

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2138 Session of 2018

INTRODUCED BY DOWLING, CUTLER, BARRAR, RYAN, WARD, REED, SAYLOR, GROVE, MENTZER, BERNSTINE, KAUFFMAN, COX, ZIMMERMAN, B. MILLER, KLUNK, JAMES, WALSH, SCHEMEL, PHILLIPS-HILL, FEE AND DAY, MARCH 13, 2018

REFERRED TO COMMITTEE ON HEALTH, MARCH 13, 2018

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 providing for work requirements.

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

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known  
8 as the Human Services Code, is amended by adding a section to  
9 read:

10 Section 441.10. Work Requirements.--(a) No later than March  
11 1 of each year, the secretary shall apply to the Centers for  
12 Medicare and Medicaid Services of the United States Department  
13 of Health and Human Services for a demonstration program under  
14 section 1115 of the Social Security Act (49 Stat. 620, 42 U.S.C.  
15 § 1315) for the following purposes:

16 (1) Instituting a work requirement for a medical assistance  
17 enrollee who is not exempt under paragraph (4). The work  
18 requirement shall require a medical assistance enrollee to

1 become employed, actively seek employment as verified by the  
2 department or attend a job training program in accordance with  
3 the following:

4 (i) In the case of a medical assistance enrollee who is  
5 employed or attending job training programs in order to maintain  
6 enrollment in the medical assistance program, the medical  
7 assistance enrollee shall work twenty hours a week or complete  
8 twelve job training program-related activities a month.

9 (ii) A medical assistance enrollee who has failed to comply  
10 with the work requirement under subparagraph (i) shall  
11 relinquish medical assistance program eligibility for the  
12 following time periods:

13 (A) Three months beginning in year two of employment.

14 (B) Six months beginning after the time period under clause  
15 (A) expires.

16 (C) Nine months beginning after the time period under clause  
17 (B) expires.

18 (2) Requiring an able-bodied medical assistance enrollee who  
19 is nineteen years of age or older to verify on a biannual basis  
20 or by request of the department the medical assistance  
21 enrollee's family income or the medical assistance enrollee's  
22 compliance with the provisions under paragraph (1) for the  
23 purpose of determining the medical assistance enrollee's  
24 eligibility.

25 (3) Delaying an individual from enrolling in a medical  
26 assistance program if the individual has failed to comply with  
27 paragraphs (1) and (2).

28 (4) Exempting a medical assistance enrollee from the  
29 requirements under paragraphs (1) and (2) under any of the  
30 following conditions:

1 (i) The medical assistance enrollee is attending high school  
2 as a full-time student.

3 (ii) The medical assistance enrollee is currently receiving  
4 temporary or permanent long-term disability benefits.

5 (iii) The medical assistance enrollee is an individual  
6 nineteen years of age or younger or sixty-five years of age or  
7 older.

8 (iv) The medical assistance enrollee is a pregnant woman.

9 (v) The medical assistance enrollee receives Supplemental  
10 Security Income (SSI) benefits.

11 (vi) The medical assistance enrollee resides in a mental  
12 health institution or correctional institution.

13 (vii) The medical assistance enrollee is experiencing a  
14 crisis, serious medical condition or temporary condition that  
15 prevents the Medicaid enrollee from actively seeking employment,  
16 such as domestic violence or substance use disorder.

17 (viii) The medical assistance enrollee is the primary  
18 caregiver to a dependent who is under six years of age or is  
19 permanently disabled.

20 (b) The secretary's application for the demonstration  
21 program under subsection (a) shall also align with other  
22 assistance programs that have work requirements in order to  
23 reduce the cost of monitoring the work requirements.

24 (c) The demonstration program under subsection (a) may also  
25 include a medical assistance buy-in component to allow workers  
26 with disabilities to have higher wage earnings and maintain  
27 their medical assistance coverage.

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