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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **201** Session of  
1961

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INTRODUCED BY MESSRS. LANE, WEINER AND MURRAY,  
FEBRUARY 13, 1961.

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT,  
FEBRUARY 13, 1961.

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## AN ACT

Amending the act of June 24 1937 (P L 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Depart-

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

ment of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" further regulating the powers and duties of local authorities as to persons in foster homes and as to children and youth and further regulating payments for care

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

- 1 Section 1 Clause (g) of section 401 act of June 24 1937 (P L 2017)
- 2 known as the "County Institution District Law" added October 2 1959
- 3 (P L 1001) is amended to read

1 Section 401 Powers and Duties as to Care of Dependents and  
2 Children The local authorities shall have the power and it shall be  
3 their duty with funds of the institution district or of the city accord-  
4 ing to rules regulations and standards established by the State Depart-  
5 ment of Public Welfare

6 \* \* \*

7 (g) To contract with any individual association corporation insti-  
8 tution or governmental agency for the purpose of providing foster home  
9 care for [adults] persons over eighteen years of age who are in in-  
10 stitutions and under the care and supervision of the institution district  
11 if in the discretion of the institution district such foster home care is  
12 advisable The institution district may expend funds for foster home  
13 care for adults accepted for care and supervision by the institution  
14 district in addition to any funds paid by the Commonwealth or any  
15 individual association corporation institution or governmental agency  
16 to or for such adults The institution district shall not exercise super-  
17 vision or control over the finances or services received under the "Public  
18 Assistance Law" by or on behalf of persons for whom foster home care  
19 has been provided

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1 Section 2 Section 401 of the act is amended by adding at the  
2 end thereof a new clause to read

3 Section 401 Powers and Duties as to Care of Dependents and  
4 Children The local authorities shall have the power and it shall be their  
5 duty with funds of the institution district or of the city according to  
6 rules regulations and standards established by the State Department of  
7 Public Welfare

8 \* \* \*

9 (h) To require that any person cared for in an institution as de-  
10 finied herein shall pay for the cost of his care to the extent of his re-  
11 sources including but not limited to industrial pensions old age survivors  
12 and disability insurance benefits and public assistance grants

13 Section 3 Section 405 of the act amended January 7 1960 (P L  
14 2100) is amended to read

15 Section 405 Powers and Duties of Local Authorities As to  
16 Children The local authorities of any institution district shall have the  
17 power and it shall be their duty to [place in foster homes or in insti-  
18 tutions or homes for children all neglected or dependent children  
19 whether adjudicated as neglected or dependent by a court or not whose  
20 placement and care are not otherwise provided for by law] provide

1 those child welfare services that supplement or substitute for parental  
2 care and supervision for the purpose of protecting and promoting the  
3 welfare of children and youth preventing neglect abuse and exploita-  
4 tions helping overcome problems that result in dependency neglect or  
5 delinquency and to provide adequate care for children and youth away  
6 from their own homes such care to be given in foster family homes  
7 adoptive homes child caring institutions or other facilities

8 No child under the age of sixteen years shall unless he is mentally  
9 or physically handicapped and no other care is available for him be  
10 admitted to or maintained in an institution conducted by the local  
11 authorities other than a hospital or sanitarium

12 Section 4 The act is amended by adding after section 400 two  
13 new sections to read

14 Section 410 Providing Certain Services Without Charge Prohibited  
15 Notwithstanding any other provisions of law no local authority shall  
16 provide without charge any items of care or service which an in-  
17 dividual is entitled to receive as assistance under the "Public Assistance  
18 Law" but this section shall not be construed to preclude any local  
19 authority from supplementing such public assistance

1        Section 411 Payments by Local Authorities The local authorities  
2        shall pay monthly to the Department of Public Welfare the amount  
3        expended by the department during the preceding month as assistance  
4        to patients in institutions plus the cost of administering such assistance  
5        minus the amount of Federal funds properly received or to be received  
6        by the Department of Public Welfare on account of such expenditures  
7        increased or reduced as the case may be by any amount by which the  
8        sum paid for any previous month differed from the amount which  
9        should have been paid for such previous month As provided in the  
10       "Public Assistance Law" the Department of Public Welfare shall cer-  
11       tify to the local authorities the amount to be paid by them to the  
12       department

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor