

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2909 Session of
2002

INTRODUCED BY TRAVAGLIO, BARRAR, BEBKO-JONES, BELARDI, BISHOP,
BROWNE, BELFANTI, CALTAGIRONE, CAPPELLI, CASORIO, CAWLEY,
COLAFELLA, CORRIGAN, COY, CREIGHTON, DAILEY, DeLUCA, DERMODY,
DeWEESE, D. EVANS, FAIRCHILD, FICHTER, FRANKEL, FREEMAN,
GEORGE, GORDNER, GRUCELA, HALUSKA, HARHAI, HARPER, HENNESSEY,
JAMES, JOSEPHS, KELLER, LAUGHLIN, LEDERER, LEH, LEVDANSKY,
MACKERETH, MANN, MELIO, MUNDY, PETRARCA, PISTELLA, READSHAW,
ROBERTS, ROONEY, SAINATO, SANTONI, SAYLOR, SCHULER,
SCRIMENTI, SEMMEL, SHANER, SOLOBAY, STABACK, STURLA, SURRA,
TANGRETTI, THOMAS, TIGUE, VEON, WALKO, WOJNAROSKI, G. WRIGHT,
YOUNGBLOOD AND YUDICHAK, OCTOBER 9, 2002

REFERRED TO COMMITTEE ON FINANCE, OCTOBER 9, 2002

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 further providing for eligibility for pharmaceutical
8 assistance for the elderly.

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 502 of the act of August 26, 1971 (P.L.351, No.91),
13 known as the State Lottery Law, added November 21, 1996
14 (P.L.741, No.134), is amended to read:

15 Section 502. 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." For PACE eligibility, the term
5 shall mean annual income which shall not exceed [\$14,000]
6 \$14,490 in the case of single persons nor [\$17,200] \$17,802 in
7 the case of the combined annual income of persons married to
8 each other. Persons may, in reporting income to the Department
9 of Aging, round the amount of each source of income and the
10 income total to the nearest whole dollar, whereby any amount
11 which is less than 50¢ is eliminated.

12 * * *

13 Section 2. Section 519 of the act, added November 21, 1996
14 (P.L.741, No.134), is amended to read:

15 Section 519. The Pharmaceutical Assistance Contract for the
16 Elderly Needs Enhancement Tier.

17 (a) Establishment.--There is hereby established within the
18 department a program to be known as the Pharmaceutical
19 Assistance Contract for the Elderly Needs Enhancement Tier
20 (PACENET).

21 (b) PACENET eligibility.--A claimant with an annual income
22 of not less than [\$14,000] \$14,490 and not more than [\$16,000]
23 \$16,560 in the case of a single person and of not less than
24 [\$17,200] \$17,802 and not more than [\$19,200] \$19,872 in the
25 case of the combined income of persons married to each other
26 shall be eligible for enhanced pharmaceutical assistance under
27 this section. A person may, in reporting income to the
28 department, round the amount of each source of income and the
29 income total to the nearest whole dollar, whereby any amount
30 which is less than 50¢ is eliminated.

1 (c) Deductible.--Upon enrollment in PACENET, eligible
2 claimants in the income ranges set forth in subsection (b) shall
3 be required to meet an annual deductible in unreimbursed
4 prescription drug expenses of \$500 per person. To qualify for
5 the deductible set forth in this subsection the prescription
6 drug must be purchased for the use of the eligible claimant from
7 a provider as defined in this chapter. The department, after
8 consultation with the board, may approve an adjustment in the
9 deductible on an annual basis.

10 (d) Copayment.--For eligible claimants under this section,
11 the copayment schedule, which may be adjusted by the department
12 on an annual basis after consultation with the board, shall be:

13 (i) eight dollars for noninnovator multiple source
14 drugs as defined in section 702; or

15 (ii) fifteen dollars for single-source drugs and
16 innovator multiple-source drugs as defined in section
17 702.

18 Section 3. This act shall apply to eligibility
19 determinations made after December 31, 2002.

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