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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 4**

Session of  
2008

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INTRODUCED BY RHOADES, JUNE 24, 2008

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REFERRED TO AGING AND YOUTH, JUNE 24, 2008

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AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled  
2 "An act providing for a State Lottery and administration  
3 thereof; authorizing the creation of a State Lottery  
4 Commission; prescribing its powers and duties; disposition of  
5 funds; violations and penalties therefor; exemption of prizes  
6 from State and local taxation and making an appropriation,"  
7 further providing for PACE and PACENET eligibility.

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

10 Section 1. Section 503 of the act of August 26, 1971  
11 (P.L.351, No.91), known as the State Lottery Law, amended  
12 November 26, 2003 (P.L.212, No.37), is amended to read:

13 Section 503. Determination of eligibility.

14 (a) The department shall adopt regulations relating to the  
15 determination of eligibility of prospective claimants and  
16 providers, including dispensing physicians and certified  
17 registered nurse practitioners when acting in accordance with  
18 rules and regulations promulgated by the State Board of Nursing  
19 as required by the act of May 22, 1951 (P.L.317, No.69), known  
20 as The Professional Nursing Law, and the State Board of Pharmacy

1 minimum standards of practice, and the determination and  
2 elimination of program abuse. To this end, the department shall  
3 establish a compliance unit staffed sufficiently to fulfill this  
4 responsibility. The department shall have the power to declare  
5 ineligible any claimant or provider who abuses or misuses the  
6 established prescription plan. The department shall have the  
7 power to investigate cases of suspected provider or recipient  
8 fraud.

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

10 Notwithstanding any other provision of this act to the contrary,  
11 persons who, as of December 31, 2007, are enrolled in the  
12 PACENET program shall remain eligible for the PACENET program if  
13 the maximum income limit is exceeded due solely to a Social  
14 Security cost-of-living adjustment. Notwithstanding any other  
15 provision of this act to the contrary, persons who, as of  
16 December 31, 2008, are enrolled in the PACE program shall remain  
17 eligible for the PACE program if the maximum income limit is  
18 exceeded due solely to a Social Security cost-of-living  
19 adjustment. Eligibility in the PACE or PACENET program pursuant  
20 to this subsection shall expire on December 31, 2010.

21 Section 2. This act shall take effect immediately.