

AMENDMENTS TO HOUSE BILL NO. 33

Sponsor: SENATOR STREET

Printer's No. 2182

1 Amend Bill, page 1, line 10, by inserting after

2 "COMMONWEALTH," "

3 in preliminary provisions, providing for construction;

4 Amend Bill, page 1, line 13, by inserting after "PROGRAMS, "
5 for eligibility,

6 Amend Bill, page 3, lines 14 through 19, by striking out all
7 of said lines and inserting

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Human Services Code, is amended by adding a section to
10 read:

11 Section 104. Construction.--A reference in this act, another
12 statute or a regulation to general assistance shall refer to
13 emergency relief or general assistance-related categorically
14 needy medical assistance as those terms are defined in section
15 402.

16 Section 2. Section 402 introductory paragraph and the
17 definition of "general assistance" of the act, amended June 30,
18 2012 (P.L.668, No.80), amendment declared unconstitutional, 188
19 A.3d 1135, (Pa. 2018), are amended and the section is amended by
20 adding definitions to read:

21 Amend Bill, page 3, by inserting between lines 22 and 23

22 "Emergency relief" means assistance in the form of cash
23 granted under the provisions of section 432(3.1).

24 Amend Bill, page 3, lines 26 and 27, by striking out "FOR
25 PERSONS WHO MEET THE REQUIREMENTS UNDER" and inserting

26 granted under the provisions of

27 Amend Bill, page 4, by inserting between lines 12 and 13

28 Section 2.1. Section 432 introductory paragraph and (3)
29 introductory paragraph of the act are amended and the section is
30 amended by adding a paragraph to read:

1 Section 432. Eligibility.--Except as hereinafter otherwise
2 provided, and subject to the rules, regulations, and standards
3 established by the department, both as to eligibility for
4 assistance and as to its nature and extent, needy persons of the
5 classes defined in clauses (1), (2), [and] (3) and (3.1) shall
6 be eligible for assistance:

7 * * *

8 (3) Other persons who are citizens of the United States, or
9 lawfully admitted aliens who are eligible for general
10 [assistance] assistance-related categorically needy medical
11 assistance under this clause.

12 * * *

13 (3.1) Other persons who are citizens of the United States or
14 lawfully admitted aliens who are eligible for emergency relief
15 under this clause.

16 (i) Persons who may be eligible for emergency relief for an
17 indeterminate period of time as a result of medical, social or
18 related circumstances shall be limited to:

19 (A) A veteran who has been assessed by a physician,
20 psychiatrist or psychologist as having a disability or
21 behavioral health disorder incurred in or exacerbated by active
22 military service that temporarily or permanently precludes the
23 veteran from obtaining or retaining gainful employment. The
24 disability or disorder resulting from active military service
25 may be established by a statement from the veteran's physician,
26 psychiatrist or psychologist or from a proper military authority
27 that has actual documented knowledge of the veteran's disability
28 or behavioral health disorder. For the purposes of this unit,
29 the term "veteran" shall mean an individual who served in the
30 armed forces of the United States, including a reserve component
31 or the National Guard, who retired or was discharged, released
32 or separated from active military service under conditions other
33 than dishonorable.

34 (B) A caretaker of a veteran described under unit (A) who
35 needs personal care services because the veteran cannot perform
36 one or more activities of daily living or who needs supervision
37 or protection due to permanent neurological impairment or
38 physical injury. A veteran described under unit (A) may appoint
39 one primary caretaker and one secondary caretaker to serve as
40 backup support or to relieve the primary caretaker when
41 necessary.

42 (C) A child who is under eighteen years of age or an
43 individual who is eighteen through twenty years of age and
44 attends a secondary or equivalent vocational or technical school
45 fulltime and may reasonably be expected to complete the program
46 before reaching twenty-one years of age.

47 (D) Persons who are parents residing in two-parent household
48 with their child who is under thirteen years of age or who is is
49 thirteen years of age or older and has a verified disability.
50 Every possible effort shall be made by the department to place
51 these persons in the Temporary Assistance for Needy Families

1 (TANF) program.

2 (E) A person who has been assessed by a physician,
3 psychiatrist or psychologist as having a disability or
4 behavioral health disorder that temporarily or permanently
5 precludes the person from obtaining or retaining gainful
6 employment. The disability or disorder must be verified and
7 established by written documentation in a form prescribed by the
8 department and must be based on acceptable clinical and
9 laboratory diagnostic techniques. The department may also
10 require the applicant or recipient to submit to an independent
11 examination as a condition of receiving emergency relief. An
12 applicant or recipient with a disability or disorder which is
13 temporary in nature shall pursue appropriate treatment as a
14 condition of receiving relief.

15 (F) A person who is a nonparental caretaker of a child under
16 thirteen years of age or a caretaker of another person because
17 of illness or disability. The child or other person for whom the
18 person is a caretaker must be a member of the household and the
19 caretaker must be a person whose presence is required in the
20 home to care for another person as determined in accordance with
21 department regulations. A person shall be eligible for emergency
22 relief under this unit if there is another adult in the
23 household who is capable of providing the care without emergency
24 relief under this unit.

25 (G) A person who is currently undergoing active treatment
26 for a substance use disorder, including opioid use disorder, in
27 a drug and alcohol program licensed or approved by the
28 Department of Health or the Department of Drug and Alcohol
29 Programs or administered by an agency of the Federal Government
30 that precludes the person from any form of employment in
31 accordance with standards established by the department. Persons
32 eligible under this clause may not receive general assistance
33 under this clause for more than nine months of the person's
34 lifetime.

35 (H) A pregnant woman.

36 (I) A victim of domestic violence, sexual assault or
37 stalking who is receiving protective services as defined by the
38 department. Persons eligible under this clause may not receive
39 general assistance under this clause for more than nine months
40 of the person's lifetime.

41 (ii) Applicants for emergency relief shall be required to
42 apply for benefits under Federal programs for which they may be
43 eligible before receiving emergency relief and shall cooperate
44 with the department as required under, and shall otherwise
45 comply with, section 432.21. Grant of emergency relief under
46 this clause shall continue as long as the person remains
47 eligible. The department shall redetermine eligibility on at
48 least an annual basis, and persons shall be required to seek
49 employment, accept any offer of employment and maintain
50 employment as conditions of eligibility except as otherwise
51 exempt under section 405.1(a.3).

1 * * *

2 Amend Bill, page 15, by inserting between lines 7 and 8

3 (1) The following shall take effect immediately:

4 (i) This section.

5 (ii) The amendment of section 432 of the act.

6 Amend Bill, page 15, line 8, by striking out "(1)" and

7 inserting

8 (2)

9 Amend Bill, page 15, line 11, by striking out "(2)" and

10 inserting

11 (3)