

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 879 Session of 2012

INTRODUCED BY DiGIROLAMO, NEILSON, K. BOYLE, R. BROWN, BROWNLEE, BURNS, CALTAGIRONE, COHEN, D. COSTA, P. COSTA, CRUZ, CURRY, DALEY, DAVIS, DEAN, DELISSIO, DeLUCA, DePASQUALE, DERMODY, DONATUCCI, ELLIS, D. EVANS, FABRIZIO, FARRY, FRANKEL, GALLOWAY, GEORGE, GERBER, GERGELY, GIBBONS, GODSHALL, GOODMAN, HANNA, HARHAI, HARHART, HARKINS, HELM, HESS, HORNAMAN, JAMES, W. KELLER, KIRKLAND, KOTIK, LONGIETTI, MANN, MARKOSEK, MATZIE, MURPHY, MUSTIO, MYERS, NEUMAN, O'NEILL, PARKER, PASHINSKI, PETRARCA, RAVENSTAHL, ROEBUCK, ROSS, SAINATO, SANTONI, SCAVELLO, CULVER, SCHMOTZER, K. SMITH, STABACK, STEPHENS, STURLA, VITALI, WATSON, WHEATLEY, YOUNGBLOOD AND MAHER, SEPTEMBER 28, 2012

REFERRED TO COMMITTEE ON HUMAN SERVICES, SEPTEMBER 28, 2012

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to
2 conduct a study of the Department of Public Welfare's
3 proposal to begin collecting copayments.

4 WHEREAS, The Department of Public Welfare has proposed via an
5 August 11, 2012, notice in the Pennsylvania Bulletin and a
6 Medical Assistance Bulletin to begin collecting copayments for
7 services provided to children who have disabilities and who have
8 family income greater than 200% of the Federal Poverty Level
9 Guidelines; and

10 WHEREAS, The proposal is scheduled to be fully implemented by
11 November 1, 2012; and

12 WHEREAS, The department had the authority under Act 22 of
13 2011 to publish the copayments in an effort to address budget

1 limitations; and

2 WHEREAS, The authority did not extend to establishing
3 procedures and protocols for collecting the copayments; and

4 WHEREAS, The Federal Government requires the department to
5 calculate the ongoing amount of copayments for each family in
6 real time, ensuring this burden is not placed on families; and

7 WHEREAS, The department's own bulletin dated September 20,
8 2012, admits that they are in no position to comply with this
9 requirement; therefore be it

10 RESOLVED, That the House of Representatives believe
11 significant savings to the Commonwealth can be realized and
12 disruption of services to children with disabilities can be
13 curtailed if copayment caps are accurately calculated, tracking
14 of copayments is done in a timely fashion, prompt reconciliation
15 of overpayments and distribution of refunds is achieved and
16 sufficient enforcement of other payment alternatives provided
17 under Act 62 of 2008 is provided; and be it further

18 RESOLVED, That the House of Representatives direct the
19 Legislative Budget and Finance Committee to conduct a study of
20 the proposal to determine its impact on the families affected;
21 and be it further

22 RESOLVED, That the study seek to learn if there are better
23 implementation strategies to assure that families adequately
24 support their children who have disabilities; and be it further

25 RESOLVED, That the study seek to learn whether the copayments
26 will be implemented across this Commonwealth in a uniform and
27 equitable fashion that complies with Federal and State medical
28 assistance requirements; and be it further

29 RESOLVED, That the study seek to learn what the real health
30 services, administrative and operational costs to the medical

1 assistance funded pediatric health care and child-adolescent
2 behavioral health care delivery system will be for both the fee-
3 for-service and HealthChoices for service providers, as well as
4 for counties and managed care organizations; and be it further

5 RESOLVED, That the study seek to learn what the potential and
6 real costs of special education services may be for students for
7 whom families demand that behavioral health and health care
8 services be added to the student's individual education plan in
9 lieu of medical assistance funded services; and be it further

10 RESOLVED, That the Legislative Budget and Finance Committee
11 issue a report to the General Assembly no later than November 1,
12 2013; and be it further

13 RESOLVED, That the report be submitted to the chairman and
14 minority chairman of the Health Committee of the House of
15 Representatives, the Human Services Committee of the House of
16 Representatives and the Appropriations Committee of the House of
17 Representatives; and be it further

18 RESOLVED, That the Department of Public Welfare be strongly
19 urged to refrain from implementing the policy until after the
20 study is complete.