

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 179 Session of  
1991

INTRODUCED BY DeLUCA, JAROLIN, JADLOWIEC, TRICH, DALEY, FARMER,  
McCALL, HARPER, RUDY, O'BRIEN, LUCYK, PERZEL, LAUGHLIN,  
RITTER, WILLIAMS, FREEMAN, FAIRCHILD, BELFANTI, CARLSON,  
ARGALL, CIVERA, JOHNSON, BUSH, COWELL, GIGLIOTTI, KASUNIC,  
LEVANSKY, TRELLO, BUNT, NAHILL, COLAFELLA, BUTKOVITZ,  
M. N. WRIGHT, KAISER, FOX, HERMAN, BILLOW, WILSON, FLICK,  
PISTELLA, RICHARDSON, E. Z. TAYLOR, LaGROTTA, RAYMOND,  
BELARDI, THOMAS, JAMES, GERLACH, VEON, TELEK AND OLASZ,  
JANUARY 30, 1991

REFERRED TO COMMITTEE ON AGING AND YOUTH, JANUARY 30, 1991

AN ACT

1 Amending the act of November 4, 1983 (P.L.217, No.63), entitled  
2 "An act establishing a program of limited pharmaceutical  
3 assistance for the elderly; granting powers to and imposing  
4 duties on the Department of Aging; establishing a payment  
5 system; making provisions for funding; providing for reports;  
6 and fixing penalties for violations of the pharmaceutical  
7 assistance program," further providing for the definition of  
8 "maximum annual income" and for participant copayment.

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

11 Section 1. The definition of "maximum annual income" in  
12 section 3 of the act of November 4, 1983 (P.L.217, No.63), known  
13 as the Pharmaceutical Assistance Contract for the Elderly Act,  
14 amended December 17, 1984 (P.L.1002, No.202), is amended to  
15 read:

16 Section 3. Definitions.

17 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 \* \* \*

4 "Maximum annual income." Annual income as determined by the  
5 department. [Such amount] There shall be two levels of maximum  
6 annual income. Level one income shall not exceed \$12,000 in the  
7 case of single persons nor \$15,000 in the case of the combined  
8 annual income of married persons. Level two income shall not  
9 exceed \$15,000 in the case of single persons nor \$18,000 in the  
10 case of the combined annual income of married persons.  
11 Notwithstanding section 4(d), the costs of the program relating  
12 to level two income participants shall be appropriated from the  
13 General Fund.

14 \* \* \*

15 Section 2. Section 4(e)(5) of the act, amended June 30, 1987  
16 (P.L.169, No.17), is amended to read:

17 Section 4. Responsibilities of Department of Aging.

18 \* \* \*

19 (e) Program criteria.--The program shall include the  
20 following criteria:

21 \* \* \*

22 (5) The system established shall include a participant  
23 copayment schedule of \$4 for level one and \$7 for level two  
24 participants for each prescription [for the first year of the  
25 contract]. The [copayment] copayments shall increase or  
26 decrease on the annual basis by the average percent change of  
27 ingredient costs for all prescription drugs plus a  
28 differential to raise the copayment to the next highest 25¢  
29 increment. In addition, the department may approve a request  
30 for increase or decrease in the level of copayment based upon

1 the financial experience and projections of the program and  
2 after consultation with the Pharmaceutical Assistance Review  
3 Board. The department is prohibited from approving  
4 adjustments to the copayment on more than a semiannual basis.

5 \* \* \*

6 Section 3. This act shall take effect in 60 days.