

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1285 Session of 2009

INTRODUCED BY COHEN, DeLUCA, REICHLEY, WATSON, MYERS, WHEATLEY, BELFANTI, CALTAGIRONE, DALEY, FREEMAN, GEORGE, JOSEPHS, McGEEHAN, YOUNGBLOOD, WHITE, WAGNER, SIPTROTH, READSHAW, LONGIETTI, MENSCH, MURT, M. O'BRIEN, KORTZ, HORNAMAN, HENNESSEY, HARKINS, HALUSKA, GOODMAN, GIBBONS, CAUSER AND CONKLIN, APRIL 20, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, APRIL 20, 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," further providing for  
4 medical assistance payments.

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

7 Section 1. Section 443.3(a) of the act of June 13, 1967  
8 (P.L.31, No.21), known as the Public Welfare Code, amended July  
9 7, 2005 (P.L.177, No.42), is amended to read:

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

13 (1) Rates established by the department for outpatient  
14 services as specified by regulations of the department adopted  
15 under Title XIX of the Social Security Act (49 Stat. 620, 42  
16 U.S.C. § 1396 et seq.) consisting of preventive, diagnostic,

1 therapeutic, rehabilitative or palliative services; furnished by  
2 or under the direction of a physician, chiropractor or  
3 podiatrist, by a hospital or outpatient clinic which qualifies  
4 to participate under Title XIX of the Social Security Act, to a  
5 patient to whom such hospital or outpatient clinic does not  
6 furnish room, board and professional services on a continuous,  
7 twenty-four hour a day basis.

8 (2) Rates established by the department for (i) other  
9 laboratory and X-ray services prescribed by a physician,  
10 chiropractor or podiatrist and furnished by a facility other  
11 than a hospital which is qualified to participate under Title  
12 XIX of the Social Security Act, (ii) physician's services  
13 consisting of professional care by a physician, chiropractor or  
14 podiatrist in his office, the patient's home, a hospital, a  
15 nursing facility or elsewhere, (iii) the first three pints of  
16 whole blood, (iv) remedial eye care, as provided in [Article  
17 VIII] subarticle (b) of Article XXII of the act of April 9, 1929  
18 (P.L.177, No.175), known as The Administrative Code of 1929,  
19 consisting of medical or surgical care and aids and services and  
20 other vision care provided by a physician skilled in diseases of  
21 the eye or by an optometrist which are not otherwise available  
22 under this [Article] article, (v) special medical services for  
23 school children, as provided in the act of May 10, 1949 (P.L.30,  
24 No.14), known as the Public School Code of 1949, consisting of  
25 medical, dental, vision care provided by a physician skilled in  
26 diseases of the eye or by an optometrist or surgical care and  
27 aids and services which are not otherwise available under this  
28 article.

29 (3) Notwithstanding any other provision of law, for  
30 recipients aged twenty-one years or older receiving services

1 under the fee for service delivery system who are eligible for  
2 medical assistance under Title XIX of the Social Security Act  
3 and for recipients aged twenty-one years or older receiving  
4 services under the fee-for-service delivery system who are  
5 eligible for general assistance-related categories of medical  
6 assistance, the following medically necessary services:

7 (i) Psychiatric outpatient clinic services not to exceed  
8 five hours or ten one-half-hour sessions per thirty consecutive  
9 day period.

10 (ii) Psychiatric partial hospitalization not to exceed five  
11 hundred forty hours per fiscal year.

12 (4) Rates established by the department for telemedicine  
13 services delivered to a Medicaid beneficiary shall be the same  
14 as if those services were provided in person to a Medicaid  
15 beneficiary.

16 \* \* \*

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