

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 293 Session of 2021

INTRODUCED BY OBERLANDER, HOWARD, SCHLEGEL CULVER, FEE, DAY, McNEILL, HILL-EVANS, STAMBAUGH, CIRESI, WHEELAND, WARREN AND R. BROWN, JANUARY 27, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 15, 2021

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 compensable services and items; and abrogating
5 a related regulation.

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. Compensable Services and Items.--
12 ~~Notwithstanding any other provision of law, an anti-obesity drug <--~~
13 ~~approved by the Food and Drug Administration of the United~~
14 ~~States Department of Health and Human Services shall be~~
15 ~~considered a compensable item under the medical assistance~~
16 ~~program. AN ANTI-OBESITY DRUG SHALL BE CONSIDERED A COMPENSABLE <--~~
17 ~~ITEM UNDER THE MEDICAL ASSISTANCE PROGRAM WHEN IT IS INCLUDED:~~
18 (1) IN THE DEFINITION OF "COVERED OUTPATIENT DRUG" UNDER

1 SECTION 1927(K) OF THE SOCIAL SECURITY ACT (49 STAT. 620, 42
2 U.S.C. § 1396R-8(K)) AND SUBJECT TO SECTION 1927(A)(1) OF THE
3 SOCIAL SECURITY ACT (49 STAT. 620, 42 U.S.C. § 1396R-8(A)(1));

4 AND

5 (2) ON THE PENNSYLVANIA MEDICAL ASSISTANCE STATEWIDE
6 PREFERRED DRUG LIST AUTHORIZED UNDER SECTION 459.1.

7 Section 2. The provisions of 55 Pa. Code § 1121.54(1) are
8 abrogated insofar as they are inconsistent with the addition of
9 section 443.13 of the act.

10 Section 3. This act shall take effect in 60 days.