
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1677 Session of
2017

INTRODUCED BY ORTITAY, WARD, WATSON AND WHEELAND, JULY 21, 2017

REFERRED TO COMMITTEE ON HEALTH, JULY 21, 2017

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 public assistance,
4 further providing for meeting special needs and work supports
5 and incentives and for employment incentive payments; in
6 departmental powers and duties as to supervision, further
7 providing for definitions; and, in departmental powers and
8 duties as to licensing, further providing for definitions.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Sections 408(b) and 491(c)(2) of the act of June
12 13, 1967 (P.L.31, No.21), known as the Human Services Code, are
13 amended to read:

14 Section 408. Meeting Special Needs; Work Supports and
15 Incentives.--* * *

16 (b) The department may provide assistance to recipients for
17 child [day] care when the department has determined that without
18 such services the recipient would be exempt from compliance with
19 the conditions of the agreement of mutual responsibility or work
20 requirements or when a former recipient who is employed has
21 ceased to receive cash assistance for a reason other than a

1 sanction for noncompliance with an eligibility condition. In
2 establishing the time limits and levels of access to child [day-
3 care] care funds, the department shall take into account
4 availability, costs and the number of assistance groups needing
5 services within the geographic area and shall seek to provide
6 essential services to the greatest number of recipients.

7 * * *

8 Section 491. Employment Incentive Payments.--* * *

9 (c) * * *

10 (2) If the employer provides or pays for [day] child care
11 services for the children of the employe, the employer shall be
12 eligible to receive an additional employment incentive payment
13 of six hundred dollars (\$600) during the first year of
14 employment, five hundred dollars (\$500) during the second year
15 of employment, and four hundred dollars (\$400) during the third
16 year of employment.

17 * * *

18 Section 2. The definitions of "child day care" and
19 "children's institutions" in section 901 of the act, amended or
20 added December 28, 2015 (P.L.500, No.92), are amended to read:

21 Section 901. Definitions.--As used in this article--

22 "Child [day] care" means care in lieu of parental care given
23 for part of the twenty-four hour day to a child under sixteen
24 years of age, away from the child's home but does not include
25 child [day] care furnished in a place of worship during
26 religious services.

27 "Children's institutions" means any incorporated or
28 unincorporated organization, society, corporation or agency,
29 public or private, which may receive or care for children, or
30 place them in foster family homes, either at board, wages or

1 free; or any individual who, for hire, gain or reward, receives
2 for care a child, unless he is related to such child by blood or
3 marriage within the second degree; or any individual, not in the
4 regular employ of the court or of an organization, society,
5 association or agency, duly certified by the department, who in
6 any manner becomes a party to the placing of children in foster
7 homes, unless he is related to such children by blood or
8 marriage within the second degree, or is the duly appointed
9 guardian thereof. The term shall not include a family child care
10 home or child [day] care center operated for profit and subject
11 to the provisions of Article X.

12 * * *

13 Section 3. The definitions of "child day care," "child day
14 care center," "facility" and "family child care home" in section
15 1001 of the act, amended or added December 28, 2015 (P.L.500,
16 No.92), are amended to read:

17 Section 1001. Definitions.--As used in this article--

18 * * *

19 "Child [day] care" means care in lieu of parental care given
20 for part of the twenty-four hour day to children under sixteen
21 years of age, away from their own homes, but does not include
22 child [day] care furnished in places of worship during religious
23 services.

24 "Child [day] care center" means any premises operated for
25 profit in which child [day] care is provided simultaneously for
26 seven or more children who are not relatives of the operator,
27 except such centers operated under social service auspices.

28 * * *

29 "Facility" means an adult day care center, child [day] care
30 center, family child care home, boarding home for children,

1 mental health establishment, personal care home, assisted living
2 residence, nursing home, hospital or maternity home, as defined
3 herein, except to the extent that such a facility is operated by
4 the State or Federal governments or those supervised by the
5 department or licensed pursuant to the act of July 19, 1979
6 (P.L.130, No.48), known as the "Health Care Facilities Act."

7 "Family child care home" means a home where child [day] care
8 is provided at any time to no less than four children and no
9 more than six children who are not relatives of the caregiver.

10 * * *

11 Section 4. Within one year of the effective date of this
12 section, the Department of Human Services shall amend any
13 regulation at 55 Pa. Code Pt. V that uses the term "day care" as
14 it relates to children and replace the term with the term "child
15 care."

16 Section 5. This act shall take effect in 60 days.