

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 392 Session of 2011

INTRODUCED BY KAUFFMAN, AUMENT, BAKER, BARRAR, BOBACK, BOYD, BROOKS, BURNS, CAUSER, CHRISTIANA, CLYMER, D. COSTA, CUTLER, DAVIS, DAY, DENLINGER, EVANKOVICH, EVERETT, FLECK, GEIST, GILLEN, GILLESPIE, GINGRICH, GOODMAN, GRELL, GROVE, HAHN, HALUSKA, HARHART, HARRIS, HICKERNELL, HORNAMAN, HUTCHINSON, M.K. KELLER, KNOWLES, KORTZ, KRIEGER, KULA, MAJOR, MARSHALL, MARSICO, METCALFE, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MURT, MUSTIO, OBERLANDER, PEIFER, PETRARCA, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, READSHAW, REED, REESE, REICHLEY, ROAE, ROCK, SACCONI, SAYLOR, SCHRODER, SIMMONS, K. SMITH, SONNEY, STERN, SWANGER, TALLMAN, J. TAYLOR, TOEPEL, TOOHL, VULAKOVICH, WATSON AND HESS, FEBRUARY 1, 2011

REFERRED TO COMMITTEE ON HUMAN SERVICES, FEBRUARY 1, 2011

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 Assistance Recipient Identification Program and for local  
5 administration of assistance.

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

8 Section 1. Section 414 of the act of June 13, 1967 (P.L.31,  
9 No.21), known as the Public Welfare Code, amended June 30, 1995  
10 (P.L.129, No.20), is amended to read:

11 Section 414. Assistance Recipient Identification Program.--

12 (a) The department is authorized to create, in geographic areas  
13 where the department determines it to be cost effective, a  
14 program to be known as the Assistance Recipient Identification

1 Program.

2 (b) The purpose of the program is to eliminate duplication  
3 of assistance to recipients, to deter fraud and to assist law  
4 enforcement officials in their duties.

5 (d) A person currently receiving or applying for assistance  
6 shall participate in the program. The person shall be identified  
7 using available technological means that shall include placing a  
8 photograph upon each electronic benefits transfer card and any  
9 other benefit card and that may include, but are not limited to,  
10 two-digit fingerimaging.

11 (e) The department, wherever feasible, shall work with  
12 neighboring states to execute agreements between each of those  
13 states and the Commonwealth to implement compatible computer  
14 cross-matching identification systems.

15 (f) It is a violation for a person in the program to acquire  
16 or attempt to acquire duplication of assistance.

17 (g) Absent a court order, only the department, the  
18 Pennsylvania State Police and the Pennsylvania Board of  
19 Probation and Parole, the chief of a local municipal police  
20 department or his designee within the department, including the  
21 sheriff's office in counties of the second class, and the  
22 designated officials of neighboring states with whom the  
23 department executes agreements under subsection (e) shall have  
24 access to records under this program.

25 (h) The department shall make a report to the General  
26 Assembly no later than March 1, 1996, and every two years  
27 thereafter. Each report shall include:

28 (1) Caseload data before implementation of this section as  
29 well as after one year for comparison purposes to judge the  
30 program's effectiveness at fraud deterrence.

(2) Attempts at and instances of multiple enrollment by persons.

(3) Analysis of the cost-effectiveness of the project.

(4) Recommendations regarding whether the program should be discontinued, expanded or otherwise modified.

(i) As used in this section, the term "program" means the Assistance Recipient Identification Program.

Section 2. Section 419 of the act is amended to read:

Section 419. Administration of Assistance and Related Functions.--Each county board shall:

(1) Administer public assistance in the county, and determine the eligibility for assistance of applicants and continued eligibility for assistance of persons receiving the same in accordance with law and rules, regulations and standards established by the department. This paragraph includes requiring photographic identification under section 414(d) before providing any assistance.

(2) Take measures to promote the welfare and self-dependency of individuals and families eligible for assistance by helping them to secure rehabilitative, remedial or other constructive aid, through local community resources, or in the absence or inadequacy of such resources, through direct provision of such aid, in accordance with rules, regulations and standards adopted by the department.

(3) With the approval of the secretary, supervise the administration of and promote any other public function related to assistance, or the work of the department, or of the county board, which may be committed to the county board by a political subdivision of the Commonwealth.

Section 3. This act shall take effect in 60 days.