

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 33 Session of 2019

INTRODUCED BY DUNBAR, SAYLOR, REESE, OBERLANDER, NELSON, ROTHMAN, MACKENZIE, GREINER, DIAMOND, JONES, PICKETT, GREGORY, RYAN, BARRAR, GLEIM, GROVE, BERNSTINE, WARNER, MILLARD, KEEFER, JAMES, PYLE, KAUFFMAN, DeLUCA AND BENNINGHOFF, JANUARY 28, 2019

REFERRED TO COMMITTEE ON HEALTH, JANUARY 28, 2019

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 definitions, for general assistance-
5 related categorically needy and medically needy only medical
6 assistance programs and for the medically needy and
7 determination of eligibility.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 402 introductory paragraph and the
11 definition of "general assistance" of the act of June 13, 1967
12 (P.L.31, No.21), known as the Human Services Code, amended June
13 30, 2012 (P.L.668, No.80), amendment declared unconstitutional,
14 188 A.3d 1135, (Pa. 2018), are amended and the section is
15 amended by adding a definition to read:

16 Section 402. Definitions.--As used in this article, unless
17 the [content] context clearly indicates otherwise:

18 * * *

19 ["General assistance" means assistance granted under the

1 provisions of section 432(3) of this act.]

2 "General assistance-related categorically needy medical
3 assistance" means medical assistance for persons who meet the
4 requirements under section 432(3).

5 * * *

6 Section 2. Section 403.2 of the act, added June 30, 2012
7 (P.L.668, No.80), addition declared unconstitutional, 188 A.3d
8 1135, (Pa. 2018), is reenacted and amended to read:

9 Section 403.2. General Assistance-Related Categorically
10 Needy and Medically Needy Only Medical Assistance Programs.--(a)
11 Subject to subsection (b) and notwithstanding any other
12 provision of law, the general assistance cash assistance program
13 shall cease [~~August 1, 2012~~] July 1, 2019.

14 (b) The general assistance-related categorically needy
15 medical assistance program shall continue, including, but not
16 limited to, the eligibility and work and work-related
17 requirements under this article. The general assistance-related
18 medical assistance program for the medically needy only shall
19 continue.

20 Section 3. Section 442.1(a)(3) introductory paragraph and
21 (i) of the act, amended June 30, 2012 (P.L.668, No.80),
22 amendment declared unconstitutional, 188 A.3d 1135, (Pa. 2018),
23 are amended to read:

24 Section 442.1. The Medically Needy; Determination of
25 Eligibility.--(a) A person shall be considered medically needy
26 if that person meets the requirements of clauses (1), (2) and
27 (3):

28 * * *

29 (3) Complies with [~~either~~] subclause [~~(i) or~~] (ii):
30 [(i) Receives general assistance in the form of cash.]

1 * * *

2 Section 4. This act shall take effect as follows:

3 (1) The amendment of section 442.1(a)(3) introductory
4 paragraph and (i) of the act shall take effect July 1, 2019.

5 (2) The remainder of this act shall take effect
6 immediately.