

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1394 Session of
1993

INTRODUCED BY RICHARDSON, EVANS, DeWEESE, HUGHES, RITTER, JAMES, CALTAGIRONE, TRICH, ROBINSON, PETRONE, CAWLEY, ITKIN, BISHOP, M. COHEN, OLIVER, COWELL, ROEBUCK, CARN, KELLER, THOMAS, WILLIAMS, MANDERINO, ACOSTA, DALEY, STURLA, BEBKO-JONES, CURRY, KUKOVICH, KIRKLAND AND PESCI, APRIL 21, 1993

AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 27, 1993

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," CREATING THE ASSISTANCE
4 RECIPIENT IDENTIFICATION PROGRAM; AND providing for certain
5 Federal benefits and Federal funding. <—

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

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Public Welfare Code, is amended by adding sections to
10 read:

11 SECTION 414. ASSISTANCE RECIPIENT IDENTIFICATION PROGRAM.-- <—

12 (A) THERE IS HEREBY CREATED A PILOT PROGRAM WITHIN THE
13 DEPARTMENT TO BE KNOWN AS THE ASSISTANCE RECIPIENT
14 IDENTIFICATION PROGRAM.

15 (B) THE PURPOSE OF THE PROGRAM IS TO ELIMINATE DUPLICATION
16 OF ASSISTANCE TO RECIPIENTS.

17 (C) THE DEPARTMENT SHALL SELECT THREE COUNTIES IN THIS

1 COMMONWEALTH REPRESENTING RURAL, SUBURBAN AND URBAN AREAS TO
2 PARTICIPATE IN THIS PROGRAM.

3 (D) A PERSON CURRENTLY RECEIVING OR APPLYING FOR ASSISTANCE
4 SHALL PARTICIPATE IN THE PROGRAM. THE PERSON SHALL BE
5 FINGERPRINTED AND PHOTO IDENTIFIED.

6 (E) IT IS A VIOLATION FOR A PERSON IN THE PROGRAM TO ACQUIRE
7 OR ATTEMPT TO ACQUIRE DUPLICATION OF ASSISTANCE.

8 (F) ABSENT A COURT ORDER, ONLY THE COMMONWEALTH SHALL HAVE
9 ACCESS TO RECORDS UNDER THIS PROGRAM.

10 (G) THE DEPARTMENT SHALL MAKE A REPORT TO THE GENERAL
11 ASSEMBLY ONE YEAR AFTER THE EFFECTIVE DATE OF THIS ACT. THE
12 REPORT SHALL INCLUDE CASELOAD DATA BEFORE IMPLEMENTATION OF THIS
13 SECTION AS WELL AS AFTER ONE YEAR FOR COMPARISON PURPOSES TO
14 JUDGE THE PROGRAMS'S EFFECTIVENESS AT FRAUD DETERRENCE.

15 (H) AS USED IN THIS SECTION, "PROGRAM" SHALL MEAN THE
16 ASSISTANCE RECIPIENT IDENTIFICATION PROGRAM.

17 (I) THIS SECTION SHALL EXPIRE ONE YEAR AFTER THE EFFECTIVE
18 DATE OF THIS ACT.

19 Section 454. Maximization of Federal Funds for Alcohol and
20 Other Drug Dependency Treatment under Medical Assistance.--The
21 department shall take all efforts necessary to maximize Federal
22 funds under the medical assistance program for alcohol and other
23 drug dependency treatment now funded with purely State funds.
24 Such efforts shall, at a minimum, include the following:

25 (1) train Disability Advocacy Project workers in Social
26 Security disability criteria for persons with alcoholism and
27 other drug dependencies;

28 (2) design a system to identify persons on general
29 assistance who are alcohol or other drug dependent and refer
30 those persons to specially trained Disability Advocacy Project

1 workers;

2 (3) amend the State Medical Assistance Plan to adopt the
3 option of making independent disability determinations of
4 persons with alcoholism and other drug dependencies for purposes
5 of medical assistance eligibility as authorized by Title XIX of
6 the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.);
7 and

8 (4) transfer persons on general assistance who appear to
9 meet the Social Security disability criteria to Federal medical
10 assistance and seek Federal match for the cost of the services
11 provided to them.

12 Section 455. Maximization of Federal Funds for Residential
13 Alcohol and Other Drug Dependency Treatment.--The department
14 shall take all efforts necessary to maximize Federal funds under
15 the medical assistance program for residential alcohol and other
16 drug dependency treatment now funded with purely State funds
17 pursuant to sections 2334 and 2335 of the act of April 9, 1929
18 (P.L.177, No.175), known as "The Administrative Code of 1929."
19 Such efforts shall, at a minimum, include the following:

20 (1) where cost effective, provide funds to residential
21 alcohol and other drug dependency treatment facilities that
22 serve persons under twenty-one years of age to become accredited
23 by the Joint Commission on Accreditation of Health Care
24 Organizations and then seek Federal match for Medicaid eligible
25 persons under twenty-one years of age treated in such
26 facilities;

27 (2) amend the State Medical Assistance Plan and seek Federal
28 match for any individual eligible for medical assistance under
29 Federal requirements being treated in a residential facility
30 having less than seventeen treatment beds;

1 (3) amend the State Medical Assistance Plan and seek Federal
2 match under the optional targeted case management provision of
3 the Federal Medical Assistance Program as provided for in the
4 Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.) for
5 any case management services currently or anticipated to be
6 provided under sections 2334 and 2335 of "The Administrative
7 Code of 1929," including those case management services to be
8 provided under contract with the Single County Drug and Alcohol
9 Authorities; and

10 (4) enter into negotiations with the Health Care Financing
11 Administration regarding obtaining Federal match under medical
12 assistance for other individuals receiving residential alcohol
13 and other drug dependency treatment.

14 Section 456. Procedure in Relation to Certain Medical
15 Assistance Claims.--(a) The department shall amend the State
16 Medical Assistance Plan to adopt the option of making
17 independent disability determinations of persons with alcoholism
18 and other drug dependencies for purposes of medical assistance
19 eligibility as authorized by Title XIX of the Social Security
20 Act (49 Stat. 620, 42 U.S.C. § 301 et seq.).

21 (b) The department shall transfer persons on general
22 assistance who appear to meet the Social Security disability
23 criteria to Federal medical assistance and shall seek Federal
24 match for the cost of these services.

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