

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 929 Session of 2011

INTRODUCED BY McILHINNEY, RAFFERTY, ERICKSON, GREENLEAF, BROWNE,
FONTANA, WARD, M. WHITE, D. WHITE AND PIPPY, MAY 3, 2011

REFERRED TO AGING AND YOUTH, MAY 3, 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," in children and youth,
4 providing for county purchase of services.

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

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

10 Section 710. County Purchase of Services.--(a) To comply
11 with the statutory responsibility to provide an array of
12 services, county children and youth offices may elect to
13 purchase services from private providers. When a county elects
14 to purchase prevention, in home, foster family care, group home
15 or residential or institution services from a private agency
16 through purchase of service, per diem or program-funded
17 agreements, the following provisions apply:

18 (1) Contracted rates for purchased services must cover the
19 cost incurred in delivery of the services, provided that these

1 costs are deemed reasonable based on provider documentation.

2 (2) Purchase-of-service contracts must include contract
3 extension language to provide for continuation of service
4 provision and related payments at the last contracted rate until
5 a new contract agreement is signed. The new contracted rate must
6 be retroactive to the beginning of the contracting period.

7 (3) Purchase-of-service contracts must include a timely
8 payment provision, obligating counties to make payment to
9 private service providers within thirty days of receipt on an
10 accurate invoice for services rendered. Counties failing to make
11 timely payment for private agency delivered, nondisputed,
12 services shall pay an additional amount of one percent of the
13 outstanding balance due to the service provider for each month
14 or portion of each month during which an outstanding balance
15 remains due.

16 (b) There is hereby created a temporary rate methodology
17 task force appointed by the General Assembly to include
18 representatives from the department, county children and youth
19 and juvenile probation offices, private services providers and
20 other stakeholders. The task force shall develop a protocol to
21 determine calculation of cost for services purchased.

22 (c) County needs-based plan and implementation budget
23 requests should reflect the actual and reasonable projected
24 costs of purchased services in submissions for requested
25 funding.

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