

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2769 Session of
2000

INTRODUCED BY MCILHINNEY, HENNESSEY, HORSEY, JAMES, KENNEY,
ORIE, SOLOBAY AND WASHINGTON, SEPTEMBER 27, 2000

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
SEPTEMBER 27, 2000

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 determination of eligibility for the medically needy.

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

7 Section 1. Section 442.1(a) of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, amended May
9 16, 1996 (P.L.175, No.35), is amended to read:

10 Section 442.1. The Medically Needy; Determination of
11 Eligibility.--(a) A person shall be considered medically needy
12 if that person meets the requirements of clauses (1), (2) and
13 (3):

14 (1) Resides in Pennsylvania continuously for ninety days
15 immediately preceding the effective date of eligibility, except
16 for persons eligible for federally funded categories of medical
17 assistance.

18 (2) Meets the standards of financial and nonfinancial

1 eligibility established by the department with the approval of
2 the Governor. These standards shall not include, in determining
3 the eligibility of a person with a disability who is receiving
4 Social Security Disability benefits as a result of a disability
5 caused by a vehicular accident, the income of that person's
6 spouse. In establishing these standards the department shall
7 take into account:

8 (i) the funds certified by the Budget Secretary as available
9 for medical assistance for the medically needy;

10 (ii) pertinent Federal legislation and regulations; and

11 (iii) the cost of living.

12 (3) Complies with either subclause (i) or (ii):

13 (i) Receives general assistance in the form of cash.

14 (ii) Is not eligible for cash assistance but is:

15 (A) a child under twenty-one years of age;

16 (B) a custodial parent of a dependent child under twenty-one
17 years of age;

18 (C) a person fifty-nine years of age or older;

19 (D) a refugee for whom Federal financial participation is
20 available;

21 (E) a pregnant woman;

22 (F) a person with a disability who is receiving Social
23 Security disability benefits, who has been referred to the
24 Social Security Administration for a determination of
25 eligibility for Supplemental Security Income or who is under
26 review for a disability by the department based upon Social
27 Security disability criteria; or

28 (G) a person who verifies employment of at least one hundred
29 hours per month earning at least the minimum wage.

30 * * *

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