

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 362 Session of 2009

INTRODUCED BY CRUZ, YOUNGBLOOD, PALLONE, PAYTON, MAHER,  
SIPTROTH, BUXTON, CALTAGIRONE, KIRKLAND, DEASY, THOMAS, BROWN  
AND JOSEPHS, FEBRUARY 11, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, FEBRUARY 11,  
2009

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," in public assistance,  
4 further providing for administration of assistance and for  
5 additional services for medically needy recipients; and  
6 abrogating a regulation.

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

9 Section 1. Section 403(b) of the act of June 13, 1967 (P.L.  
10 31, No.21), known as the Public Welfare Code, amended May 16,  
11 1996 (P.L.175, No.35), is amended to read:

12 Section 403. Uniformity in Administration of Assistance;  
13 Regulations as to Assistance.--\* \* \*

14 (b) The department shall establish rules, regulations and  
15 standards, consistent with the law, as to eligibility for  
16 assistance and as to its nature and extent. The department is  
17 authorized to seek waivers from the Federal Government to  
18 enhance consistency between Federal program standards,  
19 requirements or procedures. This shall not be interpreted to

1 require the department to seek waivers to achieve consistency  
2 among standards, requirements or procedures in Federal programs,  
3 except as specifically required under other provisions in this  
4 article. Whenever possible, except for residency requirements  
5 for general assistance, and consistent with State law, the  
6 department shall establish rules, regulations and standards for  
7 general assistance consistent with those established for aid to  
8 families with dependent children. In no instance shall the  
9 rules, regulations and standards established for general  
10 assistance provide for assistance greater than that provided for  
11 aid to families with dependent children. If three or more  
12 general assistance recipients reside together in the same  
13 household, their income eligibility and cash assistance shall be  
14 no greater than income eligibility and cash assistance from aid  
15 to families with dependent children for a household of the same  
16 size. Regulations under this subsection shall provide for a  
17 personal needs allowance deduction of fifty dollars (\$50) from  
18 the gross income of an individual eligible for medical  
19 assistance. The secretary or a written designee is the only  
20 person authorized to adopt regulations, orders, or standards of  
21 general application to implement, interpret, or make specific  
22 the law administered by the department. The secretary shall  
23 issue interim regulations whenever changes in Federal laws and  
24 regulations supersede existing statutes. In adopting  
25 regulations, orders, or standards of general application, the  
26 secretary shall strive for clarity of language which may be  
27 readily understood by those administering assistance and by  
28 those who apply for or receive assistance. For the purpose of  
29 this subsection, the term "household" does not include single-  
30 room occupancy residences, rooming houses, nonprofit residential

1 programs or personal care facilities receiving charitable  
2 funding or Federal, State or local government funding.

3 \* \* \*

4 Section 2. Section 442.2 of the act, added June 16, 1994  
5 (P.L.319, No.49), is amended to read:

6 Section 442.2. Additional Services for Certain Medically  
7 Needy Recipients.--In addition to other services provided to the  
8 medically needy:

9 (1) Persons who receive or are eligible for chronically  
10 needy general assistance pursuant to section 432(3)(i) shall  
11 receive coverage for prescribed medications.

12 (2) Recipients in general assistance-related categories  
13 whose benefits are funded at least in part by the Federal  
14 Government may receive such additional medical benefits as are  
15 federally funded. The department shall publish notice of such  
16 additional services in the Pennsylvania Bulletin.

17 (3) Persons who are eligible for public assistance shall be  
18 eligible for a hearing aid sold in accordance with section 403  
19 of the act of November 24, 1976 (P.L.1182, No.262), known as the  
20 "Hearing Aid Sales Registration Law."

21 Section 3. The provisions of 55 Pa. Code § 181.452(d)(1)(i)  
22 are abrogated.

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