

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 613 Session of 2015

INTRODUCED BY VANCE, BAKER, MENSCH, AUMENT, HUTCHINSON, ARGALL, BROOKS, STEFANO, GORDNER, TARTAGLIONE, RAFFERTY, WOZNIAK AND VULAKOVICH, MARCH 13, 2015

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 13, 2015

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in human services block
4 grant pilot program, further providing for definitions, for
5 establishment of human services block grant, for powers and
6 duties of the department and for powers and duties of
7 counties and making editorial changes.

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

10 Section 1. The heading of Article XIV-B the act of June 13,
11 1967 (P.L.31, No.21), known as the Public Welfare Code, added
12 June 30, 2012 (P.L.668, No.80), is amended to read:

13 Article XIV-B

14 Human Services Block Grant [Pilot] Program

15 Section 2. The definitions of "block grant" and "county-
16 based human services" in section 1401-B of the act, added June
17 30, 2012 (P.L.668, No.80), are amended to read:

18 Section 1401-B. Definitions.

19 The following words and phrases when used in this article
20 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Block grant." The Human Services Block Grant [Pilot]
3 Program established in section 1402-B.

4 "County-based human services." Programs approved by the
5 Department of [Public Welfare] Human Services and provided by
6 county governments through direct or contracted services,
7 supportive services and service coordination. The term includes
8 services designed to meet service needs of the following:

9 (1) Individuals in need of behavioral health services.

10 (2) Individuals with intellectual disabilities.

11 (3) Individuals in need of drug and alcohol treatment
12 services.

13 (4) Individuals who are homeless or at immediate risk of
14 becoming homeless.

15 (5) Dependent and delinquent children as defined in 42
16 Pa.C.S. § 6302 (relating to definitions).

17 (6) Low-income adults eligible to receive services under
18 the act of October 5, 1994 (P.L.531, No.78), known as the
19 Human Services Development Fund Act.

20 (7) Older individuals as provided for under section
21 2206-A of the act of April 9, 1929 (P.L.177, No.175), known
22 as The Administrative Code of 1929, and eligible to receive
23 services under the Human Services Development Fund Act.

24 * * *

25 Section 3. Sections 1402-B, 1403-B(b) and 1404-B(5) of the
26 act, added June 30, 2012 (P.L.668, No.80), are amended to read:
27 Section 1402-B. Establishment of Human Services Block Grant
28 [Pilot] Program.

29 The following shall apply to the Human Services Block Grant
30 [Pilot] Program:

1 (1) The Human Services Block Grant [Pilot] Program is
2 established for the purpose of allocating block grant funds
3 to county governments to provide locally identified county-
4 based human services that will meet the service needs of
5 county residents. A county's request to participate in the
6 block grant shall be on a form and contain such information
7 as the department may prescribe.

8 (2) The department may approve a county's request based
9 on the county's plan to provide human services and integrate
10 its human service programs. A county with a history of
11 participation or application to participate in the block
12 grant shall have priority over a county which has not
13 previously applied for the block grant. The department shall
14 also consider diversity in representation of counties,
15 regarding such factors as:

16 (i) Geographic location.

17 (ii) Total population.

18 (iii) Urban, rural and suburban population.

19 (iv) Proximity to a large urban area.

20 (v) County class.

21 (vi) Form of county government.

22 (vii) Whether the county is part of a local
23 collaborative arrangement.

24 (viii) The county's human services administrative
25 structure.

26 (3) [No more than 30 counties may participate in the
27 block grant in any fiscal year.] A county's participation in
28 the block grant is voluntary.

29 Section 1403-B. Powers and duties of the department.

30 * * *

1 (b) Administration of [pilot] program.--The department shall
2 have the power and duty to:

3 (1) Monitor county governments' administration of the
4 block grant to ensure compliance with applicable Federal and
5 State requirements.

6 (2) Allocate and disburse block grant funds to counties
7 on a quarterly basis in accordance with section 1405-B.

8 (3) Provide technical support and assistance to
9 counties.

10 (4) Require counties to submit reports containing such
11 information pursuant to the implementation of this article
12 and in the form and by the deadline prescribed by the
13 department.

14 (5) Monitor, inspect or audit the financial, operating
15 and accounting records of any county agency or contracted
16 entity that receives any block grant funds if deemed
17 necessary by the department.

18 (6) Withhold, recover or reduce any block grant funds of
19 a county agency or contracted entity determined to have been
20 spent or disbursed in violation of Federal or State
21 requirements.

22 (7) Establish procedures for the annual submission,
23 review and approval process of county block grant plans for
24 the expenditure of block grant funds and the delivery of
25 county-based human services submitted under section 1404-
26 B(5). The department shall not approve a county plan which
27 proposes the elimination of any of the following county-based
28 human services:

29 (i) Community-based mental health services.

30 (ii) Intellectual disability services.

- 1 (iii) Child welfare services.
- 2 (iv) Drug and alcohol treatment and prevention
- 3 services.
- 4 (v) Homeless assistance services.
- 5 (vi) Behavioral health services.

6 (8) Prepare and submit by January 1, 2014, and by
7 November 30 each year thereafter, a report to the chairman
8 and minority chairman of the Public Health and Welfare
9 Committee of the Senate, the chairman and minority chairman
10 of the Appropriations Committee of the Senate, the chairman
11 and minority chairman of the Health Committee of the House of
12 Representatives, the chairman and minority chairman of the
13 Human Services Committee of the House of Representatives and
14 the chairman and minority chairman of the Appropriations
15 Committee of the House of Representatives of the expenditures
16 of block grant funds by county governments to include:

- 17 (i) The allocation levels.
- 18 (ii) The expenditure levels.
- 19 (iii) The number of individuals served by the human
- 20 services provided.
- 21 (iv) Any other information deemed necessary by the
- 22 department, including any information which would
- 23 determine the effectiveness of the block grant.

24 (9) The annual report under paragraph (8) shall be made
25 available for public inspection and posted on the
26 department's publicly accessible Internet website.

27 (10) Promulgate regulations as may be necessary to carry
28 out this article.

29 Section 1404-B. Powers and duties of counties.

30 The local county officials of each county government

1 participating in the block grant shall have the power and duty
2 to:

3 * * *

4 (5) Submit to the department an annual Human Services
5 Block Grant [Pilot] Plan to include the intended delivery of
6 county-based human services by client population to be
7 served, including a detailed description of how the county
8 intends to serve its residents in the least restrictive
9 setting appropriate to their needs and the distribution and
10 the projected expenditure level of block grant funds by
11 county-based human services allocated under this article in
12 such form and containing such information as the department
13 may require. Prior to submitting the annual Human Services
14 Block Grant [Pilot] Plan to the department, the county shall
15 hold at least two public hearings on the plan under 65
16 Pa.C.S. Ch. 7 (relating to open meetings), which shall
17 include an opportunity for individuals and families who
18 receive services to testify about the plan.

19 * * *

20 Section 4. This act shall take effect in 60 days.