

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2072 Session of 2021

INTRODUCED BY M. MACKENZIE, R. MACKENZIE AND FLOOD,  
NOVEMBER 10, 2021

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JANUARY 26, 2022

AN ACT

1 Providing for payment of delinquent Children's Health Insurance  
2 Program premium balances.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Payment of  
7 Delinquent Children's Health Insurance Program Premium Balances  
8 Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Children's Health Insurance Program." The program for  
14 comprehensive health care for uninsured children under Article  
15 XXIII-A of the act of May 17, 1921 (P.L.682, No.284), known as  
16 The Insurance Company Law of 1921.

17 "Contractor." As defined in section 2301-A of The Insurance

1 Company Law of 1921.

2 "Department." The Department of Human Services of the  
3 Commonwealth.

4 "Enrollee." An enrollee under Article XXIII-A of The  
5 Insurance Company Law of 1921.

6 Section 3. Payment of delinquent premium balances.

7 (a) Request.--~~Notwithstanding section 111 C of the act of~~ <--  
8 ~~April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, a A~~ <--  
9 contractor may submit a written request to the department for  
10 payment of delinquent Children's Health Insurance Program  
11 premium balances of enrollees ~~from Federal money received by the~~ <--  
12 ~~Commonwealth through the Coronavirus State Fiscal Recovery Fund~~  
13 during any of the following periods:

14 (1) From March 1, 2020, to June 30, 2020.

15 (2) From July 1, 2020, to June 30, 2021.

16 (3) From July 1, 2021, to December 31, 2021.

17 (b) Forms.--~~The~~ WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS <--  
18 SECTION, THE department shall develop a form to be used by a  
19 contractor requesting payment under this section. The following  
20 apply:

21 (1) The form must require sufficient information for the  
22 department to verify the amount of the requested payment.

23 (2) If necessary, the department may require supporting  
24 documentation from the contractor.

25 (3) THE FORM MUST INCLUDE AN ATTESTATION THAT THE <--  
26 CONTRACTOR RECEIVING PAYMENT UNDER THIS SECTION HAS NOT  
27 RECEIVED AND WILL NOT SEEK PAYMENT OF DELINQUENT CHILDREN'S  
28 HEALTH INSURANCE PROGRAM PREMIUM BALANCES FROM ENROLLEES FOR  
29 THE PERIODS UNDER SUBSECTION (A).

30 (c) Submittal.--To be eligible to receive payment of

1 delinquent premium balances under this section, the contractor  
2 must complete the form under subsection (b) and submit the form  
3 to the department within ~~90~~ 60 days of the effective date of <--  
4 this section in addition to any other supporting documentation  
5 requested by the department for the purpose of verifying the  
6 amount of the requested payment.

7 (d) Payment.--To the extent that money is available, the  
8 department shall make payment to the contractor for the amount  
9 of delinquent premium balances verified by the department in  
10 accordance with this section.

11 (e) Certification and appropriation.--

12 (1) Within ~~120~~ 90 days of the effective date of this <--  
13 section, the department shall calculate the aggregate amount  
14 of contractor payment requests verified as accurate and  
15 appropriate.

16 (2) The Secretary of the Budget shall certify to the  
17 General Assembly the calculation under paragraph (1).

18 (3) ~~Money certified under paragraph (2) is appropriated <--~~  
19 ~~to the department from the COVID-19 Response Restricted~~  
20 ~~Account~~ THE DEPARTMENT SHALL USE MONEY APPROPRIATED FOR THE <--  
21 CHILDREN'S HEALTH INSURANCE PROGRAM TO MAKE PAYMENTS IN THE  
22 AMOUNT CERTIFIED UNDER PARAGRAPH (2) for the payment of  
23 delinquent premium balances in accordance with this act.

24 Section 4. Effective date.

25 This act shall take effect ~~in 30 days~~ IMMEDIATELY. <--