

No. 1994-78

AN ACT

HB 287

Providing for the establishment of the Human Services Development Fund and for its administration and operation; and imposing additional powers and duties on the Department of Public Welfare.

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

Section 1. Short title.

This act shall be known and may be cited as the Human Services Development Fund Act.

Section 2. Declaration of policy.

The General Assembly declares as a matter of policy that each county shall receive moneys from the Human Services Development Fund, created formally under this act, to meet local social services needs as determined by county officials.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Categorical programs.” Programs designed to meet the service needs of the following specific populations:

- (1) Low-income adults.
- (2) Homeless persons.
- (3) Aged and aging persons, under section 2206-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.
- (4) Drug-addicted and alcohol-addicted persons, served under the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act.
- (5) Persons with mental health problems under the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health and Mental Retardation Act of 1966.
- (6) Persons with mental retardation under the Mental Health and Mental Retardation Act of 1966.
- (7) Dependent and delinquent children within the meaning of 42 Pa.C.S. § 6302 (relating to definitions).

“County-based social services.” Programs approved by the department and provided by or in consort with county governments. The term includes services designed to meet the needs of low-income adults, older individuals, individuals dependent on drugs or alcohol, individuals with mental illness or

mental retardation, homeless individuals and dependent and delinquent children as defined in 42 Pa.C.S. § 6302 (relating to definitions).

“Department.” The Department of Public Welfare of the Commonwealth.

“Fund.” The Human Services Development Fund established under section 4.

“Generic services.” Services provided to meet the needs of two or more client populations.

“Poverty level.” The average number of recipients of Aid to Families with Dependent Children benefits, General Assistance benefits and State Blind Pension benefits in a given fiscal year in a county in proportion to the average number of recipients in this Commonwealth.

“Services coordination.” Planning and management activities designed to improve the effectiveness of county human services.

“Specialized services.” New services or a combination of services designed to meet the unique needs of a client population that are unmet by the current categorical programs.

Section 4. Creation of Human Services Development Fund.

The Human Services Development Fund is hereby created and established for the purpose of encouraging county governments to provide locally identified services that will meet the human services needs of citizens in their counties. These services include all of the following:

- (1) Categorical services.
- (2) Services coordination.
- (3) Generic services.
- (4) Specialized services.

Section 5. Administration and operation of fund.

The department shall have the power and duty to:

- (1) Administer the fund.
- (2) Determine the annual allocations to counties from the fund.
- (3) Make allocations to counties.
- (4) Make payments to the various counties based on the limitation of the annual appropriation and the distribution formula set forth in section 7.
- (5) Assist the counties in planning.
- (6) Promulgate regulations necessary to carry out this act.
- (7) Approve annually the county plans for the expenditures of fund moneys and allocations.
- (8) Report annually to the General Assembly on the expenditures of fund moneys, how they were used and the categories and numbers of clients served.

Section 6. Powers and duties of counties.

(a) Administration.—The county officials of each county shall administer fund participation and allocation use.

(b) County allocations.—All funds allocated to a county shall be used by the county solely to provide and administer county-based social services and service coordination within the county.

(c) Client eligibility.—County officials shall determine and redetermine whether a person is eligible to participate in county-based social services.

(d) Annual plan.—Each county which receives moneys from the fund shall submit an annual plan to the department to indicate how that county intends to comply with the requirements of this section. Each plan shall be developed based on the county officials' determination of county need, formulated after an opportunity for public comment in the county. Other reports may be required of the county by the department as needed.

Section 7. Allocations.

(a) General formula.—An annual appropriation shall be distributed among the counties as follows:

(1) 50% shall be allocated on a per capita basis.

(2) 50% shall be allocated on a poverty level basis.

(b) Minimum.—Except as provided in subsection (c), no county shall receive a grant in an amount which is less than the amount it received in the immediately preceding fiscal year.

(c) Reductions.—

(1) If a reduction in funding occurs, each county's allocation shall be reduced on a pro rata basis subject to paragraph (2).

(2) No county shall receive less than \$50,000.

(d) Data to be used to compute formula.—The most recently available data shall be used in applying the formula set forth in subsection (a).

Section 8. Effective date.

This act shall take effect July 1, 1994.

APPROVED—The 5th day of October, A.D. 1994.

ROBERT P. CASEY