

STATE LOTTERY LAW - DETERMINATION OF ELIGIBILITY RELATING TO
PHARMACEUTICAL ASSISTANCE FOR THE ELDERLY

Act of Feb. 7, 2014, P.L. 27, No. 12

Cl. 72

Session of 2014

No. 2014-12

HB 777

AN ACT

Amending the act of August 26, 1971 (P.L.351, No.91), entitled "An act providing for a State Lottery and administration thereof; authorizing the creation of a State Lottery Commission; prescribing its powers and duties; disposition of funds; violations and penalties therefor; exemption of prizes from State and local taxation and making an appropriation," in pharmaceutical assistance for the elderly, further defining "income" and further providing for determination of eligibility.

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

Section 1. The definition of "income" in section 502 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, amended November 26, 2003 (P.L.212, No.37), is reenacted and amended to read:

Section 502. Definitions.

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

* * *

"Income." All income from whatever source derived, including, but not limited to, salaries, wages, bonuses, commissions, income from self-employment, alimony, support money, cash public assistance and relief, the gross amount of any pensions or annuities, including railroad retirement benefits, all benefits received under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et. seq.) [(except Medicare benefits)] **net of amounts withheld for Medicare Part B premium payment**, all benefits received under State unemployment insurance laws and veterans' disability payments, all interest received from the Federal Government or any state government or any instrumentality or political subdivision thereof, realized capital gains, rentals, workmen's compensation and the gross amount of loss of time insurance benefits, life insurance benefits and proceeds, except the first \$10,000 of the total of death benefits payments, and gifts of cash or property, other than transfers by gift between members of a household, in excess of a total value of \$300, but shall not include surplus food or other relief in kind supplied by a government agency or property tax rebate.

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Section 2. Section 503(b) of the act, reenacted and amended June 30, 2011 (P.L.88, No.21), is reenacted and amended to read: Section 503. Determination of eligibility.

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(b) Social Security cost-of-living adjustment.--

(1) Notwithstanding any other provision of this act to the contrary, persons who, as of December 31, [2010] **2012**, are enrolled in the PACENET program shall remain eligible

for the PACENET program if the maximum income limit is exceeded due solely to a Social Security cost-of-living adjustment.

(2) Notwithstanding any other provision of this act to the contrary, persons who, as of December 31, [2010] **2012**, are enrolled in the PACE program shall remain eligible for the PACE program if the maximum income limit is exceeded due solely to a Social Security cost-of-living adjustment.

(3) Eligibility in the PACE or PACENET program pursuant to this subsection shall expire on December 31, [2013] **2015**. Section 3. This act shall take effect immediately.

APPROVED--The 7th day of February, A.D. 2014.

TOM CORBETT