

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1154 Session of
2007

INTRODUCED BY CAPPELLI, EVERETT, CASORIO, DENLINGER, GEIST,
GINGRICH, HENNESSEY, HORNAMAN, KORTZ, MILLARD, R. MILLER,
PHILLIPS, PICKETT, RAPP, REICHLEY, SAYLOR, STABACK, WATSON
AND HARPER, APRIL 25, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
APRIL 25, 2007

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 eligibility for home-based and community-based services.

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

7 Section 1. Section 441.8 of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, added July 7,
9 2005 (P.L.177, No.42), is amended to read:

10 Section 441.8. Eligibility for Home- and Community-Based
11 Services.--(a) As a condition of eligibility for home- and
12 community-based services, an applicant shall be subject to all
13 medical and financial eligibility requirements for medical
14 assistance including:

15 (1) Medical eligibility for the payment of nursing facility
16 care or the equivalent level of care in a medical institution.

17 (2) Financial eligibility requirements under Federal and

1 State law, including the provisions of sections 1917 and 1924 of
2 the Social Security Act (49 Stat. 620, 42 U.S.C. §§ 1396p and
3 1396r-5).

4 (3) All other eligibility requirements for medical
5 assistance under Federal and State law.

6 (b) The department shall promulgate regulations to implement
7 the provisions of subsection (a), and notwithstanding any other
8 provision of this act to the contrary, subsection (a) may not be
9 implemented until the final regulations have been adopted at the
10 conclusion of the regulation review process.

11 Section 2. This act shall take effect immediately.