

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1526 Session of
1995

INTRODUCED BY BUTKOVITZ, FARMER, NAILOR, THOMAS, GIGLIOTTI,
YOUNGBLOOD, KELLER, LEDERER, WOGAN, DeLUCA, OLIVER, LUCYK,
BATTISTO, L. I. COHEN, FICHTER, SANTONI, ROEBUCK, CARN,
McGEEHAN, J. TAYLOR, PRESTON, VITALI, PETRONE, VAN HORNE,
KAISER, GAMBLE, READSHAW, FAJT, WALKO, MARKOSEK, COLAIZZO,
BUXTON, TIGUE, STABACK, ITKIN, WOZNIAK, HANNA, KREBS,
STEELMAN, MELIO, CAPPABIANCA, BEBKO-JONES, TRELLO, CURRY,
RUDY, MIHALICH, TANGRETTI, PISTELLA, KIRKLAND, MANDERINO,
HORSEY, CAWLEY, SCRIMENTI, TRICH, DALEY, CORRIGAN, LEVDANSKY,
RICHARDSON, BISHOP, STETLER, GRUITZA, YEWCIC, M. COHEN,
BOSCOLA, CORPORA, RUBLEY, BARD, ROBERTS, JAROLIN, COLAFELLA
AND BOYES, MAY 2, 1995

REFERRED TO COMMITTEE ON FINANCE, MAY 2, 1995

AN ACT

1 Amending the act of August 14, 1991 (P.L.342, No.36), entitled
2 "An act providing for the preservation of the State Lottery
3 Fund; further providing for pharmaceutical assistance for the
4 elderly; further providing for transportation assistance to
5 the elderly; providing for pharmaceutical purchasing;
6 conferring powers and duties upon the Department of Aging,
7 the Department of Revenue and the Department of
8 Transportation; imposing penalties; and making repeals,"
9 further providing for pharmaceutical assistance eligibility.

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

12 Section 1. The definition of "maximum annual income" in
13 section 302 of the act of August 14, 1991 (P.L.342, No.36),
14 known as the Lottery Fund Preservation Act, is amended to read:
15 Section 302. Definitions.

16 The following words and phrases when used in this chapter

1 shall 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.

6 (1) Except as provided in paragraph (2), such amount
7 shall not exceed \$13,000 in the case of single persons nor
8 \$16,200 in the case of the combined annual income of married
9 persons.

10 (2) [If this chapter takes effect before September 1,
11 1991, the following shall apply:

12 (i) Before September 1, 1991, such amount shall not
13 exceed \$12,000 in the case of single persons nor \$15,000
14 in the case of the combined annual income of married
15 persons.

16 (ii) After August 31, 1991, such amount shall not
17 exceed \$13,000 in the case of single persons nor \$16,200
18 in the case of the combined annual income of married
19 persons.]

20 The amount of claims accepted annually, per single person or
21 per married couple, as appropriate, under the program shall
22 be added to the amounts referred to in paragraph (1).

23 * * *

24 Section 2. Section 303(a) of the act is amended to read:

25 Section 303. Responsibilities of department.

26 (a) Determination of eligibility.--The department shall
27 adopt regulations relating to the determination of eligibility
28 of prospective claimants and providers, including crediting
29 appropriate individual claims to implement paragraph (2) of the
30 definition of "maximum annual income" in section 302, dispensing

1 physicians, and the determination and elimination of program
2 abuse. To this end, the department shall establish a compliance
3 unit staffed sufficiently to fulfill this responsibility. The
4 department shall have the power to declare ineligible any
5 claimant or provider who abuses or misuses the established
6 prescription plan. The department shall have the power to
7 investigate cases of suspected provider or recipient fraud.

8 * * *

9 Section 3. The amendment of the definition of "maximum
10 "annual income" in section 302 of the act shall apply
11 retroactively to January 1, 1995.

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