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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1133 Session of  
2022

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INTRODUCED BY PHILLIPS-HILL, SCAVELLO, K. WARD AND J. WARD,  
MARCH 7, 2022

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REFERRED TO AGING AND YOUTH, MARCH 7, 2022

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in child protective services,  
3 providing for study to determine drug abuse by parents within  
4 resource families; and establishing the Selection and  
5 Advisory Council.

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

8 Section 1. Title 23 of the Pennsylvania Consolidated  
9 Statutes is amended by adding a section to read:

10 § 6388. Study to determine drug abuse by parents within  
11 resource families.

12 (a) General rule.--A study shall be conducted by a research  
13 entity regarding the prevalence of drug abuse by each parent  
14 within a resource family or prospective resource family to:

15 (1) Ensure that a child in need of services under this  
16 chapter is placed in a home environment that is free from the  
17 injurious effects associated with drug abuse by a parent  
18 within the resource family with whom the child is or will be  
19 residing.

1           (2) Determine whether:

2           (i) Mandatory drug screening is indicated for all  
3 parents within a resource family or prospective resource  
4 family.

5           (ii) Investment in new technology for caseworkers is  
6 warranted to facilitate the recording, retrieval,  
7 transmission and analysis of observations of caseworkers  
8 regarding drug abuse by a parent within a resource family  
9 or prospective resource family.

10           (iii) Cost-effective treatment options exist for a  
11 parent within a resource family or prospective resource  
12 family who is abusing drugs.

13 (b) Selection and Advisory Council.--

14           (1) The Selection and Advisory Council is established to  
15 administer the provisions of this section.

16           (2) After sufficient money has been appropriated or  
17 otherwise made available to the council, the council shall:

18           (i) Publicize the request for proposals for the  
19 study and solicit applicants to conduct the study and  
20 provide the required reports.

21           (ii) Evaluate organizations applying to conduct the  
22 study and provide the required reports.

23           (iii) Select an organization to conduct the study  
24 and provide the required reports.

25           (iv) Develop benchmarks for the study.

26           (v) Monitor the progress of the study.

27           (vi) Advise the research entity on matters related  
28 to the study.

29           (vii) Provide information to the General Assembly on  
30 matters related to the study.

1           (viii) Develop necessary procedures to implement and  
2           administer the provisions of this section.

3           (3) The council shall consist of the following members:

4           (i) Five members with experience in managing or  
5           participating in projects involving managed research  
6           methods and analysis, who shall be appointed as follows:

7                   (A) One member shall be appointed by the  
8                   President pro tempore of the Senate.

9                   (B) One member shall be appointed by the  
10                  Minority Leader of the Senate.

11                  (C) One member shall be appointed by the Speaker  
12                  of the House of Representatives.

13                  (D) One member shall be appointed by the  
14                  Minority Leader of the House of Representatives.

15                  (E) One member of the public shall be appointed  
16                  by the Governor.

17                  (ii) The secretary or a designee.

18                  (iii) The Secretary of Education or a designee.

19           (4) The members of the council shall select a  
20           chairperson.

21           (5) Each member of the council shall serve for the  
22           duration of the study, but a member may be removed for cause  
23           by the member's appointing authority. If a vacancy occurs,  
24           the vacancy shall be filled by the appointing authority  
25           subject to the conditions of the original appointment.

26           (6) Four members of the council shall constitute a  
27           quorum for conducting the business of the council.

28           (7) The council shall meet in person at least quarterly  
29           and at other times at the call of the chairperson.

30           (8) A member of the council may not receive compensation

1 for services as a member of the council but shall be entitled  
2 to reimbursement for all necessary and reasonable expenses  
3 incurred in connection with the performance of the member's  
4 official duties as a member of the council.

5 (c) Study data and findings.--As part of the study, the  
6 research entity shall:

7 (1) Partner with three county agencies representing  
8 urban or rural counties, or both, throughout this  
9 Commonwealth and reflecting the geographic diversity of this  
10 Commonwealth, along with two public or private agencies that  
11 contract with each of those county agencies to provide  
12 resource families for children who need out-of-home  
13 placement. If a county agency under this paragraph does not  
14 contract with at least two public or private agencies to  
15 provide resource families, the research entity shall partner  
16 with the one public or private agency that does contract with  
17 the county agency under this paragraph.

18 (2) Determine the number of current and prospective  
19 resource families served by the partnering county agencies.

20 (3) With respect to the public and private agencies  
21 under this subsection, arrange for sufficient numbers of  
22 parents within a resource family or prospective resource  
23 family to be screened under subsection (a)(2)(i).

24 (4) Obtain valid and reliable data on the number of  
25 resource families or prospective resource families with a  
26 parent who is abusing drugs, including the types of drugs  
27 being abused by the parent and the frequency of the drug use.

28 (5) Identify and determine the effectiveness and  
29 efficiency of handheld mobile devices and software to record,  
30 retrieve, transmit and analyze the observations of

1 caseworkers regarding drug abuse by a parent within a  
2 resource family or prospective resource family.

3 (6) Equip agency caseworkers with mobile devices and  
4 train the caseworkers in the use of the devices.

5 (7) Establish an efficient storage and retrieval system  
6 for the information captured by the mobile devices.

7 (8) Evaluate and recommend cost-effective treatment  
8 options for a parent within a resource family or prospective  
9 resource family who is abusing drugs.

10 (9) Analyze the use of State-permitted drug testing  
11 facilities.

12 (10) Evaluate the costs and benefits of a drug screening  
13 program for a parent within a resource family or prospective  
14 resource family who is abusing drugs.

15 (11) Determine the possible extent of voluntary  
16 participation in drug treatment programs by a parent within a  
17 resource family or prospective resource family who is abusing  
18 drugs.

19 (d) Quarterly reports.--The research entity shall provide a  
20 quarterly progress report regarding the study challenges, fiscal  
21 status and milestone accomplishments to:

22 (1) The Governor.

23 (2) The chairperson and minority chairperson of the  
24 Committee on Aging and Youth of the Senate.

25 (3) The chairperson and minority chairperson of the  
26 Committee on Children and Youth of the House of  
27 Representatives.

28 (4) The members of the council.

29 (e) Final report.--The research entity shall complete the  
30 study and issue a final report of its findings and

1 recommendations:

2 (1) to the individuals listed under subsection (d); and

3 (2) within 24 months after receipt of funding to conduct  
4 the study.

5 (f) Definitions.--The following words and phrases when used  
6 in this section shall have the meanings given to them in this  
7 subsection unless the context clearly indicates otherwise:

8 "Council." The Selection and Advisory Council established  
9 under subsection (b).

10 "Research entity." The organization selected to conduct the  
11 study under subsection (b) (2) (iii).

12 Section 2. This act shall take effect in 60 days.