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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No.

**201**

Session of  
1961

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MESSRS. LANE, WEINER AND MURRAY, IN PLACE,  
FEBRUARY 13, 1961.

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AS AMENDED ON SECOND READING, APRIL 4, 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 Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminat-

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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.

ing 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

4 Section 401 Powers and Duties as to Care of Dependents and  
5 Children The local authorities shall have the power and it shall be  
6 their duty with funds of the institution district or of the city accord-

1 ing to rules regulations and standards established by the State Depart-  
2 ment of Public Welfare

3 \* \* \*

4 (g) To contract with any individual association corporation insti-  
5 tution or governmental agency for the purpose of providing foster home  
6 care for [adults] persons over eighteen years of age who are in in-  
7 stitutions and under the care and supervision of the institution district  
8 if in the discretion of the [institution district] local authorities such  
9 foster home care is advisable The [institution district] local authorities  
10 may expend funds for such foster home care [for adults accepted for  
11 care and supervision by the institution district] in addition to any funds  
12 paid by the Commonwealth or any individual association corporation  
13 institution or governmental agency to or for such [adults] persons over  
14 eighteen years of age

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

17 Section 401 Powers and Duties as to Care of Dependents and  
18 Children The local authorities shall have the power and it shall be their  
19 duty with funds of the institution district or of the city according to

1 rules regulations and standards established by the State Department of  
2 Public Welfare

3 \* \* \*

4 (h) To require that any person cared for in an institution as de-  
5 finied herein shall pay for the cost of his care to the extent of his avail-  
6 able resources

7 Section 3 Section 405 of the act amended January 7 1960 (P L.  
8 2100) is amended to read

9 Section 405 Powers and Duties of Local Authorities As to  
10 Children The local authorities of any institution district shall have the  
11 power and [it shall be their duty to place in foster homes or in insti-  
12 tutions or homes for children all neglected or dependent children  
13 whether adjudicated as neglected or dependent by a court or not whose  
14 placement and care are not otherwise provided for by law] provide  
15 those child welfare services that supplement or substitute for parental  
16 care and supervision for the purpose of protecting and promoting the  
17 welfare of children and youth preventing neglect abuse and exploita-  
18 tions helping overcome problems that result in dependency neglect or  
19 delinquency and to provide adequate care for children and youth away  
20 from their own homes such care to be given in foster family homes

1 adoptive homes child caring institutions or other facilities FOR THE  
2 PURPOSE OF PROTECTING AND PROMOTING THE WELFARE  
3 OF CHILDREN AND YOUTH IT SHALL BE THEIR DUTY TO  
4 PROVIDE THOSE CHILD WELFARE SERVICES DESIGNED  
5 TO KEEP CHILDREN IN THEIR OWN HOME PREVENT NEG-  
6 LECT ABUSE AND EXPLOITATIONS HELP OVERCOME PROB-  
7 LEMS THAT RESULT IN DEPENDENCY NEGLECT OR DELIN-  
8 QUENCY AND TO PROVIDE IN FOSTER FAMILY HOMES OR  
9 CHILD CARING INSTITUTIONS ADEQUATE SUBSTITUTE  
10 CARE FOR DEPENDENT OR NEGLECTED CHILDREN WHETH-  
11 ER OR NOT SUCH CHILDREN HAVE BEEN ADJUDICATED  
12 AS NEGLECTED OR DEPENDENT AND UPON THE REQUEST  
13 OF THE COURT FOR CHILDREN AND YOUTH WHO HAVE  
14 BEEN ADJUDICATED DELINQUENT

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

19 Section 4 The act is amended by adding after section 409 three  
20 new sections to read

1 Section 410 Providing Certain Services Without Charge Prohibited

2 Notwithstanding any other provisions of law no local authority shall

3 provide without charge any items of care or service other than clothing

4 and incidentals which an individual is entitled to receive as assistance

5 under the "Public Assistance Law" but this section shall not be con-

6 strued to preclude any local authority from supplementing such public

7 assistance

8 Section 411 Payments by Local Authorities The local authorities

9 shall pay monthly to the Department of Public Welfare the amount

10 expended by the department during the preceding month as assistance

11 to patients in institutions plus the cost of administering such assistance

12 minus the amount of Federal funds properly received or to be received

13 by the Department of Public Welfare on account of such expenditures

14 increased or reduced as the case may be by any amount by which the

15 sum paid for any previous month differed from the amount which

16 should have been paid for such previous month As provided in the

17 "Public Assistance Law" the Department of Public Welfare shall cer-

18 tify to the local authorities the amount to be paid by them to the

19 department

1 Section 412 Limitation of authority respecting public assistance  
 2 recipients the local authorities shall not exercise supervision or control  
 3 over the finances or services other than medical or remedial care pro-  
 4 vided as assistance to or on behalf of dependents who are recipients of  
 5 assistance under the Public Assistance Law

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