
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2426 Session of
2022

INTRODUCED BY HICKERNELL, DELOZIER, BERNSTINE, FEE, HENNESSEY,
MENTZER AND MILLARD, MARCH 16, 2022

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 16, 2022

AN ACT

1 Amending Title 67 (Public Welfare) of the Pennsylvania
2 Consolidated Statutes, providing for resource families;
3 making editorial changes; and making related repeals.

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

6 Section 1. The heading of Part IV of Title 67 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 PART IV

9 [MISCELLANEOUS PROVISIONS]

10 CHILDREN, YOUTH AND FAMILIES

11 Section 2. Title 67 is amended by adding chapters to read:

12 CHAPTER 71

13 GENERAL PROVISIONS

14 Sec.

15 7101. Definitions.

16 § 7101. Definitions.

17 The following words and phrases when used in this part shall
18 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "County agency." The county children and youth social
3 service agency established in accordance with section 405 of the
4 act of June 24, 1937 (P.L.2017, No.396), known as the County
5 Institution District Law, or its successor, and supervised by
6 the department under Article IX of the act of June 13, 1967
7 (P.L.31, No.21), known as the Human Services Code.

8 "Resource parent." An adult who is licensed by the
9 department to provide foster care, including kinship care, to a
10 child who is determined to be in need of out-of-home placement.

11 CHAPTER 73

12 RESOURCE FAMILIES

13 Sec.

14 7301. Responsibilities of county and private agencies.

15 7302. Retaliation prohibited.

16 7303. Resource family adoption interview.

17 7304. Regulations.

18 § 7301. Responsibilities of county and private agencies.

19 The county agency or a private agency that provides foster
20 care services through a contract with a county agency shall
21 provide a resource parent with all of the following:

22 (1) The opportunity to be heard regarding agency
23 decisions affecting a child in the custody of the resource
24 parent.

25 (2) Support services that are appropriate and consistent
26 with the child's and resource parent's needs and the child's
27 approved permanency plan.

28 (3) Complete and timely responses to inquiries regarding
29 the role of the resource parent or the care of the child.

30 (4) Information about the child's medical history,

1 general behavior, relationship with the child's parents,
2 educational history, life experiences and previous and
3 prospective placements.

4 (5) Consultation in the development of the child's
5 permanency plan.

6 (6) Consultation in and prior notice of a decision to
7 release the resource parent's address to the child's parent
8 or other family members.

9 (7) Assistance with the coordination of services for the
10 resource parent or members of the resource parent's immediate
11 family that may be deemed necessary due to emotional
12 disturbance resulting from removal of the child from the
13 resource parent's home, provided that the removal is not due
14 to the resource parent having created or permitted
15 circumstances that constituted a threat to the child's health
16 or safety.

17 (8) Written notice of all agency policies and procedures
18 relating to the role of the resource parent.

19 (9) Appropriate training to enhance the skills and
20 performance of the resource parent and maximize the
21 opportunity for successful placements.

22 (10) Information on how to reach agency personnel for
23 emergencies on a 24-hour basis.

24 (11) Confidentiality regarding allegations of abuse
25 involving the resource parent or member of the resource
26 parent's family to the extent consistent with the safety of
27 the child and other members of the resource parent's
28 household.

29 (12) Prompt written notice of any change to the child's
30 permanency plan.

1 (13) A copy of the provisions of this chapter.

2 § 7302. Retaliation prohibited.

3 No agency shall discharge, threaten or otherwise discriminate
4 or retaliate against a resource parent for an appropriate
5 inquiry regarding decisions or practices affecting the child or
6 for any appropriate communication pursuant to the provisions of
7 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

8 § 7303. Resource family adoption interview.

9 (a) Interview.--The agency that placed the child shall
10 interview the resource parent as a potential adoptive parent
11 when:

12 (1) the resource parent has expressed interest in
13 adopting the child;

14 (2) the child has resided with the resource parent for
15 six months or longer; and

16 (3) the child's primary or concurrent permanency goal is
17 adoption; or

18 (4) the child has been in out-of-home placement for at
19 least 15 of the preceding 22 months.

20 (b) Resource family parent interview.--If the interviewing
21 agency is not the agency responsible for making a recommendation
22 to the court as to adoptive placement of the child, the
23 interviewing agency shall share all information obtained from
24 the interview under subsection (a) with the agency responsible
25 for making the recommendation.

26 (c) Consideration of more than one adoptive resource.--If
27 more than one adoptive resource is available, the agency
28 responsible for making a recommendation to the court as to
29 adoptive placement of the child shall document the reasons for
30 the agency's recommendation in the child's case record and, upon

1 request, shall provide that information to the resource parent.

2 § 7304. Regulations.

3 The department shall promulgate regulations as necessary to
4 ensure compliance with this chapter.

5 Section 3. Repeals are as follows:

6 (1) The General Assembly declares that the repeals under
7 paragraphs (2) and (3) are necessary to effectuate the
8 addition of 67 Pa.C.S. Ch. 71.

9 (2) The act of November 16, 2005 (P.L.376, No.68), known
10 as the Resource Family and Adoption Process Act, is repealed.

11 (3) The act of November 22, 2005 (P.L.404, No.73), known
12 as the Resource Family Care Act, is repealed.

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