

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1939 Session of
2007

INTRODUCED BY KULA, EACHUS, JOSEPHS, MAHONEY, BELFANTI, BEYER,
BRENNAN, CALTAGIRONE, CARROLL, COHEN, CURRY, DALEY, DeLUCA,
FRANKEL, GEORGE, GINGRICH, GOODMAN, GRUCELA, HALUSKA, HARHAI,
HARKINS, HARPER, HORNAMAN, JAMES, KING, KORTZ, KOTIK, LEACH,
LEVANSKY, LONGIETTI, MANN, MARKOSEK, McGEEHAN, McILHATTAN,
McILVAINE SMITH, MELIO, MUNDY, MUSTIO, NICKOL, M. O'BRIEN,
PALLONE, PASHINSKI, PETRARCA, PETRONE, READSHAW, SANTONI,
SHIMKUS, SIPTROTH, K. SMITH, SOLOBAY, STURLA, SURRA,
TANGRETTI, R. TAYLOR, WALKO, WOJNAROSKI, PARKER, YOUNGBLOOD,
MILNE, WANSACZ, J. WHITE, DALLY, LENTZ AND MYERS,
OCTOBER 23, 2007

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 23, 2007

AN ACT

1 Amending the act of June 26, 2001 (P.L.755, No.77), entitled "An
2 act establishing a special fund and account for money
3 received by the Commonwealth from the Master Settlement
4 Agreement with tobacco manufacturers; providing for home and
5 community-based care, for tobacco use prevention and
6 cessation efforts, for Commonwealth universal research
7 enhancement, for hospital uncompensated care, for health
8 investment insurance, for medical assistance for workers with
9 disabilities, for regional biotechnology research centers,
10 for the HealthLink Program, for community-based health care
11 assistance programs, for PACE reinstatement and PACENET
12 expansion, for medical education loan assistance and for
13 percentage allocation and appropriation of moneys," further
14 providing for the definition of "eligible adult."

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

17 Section 1. The definition of "eligible adult" in section
18 1302 of the act of June 26, 2001 (P.L.755, No.77), known as the
19 Tobacco Settlement Act, is amended to read:

1 Section 1302. Definitions.

2 The following words and phrases when used in this chapter
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 * * *

6 "Eligible adult." A low-income adult who meets all of the
7 following:

8 (1) Legally resides within the United States.

9 (2) Has been domiciled in this Commonwealth for at least
10 90 days prior to enrollment.

11 (3) Is not covered by a health insurance plan, a self-
12 insurance plan or a self-funded plan.

13 (4) Has not been covered by a health insurance plan, a
14 self-insurance plan or a self-funded plan during the three
15 months immediately preceding the determination of eligibility
16 except when one of the following apply:

17 (i) The low-income adult is eligible to receive
18 benefits pursuant to the act of December 5, 1936 (2nd
19 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
20 Compensation Law.

21 (ii) The low-income adult was covered under one of
22 the above plans but at the time of application for
23 coverage is no longer employed and is ineligible to
24 receive benefits pursuant to the Unemployment
25 Compensation Law.

26 (iii) The low-income adult is the spouse of a person
27 who meets either of the exceptions set forth in
28 subparagraph (i) or (ii) and both the eligible adult and
29 the spouse are low income and applying for coverage.

30 (5) Is ineligible for medical assistance or Medicare.

1 (6) Has been determined eligible for the adult basic
2 coverage insurance program but has been placed on the waiting
3 list for coverage in accordance with section 1303(d) and,
4 subsequent to placement on the waiting list, has purchased a
5 limited-benefit health insurance policy from either a private
6 or public source that is available only to a person whose
7 income is less than 200% of the Federal poverty level. When
8 funding becomes available to offer enrollment in the adult
9 basic insurance program to such a person, he or she may
10 immediately enroll and the begin date of coverage will
11 coincide with the end date of the limited-benefit health
12 insurance policy previously purchased.

13 * * *

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