



Senate Public Health and Welfare Committee

Room 168 Main Capitol Building
Harrisburg, PA 17120-3031
(717) 787-8524
FAX (717) 772-0576

Senator Patricia H. Vance
Chairman

Amy Powell Bolze, Esq.
Executive Director

Summary HB 1261 PN 1385

This legislation amends the Public Welfare Code to require the Department of Public Welfare to determine eligibility for assistance based upon the circumstances existing in the applicant's county of legal residence. Eligibility shall be periodically reviewed based upon the legal residence.

Effective Date

This act shall take effect in 60 days.

Amendment A11002

This amendment makes technical changes and deletes provisions already enacted in Act 22 of 2011. It adjusts the effective date to immediately or July 1, 2012, whichever is later.

Additionally, the amendment makes changes to the Adoption Opportunities and Kinship Care sections within the Public Welfare Code by creating a Subsidized Permanent Legal Custodianship Program and expanding the definition of child up to age 21. This permits an adoption subsidy or a subsidized permanent legal custodianship to continue for a child as long as they are:

1. under the age of 21,
2. 13 years of age before the adoption assistance agreement or subsidized permanent legal custodianship agreement became effective, and
3. Either pursuing additional education or training, employed for at least 80 hours a month, or incapable of doing either due to a medical or behavioral health condition

The definition of relative is expanded under Kinship Care to the fifth degree of consanguinity and county agencies are required to exercise due diligence to notify relatives of their rights with regard to a child when a child is removed from the home and legal and physical custody has been transferred to the county agency. Relatives or kin who satisfy regulations relating to placement of foster children, background checks, and with whom an eligible child has resided for at least six months may be eligible for subsidized permanent legal custodianship.

The amount of subsidy may not exceed the monthly payment rate for a foster family and the department is required to reimburse the county agency for at least 80% of the cost of the payment.

Background

This amendment would implement part of the Fostering Connections proposal as provided for in the Governor's budget and accounted for in SB1466 when it passed the Senate.

The intent of the expansion to age 21 is to increase permanency for older children and to take advantage of federal legislation permitting federal funds to be used. Currently, foster parents can receive a subsidy until the child is 21 and this disparity acts as a disincentive to a more permanent situation. Pennsylvania will be able to claim Federal Title IV-E funds for these youth resulting in savings estimated at \$4.5 million in FY 2012-2013.