
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2299 Session of
2014

INTRODUCED BY PICKETT, DeLUCA, BARRAR, WATSON, MURT, HEFFLEY,
YOUNGBLOOD, RAPP, SAMUELSON, McNEILL, McGEEHAN, MILLARD,
C. HARRIS, COHEN AND BISHOP, JUNE 2, 2014

REFERRED TO COMMITTEE ON INSURANCE, JUNE 2, 2014

AN ACT

1 Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An
2 act relating to insurance; amending, revising, and
3 consolidating the law providing for the incorporation of
4 insurance companies, and the regulation, supervision, and
5 protection of home and foreign insurance companies, Lloyds
6 associations, reciprocal and inter-insurance exchanges, and
7 fire insurance rating bureaus, and the regulation and
8 supervision of insurance carried by such companies,
9 associations, and exchanges, including insurance carried by
10 the State Workmen's Insurance Fund; providing penalties; and
11 repealing existing laws," in children's health care, further
12 providing for legislative findings and intent, for
13 definitions and for children's health care eligibility and
14 renewal processes.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 2302 of the act of May 17, 1921 (P.L.682,
18 No.284), known as The Insurance Company Law of 1921, is amended
19 by adding a paragraph to read:

20 Section 2302. Legislative Findings and Intent.--The General
21 Assembly finds and declares as follows:

22 * * *

23 (4.1) All reasonable measures should be taken to insure

1 eligible children and to keep them insured. Strategies should be
2 considered to maximize opportunities for coverage and to
3 simplify and streamline eligibility and renewal processes for
4 families.

5 * * *

6 Section 2. Section 2303 of the act is amended by adding
7 definitions to read:

8 Section 2303. Definitions.--As used in this article, the
9 following words and phrases shall have the meanings given to
10 them in this section:

11 "Administrative renewals." A process by which the Insurance
12 Department provides a preprinted form, populated with
13 eligibility information available to the Commonwealth, to the
14 child's parent or representative, along with a notice that
15 eligibility will be renewed or continued based upon such
16 information, unless the Commonwealth is provided additional
17 information which affects eligibility. The child's parent or
18 representative must confirm the accuracy of the information and
19 the desire to continue eligibility by signing a copy of the form
20 in a format acceptable to the department.

21 * * *

22 "Continuous eligibility." A process which assures coverage
23 for a child for twelve (12) continuous months, regardless of a
24 change in circumstances other than the following:

25 (1) The child no longer resides in this Commonwealth.

26 (2) The death of the child.

27 (3) The child reaches nineteen (19) years of age.

28 (4) The child's parent or representative requests
29 disenrollment.

30 (5) A child who is enrolled under this article files an

1 application for or is determined eligible for Medicaid and is
2 enrolled in Medicaid without a coverage gap.

3 (6) Any other change in circumstances as determined by the
4 Insurance Department and adopted in a statement of policy.

5 * * *

6 "Express lane eligibility." A process which permits the use
7 of findings for eligibility factors, including, but not limited
8 to, income and household size from an express lane partner
9 administering a government program.

10 "Express lane partner." An agency determining eligibility
11 for assistance for any of the following programs:

12 (1) Temporary Assistance for Needy Families (TANF).

13 (2) Child support enforcement.

14 (3) Medicaid.

15 (4) Supplemental Nutrition Assistance Program (SNAP).

16 (5) The National School Lunch Program.

17 (6) WIC.

18 (7) The United States Housing Act of 1937 (50 Stat. 888, 42
19 U.S.C. § 1437 et seq.).

20 (8) Head Start.

21 (9) Child care provided under the Child Care and Development
22 Block Grant Act of 1990 (Public Law 101-508, 42 U.S.C. § 9858 et
23 seq.).

24 * * *

25 Section 3. Section 2311(b)(2) and (g) of the act, amended
26 November 2, 2006 (P.L.1314, No.136), are amended and subsection
27 (i) is amended by adding a paragraph to read:

28 Section 2311. Children's Health Care.--* * *

29 (b) * * *

30 (2) The fund, along with Federal, State and other money

1 available for the program, shall be used for health care
2 coverage for children as specified in this section. The
3 department shall assure that the program is implemented
4 Statewide. All contracts awarded under this section shall be
5 awarded through a competitive procurement process. The
6 department and the Department of Public Welfare shall use their
7 best efforts to ensure that eligible children across this
8 Commonwealth have access to health care services to be provided
9 under this article and that strategies are used to simplify and
10 streamline the eligibility and renewal processes for families.

11 * * *

12 (g) The department shall:

13 (1) Administer the children's health care program pursuant
14 to this article.

15 (2) Review all bids and approve and execute all contracts
16 for the purpose of expanding access to health care services for
17 eligible children as provided for in this subdivision.

18 (3) Conduct monitoring and oversight of contracts entered
19 into.

20 (3.1) Implement an administrative renewal process and
21 continuous eligibility process for children receiving health
22 care pursuant to this article. Nothing in this article shall
23 preclude the department from performing audits of initial
24 applications and renewal applications to ensure the financial
25 accuracy and continued eligibility based on the submitted
26 information.

27 (3.2) In consultation with appropriate Commonwealth
28 agencies, develop interoperability standards for data sharing
29 across agencies from any express lane partner program in the
30 determination of a child's eligibility for health care pursuant

1 to this article and implement express lane eligibility as
2 appropriate.

3 (4) Issue an annual report to the Governor, the General
4 Assembly and the public for each calendar year no later than
5 March 1 outlining primary health services funded for the year,
6 detailing the outreach and enrollment efforts and reporting by
7 number of children by county and by per centum of the Federal
8 poverty level, the number of children receiving health care
9 services; by county and by per centum of the Federal poverty
10 level, the projected number of eligible children; and the number
11 of eligible children on waiting lists for enrollment in the
12 health insurance program established under this act by county
13 and by per centum of the Federal poverty level[.]; and detailing
14 the efforts on the implementation of strategies to streamline
15 and simplify the eligibility and renewal processes, including
16 administrative renewal, continuous eligibility and express lane
17 eligibility.

18 (5) In consultation with appropriate Commonwealth agencies,
19 coordinate the development and supervision of the outreach plan
20 required under section 2312.

21 (6) In consultation with appropriate Commonwealth agencies,
22 monitor, review and evaluate the adequacy, accessibility and
23 availability of services delivered to children who are enrolled
24 in the health insurance program established under this
25 subdivision.

26 * * *

27 (i) The Children's Health Advisory Council is established
28 within the department as an advisory council. The following
29 shall apply:

30 * * *

1 (10) The council shall review and evaluate the
2 implementation of strategies to streamline and simplify
3 eligibility and renewal processes, including administrative
4 renewal, continuous eligibility and express lane eligibility.

5 * * *

6 Section 4. This act shall take effect in 180 days.