

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2272 Session of  
2008

INTRODUCED BY BAKER, MAJOR, PICKETT, CAUSER, BASTIAN, BELFANTI,  
BOYD, CAPPELLI, CARROLL, CUTLER, EVERETT, FLECK, GEORGE,  
GILLESPIE, GINGRICH, GRELL, HANNA, HELM, HENNESSEY, HERSHEY,  
HESS, KILLION, KOTIK, KULA, McILHATTAN, MICOZZIE, MURT,  
MYERS, PEIFER, PHILLIPS, REICHLEY, SAYLOR, S. H. SMITH,  
SONNEY, STABACK, STERN, SWANGER, WANSACZ, WATSON, WOJNAROSKI  
AND YOUNGBLOOD, FEBRUARY 28, 2008

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
FEBRUARY 28, 2008

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,  
2 as amended, "An act relating to the finances of the State  
3 government; providing for the settlement, assessment,  
4 collection, and lien of taxes, bonus, and all other accounts  
5 due the Commonwealth, the collection and recovery of fees and  
6 other money or property due or belonging to the Commonwealth,  
7 or any agency thereof, including escheated property and the  
8 proceeds of its sale, the custody and disbursement or other  
9 disposition of funds and securities belonging to or in the  
10 possession of the Commonwealth, and the settlement of claims  
11 against the Commonwealth, the resettlement of accounts and  
12 appeals to the courts, refunds of moneys erroneously paid to  
13 the Commonwealth, auditing the accounts of the Commonwealth  
14 and all agencies thereof, of all public officers collecting  
15 moneys payable to the Commonwealth, or any agency thereof,  
16 and all receipts of appropriations from the Commonwealth,  
17 authorizing the Commonwealth to issue tax anticipation notes  
18 to defray current expenses, implementing the provisions of  
19 section 7(a) of Article VIII of the Constitution of  
20 Pennsylvania authorizing and restricting the incurring of  
21 certain debt and imposing penalties; affecting every  
22 department, board, commission, and officer of the State  
23 government, every political subdivision of the State, and  
24 certain officers of such subdivisions, every person,  
25 association, and corporation required to pay, assess, or  
26 collect taxes, or to make returns or reports under the laws  
27 imposing taxes for State purposes, or to pay license fees or  
28 other moneys to the Commonwealth, or any agency thereof,

every State depository and every debtor or creditor of the Commonwealth," further providing, in general budget implementation, for the Department of Public Welfare.

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

Section 1. Section 1729-E of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, added July 17, 2007 (P.L.141, No.42), is amended to read:

Section 1729-E. Department of Public Welfare.

The following shall apply to appropriations for the Department of Public Welfare:

(1) Any rule, regulation or policy for the Federal or State appropriations for the cash assistance, outpatient, inpatient, capitation, behavioral health, long-term care and Supplemental Grants to the Aged, Blind and Disabled, Child Care and Attendant Care programs adopted by the Secretary of Public Welfare during the fiscal year which adds to the cost of any public assistance program shall be effective only from and after the date upon which it is approved as to the availability of funds by the Governor.

(2) Federal and State medical assistance payments. The following shall apply:

(i) (Reserved).

(ii) (Reserved).

(iii) (Reserved).

(iv) (Reserved).

(v) (Reserved).

(vi) [(Reserved).] The department shall reimburse a "critical access hospital," as defined in section 1861(mm)(1) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395x(mm)(1)), which is qualified to participate

1 under Title XIX of the Social Security Act (42 U.S.C. §  
2 1396 et seq.) at 101% of Medical Assistance allowable  
3 costs for:

4 (A) "inpatient critical access hospital  
5 services," as defined in section 1861(mm)(2) of the  
6 Social Security Act (42 U.S.C. 1395x(mm)(2)),  
7 provided to a Medical Assistance recipient; and

8 (B) "outpatient critical access hospital  
9 services," as defined in section 1861(mm)(3) of the  
10 Social Security Act (42 U.S.C. § 1395x(mm)(3)),  
11 provided to a Medical Assistance recipient.

12 (vii) The following shall apply to eligibility  
13 determinations for services under medical assistance:

14 (A) Unless the custodial parent or legally  
15 responsible adult has provided to the department, at  
16 application or redetermination, information required  
17 by the department for inclusion in the annual report  
18 under clause (B), no funds from an appropriation for  
19 medical assistance shall be used to pay for medical  
20 assistance services for a child under 21 years of  
21 age:

22 (I) who has a Supplemental Security Income  
23 (SSI) level of disability; and

24 (II) whose parental income is not currently  
25 considered in the eligibility determination  
26 process.

27 (B) The department shall submit to the Public  
28 Health and Welfare Committee of the Senate and the  
29 Health and Human Services Committee of the House of  
30 Representatives an annual report including the

1 following data:

2 (I) Family size.

3 (II) Household income.

4 (III) County of residence.

5 (IV) Length of residence in this  
6 Commonwealth.

7 (V) Third-party insurance information.

8 (VI) Diagnosis and type and cost of services  
9 paid for by the medical assistance program on  
10 behalf of each eligible and enrolled child  
11 described in clause (A).

12 Section 2. The amendment of section 1729-E of the act shall  
13 apply to fiscal years beginning after June 30, 2008.

14 Section 3. This act shall take effect immediately.