

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1391 Session of
2009

INTRODUCED BY PASHINSKI, BOBACK, BRENNAN, BRIGGS, BROWN,
CALTAGIRONE, CARROLL, DALLY, DONATUCCI, EACHUS, FRANKEL,
GROVE, HARKINS, HORNAMAN, JOSEPHS, KORTZ, MAHONEY, MUNDY,
MUSTIO, PAYTON, SIPTROTH, VULAKOVICH AND YUDICHAK,
APRIL 29, 2009

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 29, 2009

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 payments to counties for services to children.

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

7 Section 1. Section 704.1(a) of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, amended
9 August 5, 1991 (P.L.315, No.30), is amended to read:

10 Section 704.1. Payments to Counties for Services to
11 Children.--(a) The department shall reimburse county
12 institution districts or their successors for expenditures
13 incurred by them in the performance of their obligation pursuant
14 to this act and the act of December 6, 1972 (P.L.1464, No.333),
15 known as the "Juvenile Act," in the following percentages:

16 (1) Eighty percent of the cost of an adoption subsidy paid
17 pursuant to subdivision (e) of Article VII of this act.

1 (2) No less than seventy-five percent and no more than
2 ninety percent of the reasonable cost including staff costs of
3 child welfare services, informal adjustment services provided
4 pursuant to section 8 of the act of December 6, 1972 (P.L.1464,
5 No.333), known as the "Juvenile Act," and such services approved
6 by the department, including but not limited to, foster home
7 care, group home care, shelter care, community residential care,
8 youth service bureaus, day treatment centers and service to
9 children in their own home and any other alternative treatment
10 programs approved by the department.

11 (3) Sixty percent of the reasonable administrative costs
12 approved by the department except for those staff costs included
13 in clause (2) of this section as necessary for the provision of
14 child welfare services.

15 (4) Fifty percent of the actual cost of care and support of
16 a child placed by a county child welfare agency or a child
17 committed by a court pursuant to the act of December 6, 1972
18 (P.L.1464, No.333), known as the "Juvenile Act," to the legal
19 custody of a public or private agency approved or operated by
20 the department other than those services described in clause
21 (2). The Auditor General shall ascertain the actual expense for
22 fiscal year 1974-1975 and each year thereafter by the Department
23 of Public Welfare for each of the several counties and each city
24 of the first class whose children resident within the county or
25 city of the first class directly received the benefit of the
26 Commonwealth's expenditure. The Auditor General shall also
27 ascertain for each Commonwealth institution or facility
28 rendering services to delinquent or deprived children the actual
29 average daily cost of providing said services. The Auditor
30 General shall certify to each county and city of the first class

1 the allocated Commonwealth expenditures incurred on behalf of
2 its children and notify the Secretary of Public Welfare and each
3 county and city of the first class of same.

4 (5) Fifty percent of the reasonable cost of medical and
5 other examinations and treatment of a child ordered by the court
6 pursuant to the act of December 6, 1972 (P.L.1464, No.333),
7 known as the "Juvenile Act," and the expenses of the appointment
8 of a guardian [pendente lite] ad litem, legal counsel for a
9 child, summons, warrants, notices, subpoenas, travel expenses of
10 witnesses, transportation of the child, and other like expenses
11 incurred in proceedings under the act of December 6, 1972
12 (P.L.1464, No.333), known as the "Juvenile Act."

13 (6) Effective July 1, 1991, the department shall reimburse
14 county institution districts or their successors one hundred
15 percent of the reasonable costs of providing adoption services.

16 (7) Effective July 1, 1993, the department shall reimburse
17 county institution districts or their successors eighty percent
18 of the reasonable costs of providing foster home care, community
19 residential care, supervised independent living and community-
20 based alternative treatment programs.

21 (8) The department shall reimburse county institution
22 districts or their successors for the reasonable costs of
23 institutional services for dependent and delinquent children
24 other than detention services for delinquents in accordance with
25 the following schedule:

26 (i) Effective July 1, 1992, fifty-five percent.

27 (ii) Effective July 1, 1993, sixty percent.

28 * * *

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