

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 354 Session of
1996

INTRODUCED BY O'BRIEN, COWELL, CAPPABIANCA, DeLUCA, KENNEY,
PISTELLA, MUNDY, NICKOL, COLAFELLA, WALKO, DENT, SCRIMENTI,
KUKOVICH, SCHRODER, BOSCOLA, SANTONI, LAUGHLIN, DRUCE, ITKIN,
OLASZ, NAILOR, SATHER, BEBKO-JONES, RUBLEY, TANGRETTI,
HALUSKA, TIGUE, JOSEPHS, VITALI, MANDERINO AND McCALL,
MAY 1, 1996

REFERRED TO COMMITTEE ON RULES, MAY 1, 1996

A RESOLUTION

1 Requesting the Legislative Budget and Finance Committee to
2 conduct a comprehensive review of the implementation and
3 management of early intervention programs and services by the
4 Department of Public Welfare and the Department of Education
5 under the provisions of the act of December 19, 1990
6 (P.L.1372, No.212), known as the Early Intervention Services
7 System Act, and Part H of the Individuals with Disabilities
8 Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.)
9 and to submit a report, including recommendations, to the
10 House of Representatives.

11 WHEREAS, The Early Intervention Services System Act (Act 212)
12 provides for the establishment and maintenance in this
13 Commonwealth of a system of early intervention services for
14 certain children between birth and the start of school; and

15 WHEREAS, Act 212 requires State participation in Part H of
16 the Individuals with Disabilities Education Act (IDEA); and

17 WHEREAS, The Secretary of Public Welfare has announced her
18 intention to seek amendments to Act 212, including authority to
19 cease and withdraw State participation in Part H of IDEA; and

20 WHEREAS, Such withdrawal from participation in Part H of IDEA

1 would result in the loss of \$11.3 million in Federal dollars to
2 Pennsylvania for the next fiscal year; and

3 WHEREAS, No plan for the operation of the program and
4 services which are still required under the provisions of Act
5 212 accompanied this decision; and

6 WHEREAS, The Department of Education also has proposed
7 changes which will require amending Act 212; and

8 WHEREAS, The State Interagency Coordinating Council (SICC),
9 established under the provisions of IDEA and Act 212 as the
10 advisory council on early intervention services and programs,
11 was not aware of these proposed changes to Act 212 prior to the
12 announcements by the two departments and its comments were never
13 requested; and

14 WHEREAS, Sufficient fiscal data and rationale for making the
15 decision to withdraw from Part H of IDEA and to effect other
16 amendments to Act 212 have not been provided to the SICC, the
17 General Assembly or the public; or

18 WHEREAS, The changes to Act 212 which are proposed may have a
19 deleterious impact on the quality and amount of services
20 available to children eligible for early intervention services
21 under the current law; therefore be it

22 RESOLVED, That the House of Representatives direct the
23 Legislative Budget and Finance Committee to undertake a
24 comprehensive review of the Department of Public Welfare's
25 management of the early intervention program, including the
26 administration by county mental health/mental retardation
27 offices, the provision of services by public and private
28 providers and a complete fiscal analysis of the expenditure of
29 all Federal and State dollars, and to make any recommendations
30 it deems appropriate for the improvement of the management of

1 the program and the effective use of Federal and State dollars;
2 and be it further

3 RESOLVED, That the Legislative Budget and Finance Committee
4 review the Department of Education's management of the early
5 intervention program, including the policies for developing
6 mutually agreed upon written arrangements (MAWAs), the formula
7 used to distribute funds to MAWA holders and a complete fiscal
8 analysis of the expenditure of all Federal and State dollars,
9 and make any recommendations it deems appropriate for the
10 improvement of the management of the program and expenditure of
11 Federal and State dollars; and be it further

12 RESOLVED, That the Legislative Budget and Finance Committee
13 shall report to the House of Representatives on its activities,
14 findings and recommendations by November 30, 1996, and shall
15 issue interim reports to the House of Representatives as the
16 committee deems necessary; and be it further

17 RESOLVED, That the Department of Public Welfare rescind its
18 decision to withdraw from Part H of IDEA until such time as
19 directed by the General Assembly; and be it further

20 RESOLVED, That the Department of Education cease further
21 consideration of proposed changes to Act 212 regulations and
22 standards until such time as directed by the General Assembly.