

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **201** Session of
1961

MESSRS. LANE, WEINER AND MURRAY, IN PLACE,
FEBRUARY 18, 1961.

AS AMENDED ON SECOND READING, IN HOUSE OF
REPRESENTATIVES, JUNE 8, 1961.

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

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

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
- 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

1 their duty with funds of the institution district or of the city accord-
2 ing to rules regulations and standards established by the State Depart-
3 ment of Public Welfare

4 * * *

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

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

18 Section 401 Powers and Duties as to Care of Dependents and
19 Children The local authorities shall have the power and it shall be their
20 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 9100) 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] for the
15 purpose of protecting and promoting the welfare of children and youth
16 it shall be their duty to provide those child welfare services designed
17 to keep children in their own home prevent neglect abuse and exploita-
18 tions help overcome problems that result in dependency neglect or de-
19 linquency and to provide in foster family homes or child caring institu-

1 tions adequate substitute care for dependent or neglected children
2 whether or not such children have been adjudicated as neglected or
3 dependent and upon the request of the court for children and youth
4 who have been adjudicated delinquent

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

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

11 Section 410 Providing Certain Services Without Charge Prohibited
12 Notwithstanding any other provisions of law no local authority shall
13 THE LOCAL AUTHORITIES SHALL NOT provide without charge
14 any items of care or service other than clothing and incidentals which
15 an individual is entitled to receive as assistance under the "Public As-
16 sistance Law" but this section shall not be construed to preclude any
17 local authority from supplementing such public assistance

18 Section 411 Payments by Local Authorities FOR ASSISTANCE
19 The local authorities shall pay monthly to the Department of Public
20 Welfare AS SUCH LOCAL AUTHORITIES PAYMENT FOR AS:

1 SISTANCE the amount expended by the department during the pre-
2 ceding month as ~~assistance to patients in institutions~~ MEDICAL AS-
3 SISTANCE FOR THE AGED ON BEHALF OF PATIENTS RE-
4 CEIVING PUBLIC NURSING HOME CARE IN A MEDICAL IN-
5 STITUTION OF THEIR COUNTY INSTITUTION DISTRICT plus
6 the cost of administering such assistance minus the amount of Federal
7 funds properly received or to be received by the Department of Public
8 Welfare on account of such expenditures increased or reduced as the
9 case may be by any amount by which the sum paid for any previous
10 month differed from the amount which should have been paid for such
11 previous month AND BY THE PROPORTIONATE SHARE OF RE-
12 FUNDS FOR SUCH ASSISTANCE As provided in the "Public As-
13 sistance Law" the Department of Public Welfare shall certify to the
14 local authorities the amount to be paid by them to the department
15 Section 412 Limitation of authority respecting public assistance
16 ~~recipients~~ the OF AUTHORITY RESPECTING PUBLIC AS-
17 SISTANCE RECIPIENTS THE local authorities shall not exercise
18 supervision or control over the finances or services other than medical
19 or remedial care provided as assistance to or on behalf of dependents
20 who are recipients of assistance under the Public Assistance Law

1 SECTION 5 THIS ACT SHALL TAKE EFFECT AUGUST 1
2 1961

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