

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 875** Session of
2015

INTRODUCED BY BAKER, PICKETT, CUTLER, MILLARD, JAMES, ZIMMERMAN,
BISHOP, BOBACK, KAUFFMAN, McNEILL, A. HARRIS, D. COSTA, COX,
WATSON, SAYLOR, GROVE, GABLER, MURT, FARRY, MOUL AND KORTZ,
APRIL 1, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 4, 2015

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," in public assistance,
4 further providing for verification of eligibility.

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

7 Section 1. Section 441.9 of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, added July 7,
9 2005 (P.L.177, No.42), is amended to read:

10 Section 441.9. Verification of Eligibility.--(a) Except as
11 set forth in subsection (b), income shall be verified prior to
12 authorization of medical assistance or during a redetermination
13 of a recipient's eligibility unless the verification is pending
14 from a third party and the applicant has cooperated in the
15 verification attempt in accordance with department regulations.

16 (b) Notwithstanding subsection (a), the department may
17 authorize medical assistance for pregnant women, children, the

1 elderly or people with disabilities if third-party, automated
2 sources of verification are used to verify income within sixty
3 days of the date of authorization.

4 (c) Except as prohibited by Federal law, it shall be a
5 condition of eligibility for medical assistance that an
6 applicant or recipient consent to the disclosure of information
7 about the age, residence, citizenship, employment, applications
8 for employment, income and resources of the applicant or
9 recipient which is in the possession of third parties. Consent
10 shall be effective to authorize a third party to release
11 information requested by the department. Except in a case of
12 suspected fraud, the department shall attempt to notify the
13 applicant or recipient prior to contacting a third party for
14 information about the applicant or recipient.

15 (d) All applicants and recipients shall, as a condition of
16 eligibility, cooperate with the department in securing medical
17 support from the noncustodial parent of any child for whom
18 medical assistance is sought or provided.

19 (E) THE REQUIREMENTS OF SUBSECTION (D) SHALL NOT APPLY IF: <--

20 (1) THE CUSTODIAL PARENT IS A VICTIM OF DOMESTIC VIOLENCE
21 PERPETRATED BY THE NONCUSTODIAL PARENT. DOMESTIC VIOLENCE SHALL
22 BE VERIFIED USING STATE STANDARDS DEVELOPED UNDER SECTION 402(A)
23 (7) OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
24 RECONCILIATION ACT OF 1996 (PUBLIC LAW 104-193, 42 U.S.C. §
25 602(A)(7)).

26 (2) THE APPLICATION OF SUBSECTION (D) ENDANGERS THE WELL-
27 BEING OF A CHILD BY INTERRUPTING THE CHILD'S CONTINUITY OF
28 MEDICAL CARE.

29 Section 2. This act shall take effect in 60 days.