

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1559 Session of
1990INTRODUCED BY PETERSON, CORMAN, AFFLERBACH, MADIGAN AND BAKER,
APRIL 4, 1990

AS AMENDED ON SECOND CONSIDERATION, JUNE 27, 1990

AN ACT

1 ~~Making an appropriation to the Department of Public Welfare for~~ <—
2 ~~prescription products to assist persons who smoke to stop~~
3 ~~smoking and for use in smoking cessation programs for persons~~
4 ~~entitled to medical assistance.~~

5 AMENDING THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), ENTITLED "AN <—
6 ACT TO CONSOLIDATE, EDITORIALY REVISE, AND CODIFY THE PUBLIC
7 WELFARE LAWS OF THE COMMONWEALTH," FURTHER PROVIDING FOR
8 CERTAIN MEDICAL REIMBURSEMENT; PROVIDING FOR THE
9 REIMBURSEMENT OF PRESCRIPTION PRODUCTS DESIGNED TO ASSIST
10 PERSONS WHO SMOKE TO STOP SMOKING; AND MAKING AN
11 APPROPRIATION.

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

14 ~~Section 1. Appropriation.~~ <—

15 ~~The sum of \$133,000, or as much thereof as may be necessary,~~
16 ~~is hereby appropriated to the Department of Public Welfare for~~
17 ~~the fiscal year July 1, 1990, to June 30, 1991, for the~~
18 ~~reimbursement of prescription products designed to assist~~
19 ~~persons who smoke to stop smoking, for use in smoking cessation~~
20 ~~programs for persons entitled to medical assistance pursuant to~~
21 ~~the act of June 13, 1967 (P.L.31, No.21), known as the Public~~
22 ~~Welfare Code.~~

1 ~~Section 2. Effective date.~~

2 ~~This act shall take effect immediately.~~

3 SECTION 1. SECTION 443.3 OF THE ACT OF JUNE 13, 1967
4 (P.L.31, NO.21), KNOWN AS THE PUBLIC WELFARE CODE, AMENDED
5 NOVEMBER 28, 1973 (P.L.364, NO.128), IS AMENDED TO READ:

6 SECTION 443.3. OTHER MEDICAL ASSISTANCE PAYMENTS.--PAYMENTS
7 ON BEHALF OF ELIGIBLE PERSONS SHALL BE MADE FOR OTHER SERVICES,
8 AS FOLLOWS:

9 (1) RATES ESTABLISHED BY THE DEPARTMENT FOR OUTPATIENT
10 SERVICES AS SPECIFIED BY REGULATIONS OF THE DEPARTMENT ADOPTED
11 UNDER TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT CONSISTING OF
12 PREVENTIVE, DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE OR
13 PALLIATIVE SERVICES; FURNISHED BY OR UNDER THE DIRECTION OF A
14 PHYSICIAN, CHIROPRACTOR OR PODIATRIST, BY A HOSPITAL OR
15 OUTPATIENT CLINIC WHICH QUALIFIES TO PARTICIPATE UNDER TITLE XIX
16 OF THE FEDERAL SOCIAL SECURITY ACT, TO A PATIENT TO WHOM SUCH
17 HOSPITAL OR OUTPATIENT CLINIC DOES NOT FURNISH ROOM, BOARD AND
18 PROFESSIONAL SERVICES ON A CONTINUOUS, TWENTY-FOUR HOUR A DAY
19 BASIS. SUCH SERVICES SHALL INCLUDE REIMBURSEMENT OF PRESCRIPTION
20 PRODUCTS DESIGNED TO ASSIST PERSONS WHO SMOKE TO STOP SMOKING,
21 FOR USE IN SMOKING CESSATION PROGRAMS FOR PERSONS ENTITLED TO
22 MEDICAL ASSISTANCE.

23 (2) [RATES] EXCEPT AS PROVIDED IN CLAUSE (3), RATES
24 ESTABLISHED BY THE DEPARTMENT FOR (I) OTHER LABORATORY AND X-RAY
25 SERVICES PRESCRIBED BY A PHYSICIAN, CHIROPRACTOR OR PODIATRIST
26 AND FURNISHED BY A FACILITY OTHER THAN A HOSPITAL WHICH IS
27 QUALIFIED TO PARTICIPATE UNDER TITLE XIX OF THE FEDERAL SOCIAL
28 SECURITY ACT, (II) PHYSICIAN'S SERVICES CONSISTING OF
29 PROFESSIONAL CARE BY A PHYSICIAN, CHIROPRACTOR OR PODIATRIST IN
30 HIS OFFICE, THE PATIENT'S HOME, A HOSPITAL, A NURSING HOME OR

1 ELSEWHERE, (III) THE FIRST THREE PINTS OF WHOLE BLOOD, (IV)
2 REMEDIAL EYE CARE, AS PROVIDED IN ARTICLE VIII CONSISTING OF
3 MEDICAL OR SURGICAL CARE AND AIDS AND SERVICES AND OTHER VISION
4 CARE PROVIDED BY A PHYSICIAN SKILLED IN DISEASES OF THE EYE OR
5 BY AN OPTOMETRIST WHICH ARE NOT OTHERWISE AVAILABLE UNDER THIS
6 ARTICLE, (V) SPECIAL MEDICAL SERVICES FOR SCHOOL CHILDREN, AS
7 PROVIDED IN THE PUBLIC SCHOOL CODE OF 1949, CONSISTING OF
8 MEDICAL, DENTAL, VISION CARE PROVIDED BY A PHYSICIAN SKILLED IN
9 DISEASES OF THE EYE OR BY AN OPTOMETRIST OR SURGICAL CARE AND
10 AIDS AND SERVICES WHICH ARE NOT OTHERWISE AVAILABLE UNDER THIS
11 ARTICLE.

12 (3) THE REIMBURSEMENT RATE FOR MATERNITY PATIENTS SHALL BE
13 SIX HUNDRED DOLLARS (\$600) FOR VAGINAL DELIVERY AND EIGHT
14 HUNDRED DOLLARS (\$800) FOR CESAREAN DELIVERY.

15 SECTION 2. THE SUM OF \$133,000, OR AS MUCH THEREOF AS MAY BE
16 NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF PUBLIC
17 WELFARE FOR THE FISCAL YEAR JULY 1, 1990, TO JUNE 30, 1991, FOR
18 THE REIMBURSEMENT OF PRESCRIPTION PRODUCTS DESIGNED TO ASSIST
19 PERSONS WHO SMOKE TO STOP SMOKING, FOR USE IN SMOKING CESSATION
20 PROGRAMS.

21 SECTION 3. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

22 (1) THE AMENDMENTS TO SECTION 443.3(2) AND (3) SHALL
23 TAKE EFFECT IN 60 DAYS.

24 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
25 IMMEDIATELY.