
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1720 Session of
1983

INTRODUCED BY WACHOB, BARBER, HOFFEL, LASHINGER, GREENWOOD,
RICHARDSON, MANDERINO, O'DONNELL, ITKIN, OLIVER, PERZEL,
KUKOVICH, KASUNIC, HARPER, FATTAH, MICHLOVIC, TELEK,
RAPPAPORT, DeWEESE, STUBAN, WIGGINS, ZWIKL, WOZNIAK,
AFFLERBACH, KOWALYSHYN, LESCOVITZ, BATTISTO, TRUMAN,
R. C. WRIGHT, PISTELLA AND PRESTON, NOVEMBER 29, 1983

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, NOVEMBER 29, 1983

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," further providing for
4 eligibility for benefits.

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

7 Section 1. Section 405.1(e) of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, amended April
9 8, 1982 (P.L.231, No.75), is amended and the section is amended
10 by adding a clause to read:

11 Section 405.1. Work Registration Program.--* * *

12 (e) The department shall, within twelve months of the
13 effective date of this act, establish a Statewide program which
14 will have as its primary purpose, the obtaining of bona fide
15 employment for non-exempt assistance applicants and recipients.
16 The program may be substituted for the registration required by
17 subsection (a). The program shall include, but not be limited to

1 referral to private employment agencies under contract with the
2 department and the establishment of an employment officer in
3 county board of assistance offices. Persons participating in
4 educational or vocational training programs or sheltered
5 workshops shall not be required to participate in this program
6 if it interferes with the training program.

7 * * *

8 (i) The department shall provide funds to cover the cost of
9 any transportation needed for a recipient or applicant to
10 fulfill the requirements of this section.

11 Section 2. Section 432(3) of the act, amended April 8, 1982
12 (P.L.231, No.75), is amended to read:

13 Section 432. Eligibility.--Except as hereinafter otherwise
14 provided, and subject to the rules, regulations, and standards
15 established by the department, both as to eligibility for
16 assistance and as to its nature and extent, needy persons of the
17 classes defined in clauses (1), (2), and (3) shall be eligible
18 for assistance:

19 * * *

20 (3) Other persons who are citizens of the United States, or
21 legally admitted aliens and who are chronically needy or
22 transitionally needy persons.

23 (i) Chronically needy persons are those persons chronically
24 in need who may be eligible for an indeterminate period as a
25 result of medical, social or related circumstances and shall be
26 limited to:

27 (A) A child who is under age eighteen [or who is attending a
28 secondary or equivalent vocational or technical school full-time
29 and may reasonably be expected to complete the program before
30 reaching age nineteen].

1 (B) A person who is over forty-five years of age.

2 (C) A person who has a serious [physical or mental] handicap
3 which [prevents him or her from working in any substantial
4 gainful activity as determined in accordance with standards
5 established by the department] is a substantial barrier to
6 employment such as a physical or mental disability or
7 incapacity, learning disability, emotional disturbance,
8 illiteracy, inability to speak or understand English, or a
9 physical or mental condition which requires maintenance
10 medication. The department may require that documentation of
11 disability or handicap be submitted from a physician or
12 psychologist and shall assist a person who appears to have such
13 a handicap to obtain needed documentation. The department may
14 also order at the department's expense a person to submit to an
15 independent examination as a condition of receiving assistance
16 under this clause. The department shall determine eligibility
17 within thirty days from the date of application. Persons
18 discharged from mental institutions shall be classified as
19 chronically needy [in accordance with department regulations].

20 (D) A person who is a caretaker. This category of persons
21 shall include persons whose presence is required in the home to
22 care for [another person as determined in accordance with
23 department regulations] a child under age eighteen or an adult
24 who needs care due to age, disability or illness.

25 (E) A person suffering from drug or alcohol abuse who is
26 currently undergoing active treatment in an approved program. No
27 individual shall qualify as chronically needy under this clause
28 for more than nine months.

29 (F) A person who is employed full-time and who does not have
30 earnings in excess of current grant levels or a person who is

1 employed in a sheltered workshop and does not receive earnings
2 in excess of current grant levels.

3 (G) Any person who is ineligible for unemployment
4 compensation and whose income falls below the assistance
5 allowance level as a result of a natural disaster as determined
6 by the department.

7 (H) Any person who has previously been employed part time or
8 full time for at least forty-eight months out of the previous
9 eight years and does not qualify for or has exhausted his or her
10 unemployment compensation benefits prior to applying for
11 assistance.

12 (I) Any person who does not otherwise qualify as chronically
13 needy, and who is receiving general assistance on the date this
14 section is enacted into law and who has not refused a bona fide
15 job offer or otherwise failed to comply with all employment
16 requirements of this act and regulations promulgated thereunder.
17 Such person must comply with all employment requirements of this
18 act and regulations promulgated thereunder. If after the date
19 this section is enacted into law a person's general assistance
20 grants are terminated, then that person may not subsequently
21 qualify for general assistance under this clause except when
22 such person has been terminated from employment through no fault
23 of his own and has not met the minimum credit week
24 qualifications of the act of December 5, 1936 (2nd Sp.Sess.,
25 1937 P.L.2897, No.1), known as the "Unemployment Compensation
26 Law." If it is determined that the classification of persons
27 according to their status on the date of enactment as provided
28 in this clause is invalid, then the remainder of this act shall
29 be given full force and effect as if this clause had been
30 omitted from this act, and individuals defined in this clause

1 shall be considered transitionally needy if otherwise eligible.
2 No person shall qualify for general assistance under this clause
3 after December 31, 1982.

4 (J) A pregnant woman.

5 (K) A person who is homeless because of an abusive home
6 situation.

7 (L) A person separated from the military service and
8 ineligible for unemployment compensation benefits.

9 (M) A person who is actively participating in an educational
10 or vocational training program which can be completed in a
11 period not to exceed two years.

12 (N) A displaced homemaker.

13 (O) Unemployed parents of a child under age eighteen who do
14 not qualify for Aid to Families with Dependent Children.

15 (P) Parents of children in foster care who are receiving
16 child welfare services.

17 (ii) Assistance for chronically needy persons shall continue
18 as long as the person remains eligible. Redeterminations shall
19 be conducted on at least an annual basis and persons capable of
20 work, even though otherwise eligible for assistance to the
21 chronically needy, would be required to register for employment
22 and accept employment if offered as a condition of eligibility
23 except as otherwise exempt under section 405.1.

24 (iii) Transitionally needy persons are those persons who are
25 [otherwise eligible for general assistance but do not qualify as
26 chronically needy] certified as fully employable by the Office
27 of Vocational Rehabilitation in the Department of Labor and
28 Industry. Assistance for transitionally needy persons shall be
29 authorized [only once in any twelve-month period in an amount
30 not to exceed the amount of ninety days' assistance] for up to

1 ninety days in a twelve-month period and need not be received
2 consecutively.

3 * * *

4 Section 3. Section 441.1 of the act, added July 31, 1968
5 (P.L.904, No.273), is amended to read:

6 Section 441.1. Persons Eligible for Medical Assistance.--The
7 following persons shall be eligible for medical assistance:

8 (1) Persons who receive or are eligible to receive cash
9 assistance grants under this article[;].

10 (2) Persons who meet the eligibility requirements of this
11 article for cash assistance grants except for citizenship,
12 durational residence and any eligibility condition or other
13 requirement for cash assistance which is prohibited under Title
14 XIX of the Federal Social Security Act[; and].

15 (3) The medically needy.

16 (4) Transitionally needy persons who are not eligible for
17 cash assistance by reason of section 432.3 shall be eligible for
18 medical assistance benefits as if they were receiving cash
19 benefits.

20 Section 4. Section 442.1 of the act, amended April 8, 1982
21 (P.L.231, No.75), is amended to read:

22 Section 442.1. The Medically Needy; Determination of
23 Eligibility.--A person shall be considered medically needy if
24 he:

25 (1) Resides in Pennsylvania, regardless of the duration of
26 his residence or his absence therefrom; and

27 (2) Meets the standards of financial eligibility established
28 by the department with the approval of the Governor. In
29 establishing these standards the department shall take into
30 account (i) the funds certified by the Budget Secretary as

1 available for medical assistance for the medically needy; (ii)
2 pertinent Federal legislation and regulations; and (iii) the
3 cost of living. [Transitionally needy persons who are not
4 eligible for cash assistance by reason of section 432(3)(iii)
5 shall be considered medically needy if otherwise eligible].

6 Section 5. This act shall take effect in 30 days.