

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1229 Session of 2022

INTRODUCED BY BAKER, SANTARSIERO, COSTA, PHILLIPS-HILL,
BARTOLOTTA, FONTANA, COLLETT, A. WILLIAMS, GORDNER,
CAPPELLETTI, LAUGHLIN, KEARNEY, MENSCH, KANE AND SCHWANK,
MAY 10, 2022

REFERRED TO AGING AND YOUTH, MAY 10, 2022

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 further providing for payments to counties for services to
5 children.

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 Human Services Code, is amended to
10 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

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

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

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

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

delinquent or deprived children the actual average daily cost of providing said services. The Auditor General shall certify to each county and city of the first class the allocated Commonwealth expenditures incurred on behalf of its children and notify the Secretary of [Public Welfare] Human Services and each county and city of the first class of same.

(5) [Fifty percent of the reasonable cost of medical and other examinations and treatment of a child ordered by the court pursuant to the act of December 6, 1972 (P.L.1464, No.333), known as the "Juvenile Act," and the expenses of the appointment of a guardian pendente lite, summons, warrants, notices, subpoenas, travel expenses of witnesses, transportation of the child, and other like expenses incurred in proceedings under the act of December 6, 1972 (P.L.1464, No.333), known as the "Juvenile Act."] Fifty percent of the following costs incurred in proceedings under 42 Pa.C.S. Ch. 63:

(i) the reasonable cost of medical and other examinations and treatment of a child ordered by the court;

(ii) the appointment of a guardian ad litem for a child in the context of dependency proceedings;

(iii) the appointment of counsel for a child in the context of dependency proceedings;

(iv) the appointment of counsel for an indigent child in the context of delinquency proceedings;

(v) summons, warrants, notices, subpoenas, travel expenses of witnesses and transportation of the child; and

(vi) other similar expenses incurred in these proceedings.

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

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

6 (8) The department shall reimburse county institution
7 districts or their successors for the reasonable costs of
8 institutional services for dependent and delinquent children
9 other than detention services for delinquents in accordance with
10 the following schedule:

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

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

13 * * *

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