

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 134 Session of
2007

INTRODUCED BY KITCHEN, MELLOW, COSTA, RAFFERTY, STOUT,
TARTAGLIONE, FONTANA, KASUNIC, ERICKSON, WASHINGTON, O'PAKE,
ORIE, RHOADES, LAVALLE, BROWNE, STACK, LOGAN, FERLO AND FUMO,
MARCH 5, 2007

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 5, 2007

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," providing for a training
4 and education program for certain individuals eligible for
5 public assistance.

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

8 Section 1. Article IV of the act of June 13, 1967 (P.L.31,
9 No.21), known as the Public Welfare Code, is amended by adding a
10 subarticle to read:

11 (n) Parents Achieving Self-Sufficiency Program

12 Section 495. Definitions.

13 The following words and phrases when used in this subarticle
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Education program." A two-year or four-year postsecondary
17 undergraduate education program for which a degree is awarded.

18 "Educational activity." Includes, but is not limited to:

1 (1) Attendance at a class or activity conducted within
2 an education program.

3 (2) An internship.

4 (3) A practicum.

5 (4) Student teaching.

6 (5) A work-study program.

7 (6) A clinical placement.

8 (7) Laboratory or field work directly related to the
9 participant's employment goal.

10 (8) Any other work activity that enhances a
11 participant's employability in the participant's chosen
12 field.

13 "Eligible applicant." A needy student who has dependent
14 children and who is enrolled in an education or job training
15 program. The term excludes an individual with a marketable
16 bachelor degree.

17 "Good cause." Compelling personal or familial circumstances
18 as set forth in departmental regulations, which make required
19 participation impracticable or which would cause a participant
20 to seriously compromise academic performance. Good cause also
21 exists where, considering the participant's abilities and the
22 demands of the academic program, strict compliance with the work
23 requirements would compromise academic performance and the
24 fulfillment of the plan for self-sufficiency.

25 "Job training." A training program providing the skills
26 necessary for a specific vocation or a field of employment.

27 "Participant." An eligible applicant who is admitted into
28 the Parents Achieving Self-Sufficiency Program.

29 "Program." The Parents Achieving Self-Sufficiency Program
30 established under section 495.1.

1 "TANF." The Temporary Assistance for Needy Families program
2 under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et
3 seq.), which provides temporary assistance to needy, dependent
4 children and their parents or caretaker relatives.

5 Section 495.1. Parents Achieving Self-Sufficiency Program.

6 (a) Administration.--The department shall administer the
7 Parents Achieving Self-Sufficiency Program, which is hereby
8 established, based upon the need to assist participants who wish
9 to pursue training or education in order to enhance their
10 employability.

11 (b) Assistance to participants.--The assistance provided to
12 participants under the program shall include the type and level
13 of:

14 (1) Cash assistance under TANF pursuant to subarticle

15 (e).

16 (2) Medical assistance under TANF pursuant to subarticle

17 (e).

18 (3) Services, including support services, provided under
19 the RESET program, pursuant to section 405.1.

20 Section 495.2. Eligibility criteria.

21 (a) Eligibility.--An individual who is eligible for
22 assistance under TANF may apply to participate in the program.
23 Eligibility for participation and the amount of assistance shall
24 be determined pursuant to rules and regulations promulgated by
25 the department to implement and administer TANF.

26 (b) Assessment.--

27 (1) The department shall assess each individual who is
28 eligible for the program to determine:

29 (i) The individual's education, training and
30 employment needs based on available program resources.

1 (ii) The individual's skills and aptitudes.

2 (iii) The individual's need for support services.

3 (iv) Local employment opportunities.

4 (v) Any good cause circumstance.

5 (vi) To the maximum extent possible, the preferences
6 of the individual.

7 (2) The findings shall be documented in the individual's
8 case record indicating any barriers to participation,
9 including, but not limited to, any physical or mental health
10 problems or other good cause.

11 (c) Program enrollment.--The department shall grant
12 enrollment to an individual in the program to the extent that
13 program resources and space permit, if the assessment results
14 indicate all of the following:

15 (1) The individual does not possess the necessary skills
16 to obtain employment that will enable the individual to
17 support a family at 85% of the median family income in this
18 Commonwealth for a family of the same size.

19 (2) The postsecondary education or job training sought
20 by the individual will significantly improve the ability of
21 the family to be self-supporting, considering potential
22 employment opportunities and local labor market conditions.

23 (3) The individual has the aptitude to successfully
24 complete the proposed postsecondary education or job
25 training.

26 (d) Limitation.--The department may not disapprove an
27 education or job training plan based solely upon the length of
28 the education or job training program.

29 Section 495.3. Program requirements.

30 (a) Satisfactory progress required.--A participant must

demonstrate satisfactory progress in the participant's education or job training program in order to maintain program eligibility.

(b) Crediting.--A participant who:

(1) Receives assistance under the program that begins during the first 24 months of TANF implementation shall have credited the amount of time involved in educational activity or job training activity toward the work-related activity requirement.

(2) Receives assistance under the program that begins or continues after the first 24 months of TANF implementation shall have educational activity or job training activity credited toward the 20 hours per week RESET work requirement.

(c) Department duties.--The department shall:

(1) Make reasonable adjustments in the work participation requirements for the program for good cause.

(2) Promulgate rules and regulations for the implementation and administration of the program, which shall include rules and regulations defining the term "satisfactory performance."

(d) Child support.--

(1) A family that participates in the program must assign the right to child support to the department in the same manner as a family that receives TANF assistance.

(2) The department shall distribute to a participating family child support collected on behalf of the family in the same manner as if the family were receiving TANF assistance.

(e) Job search requirement.--A participant who is not exempt from the job search requirement under the RESET program shall not be required to conduct the eight-week job search until the

1 participant has completed the participant's education or job
2 training program.

3 Section 495.4. Transitional support services.

4 (a) Extended medical coverage.--A family that no longer
5 remains eligible for assistance under the program due to
6 increased child support or increased hours of, or increased
7 income from, employment shall be eligible to receive
8 transitional extended medical coverage, on the same basis as a
9 TANF family.

10 (b) Child care.--A participant who receives earnings from
11 employment and whose family discontinues participation in TANF,
12 whether or not the participant's earnings resulted in
13 ineligibility for TANF and who requires child care, shall be
14 automatically transferred to the Child Care Information Services
15 Child Care program for continued child care assistance, pursuant
16 to 55 Pa. Code Ch. 3040 (relating to subsidized child day care).

17 (c) Work requirement.--A parent who is engaged in an
18 educational or job training activity and who meets the hours
19 requirement of section 495.3(b)(2) shall be deemed to satisfy
20 any work requirement of the Child Care Information Services
21 Child Care program.

22 Section 495.5. Funding.

23 Any cash assistance paid to participants and their families
24 shall be paid with State funds, which shall not be subject to
25 Federal time limits for TANF and shall not be considered to
26 apply toward any such time limit.

27 Section 495.6. Protection of income.

28 (a) Income exclusion.--To the extent permitted by Federal
29 law, assistance received under the program shall be disregarded
30 as income and excluded as a resource or asset to the same extent

1 as assistance under TANF for the purposes of any Federal or
2 State or municipal assistance program.

3 (b) Taxation of program assistance.--Assistance received
4 under the program shall be treated in the same manner as
5 assistance received under TANF for all tax purposes.

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