

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1918 Session of  
2009

INTRODUCED BY GROVE, BAKER, BEAR, BROOKS, COHEN, FAIRCHILD,  
FARRY, GILLESPIE, GINGRICH, GRUCELA, HENNESSEY, MARSICO,  
MOUL, PICKETT, QUINN, REICHLEY, SAYLOR, SIPTROTH, VULAKOVICH  
AND YOUNGBLOOD, AUGUST 10, 2009

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES, AUGUST  
10, 2009

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 program generally and for the  
8 Pharmaceutical Assistance Contract for the Elderly Needs  
9 Enhancement Tier.

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

12 Section 1. Section 509 of the act of August 26, 1971  
13 (P.L.351, No.91), known as the State Lottery Law, is amended by  
14 adding a paragraph to read:

15 Section 509. Program generally.

16 The program shall include the following:

17 \* \* \*

18 (9) Any increase in eligibility for PACE or PACENET  
19 shall be funded with savings realized as a direct result of  
20 the PACE Plus Medicare program as provided under Subchapter

1     C.

2     Section 2. Section 519 of the act, amended July 7, 2006  
3     (P.L.1061, No.111), is amended to read:

4     Section 519. The Pharmaceutical Assistance Contract for the  
5             Elderly Needs Enhancement Tier.

6     (a) Establishment.--There is hereby established within the  
7     department a program to be known as the Pharmaceutical  
8     Assistance Contract for the Elderly Needs Enhancement Tier  
9     (PACENET).

10    (b) PACENET eligibility.--A person with an annual income of  
11    not less than \$14,500 and not more than [\$23,500] \$30,000 in the  
12    case of a single person and of not less than \$17,700 and not  
13    more than [\$31,500] \$40,000 in the case of the combined income  
14    of persons married to each other shall be eligible for enhanced  
15    pharmaceutical assistance under this section. A person may, in  
16    reporting income to the department, round the amount of each  
17    source of income and the income total to the nearest whole  
18    dollar, whereby any amount which is less than 50¢ is eliminated.

19    (c.1) Premium.--In those instances in which a PACENET  
20    claimant is not enrolled in Part D pursuant to section 533, the  
21    claimant shall be required to pay a monthly premium equivalent  
22    to the regional benchmark premium.

23    (d) Copayment.--

24         (1) For claimants under this section, the copayment  
25         schedule shall be:

26             (i) eight dollars for noninnovator multiple source  
27             drugs as defined in section 702; or

28             (ii) fifteen dollars for single-source drugs and  
29             innovator multiple-source drugs as defined in section  
30             702.

1           (2) The department shall annually calculate the  
2       copayment schedules based on the Prescription Drugs and  
3       Medical Supplies Consumer Price Index. When the aggregate  
4       impact of the Prescription Drugs and Medical Supplies  
5       Consumer Price Index equals or exceeds \$1, the department  
6       shall adjust the copayment schedules. Each copayment schedule  
7       shall not be increased by more than \$1 in a calendar year.  
8       Section 3. This act shall take effect immediately.