

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 356 Session of 2005

INTRODUCED BY KITCHEN, TARTAGLIONE, FERLO, ORIE, ERICKSON,
KASUNIC, COSTA, LAVALLE, STOUT, O'PAKE, WOZNIAK, STACK,
RAFFERTY AND LOGAN, MARCH 4, 2005

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 4, 2005

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," providing for a training
4 and education program for certain individuals eligible for
5 public assistance.

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

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

11 (n) Parents Achieving Self-Sufficiency Program

12 Section 495. Definitions.

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

16 "Education program." A two-year or four-year postsecondary
17 undergraduate education program for which a degree is awarded.

18 "Educational activity." Includes, but is not limited to:

19 (1) Attendance at a class or activity conducted within

1 an education program.

2 (2) An internship.

3 (3) A practicum.

4 (4) Student teaching.

5 (5) A work-study program.

6 (6) A clinical placement.

7 (7) Laboratory or field work directly related to the
8 participant's employment goal.

9 (8) Any other work activity that enhances a
10 participant's employability in the participant's chosen
11 field.

12 "Eligible applicant." A needy student who has dependent
13 children and who is enrolled in an education or job training
14 program. The term excludes an individual with a marketable
15 bachelor degree.

16 "Good cause." Compelling personal or familial circumstances
17 as set forth in departmental regulations, which make required
18 participation impracticable or which would cause a participant
19 to seriously compromise academic performance. Good cause also
20 exists where, considering the participant's abilities and the
21 demands of the academic program, strict compliance with the work
22 requirements would compromise academic performance and the
23 fulfillment of the plan for self-sufficiency.

24 "Job training." A training program providing the skills
25 necessary for a specific vocation or a field of employment.

26 "Participant." An eligible applicant who is admitted into
27 the Parents Achieving Self-Sufficiency Program.

28 "Program." The Parents Achieving Self-Sufficiency Program
29 established under section 495.1 (relating to Parents Achieving
30 Self-Sufficiency Program).

1 "TANF." The Temporary Assistance for Needy Families program
2 under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et
3 seq.), which provides temporary assistance to needy, dependent
4 children and their parents or caretaker relatives.

5 Section 495.1. Parents Achieving Self-Sufficiency Program.

6 (a) Administration.--The department shall administer the
7 Parents Achieving Self-Sufficiency Program, which is hereby
8 established, based upon the need to assist participants who wish
9 to pursue training or education in order to enhance their
10 employability.

11 (b) Assistance to participants.--The assistance provided to
12 participants under the program shall include the type and level
13 of:

14 (1) Cash assistance under TANF pursuant to subarticle
15 (e).

16 (2) Medical assistance under TANF pursuant to subarticle
17 (e).

18 (3) Services, including support services, provided under
19 the RESET program, pursuant to section 405.1 (relating to
20 establishment of RESET).

21 Section 495.2. Eligibility criteria.

22 (a) Eligibility.--An individual who is eligible for
23 assistance under TANF may apply to participate in the program.
24 Eligibility for participation and the amount of assistance shall
25 be determined pursuant to rules and regulations promulgated by
26 the department to implement and administer TANF.

27 (b) Assessment.--

28 (1) The department shall assess each individual who is
29 eligible for the program to determine:

30 (i) The individual's education, training and

employment needs based on available program resources.

(ii) The individual's skills and aptitudes.

(iii) The individual's need for support services.

(iv) Local employment opportunities.

(v) Any good cause circumstance.

(vi) To the maximum extent possible, the preferences
of the individual.

(2) The findings shall be documented in the individual's
case record indicating any barriers to participation,
including, but not limited to, any physical or mental health
problems or other good cause.

(c) Program enrollment.--The department shall grant
enrollment to an individual in the program to the extent that
program resources and space permit, if the assessment results
indicate all of the following:

(1) The individual does not possess the necessary skills
to obtain employment that will enable the individual to
support a family at 85% of the median family income in this
Commonwealth for a family of the same size.

(2) The postsecondary education or job training sought
by the individual will significantly improve the ability of
the family to be self-supporting, considering potential
employment opportunities and local labor market conditions.

(3) The individual has the aptitude to successfully
complete the proposed postsecondary education or job
training.

(d) Limitation.--The department may not disapprove an
education or job training plan based solely upon the length of
the education or job training program.

Section 495.3. Program requirements.

1 (a) Satisfactory progress required.--A participant must
2 demonstrate satisfactory progress in the participant's education
3 or job training program in order to maintain program
4 eligibility.

5 (b) Crediting.--A participant who:

6 (1) Receives assistance under the program that begins
7 during the first 24 months of TANF implementation shall have
8 credited the amount of time involved in educational activity
9 or job training activity toward the work-related activity
10 requirement.

11 (2) Receives assistance under the program that begins or
12 continues after the first 24 months of TANF implementation
13 shall have educational activity or job training activity
14 credited toward the 20 hours per week RESET work requirement.

15 (c) Department duties.--The department shall:

16 (1) Make reasonable adjustments in the work
17 participation requirements for the program for good cause.

18 (2) Promulgate rules and regulations for the
19 implementation and administration of the program, which shall
20 include rules and regulations defining the term "satisfactory
21 performance."

22 (d) Child support.--

23 (1) A family that participates in the program must
24 assign the right to child support to the department in the
25 same manner as a family that receives TANF assistance.

26 (2) The department shall distribute to a participating
27 family child support collected on behalf of the family in the
28 same manner as if the family were receiving TANF assistance.

29 (e) Job search requirement.--A participant who is not exempt
30 from the job search requirement under the RESET program shall

1 not be required to conduct the eight-week job search until the
2 participant has completed the participant's education or job
3 training program.

4 Section 495.4. Transitional support services.

5 (a) Extended medical coverage.--A family that no longer
6 remains eligible for assistance under the program due to
7 increased child support or increased hours of, or increased
8 income from, employment shall be eligible to receive
9 transitional extended medical coverage, on the same basis as a
10 TANF family.

11 (b) Child care.--A participant who receives earnings from
12 employment and whose family discontinues participation in TANF,
13 whether or not the participant's earnings resulted in
14 ineligibility for TANF and who requires child care, shall be
15 automatically transferred to the Child Care Information Services
16 Child Care program for continued child care assistance, pursuant
17 to 55 Pa. Code Ch. 3040 (relating to subsidized child day care).

18 (c) Work requirement.--A parent who is engaged in an
19 educational or job training activity and who meets the hours
20 requirement of section 495.3(b)(2) (relating to program
21 requirements) shall be deemed to satisfy any work requirement of
22 the Child Care Information Services Child Care program.

23 Section 495.5. Funding.

24 Any cash assistance paid to participants and their families
25 shall be paid with State funds, which shall not be subject to
26 Federal time limits for TANF and shall not be considered to
27 apply toward any such time limit.

28 Section 495.6. Protection of income.

29 (a) Income exclusion.--To the extent permitted by Federal
30 law, assistance received under the program shall be disregarded

1 as income and excluded as a resource or asset to the same extent
2 as assistance under TANF for the purposes of any Federal or
3 State or municipal assistance program.

4 (b) Taxation of program assistance.--Assistance received
5 under the program shall be treated in the same manner as
6 assistance received under TANF for all tax purposes.

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