
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 923 Session of
2009

INTRODUCED BY WASHINGTON, LOGAN, KITCHEN AND HUGHES,
JUNE 5, 2009

REFERRED TO PUBLIC HEALTH AND WELFARE, JUNE 5, 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," in children and youth,
4 further providing for payment to counties for services to
5 children; and providing for voluntary foster care extension.

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

8 Section 1. Section 704.1(a) of the act of June 13, 1967
9 (P.L.31, No.21), known as the Public Welfare Code, is amended by
10 adding a paragraph to read:

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

17 * * *

18 (2.1) One hundred percent of the reasonable cost of
19 department-approved services for extended foster home care for

1 children who meet all of the following:

2 (i) were adjudicated dependent before reaching eighteen
3 years of age;

4 (ii) are at least eighteen years of age and under twenty-one
5 years of age; and

6 (iii) entered into a voluntary written agreement with a
7 county agency for continuation of foster care placement and
8 services in accordance with Article VII-A and where the
9 agreement was approved by the court that adjudicated the child
10 dependent.

11 * * *

12 Section 2. The act is amended by adding an article to read:

13 ARTICLE VII-A

14 VOLUNTARY FOSTER CARE EXTENSION

15 Section 701-A. Scope of article.

16 This article relates to the extension of voluntary foster
17 care.

18 Section 702-A. Definitions.

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

22 "Agreement." A voluntary foster care extension agreement
23 pursuant to this article.

24 "Child." An individual:

25 (1) whose custody has been transferred to the county
26 agency under 42 Pa.C.S. Ch. 63 (relating to juvenile matters)
27 or whom the agency has otherwise accepted for service;

28 (2) who is at least 18 years of age and under 21 years
29 of age; and

30 (3) who was adjudicated dependent before reaching 18

1 years of age.

2 "County agency." The county children and youth social
3 service agency exercising the powers and duties provided for in
4 section 405 of the act of June 24, 1937 (P.L.2017, No.396),
5 known as the County Institution District Law, or its successor
6 agency, and supervised by the Department of Public Welfare under
7 Article IX.

8 Section 703-A. Voluntary Foster Care Extension Program.

9 (a) Establishment.--The Voluntary Foster Care Extension
10 Program is established within the department.

11 (b) Voluntary foster care agreements.--

12 (1) A county agency shall be authorized to enter into a
13 written voluntary foster care extension agreement with a
14 child for the continuation of foster care placement and
15 services commencing at 18 years of age through 21 years of
16 age or any lesser continuous period of time commencing at 18
17 years of age as provided by agreement.

18 (2) The court that declared the child dependent must
19 approve the agreement in order for it to take effect.

20 (c) Court approval of agreement.--The court shall grant
21 approval of the agreement if the court determines the agreement
22 to be in the best interest of the child. This determination
23 shall include consideration of the safety, protection, mental
24 and moral welfare of the child.

25 (d) Contents of agreement.--An agreement shall include, but
26 not be limited to, the following:

27 (1) A stated intent by the child to comply with the
28 terms of the agreement.

29 (2) Authority for the county agency to petition the
30 court to discontinue foster care placement and services

1 resulting from a violation of the agreement by the child.

2 (3) Any requirement imposed by a county agency.

3 (4) Any requirement as determined by the department and
4 required by regulation.

5 (e) Additional terms of agreement.--An agreement may include
6 the following:

7 (1) Any requirement by the county agency for the child
8 to seek or obtain one or more of the following:

9 (i) a graduate equivalency degree;

10 (ii) vocational training;

11 (iii) job counseling, training and placement;

12 (iv) personal health education and instruction; or

13 (v) other support services.

14 (2) Other requirements determined by the county agency.

15 Section 3. The Department of Public Welfare shall promulgate
16 regulations necessary to carry out the provisions of this act.
17 The regulations shall be subject to review pursuant to the act
18 of June 25, 1982 (P.L.633, No.181), known as the Regulatory
19 Review Act.

20 Section 4. This act shall take effect in 180 days.