

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 533 Session of
2001

INTRODUCED BY GODSHALL, M. BAKER, BELARDI, BELFANTI, BROWNE,
CRUZ, GEORGE, HORSEY, HUTCHINSON, LAUGHLIN, NAILOR, STABACK,
C. WILLIAMS, WILT, SAINATO AND MAHER, FEBRUARY 7, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 6, 2002

AN ACT

1 Directing the Department of Public Welfare to develop and submit
2 a plan to eliminate the waiting list for community services
3 for persons diagnosed with mental retardation.

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 Mental
8 Retardation Services Waiting List Elimination Act.

9 Section 2. Legislative findings.

10 The General Assembly finds as follows:

11 (1) In Pennsylvania there are 21,379 adults diagnosed
12 with mental retardation who are on the waiting list for
13 community services.

14 (2) Of that amount, 8,310 individuals are in either
15 crisis or critical need of service.

16 (3) There exists a "shadow" waiting list of individuals
17 who are not known to counties and who are not on the waiting

list, but who come forth with critical or emergency service needs.

(4) Funds and other resources currently allocated for community services for individuals with mental retardation are inadequate to provide for the people on the waiting list.

(5) Community services are essential for people diagnosed with mental retardation to live as productive, active members of their communities.

(6) The Department of Public Welfare has not yet developed a plan to specifically address the elimination of the waiting list in a systematic fashion.

Section 3. Definitions.

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

"Department." The Department of Public Welfare of the Commonwealth.

"Plan." The plan required under section 4.

Section 4. Preparation and submission of plan.

The department shall develop and submit to the Governor and the General Assembly, within 180 days of the effective date of this act, a plan to eliminate by the year 2005 the current and future waiting list for community services for people diagnosed with mental retardation.

Section 5. Contents of plan.

The plan shall include, but not be limited to:

(1) Statistical information on the current waiting list and the projected number of people requesting community services through the year 2005.

(2) Financial information on the amount of Federal,

1 State or other funds that will be required annually for all
2 costs to eliminate the waiting list by the year 2005.

3 (3) The manner in which the services will maximize the
4 practices of person-centered planning, inclusion and self-
5 determination in the creation of expanded community services
6 for people diagnosed with mental retardation.

7 (4) A plan to address the shortage of staff in community
8 programs which includes a plan to address the issue of low
9 wages for direct care staff.

10 (5) A GEOGRAPHICAL ANALYSIS OF THE WAITING LIST TO
11 IDENTIFY THE SPECIFIC NEEDS OF INDIVIDUALS WITH MENTAL
12 RETARDATION IN RURAL, URBAN AND SUBURBAN LOCATIONS AND A
13 STRATEGY TO DEAL WITH THE SPECIFIC CHALLENGES OF ELIMINATING
14 THE WAITING LIST IN RURAL, URBAN AND SUBURBAN LOCATIONS.

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15 Section 6. Public hearings and comments.

16 In the development of the plan, the department shall conduct
17 public hearings and obtain public comment from people with
18 mental retardation, their families, guardians and providers of
19 relevant services.

20 Section 7. Annual submission of progress report.

21 The department shall include in its annual budget submission
22 a request for funds to eliminate the waiting list and a progress
23 report on the status of the waiting list. This progress report
24 shall be submitted to the Governor and the General Assembly and
25 shall provide statistical information on the individuals served
26 from the waiting list and the associated financial data in an
27 annual and accumulated fashion until the waiting list is
28 eliminated.

29 Section 8. Effective date.

30 This act shall take effect in 60 days.