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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2857 Session of  
2020

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INTRODUCED BY KEEFER, RYAN, BARRAR, SAYLOR, GROVE, GAYDOS,  
KLUNK, BROOKS, RADER, SCHEMEL, SCHLEGEL CULVER, KNOWLES AND  
MOUL, SEPTEMBER 9, 2020

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REFERRED TO COMMITTEE ON HEALTH, SEPTEMBER 9, 2020

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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," in public assistance,  
4 further providing for persons eligible for medical  
5 assistance.

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

8 Section 1. Section 441.1 of the act of June 13, 1967  
9 (P.L.31, No.21), known as the Human Services Code, is amended by  
10 adding a subsection to read:

11 Section 441.1. Persons Eligible for Medical Assistance.--\* \*  
12 \*

13 (e) The department shall establish an enrollment process for  
14 individuals eligible for medical assistance under this section  
15 to enroll in an individual plan approved by the department and  
16 offered as part of the Commonwealth's approved Title XIX State  
17 Plan as follows:

18 (1) The enrollment process shall include information for the  
19 individual that, except as otherwise provided for under

1 paragraph (4), the individual shall remain enrolled with the  
2 same plan for one year.

3 (2) After an individual eligible for medical assistance  
4 under this section enrolls in a plan approved by the department  
5 under the Commonwealth's approved Title XIX State Plan, the  
6 individual shall remain enrolled in the individual plan until  
7 the individual's redetermination period, but for at least 12  
8 months unless the individual qualifies for an exemption under  
9 paragraph (4), or until such time as the individual is no longer  
10 eligible for medical assistance.

11 (3) The department shall notify the individual eligible for  
12 medical assistance under this section about the ability at the  
13 time of redetermination to change the plan in which the  
14 individual is enrolled for services offered under the  
15 Commonwealth's approved Title XIX State Plan.

16 (4) The department may grant an exemption to the limitation  
17 on changing plans under this section only if the exemption  
18 matches standard practices for health insurance plans approved  
19 by the Insurance Department under the insurance laws of this  
20 Commonwealth, including, but not limited to:

21 (i) a qualifying life event;  
22 (ii) a relocation of the individual to a region which is not  
23 served by the selected Medicaid managed care organization; or  
24 (iii) a verified health condition which requires treatment  
25 by a provider not currently participating in the Medicaid  
26 managed care organization.

27 (5) The department shall approve the exemption for an  
28 individual based on applicable Federal regulations regarding  
29 enrollment or on the approved State plan.

30 (6) Nothing in this section shall be construed to remove an

1 individual's eligibility for medical assistance for missing the  
2 enrollment period provided in this subsection.

3 Section 2. This act shall take effect immediately.