

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2080 Session of 2009

INTRODUCED BY TURZAI, SAYLOR, BAKER, BARRAR, BEAR, BENNINGHOFF, BEYER, BOBACK, BOYD, BROOKS, CAUSER, CHRISTIANA, CLYMER, COX, CREIGHTON, CUTLER, DAY, DELOZIER, DENLINGER, ELLIS, EVERETT, FAIRCHILD, FLECK, GABIG, GABLER, GEIST, GILLESPIE, GINGRICH, GRELL, GROVE, HARHART, HARRIS, HELM, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KNOWLES, KRIEGER, MAJOR, MARSHALL, MARSICO, METCALFE, METZGAR, MILLARD, MILLER, MOUL, MURT, MUSTIO, OBERLANDER, O'NEILL, PAYNE, PEIFER, PHILLIPS, PICKETT, PYLE, QUIGLEY, RAPP, REED, REESE, ROAE, ROCK, SCHRODER, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN AND VULAKOVICH, NOVEMBER 10, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, NOVEMBER 10, 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 meeting special needs, work supports and incentives; and  
5 abrogating a regulation.

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

8 Section 1. Section 408 of act of June 13, 1967 (P.L.31,  
9 No.21), known as the Public Welfare Code, amended May 16, 1996  
10 (P.L.175, No.35), is amended to read:

11 Section 408. Meeting Special Needs; Work Supports and  
12 Incentives.--(a) The department shall take measures not  
13 inconsistent with the purposes of this article; and when other  
14 funds or facilities for such purposes are inadequate or

1 unavailable to provide for special needs of individuals eligible  
2 for assistance; to relieve suffering and distress arising from  
3 disabilities and infirmities; to promote their rehabilitation;  
4 to help them if possible to become self-dependent; and, to  
5 cooperate to the fullest extent with other public agencies  
6 empowered by law to provide rehabilitative or similar services.

7 (b) The department may provide assistance to recipients for  
8 child day care when the department has determined that without  
9 such services the recipient would be exempt from compliance with  
10 the conditions of the agreement of mutual responsibility or work  
11 requirements or when a former recipient who is employed has  
12 ceased to receive cash assistance for a reason other than a  
13 sanction for noncompliance with an eligibility condition. In  
14 establishing the time limits and levels of access to child day-  
15 care funds, the department shall take into account availability,  
16 costs and the number of assistance groups needing services  
17 within the geographic area and shall seek to provide essential  
18 services to the greatest number of recipients.]

19 (c) The department may provide the following assistance to  
20 recipients [for transportation and work support] when the  
21 department has determined that without such [services]  
22 assistance the recipient would be exempt from compliance with  
23 the conditions of the agreement of mutual responsibility [or]  
24 and work requirements[. In establishing the time limits and  
25 levels of access to transportation and work support, the  
26 department shall take into account availability, costs and the  
27 number of recipients needing services within the geographic area  
28 and shall seek to provide essential services to the greatest  
29 number of recipients.] and that the assistance is directly  
30 related to work, education or training activities:

1     (1) Clothing.

2     (2) Testing fee.

3     (3) Union dues or professional fee.

4     (4) Transportation, limited to:

5     (i) Public transportation. Payment may be made for  
6 transportation provided by bus, subway, commuter rail, taxi or  
7 paratransit.

8     (ii) Private transportation. Payment may be made for costs  
9 incurred for transportation provided by privately owned  
10 vehicles, ride sharing and car or van pools.

11     (d) The department may make payments under this section as  
12 long as the payment:

13     (1) is not made directly to a recipient;

14     (2) is made directly to the payee, upon receipt of an  
15 invoice; and

16     (3) has been preapproved by the department.

17     (e) Under this section, the department may not:

18     (1) pay for any services other than those set forth in  
19 subsection (c);

20     (2) pay for the same item under subsection (c)(1), (2) or  
21 (3) more than once in the same year; or

22     (3) pay more than two hundred fifty dollars (\$250) annually  
23 for transportation under subsection (c)(4).

24     (f) Each county assistance office shall retain documentation  
25 of payments under this section.

26     (g) The department shall make an annual report to the  
27 President pro tempore of the Senate, the Majority Leader of the  
28 Senate, the Minority Leader of the Senate, the chair and  
29 minority chair of the Public Health and Welfare Committee of the  
30 Senate, the chair and minority chair of the Appropriations

1 Committee of the Senate, the Speaker of the House of  
2 Representatives, the Majority Leader of the House of  
3 Representatives, the Minority Leader of the House of  
4 Representatives, the chair and minority chair of the Health and  
5 Human Services Committee of the House of Representatives and the  
6 chair and minority chair of the Appropriations Committee of the  
7 House of Representatives on:

8 (1) the implementation of this subsection; and

9 (2) the need for the allowances under this section.

10 (h) Amounts paid under this section shall be taken from  
11 funds derived from a single line item State appropriation  
12 contained in a general appropriation bill.

13 Section 2. The provisions of 55 Pa. Code § 165.46(a), (c)  
14 and (d) (relating to types of special allowances for supportive  
15 services) are abrogated.

16 Section 3. This act shall take effect in 60 days.