
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 41

Session of
2005

INTRODUCED BY WAGNER, STOUT, C. WILLIAMS, LOGAN, COSTA,
RAFFERTY, ERICKSON, KITCHEN, PILEGGI AND ORIE,
JANUARY 13, 2005

REFERRED TO PUBLIC HEALTH AND WELFARE, JANUARY 13, 2005

AN ACT

1 Providing for State assistance for certain cancer screening;
2 conferring powers and duties on the Department of Health;
3 establishing the Cancer Screening Fund; and making an
4 appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Cancer
9 Screening Assistance Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Claimant." A citizen of this Commonwealth who seeks payment
15 for screening.

16 "Department." The Department of Health of the Commonwealth.

17 "Fund." The Cancer Screening Fund established in section 4
18 (relating to fund).

1 "Income." Includes earned and unearned income.

2 "Screening." Any of the following:

3 (1) A mammogram.

4 (2) A prostate specific antigen test.

5 Section 3. Department.

6 The department has the following powers and duties:

7 (1) Administer this act.

8 (2) Utilize the fund under section 4(b) (relating to
9 fund).

10 (3) Promulgate regulations to implement this act.

11 Section 4. Fund.

12 (a) Establishment.--The Cancer Screening Fund is established
13 as a separate fund in the State Treasury.

14 (b) Purpose.--The purpose of the fund is to make payments
15 for screening under section 5 (relating to screening).

16 (c) Source.--The source of the fund is appropriations. Money
17 in the fund is continuously appropriated to the fund. The
18 appropriation shall not lapse at the end of any fiscal year.

19 Section 5. Screening.

20 (a) Program.--The department shall make payments under
21 subsection (d) for claimants who are eligible under subsection
22 (b).

23 (b) Eligibility.--To be eligible for payment under
24 subsection (d), a claimant must establish to the satisfaction of
25 the department, all of the following:

26 (1) The claimant meets the following age qualifications:

27 (i) If the claimant is a woman, she is at least 40
28 years of age.

29 (ii) If the claimant is a man, he is at least 50
30 years of age.

1 (2) The claimant earns less than the income specified by
2 regulations of the department.

3 (3) The claimant does not have medical insurance which
4 will cover screening.

5 (4) The claimant is not eligible for assistance under
6 Article IV (f) of the act of June 13, 1967 (P.L.31, No.21),
7 known as the Public Welfare Code.

8 (c) Procedure.--

9 (1) A claimant must submit an application on a form
10 prescribed by the department.

11 (2) Within 30 days of receipt of the application, the
12 department shall make one of the following determinations:

13 (i) Eligibility.

14 (ii) Ineligibility. A determination under this
15 subparagraph includes a reason for the determination.

16 (3) Failure to meet the time requirement of paragraph
17 (2) or the reason requirement of paragraph (2)(ii) shall be
18 deemed a determination of eligibility.

19 (4) A determination under this subsection is subject to
20 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure
21 of Commonwealth agencies) and Ch. 7 Subch. A (relating to
22 judicial review of Commonwealth agency action).

23 (d) Payment.--The department shall provide a claimant who is
24 determined to be eligible under subsection (c) with a voucher
25 obligating the department to pay the health care provider a
26 stated amount for the screening performed upon the payment.

27 Section 19. Appropriation.

28 The sum of \$ is hereby appropriated to the Cancer
29 Screening Fund for the fiscal year July 1, 2005, to June 30,
30 2006, to carry out the provisions of this act. This

1 appropriation is subject to section 4(c) (relating to fund).

2 Section 20. Effective date.

3 This act shall take effect as follows:

4 (1) Section 5 shall take effect on the effective date of
5 regulations promulgated under section 3(3).

6 (2) This section shall take effect immediately.

7 (3) The remainder of this act shall take effect in 60
8 days.