

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 723 Session of 2011

INTRODUCED BY BAKER, SAYLOR, MAJOR, CLYMER, BENNINGHOFF, BOBACK, CAUSER, D. COSTA, CUTLER, DENLINGER, EVERETT, FARRY, GABLER, GINGRICH, GOODMAN, GRELL, GROVE, HARHAI, HARHART, HARRIS, HESS, HORNAMAN, KAUFFMAN, KORTZ, METCALFE, MILLER, MOUL, MURT, PETRARCA, PICKETT, READSHAW, REICHLEY, SWANGER, J. TAYLOR, VULAKOVICH AND WATSON, FEBRUARY 17, 2011

REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 17, 2011

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," further providing for
4 verification of eligibility.

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

7 Section 1. Section 441.9 of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, added July 7,
9 2005 (P.L.177, No.42), is amended to read:

10 Section 441.9. Verification of Eligibility.--(a) Except as
11 set forth in subsection (b), income shall be verified prior to
12 authorization of medical assistance or during a redetermination
13 of a recipient's eligibility unless the verification is pending
14 from a third party and the applicant has cooperated in the
15 verification attempt in accordance with department regulations.

16 (b) Notwithstanding subsection (a), the department may
17 authorize medical assistance for pregnant women, children, the

1 elderly or people with disabilities if third-party, automated
2 sources of verification are used to verify income within sixty
3 days of the date of authorization.

4 (c) Except as prohibited by Federal law, it shall be a
5 condition of eligibility for medical assistance that an
6 applicant or recipient consent to the disclosure of information
7 about the age, residence, citizenship, employment, applications
8 for employment, income and resources of the applicant or
9 recipient which is in the possession of third parties. Consent
10 shall be effective to authorize a third party to release
11 information requested by the department. Except in a case of
12 suspected fraud, the department shall attempt to notify the
13 applicant or recipient prior to contacting a third party for
14 information about the applicant or recipient.

15 (d) All applicants and recipients shall, as a condition of
16 eligibility, pursue medical support from the noncustodial parent
17 of any child for whom medical assistance is sought.

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