
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 861 Session of
2011

INTRODUCED BY PASHINSKI, BISHOP, BRIGGS, V. BROWN, CALTAGIRONE,
CARROLL, D. COSTA, DAVIS, FABRIZIO, GEIST, HARKINS, HORNAMAN,
JOSEPHS, KORTZ, MURT, MYERS, K. SMITH, STABACK, WAGNER AND
YOUNGBLOOD, MARCH 1, 2011

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 1, 2011

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; and making
5 editorial changes.

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, amended
10 August 5, 1991 (P.L.315, No.30), is amended 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,"] 42 Pa.C.S. Ch. 63 (relating to
17 juvenile matters) in the following percentages:

18 (1) Eighty percent of the cost of an adoption subsidy paid

1 pursuant to subdivision (e) of Article VII of this act.

2 (2) No less than seventy-five percent and no more than
3 ninety percent of the reasonable cost including staff costs of
4 child welfare services, informal adjustment services provided
5 pursuant to [section 8 of the act of December 6, 1972 (P.L.1464,
6 No.333), known as the "Juvenile Act,"] 42 Pa.C.S. § 6323
7 (relating to informal adjustment) and such services approved by
8 the department, including but not limited to, foster home care,
9 group home care, shelter care, community residential care, youth
10 service bureaus, day treatment centers and service to children
11 in their own home and any other alternative treatment programs
12 approved by the department.

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

17 (4) Fifty percent of the actual cost of care and support of
18 a child placed by a county child welfare agency or a child
19 committed by a court pursuant to [the act of December 6, 1972
20 (P.L.1464, No.333), known as the "Juvenile Act,"] 42 Pa.C.S. Ch.
21 63 to the legal custody of a public or private agency approved
22 or operated by the department other than those services
23 described in clause (2). The Auditor General shall ascertain the
24 actual expense for fiscal year 1974-1975 and each year
25 thereafter by the Department of Public Welfare for each of the
26 several counties and each city of the first class whose children
27 resident within the county or city of the first class directly
28 received the benefit of the Commonwealth's expenditure. The
29 Auditor General shall also ascertain for each Commonwealth
30 institution or facility rendering services to delinquent or

1 deprived children the actual average daily cost of providing
2 said services. The Auditor General shall certify to each county
3 and city of the first class the allocated Commonwealth
4 expenditures incurred on behalf of its children and notify the
5 Secretary of Public Welfare and each county and city of the
6 first class of same.

7 (5) Fifty percent of the reasonable cost of medical and
8 other examinations and treatment of a child ordered by the court
9 pursuant to [the act of December 6, 1972 (P.L.1464, No.333),
10 known as the "Juvenile Act,"] 42 Pa.C.S. Ch. 63 and the expenses
11 of the appointment of a guardian [pendente lite] ad litem, legal
12 counsel for a child, summons, warrants, notices, subpoenas,
13 travel expenses of witnesses, transportation of the child, and
14 other like expenses incurred in proceedings under [the act of
15 December 6, 1972 (P.L.1464, No.333), known as the "Juvenile
16 Act."] 42 Pa.C.S. Ch. 63.

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

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

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

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

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

2 * * *

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