

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 206 Session of
2017

INTRODUCED BY PHILLIPS-HILL, BAKER, COX, DRISCOLL, GILLEN,
MILLARD, NEILSON, PASHINSKI, READSHAW, WARD, WATSON AND
ZIMMERMAN, JANUARY 25, 2017

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JANUARY 25, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in child protective services,
3 providing for study to determine drug abuse by parents within
4 resource families; and establishing the Selection and
5 Advisory Council.

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

8 Section 1. Title 23 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 6387. Study to determine drug abuse by parents within
11 resource families.

12 (a) Findings.--The General Assembly finds and declares that
13 additional information should be gathered regarding the
14 prevalence of drug abuse by each parent within a resource family
15 or prospective resource family to:

16 (1) Ensure that a child in need of services under this
17 chapter is placed in a home environment that is free from the
18 injurious effects associated with drug abuse by a parent
19 within the resource family with whom the child is or will be

1 residing.

2 (2) Determine whether:

3 (i) Mandatory drug screening is indicated for all
4 parents within a resource family or prospective resource
5 family.

6 (ii) Investment in new technology for caseworkers is
7 warranted to facilitate the recording, retrieval,
8 transmission and analysis of observations of caseworkers
9 regarding drug abuse by a parent within a resource family
10 or prospective resource family.

11 (iii) Cost-effective treatment options exist for a
12 parent within a resource family or prospective resource
13 family who is abusing drugs.

14 (b) Selection and Advisory Council.--

15 (1) The Selection and Advisory Council is established to
16 administer the provisions of this section.

17 (2) After sufficient funds have been appropriated or
18 otherwise made available to the council, the council shall:

19 (i) Publicize the request for proposals for the
20 study and solicit applicants to conduct the study and
21 provide the required reports.

22 (ii) Evaluate organizations applying to conduct the
23 study and provide the required reports.

24 (iii) Select a research entity to conduct the study
25 and provide the required reports.

26 (iv) Develop benchmarks for the study.

27 (v) Monitor the progress of the study.

28 (vi) Advise the research entity on matters related
29 to the study.

30 (vii) Provide information to the General Assembly on

1 matters related to the study.

2 (viii) Develop necessary procedures to implement and
3 administer the provisions of this section.

4 (3) The council shall consist of the following seven
5 members:

6 (i) Five members with experience in managing or
7 participating in projects involving managed research
8 methods and analysis, who are appointed as follows:

9 (A) One member appointed by the President pro
10 tempore of the Senate.

11 (B) One member appointed by the Minority Leader
12 of the Senate.

13 (C) One member appointed by the Speaker of the
14 House of Representatives.

15 (D) One member appointed by the Minority Leader
16 of the House of Representatives.

17 (E) One member of the public appointed by the
18 Governor.

19 (ii) The Secretary of Human Services or a designee.

20 (iii) The Secretary of Education or a designee.

21 (4) The members of the council shall select a
22 chairperson.

23 (5) Each member of the council shall serve for the
24 duration of the study, but a member may be removed for cause
25 by the member's appointing authority. If a vacancy occurs,
26 the vacancy shall be filled by the appointing authority
27 subject to the conditions of the original appointment.

28 (6) Four members of the council shall constitute a
29 quorum for conducting the business of the council.

30 (7) The council shall meet in person at least quarterly

1 and at other times at the call of the chairperson.

2 (8) A member of the council may not receive compensation
3 for services as a member of the council but shall be entitled
4 to reimbursement for all necessary and reasonable expenses
5 incurred in connection with the performance of the member's
6 official duties as a member of the council.

7 (c) Study data and findings.--As part of the study, the
8 research entity shall:

9 (1) Partner with three county agencies representing
10 urban or rural counties, or both, throughout this
11 Commonwealth and reflecting the geographic diversity of this
12 Commonwealth, along with two public or private agencies that
13 contract with each of those county agencies to provide
14 resource families for children who need out-of-home
15 placement. If a county agency under this paragraph does not
16 contract with at least two public or private agencies to
17 provide resource families, the research entity shall partner
18 with the one public or private agency that does contract with
19 the county agency under this paragraph.

20 (2) Determine the number of current and prospective
21 resource families served by the partnering county agencies.

22 (3) With respect to the public and private agencies
23 under this subsection, arrange for sufficient numbers of
24 parents within a resource family or prospective resource
25 family to be screened under subsection (a)(2)(i).

26 (4) Obtain valid and reliable data on the number of
27 resource families or prospective resource families with a
28 parent who is abusing drugs, including the types of drugs
29 being abused by the parent and the frequency of the drug use.

30 (5) Identify and determine the effectiveness and

1 efficiency of hand-held mobile devices and software to
2 record, retrieve, transmit and analyze the observations of
3 caseworkers regarding drug abuse by a parent within a
4 resource family or prospective resource family.

5 (6) Equip agency caseworkers with mobile devices and
6 train the caseworkers in the use of the devices.

7 (7) Establish an efficient storage and retrieval system
8 for the information captured by the mobile devices.

9 (8) Evaluate and recommend cost-effective treatment
10 options for a parent within a resource family or prospective
11 resource family who is abusing drugs.

12 (9) Analyze the use of State-permitted drug testing
13 facilities.

14 (10) Evaluate the costs and benefits of a drug screening
15 program for a parent within a resource family or prospective
16 resource family who is abusing drugs.

17 (11) Determine the possible extent of voluntary
18 participation in drug treatment programs by a parent within a
19 resource family or prospective resource family who is abusing
20 drugs.

21 (d) Quarterly reports.--The research entity shall provide a
22 quarterly progress report regarding the study challenges, fiscal
23 status and milestone accomplishments to:

24 (1) The Governor.

25 (2) The chairperson and minority chairperson of the
26 Committee on Aging and Youth of the Senate.

27 (3) The chairperson and minority chairperson of the
28 Committee on Children and Youth of the House of
29 Representatives.

30 (4) The members of the council.

1 (e) Final report.--The research entity shall complete the
2 study and issue a final report of its findings and
3 recommendations:

4 (1) to the individuals listed under subsection (d); and
5 (2) within 24 months after its receipt of funding to
6 conduct the study.

7 (f) Definitions.--The following words and phrases when used
8 in this section shall have the meanings given to them in this
9 subsection unless the context clearly indicates otherwise:

10 "Council." The Selection and Advisory Council established
11 under subsection (b).

12 "Research entity." The organization selected to conduct the
13 study under this section.

14 "Study." The study created under this section.

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