

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1075 Session of
2013

INTRODUCED BY MOUL, CALTAGIRONE, DAVIS, HENNESSEY, COHEN, KORTZ,
C. HARRIS, D. COSTA, PICKETT, MUNDY, HESS, GINGRICH, QUINN,
WATSON, DAVIDSON, SAYLOR, FABRIZIO, MURT, EVERETT, GROVE,
R. MILLER AND BISHOP, APRIL 2, 2013

SENATOR VANCE, PUBLIC HEALTH AND WELFARE, IN SENATE, AS AMENDED,
JUNE 19, 2013

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 kinship care, further
4 providing for scope and for definitions; and providing for
5 family finding.

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

8 Section 1. The heading of Article XIII of the act of June
9 13, 1967 (P.L.31, No.21), known as the Public Welfare Code,
10 added September 30, 2003 (P.L.169, No.25), is amended to read:

ARTICLE XIII

FAMILY FINDING AND KINSHIP CARE

13 Section 2. Section 1301 of the act, added September 30, 2003
14 (P.L.169, No.25), is amended to read:

15 Section 1301. [Scope] Legislative intent.

16 [This article relates to the Kinship Care Program.] This
17 article is intended to ensure that family finding occurs on an

1 ongoing basis for all children entering the child welfare
2 system. This article is also intended to promote the use of
3 kinship care when it is necessary to remove a child from the
4 child's home in an effort to:

5 (1) Identify and build positive connections between the
6 child and the child's relatives and kin.

7 (2) Support the engagement of relatives and kin in
8 children and youth social service planning and delivery.

9 (3) Create a network of extended family support to
10 assist in remedying the concerns that led the child to be
11 involved with the county agency.

12 Section 3. Section 1302 of the act is amended by adding
13 definitions to read:

14 Section 1302. Definitions.

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

18 "Accept for service." Decide on the basis of the needs and
19 problems of an individual to admit or receive the individual as
20 a client of the county agency or as required by a court order
21 entered under 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

22 * * *

23 "Family finding." Ongoing diligent efforts between a county
24 agency, or its contracted providers, and relatives and kin to:

25 (1) Search for and identify adult ~~maternal and paternal~~ <--
26 relatives and kin and engage them in children and youth
27 social service planning and delivery.

28 (2) Gain commitment from relatives and kin to support a
29 child or parent receiving children and youth social services.

30 * * *

1 Section 4. The act is amended by adding sections to read:

2 Section 1302.1. Family finding required.

3 Family finding shall be conducted for a child when the child
4 is accepted for services and at least annually thereafter, until
5 the child's involvement with the county agency is terminated or
6 the family finding is discontinued in accordance with section
7 1302.2.

8 Section 1302.2. Discontinuance of family finding.

9 (a) General rule.--A county agency may discontinue family
10 finding for a child under the following circumstances:

11 (1) The child has been adjudicated dependent pursuant to
12 42 Pa.C.S. Ch. 63 (relating to juvenile matters) and a court
13 has made a specific determination that continued family
14 finding no longer serves the best interests of the child or
15 is a threat to the child's safety.

16 (2) The child is not under the jurisdiction of a court
17 and the county agency has determined that continued family
18 finding is a threat to the child's safety. A determination
19 that continued family finding is a threat to the child's
20 safety must be based on credible information about a specific
21 safety threat, and the county agency shall document the
22 reasons for its determination.

23 (3) The child is in a preadoptive placement, and court
24 proceedings to adopt the child have been commenced pursuant
25 to 23 Pa.C.S. Part III (relating to adoption).

26 (b) Resuming family finding.--Notwithstanding the provisions
27 of subsection (a), a county agency shall resume family finding
28 for a child if:

29 (1) the child is under the jurisdiction of a court, and
30 the court determines that resuming family finding is best

1 suited to the safety, protection and physical, mental and
2 moral welfare of the child and does not pose a threat to the
3 child's safety; or

4 (2) the child is not under the jurisdiction of a court,
5 and THE COUNTY AGENCY DETERMINES THAT resuming family finding <--
6 serves the best interest of the child and does not pose a
7 threat to the child's safety.

8 Section 5. Within one year of the effective date of the
9 amendment or addition of sections 1301, 1302, 1302.1 and 1302.2
10 of the act, the Department of Public Welfare shall promulgate
11 regulations providing for the requirements of county agencies.

12 Section 6. This act shall take effect in 60 days.