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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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FINANCE

July 26, 1995

AUG 02 1995

*Pete -  
Do you think we  
should hold a press  
conference on this in  
early September?  
Tom*

The Honorable John Perzel  
Majority Leader  
110 Main Capitol Building  
Harrisburg, PA

Dear John,

The top legislative priority for this fall should be drug testing for welfare recipients. Bob Flick, Tom Druce and I are in the process of introducing this important legislation.

Thank you for allowing me to contribute to our fall agenda.

Very Truly Yours,

*Pete*

*Tom  
Yes  
Pete*

PETER J. ZUG, MEMBER  
102nd Legislative District

PJZ/as

cc: The Honorable Robert J. Flick  
The Honorable Thomas W. Druce

*Send to  
Druce*





SEP 21 1995

*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

**M E M O R A N D U M**

**DATE:** September 21, 1995

**SUBJECT:** Drug and Alcohol Testing Bill

**TO:** Rep. Peter Zug  
102nd Legislative District

**FROM:** Chris Comisac, Research Analyst  
Health and Human Services Committee (7-8110)

As per our conversation of Wednesday, September 20, 1995, I have drafted the following bill language to provide for drug testing of cash assistance recipients. I have also provided a brief summary of each of the sections that can be referenced in case you have any questions regarding the language. As always, if you have any comments or additional questions, please do not hesitate to contact me.

Section 1. Definitions: Simply adds definitions for "drug" and "prescription or nonprescription medication" to the Public Welfare Code.

Section 2. Amending Section 432(4) of the Public Welfare Code: This provision adds to the reasons a cash assistance recipient (GA or AFDC) would not be eligible for their cash benefits. The addition is the circumstance where a person is found to be a drug abuser, and an exception clause is provided referencing a new section of the Code (which is added by Section 3 of the bill).

Section 3. Creating a Drug Testing Program: Allows the Department of Public Welfare to create a drug testing program.

Section 494. Definitions: words or phrases used within the new subarticle -- "drug test" and "public assistance".

Section 494.1: Provides the DPW the opportunity to develop a drug testing

program which will be continuously evaluated.

Section 494.2: Lays out situations in which someone would be refused assistance once the drug testing program were operational. It also provides an exception -- if they agree to go into a rehab program, the recipient's assistance will not be suspended.

Section 494.3: This creates a new form of "approved" drug and alcohol program. It would base the approval on the outcomes, i.e. success, of the program. The determination of "success" will be left up to the Department of Health. They will develop rules and regulations, using public input and under legislative oversight, that will establish minimum criteria of "success". This helps out the faith-based providers because they state that their outcomes are significantly better than the bulk of the licensed drug and alcohol providers. The other positive is that we are not affecting currently licensed facilities -- they will not be held to this new criteria. This should be a way to expand the availability of D&A services without specifically mentioning the lightning-rod terms such as "religious" or "faith-based" which seem to send the established provider community into convulsions.

Section 4: Federal waivers will be needed to affect the AFDC program recipients (unless we receive AFDC block grants). This section simply directs the DPW to apply for all necessary federal waivers.

Section 5: Effective date of the act -- I just set it at 60 days, but it could be anything, including "effective immediately".

10/11/95

Dontre Walters was born a crack addict. Sunday afternoon - nearly 15 months later - he died of starvation, dehydration and hyperthermia, authorities said.

Investigators said they found insect eggs on Dontre's face and genitals. The crib he shared with his twin brother was thick with feces. Dirt covered his skin-over-bones body. Roaches and mice infested his Allison Hill home.

Yesterday, following an autopsy, Hetrick ruled Dontre's death a homicide. The autopsy revealed that Dontre had no food in his stomach or intestines. Officials said if the boy had been fed within 48 hours of his death, traces of food would have been in his body.



The child's mother was on welfare, so free food and medical treatment were available to her, he said.

"This baby had everything the system has to offer, and still it's dead," Hetrick said, "If we're going to give money to people, are we going to require them to live a certain way?"

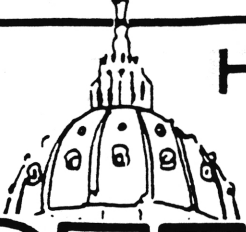
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Those were excerpts from a Harrisburg Evening News article which appeared on Tuesday, July 18th. As a father of a 16 month old little girl about the same age as Dontre, that article and incident devastated me.

This incident illustrates the need for legislation to reform our welfare system.

My intent of this legislation is to provide help to people who are in need. To provide a mechanism to identify individuals who are using illegal drugs and then to provide access to a drug rehabilitation program. We need to assist people with job training, obtaining employment and becoming useful members of society.

Using illegal drugs undermine the system we have in place to provide a safety net for individuals who are in need. Identifying people with a problem and helping them overcome their addiction is the first step on the road to self reliance.



# News

FOR RELEASE:

Oct. 11, 1995

## House of Representatives

Public Information Department  
Commonwealth  
of Pennsylvania

Rep. Robert J. Flick  
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### LAWMAKERS FOCUS ON ILLEGAL DRUG USE OF STATE WELFARE RECIPIENTS

"If you're doing drugs and collecting welfare, clean up your act or you're off welfare."

HARRISBURG – Three House Republican lawmakers today unveiled legislation they are introducing to aid public assistance recipients in breaking dependency to drugs and welfare.

Reps. Thomas Druce (R-Bucks), Peter J. Zug (R-Lebanon) and Robert J. Flick (R-Chester) said Pennsylvania's current welfare system looks the other way on welfare recipients abusing illegal drugs, does little to address the problem, and in some cases condones and encourages illegal drug use.

"The Department of Public Welfare (DPW) reports that of the approximately 100,000 general assistance recipients who receive cash benefits each month, about 6,000 or approximately 6 percent are receiving benefits because of an addiction," said Flick. "However, the real number of welfare recipients abusing illegal drugs is probably much higher than that because of the medical assessment form and procedures currently used by the department."

Druce said the proposal would make users of illegal drugs ineligible for public assistance, but said that was not the true aim of the legislation.

"We're sending the message that if you're doing drugs and collecting welfare, clean up your act or you're off welfare," said Druce. "If you're willing to help yourself get off of drugs, we're willing to help you."

He said the bill permits DPW to establish a drug testing program for the benefit of public assistance recipients. Treatment would be made available to recipients who test positive, and recipients who refuse treatment will be removed from welfare rolls.

"Case workers already play an important role by determining the specific-needs of individuals. It's our intent that they will be able to eliminate the need for a drug test by simply pointing recipients in the direction of treatment."

Zug pointed to the case of a 15-month-old Harrisburg boy who died of neglect in July.

"This incident illustrates the need for legislation to reform our welfare system. As a father of a 16-month-old little girl, I was devastated by this incident," said Zug. "Our intent is to provide help to people who need it; to provide better access to drug rehabilitation programs."

Flick said the legislation would greatly expand access to substance abuse treatment by allowing the state to license community-based treatment programs based solely on their success rates.

"Substance abuse is one of the most pressing problems facing our society. It has an even grater negative impact on lower income individuals and families. This legislation is a continuation of our efforts to reform welfare and break the cycle of dependency," Flick said.

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