

## AN ACT

1 Providing for the Clean, Healthy and Dry Grant Program;  
2 establishing the Clean, Healthy and Dry Fund; and imposing  
3 powers and duties on the Department of Health.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Clean,  
8 Healthy and Dry Act.

9 Section 2. Legislative intent.

10 The General Assembly finds and declares as follows:

11 (1) The establishment of a grant program to provide  
12 money to improve, enhance and expand access to clean diapers  
13 should protect and enhance the health and well-being of  
14 infants, children, incontinent adults and their families.

15 (2) Infants and children who are living in households  
16 with little or no access to clean diapers could spend a day  
17 or longer in one diaper, leading to significant potential  
18 health risks.

1           (3) A supply of clean diapers is usually a requirement  
2 for infants and children to attend and participate in child-  
3 care programs and when infants and children cannot  
4 participate in child-care programs, parents and guardians  
5 have difficulty participating in the work force.

6           (4) Most public resources, such as the Supplemental  
7 Nutrition Assistance Program (SNAP) and the Women, Infants  
8 and Children Program (WIC), do not help offset the costs of  
9 these needed items and place a barrier against individuals  
10 obtaining and maintaining employment.

11           (5) For incontinent adults, diaper need is becoming a  
12 growing concern. Studies show that adult diapers should be  
13 changed between five and eight times a day and health experts  
14 state that when an adult is left wearing a soiled diaper,  
15 there is an immediate danger of skin problems, including skin  
16 breakdown that can bring on life threatening infections,  
17 especially in older adults.

18           (6) The Commonwealth has a compelling interest in  
19 protecting infants, children and incontinent adults from  
20 health problems associated with a lack of clean diapers and  
21 in removing obstacles that prevent individuals from working  
22 due to a lack of supply of diapers needed to participate in  
23 child-care programs, by providing access to diapers for  
24 infants, children and incontinent adults.

25 Section 3. Definitions.

26           The following words and phrases when used in this act shall  
27 have the meanings given to them in this section unless the  
28 context clearly indicates otherwise:

29           "Department." The Department of Health of the Commonwealth.

30           "Diaper bank." A nonprofit charitable organization or a

1 fiscally sponsored project of a nonprofit charitable  
2 organization that collects or purchases diapers and other  
3 hygiene products for infants, children or incontinent adults and  
4 regularly distributes diapers over an extended period through  
5 two or more partner agencies for eventual distribution to  
6 individuals free of charge.

7 "Diaper pantry." A nonprofit charitable organization or a  
8 fiscally sponsored project of a nonprofit charitable  
9 organization that collects or purchases diapers for the purpose  
10 of regularly distributing those diapers directly to individuals  
11 free of charge.

12 "Diaper program." A program within a nonprofit charitable  
13 organization or a fiscally sponsored project of a nonprofit  
14 charitable organization, including, but not limited to, a food  
15 bank, service agency or health clinic, that collects or  
16 purchases diapers and regularly distributes those diapers either  
17 through direct service free of charge or through partner  
18 agencies for eventual distribution to individuals free of  
19 charge.

20 "Fund." The Clean, Healthy and Dry Fund established by this  
21 act.

22 "Nonprofit charitable organization." A nonprofit  
23 organization within the meaning of section 501(c)(3) of the  
24 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §  
25 501(c)(3)).

26 "Program." The Clean, Healthy and Dry Grant Program  
27 established by this act.

28 "Secretary." The Secretary of Health of the Commonwealth.  
29 Section 4. The Clean, Healthy and Dry Grant Program.

30 (a) Establishment.--The Clean, Healthy and Dry Grant Program

1 is established and shall be administered by the department. The  
2 purpose of the program shall be to issue grants to improve,  
3 enhance and expand access to clean diapers.

4 (b) Eligibility.--To receive grant funds under this act, a  
5 diaper bank, diaper pantry or diaper program must submit a  
6 written application to the department by January 1 of each year  
7 for which a grant is sought and satisfy the following  
8 conditions:

9 (1) Be located within this Commonwealth.

10 (2) Have a budget approved by the board of directors or  
11 other governing body of the applicant.

12 (3) Not require participation in religious activities in  
13 order for receipt of the diapers.

14 (4) Submit a detailed proposal outlining the manner in  
15 which the grant money will be used and the intended effect of  
16 the proposal.

17 (c) Department action.--The department shall review the  
18 application and approve or disapprove the application within 60  
19 days of receiving the application. An application which has not  
20 been approved or disapproved by the department within the 60-day  
21 period shall be deemed approved.

22 (d) Publication and notice.--The department shall publish  
23 notice of the program availability in the Pennsylvania Bulletin  
24 by August 8 for the fiscal year beginning after June 30, 2015.

25 (e) Award of grants.--

26 (1) The department may issue a grant award for the  
27 following purposes:

28 (i) Direct collection and distribution of diapers.

29 (ii) Warehousing, shelving and storing of collected  
30 diapers.

1 (iii) Collection bins, volunteer training and other  
2 promotional and marketing programs and materials.

3 (iv) Outreach programs, including, but not limited  
4 to, mobile diaper banks or partnerships with child-care  
5 centers serving low-income families.

6 (v) Fundraising assistance and other financial  
7 management programs.

8 (vi) Any other program or activity approved by the  
9 department that improves, enhances and expands access to  
10 clean diapers for infants, children and incontinent  
11 adults.

12 (2) Grants may not be less than \$2,500 nor more than  
13 \$20,000 annually per eligible applicant.

14 (3) Grants may be awarded on a pro rata basis if the  
15 total dollar amount of the approved application exceeds the  
16 amount of funds appropriated by the General Assembly for the  
17 program.

18 Section 5. The Clean, Healthy and Dry Fund.

19 (a) Establishment.--The Clean, Healthy and Dry Fund is  
20 established in the State Treasury. All appropriations,  
21 contributions and alternative funds received by the department  
22 as authorized by State law to improve, enhance and expand access  
23 to clean diapers shall be deposited into the fund.

24 (b) Allocation of funds.--All money in the fund is hereby  
25 appropriated on a continuing basis to the department and shall  
26 be used as follows:

27 (1) At least 80% of the fund shall be used by the  
28 department for grants authorized by this act.

29 (2) Not more than 20% of the fund may be used by the  
30 department for State and local administration and program

1 services.

2 (c) Alternative funding.--The department may solicit and  
3 accept alternative funding, including Federal funds, grants and  
4 donations from any source whatsoever to assist with the goals of  
5 this act. All money received by the department to improve,  
6 enhance and expand access to clean diapers shall be deposited  
7 into the fund.

8 Section 6. Reports.

9 The department shall submit an annual report to the General  
10 Assembly on expenditures from the fund and the progress of the  
11 public outreach required by section 7.

12 Section 7. Public outreach.

13 (a) General rule.--From the money available for  
14 administration as authorized under section 4(b)(2), the  
15 department shall conduct Statewide outreach to inform the public  
16 of the services provided by eligible diaper banks to improve,  
17 enhance and expand access to clean diapers.

18 (b) Evaluation.--The department shall evaluate the  
19 effectiveness of the funds provided under this act in improving  
20 access to clean diapers and make changes as necessary to the  
21 outreach described under subsection (a) to improve access to  
22 clean diapers.

23 Section 8. Rules and regulations.

24 The department shall promulgate rules and regulations in  
25 accordance with the act of June 25, 1982 (P.L.633, No.181),  
26 known as the Regulatory Review Act, necessary to administer the  
27 program and carry out its duties under this act.

28 Section 9. Effective date.

29 This act shall take effect in 60 days.