

Section 2. Section 441.9 of Chapter 62 of the Pennsylvania Statutes is amended to read:

Section 441.9. Verification of eligibility.

(a) Except as set forth in subsection (b), income shall be verified prior to authorization of medical assistance or during a redetermination of a recipient's eligibility unless the verification is pending from a third party and the applicant has cooperated in the verification attempt in accordance with department regulations.

(b) Notwithstanding subsection (a), the department may authorize medical assistance for pregnant women, children, the elderly or people with disabilities if third-party, automated sources of verification are used to verify income within sixty days of the date of authorization.

(c) Except as prohibited by Federal law, it shall be a condition of eligibility for medical assistance that an applicant or recipient consent to the disclosure of information about the age, residence, citizenship, employment, applications for employment, income and resources of the applicant or recipient which is in the possession of third parties. Consent shall be effective to authorize a third party to release information requested by the department. Except in a case of suspected fraud, the department shall attempt to notify the applicant or recipient prior to contacting a third party for information about the applicant or recipient.

(d) Lottery winnings. The department of human services shall enter into a data matching agreement with the Gaming Control Board to identify individuals with lottery and/or gambling winnings of \$3,000 or more. On at least a monthly basis, the {insert department determining Medicaid eligibility} shall review this information and close the case for ineligible individuals upon verification of the winnings. Individuals who have failed to disclose such a winning and are identified through the database match have presumptively committed an intentional program violation.

(e) Death certificate match. On at least a monthly basis, the department of human services shall receive and review information from the department of public health concerning individuals enrolled in medical assistance that indicates a change in circumstances that may affect eligibility including but not limited to death records.

(f) Employment match. On at least a quarterly basis, the department of human services shall receive and review information from the department of labor and industry concerning individuals enrolled in medical assistance that indicates a change in circumstances that may affect eligibility, including but not limited to changes in employment or wages.

(g) Residency match. On at least a monthly basis, the department of human services shall review information concerning individuals enrolled in medical assistance that indicates a change in circumstances that may affect eligibility, including but not limited to potential changes in residency as identified by out-of-state electronic benefit transfer (EBT) transactions.

(h) Incarceration match. On at least a monthly basis, the department of human services shall receive and review information from the department of corrections concerning individuals enrolled in medical assistance that indicates a change in circumstances that may affect eligibility.

(i) On at least a quarterly basis, the department of human services shall receive and review information from the department of revenue concerning individuals enrolled in assistance that indicates a change in circumstances that may affect eligibility for food stamps, including but not limited to potential changes in income, wages, or residency as identified by tax records.

(j) Verification. Notwithstanding other provisions of law, the department of human services shall not accept eligibility determinations for medical assistance from an Exchange established under 42 U.S.C. § 18041(c). The department of human services may

accept assessments from an Exchange established under 42 U.S.C. § 18041(c), but shall verify eligibility and make eligibility determinations.

(k) Action on changes. If the department of human services receives information concerning an individual enrolled in medical assistance that indicates a change in circumstances that may affect eligibility, the department of human services shall review the individual's case.

(l) Data sharing. The department of human services shall have the authority to execute a memorandum of understanding with any other state department, agency, or division for information required to be shared between agencies outlined in this Act.

(m) Additional data. Nothing in this Act shall prohibit the department of human services from contracting with one or more independent vendors to provide additional data or information which may indicate a change in circumstances that may affect eligibility.

(n) Unless required under federal law, the department shall not:

(1) designate itself as a qualified health entity for purpose of making presumptive eligibility determinations or for any purpose not expressly authorized by state law;

(2) accept self-attestation of income, residency, age, household composition, caretaker/relative status, or receipt of other coverage without verification prior to enrollment;

(3) request authority to waive or decline to periodically check any available income-related data sources to verify eligibility; or

(4) request authority to waive or decline to comply with public notice requirements applicable to proposed changes to the state plan pursuant to 42 C.F.R. §447.205, 42 C.F.R. §447.57, and 42 C.F.R. §440.386.

Section 3. Article IV of Chapter 62 of the Pennsylvania Statutes is amended by adding a section to read: