

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 211 Session of 2011

INTRODUCED BY BAKER, STABACK, CUTLER, GINGRICH, BOYD,
CALTAGIRONE, CARROLL, CAUSER, CLYMER, D. COSTA, EVERETT,
GEORGE, GOODMAN, GRELL, HESS, M.K. KELLER, MAJOR, MILLER,
MURPHY, O'NEILL, PICKETT, RAPP, K. SMITH, SONNEY, STERN,
SWANGER, VULAKOVICH AND WATSON, JANUARY 25, 2011

REFERRED TO COMMITTEE ON HEALTH, JANUARY 25, 2011

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
2 as amended, "An act relating to the finances of the State
3 government; providing for the settlement, assessment,
4 collection, and lien of taxes, bonus, and all other accounts
5 due the Commonwealth, the collection and recovery of fees and
6 other money or property due or belonging to the Commonwealth,
7 or any agency thereof, including escheated property and the
8 proceeds of its sale, the custody and disbursement or other
9 disposition of funds and securities belonging to or in the
10 possession of the Commonwealth, and the settlement of claims
11 against the Commonwealth, the resettlement of accounts and
12 appeals to the courts, refunds of moneys erroneously paid to
13 the Commonwealth, auditing the accounts of the Commonwealth
14 and all agencies thereof, of all public officers collecting
15 moneys payable to the Commonwealth, or any agency thereof,
16 and all receipts of appropriations from the Commonwealth,
17 authorizing the Commonwealth to issue tax anticipation notes
18 to defray current expenses, implementing the provisions of
19 section 7(a) of Article VIII of the Constitution of
20 Pennsylvania authorizing and restricting the incurring of
21 certain debt and imposing penalties; affecting every
22 department, board, commission, and officer of the State
23 government, every political subdivision of the State, and
24 certain officers of such subdivisions, every person,
25 association, and corporation required to pay, assess, or
26 collect taxes, or to make returns or reports under the laws
27 imposing taxes for State purposes, or to pay license fees or
28 other moneys to the Commonwealth, or any agency thereof,
29 every State depository and every debtor or creditor of the
30 Commonwealth," further providing, in general budget
31 implementation, for the Department of Public Welfare.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. Section 1729-E of the act of April 9, 1929
4 (P.L.343, No.176), known as The Fiscal Code, added July 17, 2007
5 (P.L.141, No.42), is amended to read:

6 Section 1729-E. Department of Public Welfare.

7 The following shall apply to appropriations for the
8 Department of Public Welfare:

9 (1) Any rule, regulation or policy for the Federal or
10 State appropriations for the cash assistance, outpatient,
11 inpatient, capitation, behavioral health, long-term care and
12 Supplemental Grants to the Aged, Blind and Disabled, Child
13 Care and Attendant Care programs adopted by the Secretary of
14 Public Welfare during the fiscal year which adds to the cost
15 of any public assistance program shall be effective only from
16 and after the date upon which it is approved as to the
17 availability of funds by the Governor.

18 (2) Federal and State medical assistance payments. The
19 following shall apply:

20 (i) (Reserved).

21 (ii) (Reserved).

22 (iii) (Reserved).

23 (iv) (Reserved).

24 (v) (Reserved).

25 (vi) [(Reserved).] The department shall reimburse a
26 "critical access hospital," as defined in section
27 1861(mm)(1) of the Social Security Act (49 Stat. 620, 42
28 U.S.C. § 1395x(mm)(1)), which is qualified to participate
29 under Title XIX of the Social Security Act (42 U.S.C. §
30 1396 et seq.) at 101% of medical assistance allowable

1 costs for:

2 (A) "inpatient critical access hospital
3 services," as defined in section 1861(mm) (2) of the
4 Social Security Act (42 U.S.C. 1395x(mm) (2)),
5 provided to a medical assistance recipient; and

6 (B) "outpatient critical access hospital
7 services," as defined in section 1861(mm) (3) of the
8 Social Security Act (42 U.S.C. § 1395x(mm) (3)),
9 provided to a medical assistance recipient.

10 (vii) The following shall apply to eligibility
11 determinations for services under medical assistance:

12 (A) Unless the custodial parent or legally
13 responsible adult has provided to the department, at
14 application or redetermination, information required
15 by the department for inclusion in the annual report
16 under clause (B), no funds from an appropriation for
17 medical assistance shall be used to pay for medical
18 assistance services for a child under 21 years of
19 age:

20 (I) who has a Supplemental Security Income
21 (SSI) level of disability; and

22 (II) whose parental income is not currently
23 considered in the eligibility determination
24 process.

25 (B) The department shall submit to the Public
26 Health and Welfare Committee of the Senate and the
27 Health and Human Services Committee of the House of
28 Representatives an annual report including the
29 following data:

30 (I) Family size.

- 1 (II) Household income.
- 2 (III) County of residence.
- 3 (IV) Length of residence in this
- 4 Commonwealth.
- 5 (V) Third-party insurance information.
- 6 (VI) Diagnosis and type and cost of services
- 7 paid for by the medical assistance program on
- 8 behalf of each eligible and enrolled child
- 9 described in clause (A).

10 Section 2. The amendment of section 1729-E of the act shall
11 apply to fiscal years beginning after June 30, 2011.

12 Section 3. This act shall take effect immediately.