

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2583 Session of  
2008

INTRODUCED BY MARSHALL, BELFANTI, BEYER, BRENNAN, CALTAGIRONE,  
CAPPELLI, CLYMER, DENLINGER, J. EVANS, FRANKEL, GEORGE,  
GINGRICH, GOODMAN, HARKINS, HENNESSEY, HUTCHINSON, KENNEY,  
KULA, MANN, MILNE, MOYER, MURT, PICKETT, PYLE, READSHAW,  
REICHLEY, ROCK, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STERN,  
J. TAYLOR, THOMAS, VULAKOVICH, WATSON AND YOUNGBLOOD,  
JUNE 4, 2008

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, JUNE 4, 2008

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 public assistance eligibility.

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

7 Section 1. Section 432(2) 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 432. Eligibility.--Except as hereinafter otherwise  
11 provided, and subject to the rules, regulations, and standards  
12 established by the department, both as to eligibility for  
13 assistance and as to its nature and extent, needy persons of the  
14 classes defined in clauses (1), (2), and (3) shall be eligible  
15 for assistance:

16 \* \* \*

(2) Persons who are eligible for State supplemental assistance.

(i) State supplemental assistance shall be granted to persons who receive Federal supplemental security income for the aged, blind and disabled pursuant to Title XVI of the Federal Social Security Act.

(ii) State supplemental assistance shall also be granted to persons who are aged, blind and disabled, as defined in Title XVI of the Federal Social Security Act, and whose income, pursuant to the standards and income disregards of Title XVI of the Social Security Act, is less than the combined income of the Federal payments under the supplemental security income program and the State supplemental assistance payments established pursuant to the provisions of this act.

(iii) In establishing the amounts of the State supplemental assistance, the department shall consider the funds certified by the Budget Secretary as available for State supplemental assistance, pertinent Federal legislation and regulation, the cost-of-living and the number of persons who may be eligible. For an individual who is eligible under paragraph (i) and who is a resident of a personal care home, the department shall do all of the following:

(A) Increase by fifteen dollars (\$15) per day the amount of State supplemental assistance the individual is receiving as of March 31, 2008.

(B) Annually, by November 15, determine and transmit to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin the percentage increase in State supplemental assistance based on the increase in the Consumer Price Index for Urban Wage Earners.

1     (C) Annually, by July 1, increase State supplemental  
2     assistance by the percentage determined in subparagraph (B).

3     (iv) Beneficiaries of State supplemental assistance shall be  
4     eligible for cash State financial assistance to cover the cost  
5     of special needs as defined by statute and regulations  
6     promulgated under this act.

7     (v) After the amounts of assistance payments have been  
8     determined by the department with the approval of the Governor  
9     and General Assembly, the amounts of assistance payments shall  
10    not be reduced as a consequence of assistance increases,  
11    including but not limited to cost-of-living increases, provided  
12    through Federal legislation.

13    (vi) After the amounts of assistance payments have been  
14    determined by the department with the approval of the Governor  
15    and General Assembly, the amounts of assistance payments shall  
16    not be increased without the approval of the General Assembly in  
17    accordance with the procedure established by the act of April 7,  
18    1955 (P.L.23, No.8) known as the "Reorganization Act of 1955,"  
19    and a message to the General Assembly from the Governor for the  
20    purposes of executing such function shall be transmitted as in  
21    other cases under the Reorganization Act.

22     \* \* \*

23    Section 2. Regulations, policy statements and orders of the  
24    Department of Public Welfare which are contrary to the amendment  
25    of section 432(2) of the act are abrogated to the extent of the  
26    inconsistency.

27    Section 3. This act shall take effect in 60 days.