Mental Retardation Bulletin

Commonwealth of Pennsylvania - Department of Public Welfare

Date of Issue: March 17, 1982
Effective Date: March 17, 1982
Number: 199-82-01

Subject: Responsibility for Collection of Tuition Expenses Under Act 199 for Out-of-State Residents

By Jennifer L. Hose, Ph.D.
Deputy Secretary for Mental Retardation

By Scott H. Nelson, M.D.
Deputy Secretary for Mental Health

Scope:

Regional MH Program Managers
Regional MR Commissioners
County MH/MR Administrators
DFW Headquarters Program and Administrative Deputies
CLA and CRR Provider Agencies
PLF Provider Agencies
ICF/MR Facility Directors

Purpose:

To emphasize prohibition on the use of state funds allocated to the County MH/MR Programs for school tuition and to designate collection responsibility for school tuition for out-of-state residents being served in Pennsylvania's mental health and mental retardation community residential facilities.

Background:

The Mental Retardation Bulletin number 199-81-01 issued on September 2, 1981 notified mental retardation and mental health providers of the passage of Act 199 and the procedures for charging and collecting school tuition. Payment for tuition and transportation is required to be made or guaranteed by the Director or Superintendent of the residential facility in advance of enrollment of the resident in a local school district or intermediate unit program. Payment may be made by the residential facility, resident's home state, out-of-state school district, or out-of-state placement agency. The Pennsylvania residential facility accepting out-of-state residents has the ultimate responsibility for the payment of tuition and transportation if others do not pay.

Application:

1. The provider agencies responsible for the operation of community residential facilities such as Community Living Arrangements (CLA),

Comments and Questions regarding this Bulletin should be directed to:
Mel Knowlton, Director, Bureau of Program Development, Office of Mental Retardation, 302 Health and Welfare Building, Harrisburg, PA 17120
Phone: (717) 787-5758  Network 4-443-5758
Community Residential Rehabilitation Facilities (CRR), Private Licensed Facilities, and ICFs/MR have the responsibility to pay for their out-of-state residents' school tuition and school transportation or collect payment for the local school district or intermediate unit program from out-of-state funding sources.

2. State funds allocated to the County MH/MR Programs and funds allocated to ICF/MR programs may not be used by community residential facilities to pay for out-of-state residents' school tuition and school transportation.

3. If a child's parents move to another state, a free public education may be obtained without using MH/MR funds, if a court appoints a Pennsylvania resident as guardian for the child. Pursuant to Section 1302 of the Pennsylvania School Code, a child shall be considered a resident of the school district in which his or her parents or guardian resides.