

No. 414

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 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:

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

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

* * * * *

(g) To contract with any individual, association, corporation, institution or governmental agency, for the purpose of providing foster home care for [adults] *persons over eighteen years of age* who are in institutions and under the care and supervision of the institution district if, in the discretion of the [institution district] *local authorities*, such foster home care is advisable. The [institution district] *local authorities* may expend funds for *such* foster home care [for adults accepted for care and supervision by the institution district] in addition to any funds paid by the Commonwealth or any individual, association, corporation, institution or governmental agency to or for such [adults] *persons over eighteen years of age*.

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

County
Institution
District Law.

Clause (g),
section 401, act
of June 24, 1937,
P. L. 2017,
added October 2,
1959, P. L. 1001,
amended.

Section 401 of
the act, amended
by adding a new
clause (h).

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

* * * * *

(h) *To require that any person cared for in an institution as defined herein shall pay for the cost of his care to the extent of his available resources.*

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

Section 405 of the act, amended January 7, 1960, P. L. 2100, further amended.

Section 405. Powers and Duties of Local Authorities As to Children.—The local authorities of any institution district shall have the power, and [it shall be their duty to place in foster homes or in institutions or homes for children all neglected or dependent children whether adjudicated as neglected or dependent by a court or not, whose placement and care are not otherwise provided for by law] *for the purpose of protecting and promoting the welfare of children and youth, it shall be their duty to provide those child welfare services designed to keep children in their own home, prevent neglect, abuse and *exploitation, help overcome problems that result in dependency, neglect or delinquency, and to provide in foster family homes or child caring institutions adequate substitute care for dependent or neglected children, whether or not such children have been adjudicated as neglected or dependent, and, upon the request of the court, for children and youth who have been adjudicated delinquent.*

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

Section 4. The act is amended by adding, after section 409, three new sections to read:

Act amended by adding three new sections, 410, 411 and 412.

Section 410. Providing Certain Services Without Charge Prohibited.—Notwithstanding any other provisions of law, the local authorities shall not provide without charge any items of care or service which an individual is entitled to receive as assistance under the "Public Assistance Law," but this section shall not be construed to preclude any local authority from supplementing such public assistance.

Section 411. Payments by Local Authorities for Assistance.—The local authorities shall pay monthly to

* "exploitations" in original.

the Department of Public Welfare, as such local authorities payment for assistance, the amount expended by the department during the preceding month as assistance on behalf of patients receiving public nursing home care in a medical institution of their county institution district, plus the cost of administering such assistance, minus the amount of Federal funds properly received or to be received by the Department of Public Welfare on account of such expenditures, increased or reduced, as the case may be, by any amount by which the sum paid for any previous month differed from the amount which should have been paid for such previous month and by the proportionate share of refunds for such assistance. As provided in the "Public Assistance Law," the Department of Public Welfare shall certify to the local authorities the amount to be paid by them to the department.

Section 412. Limitation of Authority Respecting Public Assistance Recipients.—The local authorities shall not exercise supervision or control over the finances or services, other than medical or remedial care, provided as assistance to or on behalf of dependents who are recipients of assistance under the "Public Assistance Law."

Effective sixty days after enactment.

Section 5. This act shall take effect August 1, 1961.

APPROVED—The 7th day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 415

AN ACT

Amending the act of May 5, 1933 (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," changing provisions governing the change of the place of business of a branch and changing provisions for the period of public notice for the discontinuance of a branch.

Building and Loan Code.

Section 203, act of May 5, 1933, P. L. 457, amended by adding a new subsection E.

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

Section 1. Section 203, act of May 5, 1933 (P. L. 457), known as the "Building and Loan Code," is amended by adding, at the end thereof, a new subsection to read: