

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1244 Session of  
1989

INTRODUCED BY RICHARDSON, PISTELLA, LINTON, CAWLEY, ACOSTA,  
BISHOP, CARN, EVANS, HARPER, HUGHES, JAMES, OLIVER, PRESTON,  
ROBINSON, ROEBUCK, THOMAS, WILLIAMS, R. C. WRIGHT, DALEY AND  
DOMBROWSKI, APRIL 19, 1989

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, APRIL 19, 1989

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 in relation to unemployment compensation.

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

7 Section 1. Section 432(3) 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 to read:

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

16 \* \* \*

17 (3) Other persons who are citizens of the United States, or  
18 legally admitted aliens and who are chronically needy or

1 transitionally needy persons.

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

6 (A) A child who is under age eighteen or who is attending a  
7 secondary or equivalent vocational or technical school full-time  
8 and may reasonably be expected to complete the program before  
9 reaching age nineteen.

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

11 (C) A person who has a serious physical or mental handicap  
12 which prevents him or her from working in any substantial  
13 gainful activity as determined in accordance with standards  
14 established by the department. The department may require that  
15 documentation of disability be submitted from a physician or  
16 psychologist. The department may also order at the department's  
17 expense a person to submit to an independent examination as a  
18 condition of receiving assistance under this clause. The  
19 department shall determine eligibility within thirty days from  
20 the date of application. Persons discharged from mental  
21 institutions shall be classified as chronically needy in  
22 accordance with department regulations.

23 (D) A person who is a caretaker. This category of persons  
24 shall include persons whose presence is required in the home to  
25 care for another person as determined in accordance with  
26 department regulations.

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

1 (F) A person who is employed full-time and who does not have  
2 earnings 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] at any time been  
8 employed full time for at least forty-eight months out of the  
9 previous eight years [and has]. Such person must not have  
10 qualified for unemployment compensation benefits as employment  
11 was not covered by such benefits or must have exhausted his or  
12 her unemployment compensation benefits prior to [applying] the  
13 initial application for assistance.

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

1 be given full force and effect as if this clause had been  
2 omitted from this act, and individuals defined in this clause  
3 shall be considered transitionally needy if otherwise eligible.  
4 No person shall qualify for general assistance under this clause  
5 after December 31, 1982.

6 (ii) Assistance for chronically needy persons shall continue  
7 as long as the person remains eligible. Redeterminations shall  
8 be conducted on at least an annual basis and persons capable of  
9 work, even though otherwise eligible for assistance to the  
10 chronically needy, would be required to register for employment  
11 and accept employment if offered as a condition of eligibility  
12 except as otherwise exempt under section 405.1.

13 (iii) Transitionally needy persons are those persons who are  
14 otherwise eligible for general assistance but do not qualify as  
15 chronically needy. Assistance for transitionally needy persons  
16 shall be authorized only once in any twelve-month period in an  
17 amount not to exceed the amount of ninety days' assistance.

18 \* \* \*

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