
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 229 Session of
2023

INTRODUCED BY PHILLIPS-HILL, BARTOLOTTA AND J. WARD,
JANUARY 31, 2023

REFERRED TO AGING AND YOUTH, JANUARY 31, 2023

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 § 6389. 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 should be required for
3 all parents within a resource family or prospective
4 resource 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 compile the required reports.

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

23 (iii) Select an organization to conduct the study
24 and compile 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 from within the council's membership.

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.