

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 21

Session of
1979

INTRODUCED BY WILSON, BURNS, J. L. WRIGHT, JR., WEIDNER, SPITZ,
NOYE, CESSAR, GLADECK, FISHER, FREIND, VROON, GRIECO,
HELFRICK AND E. Z. TAYLOR, JANUARY 23, 1979

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, JANUARY 23, 1979

AN ACT

1 Establishing a program of pharmaceutical assistance to the aged.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the

6 "Pharmaceutical Assistance to the Aged Act."

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall

9 have, unless the context clearly indicates otherwise, the

10 meanings given to them in this section:

11 "Department." The Department of Public Welfare.

12 "Eligible claimant." Any single resident of the Commonwealth

13 65 years of age and over whose annual income is less than the

14 maximum annual income, or any married resident whose annual

15 income is less than the maximum annual income, shall be eligible

16 for the program if such person is not otherwise qualified for

17 assistance under the act of June 13, 1967 (P.L.31, No.21), known

1 as the "Public Welfare Code."

2 "Maximum annual income." That annual income amount as
3 determined by the department. Such amount shall not exceed
4 \$9,000 in the case of single persons nor \$12,000 in the case of
5 the combined annual income of married persons.

6 "Prescription drugs." All legend drugs, insulin, insulin
7 syringes and insulin needles.

8 "Program." The program of pharmaceutical assistance to the
9 aged as established by this act.

10 "Reasonable cost." The cost of prescription drugs and a
11 dispensing fee, as determined by the department.

12 Section 3. Payments under program.

13 The program shall consist of payments to pharmacies on behalf
14 of eligible claimants for the reasonable cost of prescription
15 drugs which exceed a \$1 copayment per prescription or per
16 purchase of insulin, paid by each eligible claimant.

17 Section 4. Coordination of benefits.

18 Any otherwise eligible claimant whose prescription drug costs
19 are wholly covered by any other plan of assistance or insurance
20 shall be ineligible for assistance under the provisions of this
21 act. Any otherwise eligible claimant whose prescription drug
22 costs are covered in part by any other plan of assistance or
23 insurance may be required to receive reduced assistance under
24 the provisions of this act.

25 Section 5. Funding.

26 (a) Lottery fund.--Funding for the program established by
27 this act shall be from any excess funds existing in the State
28 Lottery Fund after payment of all obligations arising under the
29 act of March 11, 1971 (P.L.104, No.3), known as the "Senior
30 Citizens Property Tax or Rent Rebate Act," on an annual basis.

1 (b) Appropriation.--The General Assembly may appropriate
2 General Fund moneys to fund in whole or in part, the program
3 established by this act.

4 Section 6. Payment system.

5 (a) Departmental regulations.--The department shall by
6 regulation establish a system of payments or reimbursements and
7 a system for determining eligibility, including provisions for
8 submission of proof of actual and anticipated annual income, and
9 evidence of complete or partial coverage of prescription drug
10 costs by any other assistance or insurance plans.

11 (b) Contract.--In lieu of a payment system established
12 pursuant to subsection (a) the department may contract for the
13 establishment of such a system, if such a contract would be
14 economically advantageous to the Commonwealth.

15 Section 7. Effective date.

16 This act shall take effect on July 1, 1980.