
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 454 Session of
2019

INTRODUCED BY J. WARD, MARTIN, MENSCH, YUDICHAK, DiSANTO,
HUTCHINSON, ARGALL, SABATINA, BLAKE, BAKER AND COSTA,
MARCH 19, 2019

REFERRED TO HEALTH AND HUMAN SERVICES, MARCH 19, 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 providing for public notice of provider payment rates for
5 individuals with an intellectual disability or autism.

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

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

11 Section 443.13. Public Notice of Provider Payment Rates for
12 Individuals with an Intellectual Disability or Autism.--The
13 following shall apply to home-based and community-based services
14 provided to individuals with an intellectual disability or
15 autism:

16 (1) Not later than 30 days after the Governor's budget
17 address, the department shall transmit to the Legislative
18 Reference Bureau for publication in the Pennsylvania Bulletin a
19 notice that includes the proposed provider payment rates for

1 home-based and community-based services for the next fiscal
2 year. The rates shall be sufficient to enable individuals with
3 an intellectual disability or autism, who are enrolled in any of
4 the department's federally approved medical assistance funded
5 waiver programs, to access services which must comply with the
6 department's quality of care standards and are necessary to meet
7 the needs of individuals with an intellectual disability or
8 autism, as identified in the individuals' approved individual
9 support plans.

10 (2) The notice shall solicit public comment on and contain a
11 detailed description of the precise methodologies utilized to
12 calculate the payment rates for home-based and community-based
13 services to be rendered under the waiver programs, including the
14 data, studies, assumptions, variables, calculations and any
15 other information relied upon and the source of all information
16 utilized in establishing the payment rates. The information
17 shall be made available by the department for inspection,
18 examination and copying.

19 (3) Not later than forty-five days after the enactment of
20 the General Appropriation Act each year, and after review and
21 consideration of the public comments received by the department,
22 the department shall transmit to the Legislative Reference
23 Bureau for publication in the Pennsylvania Bulletin a notice
24 that includes the final provider payment rates for home-based
25 and community-based services for the fiscal year and a detailed
26 response to the public comments.

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