

The Allegheny County Department of Human Services
Office of Children, Youth and Families, your child and you –
information about rights and responsibilities

A Parent's Handbook



Allegheny County Department of Human Services
Office of Children, Youth and Families

Your Caseworker

Name _____

Phone _____

Caseworker's Supervisor

Name _____

Phone _____

Caseworker's Regional Office Director

Name _____

Phone _____

About This Booklet

This booklet is for families who are involved with the Office of Children, Youth and Families (CYF). CYF is part of the Allegheny County Department of Human Services. We want to work with you as a partner to solve problems and to improve your family life. To be a partner, it is important to have information. This booklet gives you information about your rights and your responsibilities as you work with CYF. It lists your child's rights and responsibilities. It tells you the responsibilities of CYF and the responsibilities of our legal system.

Not everything in this booklet may apply to you. For example, you may not be involved with a Judge and the courts. Your children may not now, or ever, be in the care of others. But we ask that you to read the entire booklet so that you learn about CYF.

Any time you need information, have a question, or have a problem, please talk with someone who can provide you with information.

You may call an attorney or other legal counsel for advice. At CYF, your Caseworker and his or her Supervisor will answer your questions. Call them. Their numbers are listed on the inside-facing front page of this booklet.



If you have talked with your Caseworker and his or her Supervisor and you still want more attention given to a difficult problem or concern, call your Caseworker's Regional Office Director listed on the inside-facing front page of this booklet.

If your concern or complaint is not explained or resolved by these calls, please contact the Director's Action Line, or "DAL," at 1-800-862-6783.

Why CYF Is Involved With Your Family

CYF was set up by state law. It exists to protect children from abuse and neglect. CYF receives reports about harm to children. For each report, CYF gathers as much information as possible. The agency acts when a child is at risk of harm. By law, CYF must protect children and provide services to the family when:

- children have been injured, abused, or sexually molested by their parents or caretakers.
- children are not adequately cared for or watched.
- parents are not able to care for children and no other responsible adult is available.
- in certain situations, parents need help with their problems or their children's problems.

Child abuse and child neglect are serious matters. If an investigation shows that your child has been abused or neglected, CYF has a legal responsibility to provide protection for your child. You may have to make changes to your life, and you will have to change the way you care for your child. You must be able to provide a home where your children are free from harm — now and into the future.

Keeping Families Together

CYF wants to keep families together. If your children can live with you and be safe, they will stay with you. Most families who are involved with CYF continue to live together under the same roof. While parents continue to parent, they are also receiving services from CYF. The services will help the family work through problems and improve family life.



If adults and children cannot live together safely, CYF will provide a safe, temporary home for the children. This “out-of-home” placement may be with relatives. It may be with a foster family. Less often, it is in a group home or a residential center.

If your child is removed from your home, a “shelter hearing” will be held before a Judge within 72 hours. See page 9 about your right to an attorney.

If your child is not living with you, CYF will work with you to help you make changes. These changes will allow you to provide a safe home and bring your family together again. You may have to decide to put your child’s needs for safety and nurturing above your own needs. You will have to stay away from destructive people, improve your choices and end addictions. This may be difficult, but CYF will offer suggestions and services to help you.

Sources of Strength

It is important to think about the problems you are having that led to CYF's involvement with your family. Think about the help you and your family can use. Talk with CYF about your ideas. It is also important to think about the strengths you and your family already have. You may have sources of help that you have not thought about. Strength and support may come from your relatives, friends, neighbors, religious groups, and community agencies.

Some families are referred and choose to participate in Family Group Decision Making (FGDM). With FGDM, parents, extended family members and community partners work together to develop and carry out a plan to keep children safe.

You and Your CYF Caseworker



The main person you will talk with from CYF is your Caseworker. CYF Caseworkers are trained to assist families. They work with many families. Caseworkers understand that family problems, personal problems, and money problems are not easy to solve. They understand that it may upset you to have a stranger give you advice. Caseworkers do have things to say, but they also will listen. They will ask you to talk about yourself and your family. They ask because it helps to talk. Your conversation will help everyone understand your family situation. Talking can help uncover problems and lead to answers. It can also help identify services for you and your family.

You will be asked to work as a partner with your CYF Caseworker. You may also work with Caseworkers from other agencies. CYF provides some services directly to you. It also provides services to you by asking other agencies to work with you.

Family Service Plan

If CYF must work with your family in order to solve problems, your family will be “accepted for services.” Early on, family members and the CYF Caseworker may work together to write a plan. This plan is called the Family Service Plan (FSP). Your FSP is your key to change. You and your Caseworker will create goals. The goals will identify the changes you need to make and the services to be provided. It will tell you the time you have to successfully complete a goal. When possible, big tasks will be made into small steps.

The FSP is required by law. It must be signed by your Caseworker and by you. When you sign the plan, it means that you agree with it. If you do not agree with it, you don’t have to sign it.

You will receive a copy of your Family Service Plan to keep. Talk often to your Caseworker about your progress on goals. Remember to tell your Caseworker about any changes in your life. When your life changes, such as moving to a different house or starting a new job, your FSP may need to change, too.

Your FSP goals must be completed within a short time. This is particularly important if your child is not living at home. You must make significant changes within 12 months. If the Judge finds that you are not making progress, s/he may decide that your child cannot return home. This is why you must work on the goals in your FSP every day.

Appeals to the Department of Public Welfare (DPW)

The Pa. Department of Public Welfare’s Office of Hearings and Appeals oversees CYF and will review some decisions made by the agency.

You may appeal or request that DPW review a decision in these situations:

1. **“Accepted for services”:** You may appeal the CYF decision to accept your family as a client in need of services.
2. **Family Service Plan:** You may appeal the Family Service Plan within 15 calendar days of receiving it. You may appeal whether or not you signed the FSP.
3. **ChildLine:** You may appeal a “founded” or “substantiated” ChildLine report if you don’t think you abused or neglected your child.

Ask your attorney or your Caseworker for more information.

Services

The services your CYF Caseworker will talk to you about will depend on what your family needs, what you ask for, or what a Judge might order. Sometimes services are provided by CYF. Sometimes CYF will refer you to services provided by another agency or program.

You may request and/or be asked to go to the following in order to assess your needs or to strengthen your family:

- psychological assessments
- interactionals (to assess parent and child relations)
- parenting classes
- counseling or therapy

- self-help or support groups
- job training
- drug and alcohol rehabilitation
- counseling in homemaking and home budgeting

Making progress toward the goals in your FSP is important. You can do this by using the services you are offered. The changes you make will help the Judge decide about your child's future.

Please talk with your Caseworker if you have problems with any service or program, such as:

- scheduling problems
- transportation to a program's location
- meeting the requirements of a program
- problems talking to staff in a program or agency

About Your Child in an Out-of-Home Placement

The Caseworker will work with you and others to make sure that your child's social, emotional, developmental, and health needs are met. S/he will prepare a plan of services, with your help whenever possible. Help make sure that your child is well cared for. Give your Caseworker as much information as you can about any allergies, any medicines routinely taken, or other health needs. Offer a copy of your child's health records. Tell your Caseworker about all regularly scheduled appointments.

Unless restricted by CYF or a Court order, you may choose to go to your child's medical and dental appointments. It's a good way to offer support and to continue to know about his or her health care.

Visiting Your Child Who is Living Away From Home

If your children are not living with you, visit them regularly. It is very important to them. Regular visits will help you and your children keep family ties. Cards, letters and gifts are nice, but they need to see you in person.

Visits are required by law unless the court orders otherwise. You have the right and responsibility to visit at least every other week. If you do not visit as scheduled, it will be harder to get your child(ren) back. Visits usually take place at a CYF regional office. If your child is in a group home or a residential center, you will be encouraged to visit there. You can learn about the program and perhaps join in some activities.

Your visits with your children let your Caseworker and a Judge know that:

- your children are important to you.
- you want to be a responsible parent for your children.
- you want to take care of your children yourself.

If you are in court, a Judge may ask you if you have visited regularly. Be able to say — YES. If you do not visit, a Judge may think that you are not interested in your children.

Remember, your children should benefit from your visit.

- Enjoy the time you spend with your child.
- Be positive with them during visits.
- Use your best parenting skills.
- If you have complaints, talk about them with your Caseworker, not with your child.
- Follow all agency and court rules at visits.
- If you have problems with transportation, tell your Caseworker.
- If you have problems with the visitation, tell your Caseworker.



The Courts and Your Representation

Not all families have “court-active” cases. If you are involved in court hearings, you can choose to be represented by an attorney. It helps to have an attorney with you in court. You can talk to your attorney before every court hearing. Keep all legal papers, such as petitions, case summaries, and FSPs, and read them over with your attorney.

If you wish to hire an attorney, call the Lawyer Referral Service. (The phone number is in the Where to Call section on page 22.) If you cannot afford an attorney, you can contact a Parent Advocate. Parent Advocates are attorneys who will represent you if you meet the income guidelines. Call the advocates as soon as you know your first court date. Contact an advocate quickly so that s/he can meet with you and be prepared to represent you. To call an advocate, call the phone number for the Allegheny County Bar Foundation, Juvenile Court Project. (The phone number is in the Where to Call section on page 22.) Finally, tell your CYF Caseworker the name, address, and telephone number of your attorney. Give your attorney your Caseworker’s number, too.

A Judge’s Decision

Judges review cases of families for many different reasons. Judges always review cases when a child is in an out-of-home placement. Some hearings are held before a Hearing Officer who works with the Judge. If you are scheduled to go to court for a hearing – it is important that you go. Don’t miss a hearing.

If you don’t show up, the Judge may make a decision without being able to hear what you have to say. The Judge may also think that you are not interested in your children’s well-being. Call your attorney or Caseworker as soon as you can before the hearing if you cannot possibly attend.

At court, the Judge reviews your progress on the goals in your FSP. You may have to prove that you understand the problems and the effect they have had on your children. You must also show that you are actively working to correct your problems.

The Judge decides how much time you have to work on your FSP goals. S/he also decides how much time can pass before a permanent plan is made for your child. A permanent plan may mean that your child returns home to your care. This happens when you complete



your Family Service Plan (FSP) goals. Or, if you do not complete your FSP goals, another permanent plan, such as adoption, may be considered.

Speak to your attorney immediately if you do not understand, or if you disagree with, the decision of a Judge or Hearing Officer.

A Permanent Home for the Child in Out-of-Home Care

By law, your child has a right to a safe and permanent home. If possible, your child's permanent home should be with you. But your child cannot wait forever. Children who are in out-of-home care are meant to be there only temporarily — while parents make changes.

If your efforts to make changes fail, the court may make the permanent, legal decision to end all of your rights and duties as a parent. A Judge's Termination of Parental Rights (TPR) allows your child to be adopted. If a child has been staying with relatives, this termination may allow for an adoption by the relative or another planned arrangement.

To get more information, talk with your attorney and your Caseworker.

Rights and Responsibilities

The following list of rights and responsibilities begins with those of your child. Next is a list of parent's rights and parent's responsibilities. Some items on the list for parents are both a right and a responsibility. Lastly, we list the responsibilities of CYF and the responsibilities of the Judges in our courts.

Your Child's Responsibilities and Rights

Responsibilities are part of a child's life. This is true whether your child is living with you, with relatives, or with others. A child will be expected to follow the rules and routines of the placement setting. S/he may be expected to cooperate with therapeutic treatment. Depending on age, s/he will help with the Family Service Plan (FSP). If school-age, your child will go to school.

In addition to responsibilities, every child has the right to:

- safety and protection from danger.
- a permanent home, food, and clothing.
- age-appropriate supervision and discipline.
- medical and dental care.
- services to meet any special needs.
- information about the reasons why s/he is getting help from CYF, and help explaining the situation to others.
- go to school (or receive an education).
- practice your religion.
- complain to a CYF caseworker.
- respectful and courteous treatment.

- receive help coping with any separation from family.
- opportunities to visit with family (unless denied by the court).
- to agree to adoption (at age 14 years or older).
- guidance before the age of 18 years on how to plan for life as an independent adult.
- keep some personal possessions (Note: In most settings, this may include money).
- be represented in court by a lawyer, a “Child Advocate.”
- contact the Director’s Action Line with complaints or concerns, 1-800-862-6783.

Your Rights

You do not lose your rights simply because your family becomes involved with the Office of Children, Youth and Families.

1. Every parent who receives services has the right to explanations about:
 - the reasons why your family is involved with CYF.
 - your Family Service Plan (FSP).
 - any treatment or rehabilitation plan.
 - any court actions, court orders, or other legal documents.
2. Every parent has the right to talk to CYF using:
 - telephone numbers for your Caseworker and his or her Supervisors.
 - a 24-hour phone number for CYF: 412-473-2000.
 - the DHS Director’s Action Line (for complaints) — 1-800-862-6783.
 - an interpreter, if you do not speak English, or if you are hearing impaired.

3. Every parent has the right to information about:
 - court proceedings and court actions.
 - actions taken by CYF.
 - a ChildLine report.
(Note. You may request a copy from your Caseworker. Some information will be removed.)
4. Every parent “accepted for services” has the right to services:
 - that meet the standards set by federal, state, and local regulations.
 - that are written in the Family Service Plan (FSP).
(Note. A parent does have the right to refuse services. But you are responsible for the result. If you refuse help, you may not be able to meet your child’s needs. If your child is in an out-of-home placement, you may not be able to reunify your family.)
5. Every parent has the right to choose to have an attorney:
 - for legal advice and representation in court.
 - to review and inspect records and documents.
(Note. You do not automatically have an attorney. You must hire an attorney. Or if you meet income guidelines, you may contact a Parent Advocate. See the Where to Call section on page 22.)
6. Every parent has the right to complain:
 - by following the steps explained on page 1.
7. Every parent has the right to be treated with respect, which includes:
 - no discrimination based on disability, age, race, sex, religion, ethnic origin, economic status, or sexual orientation.
 - privacy and confidentiality (within limits set by laws and court orders). (Note: There are exceptions. CYF must tell the proper authorities about any child abuse, criminal activity, or

about any person's threat to harm themselves or others.)

8. If your child is in an out-of-home placement, you have the right to:

- have your child(ren) return home when all of the conditions required by the court and your Family Service Plan (FSP) have been met.
(Note. A return home must be in the best interest of the child. This decision is made by a Judge at a hearing.)
- contact with your child(ren) and information about his/her whereabouts (unless denied by the court).
- visit at least every two weeks (unless denied by the court).
- send mail and receive phone calls (unless denied by the court).
- go with your child to a medical or dental appointment (unless denied by the court).
- be told of any change in the child's placement.

9. If your child is in an out-of-home placement, you have the right to be consulted and make decisions about:

- your child's religion.
- your child's general or special education needs. If your child needs an Individual Educational Plan (I.E.P.), your signature is needed to begin the process.
- hospitalizations and/or medical and surgical treatment.
- out-of-county travel.
- your child's involvement in contact sports, such as football.
- giving photos or information about your child for publication or media purposes.
- any waiver of liability (usually part of the forms for sports, trips or camp applications).
- your child's marriage or enlistment in the military.

(Note. For some of these situations, a Judge will consent if you are not available or if your refusal is not in the child’s best interests.)

Your Responsibilities

As a parent, you are responsible to:

- help pay for your child’s care. When your child is in an “out-of-home” placement, you contribute to the costs of the placement.
 - If you receive public assistance (TANF), you will not receive money for your child or children while they are in out-of-home placements. When a child is under the direct care of CYF, the Pa. Department of Public Welfare (DPW) pays CYF and not the parents.
 - If you have a job, the court will decide the amount you pay.
- be present in court for all hearings and follow all court orders.
- meet the goals of a Family Service Plan (FSP) within the time allowed.
- identify supports for the family.
- stay in contact with your child(ren) and participate in case-planning, and medical and educational decision-making for them.
- treat others with courtesy and respect.
- call if you need to cancel an appointment.
- obey all court and agency rules about weapons and threatening behavior.
- provide information to your Caseworker.
(Note. Your Caseworker needs to know about changes in your life, including changes in your address or telephone number, your work, your job, your marital status, your health status, or your household, such as someone moving into or out of your home.)

Responsibilities of the Office of Children, Youth and Families

For parents, the agency is responsible to:

- be respectful and courteous.
- assess your family’s needs.
- plan for appropriate services that help you and your child.
- tell you about advocacy services.
- arrange for your regular visits with your child.
- involve you in writing the Family Service Plan (FSP) and in making any changes to the FSP.
- obey all court orders and report any progress to the court.
- protect your family’s confidentiality, **but** report any child abuse to authorities.
- keep, release, and destroy records as required by law.
- testify in court about your family (if your family’s case is court-active).

For children, the agency is responsible to:

- protect children from abuse and neglect.
- provide for a child’s safety, health, and nurturing.
- plan for a permanent home.
- include children older than 14 years of age in planning the Family Service Plan (FSP).

When a child's placement is needed, CYF must:

- place children in the most home-like setting possible.
- review the placement regularly.
- supervise, visit, and support temporary caregivers.
- help with a return to the family or, if age-appropriate, a move to independent living.

The Court's Responsibilities

Not all CYF families have cases that are active with the court. For those families that do, the Judge will review all actions taken by CYF and by you.

At court, the Judge will decide whether:

- the parent(s) participate in a psychological evaluation and/or an interactional assessment.
- the child participates in a developmental evaluation and/or an interactional assessment.
- the parent has worked on goals in the Family Service Plan (FSP).
- CYF made reasonable efforts to prevent a child's placement.
- CYF made reasonable efforts to reunify a family.
- CYF made a temporary out-of-home placement for a child that was appropriate.
- the child should remain in out-of-home care.
- the time has come to decide on a permanent plan for the child.
- the child should be returned to the parents.
- the child should be placed for adoption.
- the youth, age 16 years or older, will participate in an independent living program.

The Judge's decisions are based upon information provided by all court participants, including the CYF Caseworker, service providers, advocates, and you.

Defining “Child Abuse” and “Child Neglect”

Pennsylvania’s laws govern child welfare. These laws provide the legal definitions used by CYF and by the courts. If you have questions, please talk to your attorney or your Caseworker.

Defining “child abuse”...

The Child Protective Services Law (CPSL) defines child abuse as any of the following:

- (i) Any recent act or failure to act by a perpetrator (please see definition on page 21) that causes non-accidental serious physical injury to a child under 18 years of age;
- (ii) An act or failure to act by a perpetrator that causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age;
- (iii) Any recent act, failure to act or series of such acts or failures to act by a perpetrator that creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age;
- (iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child’s life or development or impairs the child’s functioning.

The CPSL allows for differences in parenting based on religious beliefs. If you feel that your parenting decisions are based on your religion, talk with your attorney.

Defining “child neglect”...

The Commonwealth of Pennsylvania provides written Regulations for all General Protective Services, which are used by all child welfare agencies across the state. The regulations provide the following definition for child neglect:

Acts or omissions by a parent or the primary person responsible for the care of a child that result in a failure to provide the essentials of life and that create a potential for harm to the child’s safety, functioning or development.

For purposes of the definition of neglect, the following terms have the following definitions:

- (i) Essentials of life — food, shelter, clothing, health care, personal care, education as required by law, proper supervision and protection from physical, sexual, or emotional injury.
- (ii) Primary person who is responsible for the care of a child — a person who provides or arranges ongoing care and supervision for a child in lieu of parental care and supervision.
- (iii) Potential for harm — likely, if permitted to continue, to have a detrimental effect on the child’s health, development, or functioning. Injury to the child is not imminent as defined by the CPSL.

No child shall be deemed to be physically or mentally abused or considered neglected based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child’s welfare, such as inadequate housing, furnishings, income, clothing and medical care.

Definitions

A *cept for Services* – the individual/family becomes a client of CYF.

Advocate – person or group who promotes the rights of parents or children.

Advocate for the Child – lawyer who represents the child.

Advocate for the Parent – lawyer who represents the birth parent(s).

Age-appropriate – refers to the child’s expected mental and physical capacities.

CASA – Court-Appointed Special Advocate – S/he advocates for your child’s interests in court. A CASA advocate is not an attorney. S/he does not represent or advocate for you and may agree or disagree with you in court.

Child Abuse – see the legal definition, based on the CPSL, on page 18.

Child Abuse Report – the written report of a child’s abuse. CYF can decide that child abuse is indicated (i.e., likely that it occurred), or CYF can decide that a report is unfounded (i.e., abuse cannot be proven). If at least one incident was proven to a court’s satisfaction, the case is founded.

Child Advocate – see Advocate for the Child.

ChildLine/Abuse Registry – statewide list of all cases of child abuse that are under investigation, indicated, or founded.

Conflict Attorney – legal representative for one parent if his/her interests differ from the other parent.

Court-Active Case – a case under review by a Judge.

Court Order – a legally binding document stating a Judge’s instructions or directions. (All court orders must be followed by all parties.)

Family Group Decision Making – a planning process that brings together the child’s parents, extended family members and others with an interest to ensure a child’s safety.

Family Service Plan (FSP) – a plan for the CYF client that identifies problems and how to solve them. It states the amount of time allowed for successful completion and the service programs to be put in place for the family.

Foster Care – a child’s temporary home and care by a trained caretaker.

Hearing Officer – s/he works with the Judge and reviews a family’s progress made on their Family Service Plan (FSP) goals at review hearings.

Kinship Placement – a child’s temporary home with a relative or friend of the family.

Out-of-home Placement – a temporary home for a child who, for safety reasons, must live away from parent(s).

Permanency – the law requires that every child have a permanent home. CYF must establish a permanent home. The child may return to the birth family. Or, a Judge may decide that the child live with relatives or adoptive parents.

Perpetrator – a parent, a person over the age of 14 years residing in the home of the child, a person responsible for the child’s welfare, or a paramour of a parent or caregiver.

Rights – “having the right to ...” means that society has given a person permission – through the legal system – to act or secure an action in the way that s/he desires.

Termination of Parental Rights (TPR) – a legally binding court decision made by a Judge in court. TPR ends all parental rights of birth parents.

Where to Call

Child Welfare / Parenting Concerns

To report the abuse or neglect of a child

- Call the DHS Office of Children, Youth and Families (CYF)
412-473-2000 (24/7)
- Call the Pa. ChildLine and Abuse Registry
1-800-932-0313

To get a lawyer

- To hire and pay a lawyer, call Allegheny County Bar Foundation
Lawyer Referral Services
412-261-5555
- To get free* legal help (a.k.a. Parent Advocate), call Allegheny
County Bar Foundation Juvenile Court Project 412-391-4467
*must meet income guidelines

To get answers to parenting questions

- Call Family Resources WARMLINE
412-641-4546 or 1-800-641-4546
- Call Special Kids Network (if your child has a disability)
1-800-986-4550

To complain about or investigate a service you're receiving through CYF or DHS

- 1-800-862-6783 (the Director's Action Line)

Where to Call

PA 2-1-1 SW

By dialing 2-1-1, you will be connected with a person who can help you find answers about local services and supports including:

- Child care
- Domestic violence intervention
- Drug and alcohol treatment services
- Food assistance (including food stamps)
- Health insurance
- Housing
- Medical assistance
- Mental health (crisis) services
- Pre-Kindergarten education
- Rental/mortgage assistance
- Utility assistance (LIHEAP)

The United Way HelpConnections at 412-255-1155 is also available to help you. OR visit www.unitedwaypittsburgh.org/ and click on HelpConnections.

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*For all children, their family is their world,
and their world should be safe.*



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