

AMENDMENTS TO HOUSE BILL NO. 477

Sponsor: REPRESENTATIVE HICKERNELL

Printer's No. 2051

1 Amend Bill, page 2, line 4, by striking out "and" and

2 inserting

3 or

4 Amend Bill, page 2, line 11, by striking out "and" and

5 inserting

6 or

7 Amend Bill, page 2, line 19, by inserting after "child's"

8 county agency or private agency

9 Amend Bill, page 3, lines 9 through 13, by striking out

10 "facility licensed under 55 Pa. Code" in line 9 and all of lines

11 10 through 13 and inserting

12 county agency or private agency. The resource family is the
13 caregiver for any child placed with them.

14 Amend Bill, page 3, lines 22 and 23, by striking out "An out-

15 of-home placement under 42" in line 22 and all of line 23 and

16 inserting

17 A setting that provides 24-hour substitute care for a child
18 away from the child's parents or guardians and for whom the
19 county agency has placement care and responsibility. The term
20 includes resource family homes and supervised settings in which
21 a child is living, and, for a child who has attained 18 years of
22 age, a supervised setting in which the individual is living
23 independently. The term does not include secure facilities,
24 facilities operated primarily for the detention of children who
25 have been adjudicated delinquent, accredited psychiatric
26 residential treatment facilities or hospitals.

27 Amend Bill, page 3, lines 24 through 27, by striking out "A

28 children and youth social service agency" in line 24 and all of

1 lines 25 through 27 and inserting
2 An entity that provides out-of-home placement services to
3 children under a contract with a county agency.
4 Amend Bill, page 4, line 3, by striking out "FOSTER CARE" and
5 inserting
6 an out-of-home placement
7 Amend Bill, page 4, by inserting between lines 5 and 6
8 "Resource family." As defined under section 3 of the act of
9 November 22, 2005 (P.L.404, No.73), known as the Resource Family
10 Care Act.
11 Amend Bill, page 4, line 8, by striking out "entitled" and
12 inserting
13 allowed and afforded an opportunity
14 Amend Bill, page 4, line 10, by striking out "and" where it
15 occurs the first time and inserting
16 or
17 Amend Bill, page 4, line 12, by striking out "and" and
18 inserting
19 or
20 Amend Bill, page 4, line 18, by striking out "and" where it
21 occurs the second time and inserting
22 or
23 Amend Bill, page 4, line 23, by striking out "and" and
24 inserting
25 or
26 Amend Bill, page 4, line 26, by inserting after "agency"
27 where it occurs the second time
28 or the court
29 Amend Bill, page 5, line 2, by inserting after "factors"
30 to the child or to others
31 Amend Bill, page 5, line 3, by inserting after "enrichment"
32 , cultural

1 Amend Bill, page 5, by inserting between lines 19 and 20
2 (1) the caregiver has completed the required training
3 relating to the reasonable and prudent parent standard.

4 Amend Bill, page 5, line 20, by striking out "(1)" and
5 inserting

6 (2)

7 Amend Bill, page 5, line 20, by striking out "used" and
8 inserting

9 made a good faith effort to use

10 Amend Bill, page 5, line 22, by striking out "(2)" and
11 inserting

12 (3)

13 Amend Bill, page 5, line 23, by striking out "and" and
14 inserting

15 or

16 Amend Bill, page 6, line 1, by inserting after "for"
17 county and private

18 Amend Bill, page 6, by inserting between lines 20 and 21

19 (C) Methods for appropriately considering the
20 concerns of the biological parents of a child in
21 decisions related to participation of the child in
22 activities, with the understanding that those
23 concerns should not necessarily determine the
24 participation of the child in any activity.

25 Amend Bill, page 6, line 25, by striking out "and" and
26 inserting

27 or

28 Amend Bill, page 6, by inserting between lines 27 and 28

29 (iii) Provide and document that the required
30 training under paragraph (1) has been provided to
31 caregivers.

32 Amend Bill, page 7, by inserting between lines 1 and 2

33 (4) Develop a template for the required training related
34 to the reasonable and prudent parent standard in accordance
35 with this act.

1 (5) Work with interested parties, including children, to
2 develop age-appropriate written materials that explain the
3 requirements under this act.

4 Amend Bill, page 7, line 4, by inserting after "all"
5 county-operated

6 Amend Bill, page 7, line 4, by striking out "facilities" and
7 inserting

8 settings other than a resource family home

9 Amend Bill, page 7, line 8, by striking out "social workers"
10 and inserting

11 county agency caseworkers

12 Amend Bill, page 7, line 8, by striking out "treatment"

13 Amend Bill, page 7, line 9, by striking out "at the
14 applicable facility"

15 Amend Bill, page 7, by inserting between lines 11 and 12

16 (2) Ensure that contracts for purchased services between
17 the county and a private agency that operates an out-of-home
18 placement setting other than a resource family home include a
19 requirement for the agency to designate an individual to
20 provide decision-making authority under the reasonable and
21 prudent parent standard for children residing in their care
22 in accordance with staffing and supervision requirements
23 applicable to the setting. The individual designated should
24 consult with county agency and private agency caseworkers or
25 staff members who are most familiar with the child in
26 applying and using the reasonable and prudent parent
27 standard.

28 (3) Ensure that contracts for purchased services between
29 the county and a private agency include a requirement for the
30 private agency to provide training and monitoring of resource
31 families regarding the application and use of the reasonable
32 and prudent parent standard.

33 (4) Provide training and monitoring of county agency
34 resource families regarding the application and use of the
35 reasonable and prudent parent standard.

36 Amend Bill, page 7, line 12, by striking out "(2)" and
37 inserting

38 (5)

39 Amend Bill, page 7, line 18, by striking out "consistent with

1 Federal law and this act"

2 Amend Bill, page 7, lines 29 and 30; page 8, lines 1 through
3 7; by striking out all of said lines on said pages

4 Amend Bill, page 8, line 8, by striking out "8" and inserting
5 7

6 Amend Bill, page 8, line 9, by striking out "provide" and
7 inserting

8 ensure that

9 Amend Bill, page 8, line 10, by striking out "with" and
10 inserting

11 is provided with a

12 Amend Bill, page 8, lines 12 and 13, by striking out "the
13 caregiver's licensure or court approval" and inserting

14 a resource family home certification or the designation of a
15 caregiver by a county agency or private agency

16 Amend Bill, page 8, lines 15 through 29, by striking out all
17 of said lines and inserting

18 county agency shall ensure that children in out-of-home
19 placement have their opportunities under this act explained to
20 them in a manner appropriate to the child's age, development and
21 maturity and that the children are provided with a written
22 explanation of the requirements of this act at initial
23 placement, for any subsequent move, and at least annually as
24 part of the family service and permanency planning process.
25 Consistent with the act of November 23, 2010 (P.L.1264, No.119),
26 known as the Children in Foster Care Act, the requirements of
27 this subsection shall be included in the list of requirements
28 under section 3 of the Children in Foster Care Act, along with
29 the explanation of the grievance policy. A notation that these
30 notifications have been completed must be made in the child's
31 record.

32 Section 8. Training.

33 The reasonable and prudent parent standard training required
34 under this act must be completed as follows:

35 (1) A current caregiver must complete the training by
36 December 31, 2015.

37 (2) An individual who becomes a caregiver after the
38 effective date of this section must complete the training
39 prior to a child's placement, unless there is an emergency

1 placement.

2 (3) If a child is placed in an emergency placement after
3 the effective date of this section, the caregiver shall
4 complete the training within 60 days of the emergency
5 placement.

6 Amend Bill, page 8, line 30, by striking out "in 60 days" and

7 inserting

8 immediately