
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 295 Session of
2021

INTRODUCED BY THOMAS, STEPHENS, LABS, QUINN, POLINCHOCK, KAUFER
AND TOMLINSON, JANUARY 27, 2021

REFERRED TO COMMITTEE ON HUMAN SERVICES, JANUARY 27, 2021

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in general powers and
4 duties of department, providing for nondiscrimination; in
5 children and youth, further providing for availability of
6 services; and, in fraud and abuse control, further providing
7 for freedom of choice and nondiscrimination.

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

10 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
11 as the Human Services Code, is amended by adding a section to
12 read:

13 Section 217. Nondiscrimination.--(a) (1) The department,
14 any provider of services under arrangement with the department
15 and all entities, organizations, corporations, institutions or
16 facilities licensed or under supervision by the department,
17 shall provide services without discrimination on the basis of
18 race, color, familial status, religion, ancestry, age, sex,
19 sexual orientation, gender identity or expression, national
20 origin, handicap or disability or use of an assistance animal.

1 (2) This subsection shall apply to all programs and services
2 authorized under this act and all entities, organizations and
3 corporations subject to licensing approval or supervision by the
4 department, including, but not limited to:

5 (i) Programs and services offered by State institutions, as
6 authorized by Article III.

7 (ii) Programs and services for recipients of public
8 assistance, as authorized by Article IV.

9 (iii) Programs and services for children and youth, as
10 authorized by Article VII.

11 (iv) Programs and services offered through the Human
12 Services Block Grant Program, as authorized by Article XIV-B.

13 (v) Programs and services relating to recovery from
14 substance abuse.

15 (vi) Programs and services for homeless Pennsylvanians.

16 (vii) Programs and services providing assistance to
17 individuals seeking employment or training.

18 (viii) Programs and services for general and mental health
19 care.

20 (ix) Programs and services relating to personal care homes.

21 (x) Programs and services administered through the
22 department by a county assistance office.

23 (3) A violation of this subsection shall be unlawful and a
24 violation of humane conditions standards applicable to State and
25 supervised institutions, and all institutions under State
26 supervision by the department, under Article IX.

27 (b) An entity, organization, corporation, institution or
28 facility that provides services under arrangement with the
29 department or that is licensed or supervised by the department
30 shall adopt and enforce an employment nondiscrimination policy

1 that ensures equal protections for its employees on the basis of
2 race, color, familial status, religion, ancestry, age, sex,
3 sexual orientation, gender identity or expression, national
4 origin, handicap or disability or use of an assistance animal.

5 Section 2. Sections 701 and 1405(b) of the act are amended
6 to read:

7 Section 701. Availability of Services.--The department shall
8 assure within the Commonwealth the availability and equitable
9 provision of adequate public child welfare services for all
10 children who need them regardless of religion, race, color,
11 familial status, ancestry, age, sex, sexual orientation, gender
12 identity or expression, national origin, handicap or disability
13 or use of an assistance animal, settlement, residence or
14 economic or social status.

15 Section 1405. Freedom of Choice and Nondiscrimination.--* *
16 *

17 (b) Once a provider has elected to participate in the
18 medical assistance program and has signed an agreement with the
19 department, such providers shall not refuse to render services
20 to any recipient on the basis of sex, race, [creed, color,
21 national origin or handicap.] color, familial status, religion,
22 ancestry, age, sex, sexual orientation, gender identity or
23 expression, national origin, handicap or disability or use of an
24 assistance animal.

25 Section 3. This act shall take effect in 60 days.