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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE RESOLUTION

No. 347 Session of  
2024

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INTRODUCED BY J. WARD, CULVER, PENNYCUICK, BAKER, VOGEL,  
COMITTA, DILLON, BOSCOLA AND MILLER, OCTOBER 4, 2024

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REFERRED TO AGING AND YOUTH, OCTOBER 4, 2024

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A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to  
2 conduct a study of the budgeted funding levels of Federal,  
3 State and local agencies that provide child welfare and  
4 juvenile justice services compared to the provider contracted  
5 rates for those same services in this Commonwealth, and the  
6 financial and social impact of any disparity between the  
7 approved rate by the State and contracted rate and to issue a  
8 report of its findings and recommendations to the Senate.

9 WHEREAS, The Commonwealth's children and youth services  
10 delivery system is a joint responsibility of the Commonwealth  
11 and county government; and

12 WHEREAS, Each county is responsible for developing and  
13 administering a program of services consistent with:

14 (1) keeping children in their own homes, preventing  
15 abuse, neglect and exploitation and helping overcome problems  
16 that result in dependency and delinquency;

17 (2) offering temporary substitute placement in foster  
18 family homes and residential child-care facilities for a  
19 child in need of care;

20 (3) reuniting children and their families when children  
21 are in temporary, substitute placement;

1 (4) providing a permanent legally assured family for a  
2 child in temporary, substitute care who cannot be returned to  
3 his or her own home; and

4 (5) orders issued by the courts for children who have  
5 been adjudicated, dependent or delinquent;

6 and

7 WHEREAS, Many changes have occurred in the children and youth  
8 and juvenile justice services delivery system since Act 55 of  
9 2013, which directed the Department of Human Services to convene  
10 a task force that developed a methodology for determining  
11 reimbursement for actual and projected costs of child welfare  
12 services that are both reasonable and allowable; and

13 WHEREAS, The results from the Rate Methodology Task Force's  
14 Data and Assessment Workgroup in 2018 found significant gaps  
15 between budgeted participation levels set by the Department of  
16 Human Services through Title IV-E and Act 148 of 1976 and  
17 contracted rates between counties and providers; and

18 WHEREAS, The Data and Assessment Workgroup also learned that  
19 insurance premiums skyrocketed for providers, who do not receive  
20 similar immunity as their government partners while managing  
21 services on behalf of government entities; and

22 WHEREAS, Private providers of child welfare services are  
23 finding it increasingly expensive and, in some cases, impossible  
24 to obtain liability insurance, regardless of claims history; and

25 WHEREAS, Private providers are withdrawing entirely from  
26 operating programs because of this financial burden, resulting  
27 in service disruptions to thousands of Pennsylvania's children  
28 and families; and

29 WHEREAS, The child welfare and juvenile justice systems have  
30 seen unprecedented levels of workforce turnover and inability to

1 hire and retain quality workers, resulting in service disruption  
2 to children and families in Pennsylvania, due in part to  
3 disparities in compensation; and

4 WHEREAS, The intent of this resolution is to collect data  
5 that can guide necessary policy changes to make all child  
6 welfare providers financially whole, because their communities,  
7 families and child welfare systems depend on them; therefore be  
8 it

9 RESOLVED, That the Senate direct the Legislative Budget and  
10 Finance Committee to conduct a study of the budgeted levels of  
11 Federal, State and local participation compared to the provider  
12 contracted rates, using the most recent data available; and be  
13 it further

14 RESOLVED, That the data from the study include the following  
15 information for providers with contracts with county child  
16 welfare and juvenile probation offices:

17 (1) the difference in financial participation levels  
18 that the Department of Human Services sets for Title IV-E and  
19 Act 148 of 1976 placement services for children in substitute  
20 care, and the actual contracted rate between counties and  
21 private providers;

22 (2) the provider contracted rates compared to the  
23 national standard of inflation increases over five years;

24 (3) the differences between rates for State youth  
25 development centers and youth forestry camp facilities and  
26 private provider contracted rates;

27 (4) a list of cost drivers that are not realized in  
28 allocations, budgets or cost of care projections;

29 (5) a salary comparison for comparable employees working  
30 for a private provider, a county agency and a State agency;

1 and

2 (6) a fringe benefits comparison of private providers,  
3 county workforce and State workforce for similar positions;  
4 and be it further

5 RESOLVED, That the data include every county in this  
6 Commonwealth with a breakdown of the Commonwealth's approved  
7 allowable rate and the contracted rate offered by each county to  
8 private providers of child welfare and juvenile delinquency  
9 services; and be it further

10 RESOLVED, That the recommendations address ways to respond to  
11 the increased cost of insurance and the limited coverage offered  
12 to private providers of child welfare and juvenile delinquency  
13 services in this Commonwealth; and be it further

14 RESOLVED, That the committee make a report, with  
15 recommendations, as appropriate, that shall be submitted to the  
16 President pro tempore of the Senate and to members of the Aging  
17 and Youth Committee of the Senate within nine months of the  
18 adoption of this resolution.