 (1) THE NUMBER OF AFDC RECIPIENTS AFFECTED BY THIS ACT WHO
9 RECEIVE A HIGH SCHOOL DIPLOMA OR A GENERAL EQUIVALENCY DIPLOMA,
10 BEGINNING WITH THE SCHOOL YEAR PRECEDING THE IMPLEMENTATION OF
11 THIS ACT AND EVERY YEAR THEREAFTER FOR THE FIVE-YEAR PERIODS.

12 (2) THE NUMBER OF AFDC RECIPIENTS WHO CONTINUE TO RECEIVE
13 PUBLIC ASSISTANCE AS A RESULT OF THEIR PARTICIPATION IN THE
14 EDUCATION PROGRAM AS DEFINED IN SECTION 463, BEGINNING WITH THE
15 FIRST SCHOOL YEAR OF THE IMPLEMENTATION OF THIS ACT AND EVERY
16 YEAR THEREAFTER FOR FIVE-YEAR PERIODS.

17 (3) THE NUMBER OF AFDC RECIPIENTS WHO BECOME INELIGIBLE FOR
18 AFDC ASSISTANCE AS A RESULT OF SECTION 463 DURING THE FIRST YEAR
19 OF IMPLEMENTATION OF THIS ACT AND EACH YEAR THEREAFTER FOR FIVE-
20 YEAR PERIODS, TOGETHER WITH THE AVERAGE LENGTH OF TIME OF THEIR
21 INELIGIBILITY AND THE AMOUNTS OF FEDERAL AND STATE FUNDS THAT
22 WOULD HAVE BEEN SPENT HAD THESE PERSONS REMAINED OTHERWISE
23 ELIGIBLE FOR PARTICIPATION IN THE AFDC PROGRAM, AND THE AMOUNT
24 OF STATE FUNDS FOR GENERAL ASSISTANCE SPENT TO PROVIDE CASH
25 ASSISTANCE TO SUCH PERSONS DURING EACH FISCAL YEAR.

26 (4) AN OVERALL STATEMENT OF THE PROGRESS OF THE PROGRAM
27 DURING THE PRECEDING YEAR, ALONG WITH RECOMMENDATION FOR
28 IMPROVEMENTS.

29 (H) WITHIN SIXTY DAYS AFTER THE FEDERAL WAIVER APPROVAL, THE
30 DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO

1 EFFECTUATE THE PROVISIONS OF THIS ACT, EXCEPT FOR THE PROVISIONS
2 OF SECTIONS 467 AND 468.

3 (I) THE DEPARTMENT SHALL CONDUCT PERIODIC FIVE-YEAR
4 COMPREHENSIVE REVIEWS OF THIS PROGRAM AND OBTAIN WHATEVER
5 FEDERAL WAIVERS OR APPROVALS THAT MAY BE NECESSARY TO CONTINUE
6 THIS PROGRAM. THE PROGRAM UNDER THIS SUBARTICLE SHALL NOT BE
7 TERMINATED EXCEPT BY LEGISLATION WHICH REPEALS OR MODIFIES THE
8 PROGRAM.

9 SECTION 467. POWERS AND DUTIES OF DEPARTMENT OF EDUCATION.--

10 (A) THE DEPARTMENT OF EDUCATION, WITH THE APPROVAL OF THE STATE
11 BOARD OF EDUCATION, SHALL PROMULGATE RULES AND REGULATIONS TO
12 DEFINE MINIMUM STANDARDS OF ATTENDANCE REQUIRED BY SECTION 463,
13 TO BE IMPLEMENTED BY ALL SCHOOL DISTRICTS TO ENSURE MEANINGFUL
14 PARTICIPATION IN EDUCATIONAL PROGRAMMING LEADING TOWARDS THE
15 ATTAINMENT OF A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT BY THE
16 AFDC RECIPIENTS AFFECTED BY THIS PROGRAM.

17 (B) IN COOPERATION WITH THE DEPARTMENT, THE DEPARTMENT OF
18 EDUCATION SHALL PROVIDE GUIDANCE TO LOCAL SCHOOL DISTRICTS
19 RELATING TO PROCEDURES FOR THE EFFICIENT REPORTING OF
20 INFORMATION TO COUNTY ASSISTANCE OFFICES AS REQUIRED BY SECTION
21 468.

22 (C) THE SECRETARY OF EDUCATION SHALL BE RESPONSIBLE FOR
23 PROVIDING INFORMATION AND TECHNICAL ASSISTANCE TO SCHOOL
24 DISTRICTS CONCERNING THE IMPLEMENTATION OF MODEL ALTERNATIVE
25 EDUCATIONAL PROGRAMS WITH PROVEN EFFECTIVENESS IN MEETING THE
26 EDUCATIONAL NEEDS OF AFDC RECIPIENTS AFFECTED BY THIS PROGRAM.

27 SECTION 468. POWERS AND DUTIES OF SCHOOL DISTRICTS.--EACH
28 SCHOOL DISTRICT WITHIN THIS COMMONWEALTH SHALL BE RESPONSIBLE
29 FOR REPORTING MONTHLY, TO THE APPROPRIATE COUNTY ASSISTANCE
30 OFFICE OF THE DEPARTMENT, THE NAMES AND OTHER APPROPRIATE

1 IDENTIFYING INFORMATION OF ANY AFDC RECIPIENT WHO FAILS TO MEET
2 THE SCHOOL ATTENDANCE REQUIREMENT OF SECTION 463. IN REPORTING
3 ATTENDANCE THE SCHOOL DISTRICT MAY NOT ADD PARTIAL DAYS TOGETHER
4 TO CONSTITUTE A FULL DAY.

5 SECTION ~~3~~ 10. SECTION 4 OF THE ACT OF JUNE 24, 1937 <—
6 (P.L.2045, NO.397), KNOWN AS THE SUPPORT LAW, IS REPEALED.

7 SECTION 11. THE ADDITION OF SUBARTICLE (G.1) OF ARTICLE IV <—
8 OF THE ACT SHALL BE APPLICABLE FROM THE BEGINNING OF THE SCHOOL
9 YEAR FOLLOWING THE ENACTMENT OF THIS ACT. THE IMPLEMENTATION OF
10 ANY PROVISIONS OF SUBARTICLE (G.1) OF ARTICLE IV OF THE ACT
11 REQUIRING AUTHORIZATION BY THE FEDERAL GOVERNMENT, ESPECIALLY
12 THE ASSURANCE OF FEDERAL MATCHING FUNDS FOR THE AFDC PROGRAM IN
13 THIS COMMONWEALTH, IS CONTINGENT UPON THE RECEIPT AND PERIOD OF
14 EFFECTIVENESS OF SUCH FEDERAL APPROVALS.

15 SECTION ~~4~~ 12. ON AND AFTER THE EFFECTIVE DATE OF THIS ACT, <—
16 ALL REAL PROPERTY USED AS THE PRIMARY RESIDENCE OF AN INDIVIDUAL
17 THERETOFORE SUBJECT TO THE LIEN IS RELEASED FROM THE LIEN.

18 SECTION ~~5~~ 13. THIS ACT SHALL TAKE EFFECT IN 60 DAYS. <—