

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1873 Session of
1999

INTRODUCED BY STURLA, STRITTMATTER, RAMOS, DeLUCA, HERMAN,
MANDERINO, FRANKEL, TANGRETTI, BROWNE, ROONEY, M. COHEN,
MANN, R. MILLER, DeWEESE, SOLOBAY, CORRIGAN, YOUNGBLOOD,
HALUSKA, COY, LAUGHLIN, TRAVAGLIO, PETRARCA, YUDICHAK, TRICH,
COSTA, WOJNAROSKI, WALKO, WILLIAMS, HORSEY, CIVERA, HARHAI,
STEELMAN, FREEMAN, TRELLO, COLAFELLA, LUCYK, GEORGE, EVANS
AND McCALL, SEPTEMBER 28, 1999

REFERRED TO COMMITTEE ON INSURANCE, SEPTEMBER 28, 1999

AN ACT

1 Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An
2 act relating to insurance; amending, revising, and
3 consolidating the law providing for the incorporation of
4 insurance companies, and the regulation, supervision, and
5 protection of home and foreign insurance companies, Lloyds
6 associations, reciprocal and inter-insurance exchanges, and
7 fire insurance rating bureaus, and the regulation and
8 supervision of insurance carried by such companies,
9 associations, and exchanges, including insurance carried by
10 the State Workmen's Insurance Fund; providing penalties; and
11 repealing existing laws," providing for presumptive
12 eligibility for free or subsidized health care insurance for
13 children.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
17 as The Insurance Company Law of 1921, is amended by adding a
18 section to read:

19 Section 2314. Presumptive Eligibility.--(a) Notwithstanding
20 any inconsistent provision of law to the contrary and subject to
21 the availability of Federal financial participation under Title

1 XIX of the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et
2 seq.), a child shall be presumed eligible for payments under
3 this article, once during a twelve (12) month period, beginning
4 on the first day of the enrollment period following the date
5 that a contractor determines, on the basis of preliminary
6 information, that a child is eligible for free or subsidized
7 health care insurance under section 2311. The presumptive
8 eligibility period shall continue until the earlier date an
9 eligibility determination is made pursuant to this article, the
10 child is found eligible for medical assistance, or sixty (60)
11 days after the date of presumptive eligibility begins. However,
12 a presumptive eligibility period may be extended in the event a
13 determination of eligibility for benefits under this article or
14 for medical assistance is not made within the sixty (60) day
15 period through no fault of the applicant.

16 (b) The Insurance Department shall assure that children who
17 are enrolled under this section receive appropriate follow-up
18 for a determination of eligibility for benefits under this
19 article or for medical assistance prior to the termination of
20 the presumptive eligibility period. The Insurance Department
21 shall assure that outreach activities under section 2312 include
22 information related to presumptive eligibility under this
23 section.

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