
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2426 Session of
2022

INTRODUCED BY HICKERNELL, DELOZIER, BERNSTINE, FEE, HENNESSEY,
MENTZER AND MILLARD, MARCH 16, 2022

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, SEPTEMBER 21, 2022

AN ACT

1 Amending Title 67 (Public Welfare) of the Pennsylvania
2 Consolidated Statutes, providing for resource families;
3 making editorial changes; and making related repeals.

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

6 Section 1. The heading of Part IV of Title 67 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 PART IV

9 [MISCELLANEOUS PROVISIONS]

10 CHILDREN, YOUTH AND FAMILIES

11 Section 2. Title 67 is amended by adding chapters to read:

12 CHAPTER 71

13 GENERAL PROVISIONS

14 Sec.

15 7101. Definitions.

16 § 7101. Definitions.

17 The following words and phrases when used in this part shall
18 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "County agency." The county children and youth social
3 service agency established in accordance with section 405 of the
4 act of June 24, 1937 (P.L.2017, No.396), known as the County
5 Institution District Law, or its successor, and supervised by
6 the department under Article IX of the act of June 13, 1967
7 (P.L.31, No.21), known as the Human Services Code.

8 "Resource parent." An adult who is licensed by the <--
9 department to provide foster care, including kinship care, to a
10 child who is determined to be in need of out of home placement.

11 "RESOURCE FAMILY." A RESOURCE FAMILY AS DEFINED IN 23 <--
12 PA.C.S. § 6303 (RELATING TO DEFINITIONS).

13 CHAPTER 73

14 RESOURCE FAMILIES

15 Sec.

16 7301. Responsibilities of county and private agencies.

17 7302. Retaliation prohibited.

18 7303. Resource family adoption interview.

19 7304. Regulations.

20 § 7301. Responsibilities of county and private agencies.

21 The county agency or a private agency that provides foster
22 care services through a contract with a county agency shall
23 provide a resource parent FAMILY with all of the following: <--

24 (1) The opportunity to be heard regarding agency
25 decisions affecting a child in the custody of the resource <--
26 parent PLACED WITH A RESOURCE FAMILY. <--

27 (2) Support services that are appropriate and consistent <--
28 with the child's and resource parent's needs and the child's
29 approved permanency plan.

30 (2) SUPPORT SERVICES AS ASSESSED TO MEET THE NEEDS OF <--

1 THE CHILD AND RESOURCE FAMILY.

2 (3) Complete and timely responses to inquiries regarding
3 the role of the resource ~~parent~~ FAMILY or the care of the <--
4 child.

5 (4) Information about the child's medical history,
6 general behavior, relationship with the child's parents,
7 educational history, life experiences and previous and
8 prospective placements.

9 (5) Consultation in the development of the child's
10 permanency plan.

11 (6) Consultation in and prior notice of a decision to
12 release the resource ~~parent's~~ FAMILY'S address to the child's <--
13 parent or other family members.

14 (7) Assistance with the coordination of services for the
15 resource ~~parent~~ FAMILY or members of the resource ~~parent's~~ <--
16 FAMILY'S immediate family that ~~may be deemed~~ ARE ASSESSED AS <--
17 necessary due to emotional disturbance resulting from removal
18 of the child from the resource ~~parent's~~ FAMILY'S home, <--
19 provided that the removal is not due to the resource ~~parent~~ <--
20 FAMILY having created or permitted circumstances that <--
21 constituted a threat to the child's health or safety.

22 (8) Written notice of all agency policies and procedures
23 relating to the role of the resource ~~parent~~ FAMILY. <--

24 (9) Appropriate training to enhance the skills and
25 performance of the resource ~~parent~~ FAMILY and maximize the <--
26 opportunity for successful placements.

27 (10) Information on how to reach agency personnel for
28 emergencies on a 24-hour basis.

29 (11) Confidentiality regarding allegations of abuse
30 involving the resource ~~parent~~ FAMILY or member of the <--

1 resource parent's FAMILY'S family to the extent consistent <--
2 with the safety of the child and other members of the
3 resource parent's FAMILY'S household. <--

4 (12) Prompt written notice of any change to the child's
5 permanency plan.

6 (13) A copy of the provisions of this chapter.

7 § 7302. Retaliation prohibited.

8 No agency shall discharge, threaten or otherwise discriminate
9 or retaliate against a resource parent FAMILY for an appropriate <--
10 inquiry regarding decisions or practices affecting the child or
11 for any appropriate communication pursuant to the provisions of <--
12 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

13 § 7303. Resource family adoption interview.

14 (a) Interview.--The agency that placed the child shall
15 interview the resource parent FAMILY as a potential adoptive <--
16 parent FAMILY when: <--

17 (1) the resource parent FAMILY has expressed interest in <--
18 adopting the child;

19 (2) the child has resided with the resource parent <--
20 FAMILY for six months or longer; and <--

21 (3) the child's primary or concurrent permanency goal is
22 adoption; or

23 (4) the child has been in out-of-home placement for at
24 least 15 of the preceding 22 months.

25 (b) Resource family parent interview.--If the interviewing
26 agency is not the agency responsible for making a recommendation
27 to the court as to adoptive placement of the child, the
28 interviewing agency shall share all information obtained from
29 the interview under subsection (a) with the agency responsible
30 for making the recommendation.

1 (c) Consideration of more than one adoptive resource.--If
2 more than one adoptive resource is available, the agency
3 responsible for making a recommendation to the court as to
4 adoptive placement of the child shall document the reasons for
5 the agency's recommendation in the child's case record and, upon
6 request, shall provide that information to the resource parent <--
7 FAMILY. <--

8 § 7304. Regulations.

9 The department shall promulgate regulations as necessary to
10 ensure compliance with this chapter.

11 Section 3. Repeals are as follows:

12 (1) The General Assembly declares that the repeals under
13 paragraphs (2) and (3) are necessary to effectuate the
14 addition of ~~67 Pa.C.S. Ch. 71~~ 67 PA.C.S. CHS. 71 AND 73. <--

15 (2) The act of November 16, 2005 (P.L.376, No.68), known
16 as the Resource Family and Adoption Process Act, is repealed.

17 (3) The act of November 22, 2005 (P.L.404, No.73), known
18 as the Resource Family Care Act, is repealed.

19 SECTION 4. THE ADDITION OF 67 PA.C.S. CHS. 71 AND 73 IS A <--
20 CONTINUATION OF THE ACT OF NOVEMBER 16, 2005 (P.L.376, NO.68),
21 KNOWN AS THE RESOURCE FAMILY AND ADOPTION PROCESS ACT, AND THE
22 ACT OF NOVEMBER 22, 2005 (P.L.404, NO.73), KNOWN AS THE RESOURCE
23 FAMILY CARE ACT. THE FOLLOWING APPLY:

24 (1) EXCEPT AS OTHERWISE PROVIDED IN 67 PA.C.S. CHS. 71
25 AND 73, ALL ACTIVITIES INITIATED UNDER THE RESOURCE FAMILY
26 AND ADOPTION PROCESS ACT AND THE RESOURCE FAMILY CARE ACT
27 SHALL CONTINUE AND REMAIN IN FULL FORCE AND EFFECT AND MAY BE
28 COMPLETED UNDER 67 PA.C.S. CHS. 71 AND 73. ORDERS,
29 REGULATIONS, RULES AND DECISIONS WHICH WERE MADE UNDER THE
30 RESOURCE FAMILY AND ADOPTION PROCESS ACT AND THE RESOURCE

1 FAMILY CARE ACT AND WHICH ARE IN EFFECT ON THE EFFECTIVE DATE
2 OF THIS SECTION SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL
3 REVOKED, VACATED OR MODIFIED UNDER 67 PA.C.S. CHS. 71 AND 73.
4 CONTRACTS, OBLIGATIONS AND COLLECTIVE BARGAINING AGREEMENTS
5 ENTERED INTO UNDER THE RESOURCE FAMILY AND ADOPTION PROCESS
6 ACT AND THE RESOURCE FAMILY CARE ACT ARE NOT AFFECTED NOR
7 IMPAIRED BY THE REPEAL OF THE RESOURCE FAMILY AND ADOPTION
8 PROCESS ACT AND THE RESOURCE FAMILY CARE ACT.

9 (2) ANY DIFFERENCE IN LANGUAGE BETWEEN 67 PA.C.S. CHS.
10 71 AND 73 AND THE RESOURCE FAMILY AND ADOPTION PROCESS ACT
11 AND THE RESOURCE FAMILY CARE ACT IS INTENDED ONLY TO CONFORM
12 TO THE STYLE OF THE PENNSYLVANIA CONSOLIDATED STATUTES AND IS
13 NOT INTENDED TO CHANGE OR AFFECT THE LEGISLATIVE INTENT,
14 JUDICIAL CONSTRUCTION OR ADMINISTRATION AND IMPLEMENTATION OF
15 THE RESOURCE FAMILY AND ADOPTION PROCESS ACT AND THE RESOURCE
16 FAMILY CARE ACT.

17 Section ~~4~~ 5. This act shall take effect in 60 days.

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