

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2138 Session of 2018

INTRODUCED BY DOWLING, CUTLER, BARRAR, RYAN, WARD, REED, SAYLOR, GROVE, MENTZER, BERNSTINE, KAUFFMAN, COX, ZIMMERMAN, B. MILLER, KLUNK, JAMES, WALSH, SCHEMEL, PHILLIPS-HILL, FEE, DAY, TURZAI, WARNER, MASSER AND KEEFER, MARCH 13, 2018

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 11, 2018

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," in public assistance,
4 providing for work requirements.

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

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
8 as the Human Services Code, is amended by adding a section to
9 read:

10 Section 441.10. Work Requirements.--(a) No later than March
11 1 of each year, the secretary shall apply to the Centers for
12 Medicare and Medicaid Services of the United States Department
13 of Health and Human Services for a demonstration program under
14 section 1115 of the Social Security Act (49 Stat. 620, 42 U.S.C.
15 § 1315) for the following purposes:

16 (1) Instituting a work requirement for a medical assistance
17 enrollee who is not exempt under paragraph (4). The work

1 requirement shall require a medical assistance enrollee to
2 become employed, actively seek employment as verified by the
3 department, or attend a job training program in accordance with <--
4 the following:

5 (i) In the case of a medical assistance enrollee who is
6 employed or attending job training programs in order to maintain
7 enrollment in the medical assistance program, the medical
8 assistance enrollee shall work twenty hours a week or complete
9 twelve job training program-related activities a month.

10 (ii) A medical assistance enrollee who has failed to comply
11 with the work requirement under subparagraph (i) shall
12 relinquish medical assistance program eligibility for the
13 following time periods:

14 (A) Three months beginning in year two of ~~employment~~ <--
15 ENROLLMENT IN MEDICAL ASSISTANCE. <--

16 (B) Six months beginning after the time period under clause
17 (A) expires.

18 (C) Nine months beginning after the time period under clause
19 (B) expires.

20 (2) Requiring an able-bodied medical assistance enrollee who
21 is nineteen years of age or older to verify on a biannual basis
22 or by request of the department the medical assistance
23 enrollee's family income or the medical assistance enrollee's
24 compliance with the provisions under paragraph (1) for the
25 purpose of determining the medical assistance enrollee's
26 eligibility.

27 (3) Delaying an individual from enrolling in a medical
28 assistance program if the individual has failed to comply with
29 paragraphs (1) and (2).

30 (4) Exempting a medical assistance enrollee from the

1 requirements under paragraphs (1) and (2) under any of the
2 following conditions:

3 (i) The medical assistance enrollee is attending high school
4 as a full-time student.

5 (ii) The medical assistance enrollee is currently receiving
6 temporary or permanent long-term disability benefits.

7 (iii) The medical assistance enrollee is an individual
8 ~~nineteen~~ EIGHTEEN years of age or younger or sixty-five years of <--
9 age or older.

10 (iv) The medical assistance enrollee is a pregnant woman.

11 (v) The medical assistance enrollee receives Supplemental
12 Security Income (SSI) benefits.

13 (vi) The medical assistance enrollee resides in a mental
14 health institution or correctional institution.

15 (vii) The medical assistance enrollee is experiencing a
16 crisis, serious medical condition, or temporary condition that <--
17 prevents the Medicaid enrollee from actively seeking employment,
18 ~~such as~~ INCLUDING, BUT NOT LIMITED TO, domestic violence or A <--
19 substance use disorder.

20 (viii) The medical assistance enrollee is the primary
21 caregiver to a dependent who is ~~under six years of age or is~~ <--
22 ~~permanently disabled.~~ SIX YEARS OF AGE OR YOUNGER. <--

23 (IX) THE MEDICAL ASSISTANCE ENROLLEE IS THE PRIMARY
24 CAREGIVER TO AN INDIVIDUAL WHO IS PERMANENTLY DISABLED OR WHO IS
25 IN HOSPICE CARE.

26 (b) The secretary's application for the demonstration
27 program under subsection (a) shall also align with other
28 assistance programs that have work requirements in order to
29 reduce the cost of monitoring the work requirements.

30 (c) The demonstration program under subsection (a) may also

1 include a medical assistance buy-in component to allow workers
2 with disabilities to have higher wage earnings and maintain
3 their medical assistance coverage.

4 Section 2. This act shall take effect in 60 days.