
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1294 Session of
2024

INTRODUCED BY J. WARD, CULVER, FLYNN AND LAUGHLIN, JULY 24, 2024

REFERRED TO AGING AND YOUTH, JULY 24, 2024

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in child protective services, further
3 providing for responsibility for investigation, for
4 responsibilities of county agency for child protective
5 services, for county agency requirements for general
6 protective services and for purchase of services.

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

9 Section 1. Section 6334.1(4) of Title 23 of the Pennsylvania
10 Consolidated Statutes is amended and the section is amended by
11 adding paragraphs to read:

12 § 6334.1. Responsibility for investigation.

13 The department shall establish procedures regarding the
14 following different responses to address suspected child abuse
15 and protective services depending on the person's allegedly
16 committing the suspected child abuse or causing a child to be in
17 need of protective services:

18 * * *

19 (4) If a child is alleged to be in need of other
20 protective services, the appropriate county agency,

1 department employees under paragraph (5) or the contracted
2 private agency shall assess the needs of the child as
3 provided in this chapter.

4 (5) If the department determines that a county agency is
5 not investigating cases in a timely manner, or the county
6 agency requests assistance from the department, the
7 department shall have the authority to assist in the
8 investigations. The county agency shall designate the general
9 protective services cases that are to be investigated by the
10 department. The department employees working on those cases
11 shall possess the same qualifications and credentials
12 necessary for county agency personnel to handle
13 investigations. Department employees shall possess the same
14 authority to interview witnesses and the child. All
15 regulations covering the confidentiality of investigations
16 shall apply to the investigations handled by the department,
17 as well as any final determination of the case.

18 (6) The department may form a task force consisting of
19 department and county agency employees dedicated to
20 investigating cases it receives under paragraph (5). The task
21 force may be temporary and may be disbanded when the
22 department investigation of the designated cases is complete.

23 (7) The department may authorize the county agency to
24 contract with a private agency to investigate cases that the
25 department receives under paragraph (5). The private agency
26 must be subject to the requirements of 55 Pa. Code Ch. 3680
27 (relating to administration and operation of a children and
28 youth social service agency).

29 (8) The department employees who assist county agencies
30 shall first work with the county agency personnel to

1 determine which cases require general protective services and
2 those which require child protective services. The department
3 employees or contracted private agency may then handle the
4 cases that require general protective services in
5 consultation with the county agency. If the department's work
6 on those cases is finished or if there are no general
7 protective cases that the agency needs assistance with, the
8 department may assist in cases that require child protective
9 services.

10 Section 2. Section 6362(a) of Title 23 is amended to read:

11 § 6362. Responsibilities of county agency for child protective
12 services.

13 (a) General rule.--~~[The]~~ Except as provided under section
14 6334.1(5) (relating to responsibility for investigation), the
15 county agency shall be the sole civil agency responsible for
16 receiving and investigating all reports of child abuse made
17 pursuant to this chapter, specifically including, but not
18 limited to, reports of child abuse in facilities operated by the
19 department and other public agencies, for the purpose of
20 providing protective services to prevent further abuses to
21 children and to provide or arrange for and monitor the provision
22 of those services necessary to safeguard and ensure the well-
23 being and development of the child and to preserve and stabilize
24 family life wherever appropriate.

25 * * *

26 Section 3. Section 6375(a), (b) and (d) of Title 23 are
27 amended and the section is amended by adding a subsection to
28 read:

29 § 6375. County agency requirements for general protective
30 services.

1 (a) Duties of county agency.--The county agency shall make
2 available a program of general protective services within each
3 agency. The county agency or contracted private agency shall
4 perform those functions assigned by this chapter and others that
5 would further the purposes of this chapter. It shall have
6 sufficient staff of sufficient qualifications to fulfill the
7 purposes of this chapter and be organized in a way as to
8 maximize the continuity of responsibility, care and service of
9 individual workers toward individual children and families. The
10 department by regulation shall set forth staff-to-family ratios
11 for the receipt and assessment of reports of children in need of
12 protective services and for the provision of services to
13 neglected children and their families. Each contracted private
14 agency personnel shall be required to meet all of the same
15 standards as county agency personnel when assessing referrals,
16 conducting investigations and providing services.

17 (b) Organization of county agency.--Each county agency or a
18 contracted private agency shall be organized and staffed to
19 ensure that the agency can provide intake for general protective
20 services. Intake occurs when a report or referral is made to the
21 agency or when a parent or person responsible for the child's
22 welfare requests the assistance of the agency.

23 * * *

24 (d) Receiving and assessing reports.--The county agency
25 [shall be the sole civil agency responsible for receiving and
26 assessing all] may contract with a private agency to receive and
27 assess reports of children in need of protective services made
28 pursuant to this chapter for the purpose of providing protective
29 services to prevent abuse or neglect to children and to provide
30 or arrange for and monitor the provision of those services

1 necessary to safeguard and ensure the child's well-being and
2 development and to preserve and stabilize family life wherever
3 appropriate. The department may waive the receipt and assessment
4 requirement pursuant to section 6361 (relating to organization
5 for child protective services). Nothing in this subsection
6 limits 42 Pa.C.S. § 6304 (relating to powers and duties of
7 probation officers).

8 * * *

9 (p) Immunity.--If a county agency contracts with a private
10 agency for purposes of accessing reports alleging a need for
11 general protective services, the contracted private agency, its
12 officers, governing board members and employees, acting within
13 the scope of their contracted responsibilities, shall receive
14 the same immunity available to local agencies as outlined in 42
15 Pa.C.S. Ch. 85 Subch. C (relating to actions against local
16 parties).

17 Section 4. Section 6378 of Title 23 is amended to read:
18 § 6378. Purchase of services.

19 [Except for the receipt and assessment of reports alleging a
20 need for protective services, the] The county agency may
21 purchase and utilize the services of any appropriate public or
22 private agency. The department shall promulgate regulations
23 establishing standards and qualifications of persons or agencies
24 providing services for a county agency. The department may, by
25 regulation, provide for the establishment of regional facilities
26 or a regional coordination of licensed professional service
27 providers to provide county agencies with access to licensed
28 physicians and psychologists, as required by this section.

29 Section 5. This act shall take effect in 60 days.