

LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 3/25/10)

2015D02780DMS:BTW

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of Department of Human Services, providing for unlicensed residential habilitation waiver services and reimbursement.

INTRODUCED _____ 20_____

By _____ District NO. _____

By _____ District NO. _____

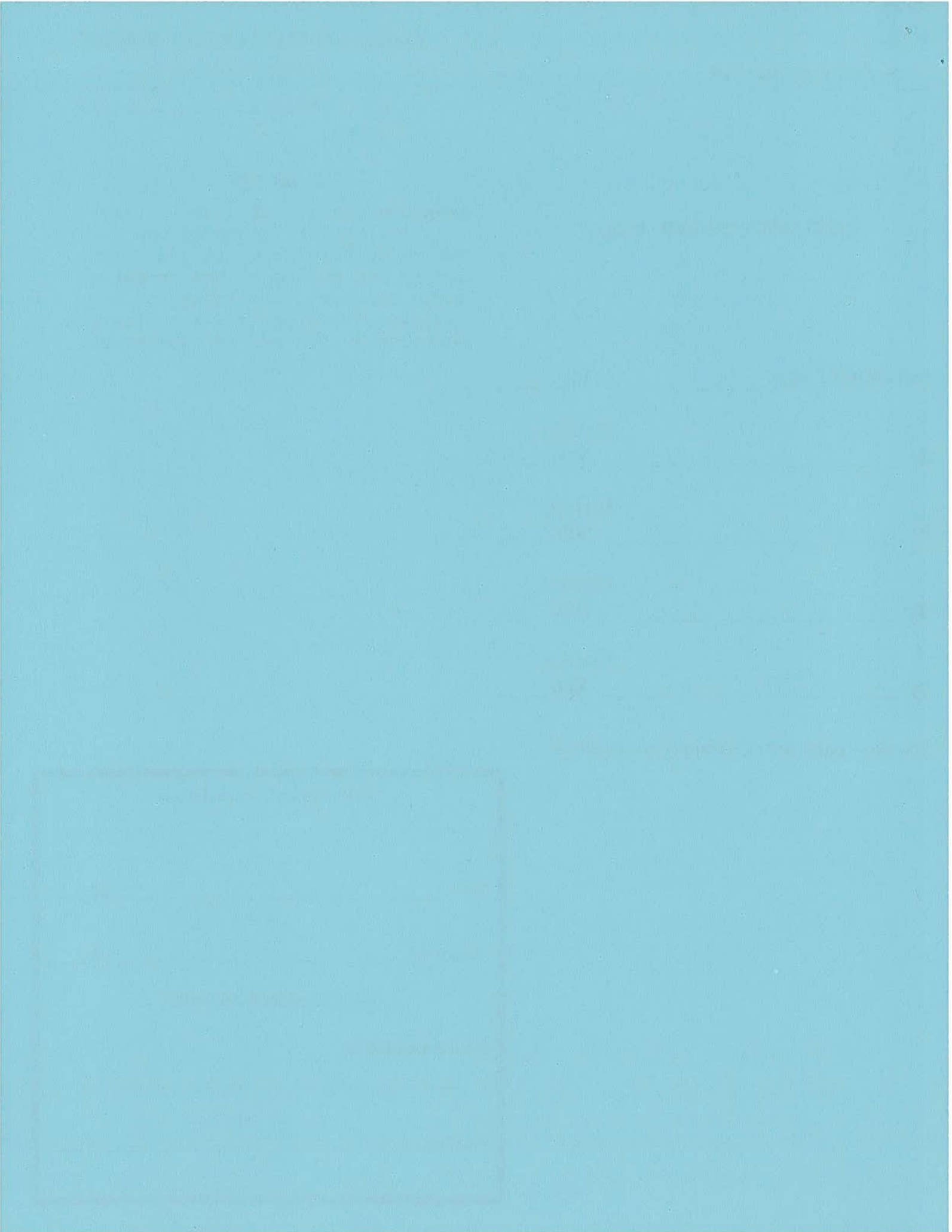
By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

Referred to Committee on	
Date _____	20_____
Reported _____	20_____
As Committed-Amended	
Recommendation	

By Hon. _____	



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," in general powers and
4 duties of Department of Human Services, providing for
5 unlicensed residential habilitation waiver services and
6 reimbursement.

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

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

12 Section 211.1. Unlicensed Residential Habilitation Waiver
13 Services.--Subject to Federal approval of such amendments as may
14 be necessary to the Commonwealth's approved Title XIX State
15 Plan, the department shall do all of the following:

16 (1) Permit a relative or legal guardian of an individual
17 with an intellectual disability to provide unlicensed
18 residential habilitation waiver services to the individual in a
19 residential setting approved by the department. A residential

1 setting may include the private home of an individual with an
2 intellectual disability and the private home of a relative or
3 legal guardian of an individual with an intellectual disability.

4 (2) Promulgate regulations that establish the process and
5 criteria to be used to determine eligibility for a relative or
6 legal guardian of an individual with an intellectual disability
7 to provide unlicensed residential habilitation waiver services
8 to the individual in residential settings approved by the
9 department. The relative or legal guardian must meet the
10 qualifications criteria for providers of residential
11 habilitation waiver services set forth by the department as of
12 the effective date of this section.

13 (3) Establish reimbursement rates for eligible relatives or
14 legal guardians providing unlicensed residential habilitation
15 waiver services.

16 Section 2. Within 90 days of the effective date of this
17 section, the Department of Human Services shall submit to the
18 appropriate Federal agency a request for necessary waivers of
19 Federal law and regulations and for any other approvals by the
20 Federal Government necessary for the implementation of the
21 changes and additions made by the addition of section 211.1 of
22 the act. It is the obligation of the department to enter into
23 good faith negotiations with the appropriate Federal authorities
24 and to make every effort to obtain the necessary Federal waivers
25 and approvals.

26 Section 3. This act shall take effect immediately.