

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2715 Session of
1982

INTRODUCED BY FREIND, ARTY AND PITTS, SEPTEMBER 29, 1982

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, SEPTEMBER 29, 1982

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 certain medical benefits for participants in the community
5 work program and for sovereign immunity.

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

8 Section 1. Subsection (f) of section 405.2, act of June 13,
9 1967 (P.L.31, No.21), known as the "Public Welfare Code," added
10 April 8, 1982 (P.L.231, No.75), is amended to read:

11 Section 405.2. Community Work Program.--* * *

12 (f) [Workmen's compensation insurance premiums shall be the
13 responsibility of the entity which provides the employment
14 opportunity.] (1) Any participant in a community work project
15 established by this section shall be entitled to medical
16 assistance under this act for any work-related injury caused by
17 his or her participation in said project. No participant shall
18 be entitled to compensation under the act of June 2, 1915
19 (P.L.736, No.338), known as "The Pennsylvania Workmen's

Compensation Act," as a result of any injury that is caused or aggravated by his or her participation in a community work project provided for in this section. The Commonwealth and its employees, and any political subdivision and its employees shall not be liable for damages on account of any injury to a participant or to the property of a participant caused by the Commonwealth, a political subdivision or their employees in relation to a community work project.

(2) In order to qualify for medical assistance pursuant to this section, the participant shall have the burden of establishing, through submission of evidence satisfactory to the department, that his or her participation in a community work project provided for in this act was a direct cause of the injury for which medical assistance is sought. The department may also order a person, at the department's expense, to submit to an independent examination of a physician or psychologist designated by the department as a condition for receiving medical assistance under this section. The participant shall not qualify for any assistance, other than the community work project related medical assistance authorized by this section, solely by virtue of his or her eligibility for any community work project related medical assistance authorized by this section. In order to qualify for any form of assistance, other than the medical assistance for an injury caused by participation in a community-work project as provided for in this section, the participant shall be required to establish his or her eligibility for said assistance, as well as any redetermination regarding continuing eligibility for said assistance, in accordance with the requirements, standards and conditions of this act, including section 432, and any

1 regulations promulgated thereunder.

2 Section 2. All acts or parts of act are repealed insofar as
3 they are inconsistent herewith.

4 Section 3. This act shall take effect in 60 days.