
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1044 Session of
1995

INTRODUCED BY DERMODY, ITKIN, TRELLO, VAN HORNE, GIGLIOTTI AND
GAMBLE, MARCH 6, 1995

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
MARCH 6, 1995

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," further providing for
4 computations affecting counties.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 472 of the act of June 13, 1967 (P.L.31,
8 No.21), known as the Public Welfare Code, amended July 9, 1976
9 (P.L.543, No.132), is amended to read:

10 Section 472. Other Computations Affecting Counties.--[To
11 compute for each month the amount expended as medical assistance
12 for public nursing home care on behalf of persons at each public
13 medical institution operated by a county, county institution
14 district or municipality and the amount expended in each county
15 for aid to families with dependent children on behalf of
16 children in foster family homes or child-caring institutions,
17 plus the cost of administering such assistance. From such total
18 amount the department shall deduct the amount of Federal funds

1 properly received or to be received by the department on account
2 of such expenditures, and shall certify the remainder increased
3 or decreased, as the case may be, by any amount by which the sum
4 certified for any previous month differed from the amount which
5 should have been certified for such previous month, and by the
6 proportionate share of any refunds of such assistance, to each
7 appropriate county, county institution district or municipality.
8 The amounts so certified shall become obligations of such
9 counties, county institution districts or municipalities to be
10 paid to the department for assistance: Provided, however, That
11 for the fiscal year 1976-77, the obligations of the counties
12 shall be the amounts so certified representing aid to dependent
13 children foster care as computed above and three-fourths of the
14 amount so certified above for public nursing home care: And
15 provided further, That for fiscal year 1977-78 and thereafter,
16 the obligations of counties shall be the amounts so certified
17 representing aid to dependent children foster care as computed
18 above plus one-half of the amount so certified above for public
19 nursing home care: And provided further, That for the fiscal
20 year 1978-79, the obligations of the counties shall be the
21 amounts so certified representing aid to dependent children
22 foster care as computed above plus one-quarter of the amount so
23 certified above for public nursing home care: And provided
24 further, That for fiscal year 1979-80 and thereafter, the
25 obligations of the counties shall be the amounts so certified
26 representing aid to dependent children foster care as computed
27 above plus one-tenth of the amount so certified above for public
28 nursing home care.] (a) The Commonwealth shall share on a
29 percentage basis in the costs incurred by county institution
30 districts and counties in providing public nursing home care to

indigent persons. The Commonwealth share shall be ninety percent of the reasonable allowable costs incurred by each county institution district and county in providing public nursing home care, using principles of reimbursement established under Title XVII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1391 et seq.), as certified by the Auditor General, irrespective of any reimbursement ceilings imposed by the department for calculating the share of Federal funds under Title XIX of the Social Security Act (42 U.S.C. § 1396 et seq.), less any Federal funds received on account of such costs, less any patient income or resources deemed under Title XIX of the Social Security Act to be available to meet such costs and less the allocable expenses of the department involved in administering the payment of the Federal and State share to the county institution districts and counties.

(b) Until the total amount of the Commonwealth share in subsection (a) is determined for each calendar year, the department shall make monthly interim payments to each county institution district and county. The interim payments shall be determined by multiplying the interim per diem rate for each level of public nursing home care in each county institution district and county facility by the number of persons who are eligible for assistance under Title XIX of the Social Security Act and receiving such level of public nursing home care from such facility. The interim per diem rate shall be comprised of all Federal funds estimated on a per diem basis to be received by each county institution district and county because of its provision of public nursing home care plus per diem estimates of the Commonwealth share for each county institution district and county, using reported costs for the previous calendar year and

- 1 applying an inflation factor determined by a recognized
- 2 econometric firm.
- 3 Section 2. This act shall take effect in 60 days.