

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2405

Session of
1992

INTRODUCED BY STUBAN, WAMBACH, KUKOVICH, DALEY, BLAUM, BISHOP,
KASUNIC, HALUSKA, PETRONE, WILLIAMS, TIGUE, RITTER, MARKOSEK
AND FAJT, FEBRUARY 10, 1992

AS REPORTED FROM COMMITTEE ON AGING AND YOUTH, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 12, 1992

AN ACT

1 Providing for the establishment of the Human Services
2 Development Fund and for its administration and operation;
3 and imposing additional powers and duties on the Department
4 of Public Welfare.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Human
9 Services Development Fund Act.

10 Section 2. Declaration of policy.

11 The General Assembly declares as a matter of policy that each
12 county shall receive moneys from the Human Services Development
13 Fund, created formally under this act, to meet local social
14 services needs ~~heretofore untargeted~~, as determined by county <—
15 officials.

16 Section 3. Definitions.

17 The following words and phrases when used in this act shall
18 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Categorical ~~services.~~" ~~Services~~ PROGRAMS." PROGRAMS <—

3 designed to meet the SERVICE needs of the following specific <—

4 populations:

5 (1) Low-income adults.

6 (2) Homeless persons.

7 (3) Aged and aging persons, under section 2206-A of the
8 act of April 9, 1929 (P.L.177, No.175), known as The
9 Administrative Code of 1929.

10 (4) Drug-addicted and alcohol-addicted persons, SERVED <—
11 under the act of April 14, 1972 (P.L.221, No.63), known as
12 the Pennsylvania Drug and Alcohol Abuse Control Act.

13 (5) Persons with mental health problems under the act of
14 October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the
15 Mental Health and Mental Retardation Act of 1966.

16 (6) Persons with mental retardation under the Mental
17 Health and Mental Retardation Act of 1966.

18 ~~(7) Children adjudicated dependent or delinquent under <—~~
19 ~~42 Pa.C.S. Ch. 63 (relating to juvenile matters).~~

20 ~~"Coordination services." Services designed to facilitate the~~
21 ~~receipt of services from more than one organization or~~
22 ~~categorical program.~~

23 (7) DEPENDENT AND DELINQUENT CHILDREN WITHIN THE MEANING <—
24 OF 42 PA.C.S. § 6302 (RELATING TO DEFINITIONS).

25 "COUNTY-BASED SOCIAL SERVICES." PROGRAMS APPROVED BY THE
26 DEPARTMENT AND PROVIDED BY OR IN CONSORT WITH COUNTY
27 GOVERNMENTS. THE TERM INCLUDES SERVICES DESIGNED TO MEET THE
28 NEEDS OF LOW-INCOME ADULTS, OLDER INDIVIDUALS, INDIVIDUALS
29 DEPENDENT ON DRUGS OR ALCOHOL, INDIVIDUALS WITH MENTAL ILLNESS
30 OR MENTAL RETARDATION, HOMELESS INDIVIDUALS AND DEPENDENT AND

1 DELINQUENT CHILDREN, AS DEFINED IN 42 PA.C.S. § 6302 (RELATING
2 TO DEFINITIONS).

3 "Department." The Department of Public Welfare of the
4 Commonwealth.

5 "Fund." The Human Services Development Fund established
6 under section 4.

7 "Generic services." ~~Social services provided to persons~~ <—
8 ~~regardless of their eligibility for categorical services.~~

9 SERVICES PROVIDED TO MEET THE NEEDS OF TWO OR MORE CLIENT <—
10 POPULATIONS.

11 "Poverty level." The average monthly number of recipients of
12 Aid to Families with Dependent Children benefits, General
13 Assistance benefits and State Blind Pension benefits in a given
14 fiscal year in a county in proportion to the average monthly
15 number of such recipients in this Commonwealth. ~~within the~~ <—
16 ~~current or just ended fiscal year.~~

17 ~~"Specialized services." Services designed to meet the needs~~
18 ~~of a specific individual or population with needs which are not~~
19 ~~being met under categorical, coordination or generic services.~~

20 "SERVICES COORDINATION." PLANNING AND MANAGEMENT ACTIVITIES <—
21 DESIGNED TO IMPROVE THE EFFECTIVENESS OF COUNTY HUMAN SERVICES.

22 "SPECIALIZED SERVICES." NEW SERVICES OR A COMBINATION OF
23 SERVICES DESIGNED TO MEET THE UNIQUE NEEDS OF A CLIENT
24 POPULATION THAT ARE UNMET BY THE CURRENT CATEGORICAL PROGRAMS.

25 Section 4. Creation of Human Services Development Fund.

26 The Human Services Development Fund is hereby created and
27 established for the purpose of ~~enabling counties to provide~~ <—
28 ~~county based social services to eligible citizens to provide for~~
29 ~~the following:~~ ENCOURAGING COUNTY GOVERNMENTS TO PROVIDE LOCALLY <—
30 IDENTIFIED SERVICES THAT WILL MEET THE HUMAN SERVICES NEEDS OF

1 CITIZENS IN THEIR COUNTIES. THESE SERVICES INCLUDE ALL OF THE
2 FOLLOWING:

3 (1) Categorical services.

4 (2) ~~Coordination services~~ SERVICES COORDINATION. <—

5 (3) Generic services.

6 (4) Specialized services.

7 Section 5. Administration and operation of fund.

8 The department shall have the power and duty to:

9 (1) Administer the fund.

10 (2) Determine the annual allocations to counties from
11 the fund; make allocations to counties.

12 (3) Make quarterly payments to the various counties
13 based on the limitation of the annual appropriation and the
14 distribution formula set forth in section 7; each quarterly
15 payment shall be made not later than ten days after the
16 beginning of that quarter.

17 (4) Assist the counties in planning and managing fund
18 allocations.

19 (5) Write, promulgate and enforce the regulations
20 necessary to carry out this act; promulgate regulations
21 regarding client eligibility.

22 ~~(6) Make grants, pay subsidies and purchase services to~~ <—
23 ~~carry out responsibilities and provide services under this~~
24 ~~act.~~

25 ~~(7)~~ (6) Approve annually the county plans for the
26 expenditures of fund moneys and allocations.

27 ~~(8)~~ (7) Report annually to the General Assembly on the <—
28 expenditures of fund moneys, how they were used, and the
29 categories and numbers of clients served.

30 ~~(9)~~ (8) Encourage flexible use of fund moneys by county <—

1 officials to address local needs.

2 Section 6. Powers and duties of counties.

3 (a) Administration.--The county officials of each county
4 shall administer fund participation and allocation use.

5 (b) County allocations.--All funds allocated to a county
6 shall be used by the county solely to provide and administer
7 county-based social services AND SERVICE COORDINATION within the <—
8 county.

9 (c) Client eligibility.--County officials shall determine
10 and redetermine whether a person is eligible to participate in
11 county-based social services. Criteria for client eligibility
12 shall be established by the department under section 5(5).
13 County officials may delegate this power to another entity by
14 written agreement.

15 (d) Annual plan.--Each county which receives moneys from the
16 fund shall submit an annual plan to the department to indicate
17 how that county intends to comply with the requirements of this
18 section. Each plan shall be developed based on the county
19 officials' determination of county need, formulated after an
20 opportunity for public comment in the county. Other reports may
21 be required of the county by the department ~~from time to time~~ AS <—
22 NEEDED.

23 Section 7. Allocations.

24 (a) General formula.--An annual appropriation shall be
25 distributed among the counties as follows:

26 (1) 50% shall be allocated on a per capita basis.

27 (2) 50% shall be allocated on a poverty level basis.

28 (b) Limitation.--~~A county shall receive at least \$50,000~~ <—
29 ~~annually.~~ IF THERE IS A REDUCTION IN FUNDING FOR A FISCAL YEAR, <—
30 A COUNTY SHALL RECEIVE THE GREATER OF THE FOLLOWING:

1 (1) THE AMOUNT IT RECEIVED FOR THE PRIOR FISCAL YEAR.

2 (2) FIFTY THOUSAND DOLLARS.

3 (c) Data to be used to compute formula.--The most recently
4 available data shall be used in applying the formula set forth
5 in subsection (a).

6 Section 8. Effective date.

7 This act shall take effect July 1, 1992.