

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1679 Session of
1995

INTRODUCED BY RICHARDSON, WASHINGTON, BELFANTI, DeWEESE,
ROBINSON, PRESTON, YOUNGBLOOD, STURLA, JOSEPHS AND RAMOS,
MAY 24, 1995

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, MAY 24, 1995

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," providing for the New
4 Directions Jobs Program and for an educational incentive
5 payment for minor parents; and further providing for
6 eligibility and for medical assistance.

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

9 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
10 as the Public Welfare Code, is amended by adding a section to
11 read:

12 Section 405.5. New Directions Jobs Program.--The department
13 shall draw down the maximum available Federal dollars for its
14 New Directions Jobs Program to maximize the employment training
15 and job placement potential of all employable welfare
16 recipients. To that end for fiscal year 1995-1996, the
17 department shall solicit voluntary donations from eligible New
18 Directions contracting agencies as a match to draw down the
19 maximum available Federal funds.

Section 2. Section 408 of the act, amended April 8, 1982
(P.L.231, No.75), is amended to read:

Section 408. Meeting Special Needs; Encouraging Self-Support
and Employment.--(a) The department shall take measures not
inconsistent with the purposes of this article; and when other
funds or facilities for such purposes are inadequate or
unavailable to provide for special needs of individuals eligible
for assistance; to relieve suffering and distress arising from
handicaps and infirmities; to promote their rehabilitation; to
help them if possible to become self-dependent; and, to
cooperate to the fullest extent with other public agencies
empowered by law to provide vocational training, rehabilitative
or similar services.

(b) For the purpose of increasing Federal funding and
facilitating health in children, preventing malnutrition, low
birth weight and infant mortality, and providing nutritious
foods for infants, children, pregnant women and nursing mothers,
the department shall designate State supplemental Women Infants
and Children (WIC) benefits as a special need item for persons
eligible for federally funded categories of cash assistance.

Section 3. Section 432.21 of the act is amended by adding
subsections to read:

Section 432.21. Requirement that Certain Federal Benefits be
Primary Sources of Assistance.--* * *

(c) The department shall institute steps to identify any
recipients and applicants for assistance who may be eligible for
Social Security Survivor's benefits and shall provide assistance
to them in applying for and obtaining said benefits, including,
but not limited to, informing recipients and applicants of the
eligibility standards for Social Security survivor's benefits,

helping them complete Social Security application forms and
helping them obtain records establishing paternity.

(d) The department shall institute steps to aid recipients
or applicants for assistance who are users of mental health and
mental retardation (MH/MR) services, beginning with high users
of services, to apply for and receive Federal Supplemental
Security Income (SSI) and Federal Social Security Retirement,
Survivor's and Disability Income benefits (RSDI). In furtherance
of this end, the department shall:

(1) offer incentives, financial and otherwise, to providers
of MH/MR services, including hospitals and community-based
mental health/mental retardation centers, to assist their
patients in applying for SSI and RSDI and to provide medical
records and reports to support said applications;

(2) require each MH/MR center to designate a public benefits
counselor to coordinate efforts to obtain SSI and RSDI for
patients of the center and to serve as a liaison with the
department's Disability Advocacy Program (DAP) workers and with
the Social Security Administration, including the State Bureau
of Disability Determinations under Federal contract, to do
disability evaluations; and

(3) require all providers of mental health and mental
retardation services to refer any denials of SSI and RSDI to the
DAP.

Section 4. The act is amended by adding a section to read:

Section 438. Educational Incentive Payments.--(a) The
department shall establish a program to provide incentive
payments to minor parents to encourage them to attend school.

(b) The program shall contain the following components:

(1) It shall require every minor parent who is participating

1 in the program to attend school in accordance with requirements
2 established by the department, unless a minor parent
3 demonstrates a qualified reason for not attending school. The
4 department shall provide, in addition to the aid to families
5 with dependent children allowance, to every minor parent who
6 participates in the program and complies with requirements
7 established by the department, an incentive payment in an amount
8 determined by the department. The department shall reduce the
9 incentive payment, in the amount determined by the department,
10 to every minor parent who participates in the program and who
11 fails or refuses, without a qualified reason, to attend school.

12 (2) It shall require every minor parent who participates in
13 the program to enter into a written contract with the county
14 department of human services that provides all of the following:

15 (i) The minor parent, to be eligible to receive the
16 incentive payment under this section, must attend school in
17 accordance with the requirements of the program.

18 (ii) The county assistance office will provide the incentive
19 payment to the minor parent if the minor parent attends school.

20 (iii) The county assistance office will discontinue the
21 incentive payment if the minor parent fails to attend or refuses
22 to attend school in accordance with the requirements of the
23 program.

24 (c) The department shall evaluate the program established
25 under this section and shall issue a report to the Governor and
26 the General Assembly. In conducting the evaluation, the
27 department shall select control groups of minor parents who are
28 not participating in the program for comparison with minor
29 parents who are participating in the program.

30 (d) As used in this section the following words and phrases

1 shall have the following meanings:

2 "Minor parent" means a recipient of aid to families with
3 dependent children under this act who is under nineteen years of
4 age and is a natural or adoptive parent.

5 "Qualified reason for nonattendance" means an excusal from
6 school provided for in section 1329, 1330 or 1417 of the act of
7 March 10, 1949 (P.L.30, No.14), known as the "Public School Code
8 of 1949," or 22 Pa. Code Ch. 11 (relating to pupil attendance).

9 "School" means an educational program that is designed to
10 lead to the attainment of a high school diploma or the
11 equivalent of a high school diploma.

12 Section 5. Section 443.3 of the act, amended November 28,
13 1973 (P.L.364, No.128), is amended to read:

14 Section 443.3. Other Medical Assistance Payments.--(a)
15 Payments on behalf of eligible persons shall be made for other
16 services, as follows:

17 (1) Rates established by the department for outpatient
18 services as specified by regulations of the department adopted
19 under Title XIX of the Federal Social Security Act consisting of
20 preventive, diagnostic, therapeutic, rehabilitative or
21 palliative services; furnished by or under the direction of a
22 physician, chiropractor or podiatrist, by a hospital or
23 outpatient clinic which qualifies to participate under Title XIX
24 of the Federal Social Security Act, to a patient to whom such
25 hospital or outpatient clinic does not furnish room, board and
26 professional services on a continuous, twenty-four hour a day
27 basis.

28 (2) Rates established by the department for (i) other
29 laboratory and X-ray services prescribed by a physician,
30 chiropractor or podiatrist and furnished by a facility other

1 than a hospital which is qualified to participate under Title
2 XIX of the Federal Social Security Act, (ii) physician's
3 services consisting of professional care by a physician,
4 chiropractor or podiatrist in his office, the patient's home, a
5 hospital, a nursing home or elsewhere, (iii) the first three
6 pints of whole blood, (iv) remedial eye care, as provided in
7 Article VIII consisting of medical or surgical care and aids and
8 services and other vision care provided by a physician skilled
9 in diseases of the eye or by an optometrist which are not
10 otherwise available under this Article, (v) special medical
11 services for school children, as provided in the Public School
12 Code of 1949, consisting of medical, dental, vision care
13 provided by a physician skilled in diseases of the eye or by an
14 optometrist or surgical care and aids and services which are not
15 otherwise available under this article.

16 (b) As used in subsection (a)(2)(v), special medical
17 services shall also include supplemental food, prescribed by a
18 physician for children, infants, pregnant women and nursing
19 mothers, available under the State supplemental WIC
20 appropriation.

21 Section 6. The act is amended by adding a section to read:

22 Section 443.7. Facilitating Access of Elderly to Medical
23 Assistance.--(a) In order to facilitate access of elderly
24 persons eligible for medical assistance and to insure that
25 elderly persons make use of medical assistance to pay for their
26 prescribed medications instead of the State-funded prescription
27 program under Chapter 3 of the act of August 14, 1991 (P.L.342,
28 No.36), known as the "Lottery Fund Preservation Act" (PACE), the
29 department shall "outstation" staff at senior citizens' centers
30 and similar providers of services to the elderly for the taking

1 of Medicaid applications and enrollment in the department's
2 Healthy Horizons program for needy elderly persons eligible for
3 medical assistance. To the extent feasible, the department shall
4 coordinate such efforts with the Department of Aging, so that
5 medical assistance applications and PACE applications can be
6 taken together by the same workers, whether these be employees of
7 the Department of Public Welfare or the Department of Aging.

8 (b) Both the Department of Public Welfare and the Department
9 of Aging shall coordinate policies and take steps, including the
10 outstationing of medical assistance application staff at senior
11 citizens' centers, to insure that eligible elderly persons
12 always receive medical assistance for prescriptions before PACE
13 program funding is utilized.

14 Section 7. (a) Within 60 days of the effective date of this
15 act, the Department of Public Welfare shall review all of its
16 health care related programs and report to the General Assembly
17 and the Secretary of the Budget all programs or parts of
18 programs for which funding contributions may be available
19 through Federal participation in the medical assistance program
20 or other non-State sources. This report shall include the
21 actions planned to make use of these additional funding sources.

22 (b) Within 30 days of receipt of the reports described in
23 subsection (a), the Secretary of the Budget shall report to the
24 General Assembly the progress made in acquiring additional
25 funding from the sources identified in subsection (a).

26 Section 8. This act shall take effect in 60 days.