
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 359 Session of
2021

INTRODUCED BY SCHWANK, HUGHES, FONTANA, KEARNEY, STREET,
COLLETT, TARTAGLIONE, SANTARSIERO, BREWSTER, COSTA, BOSCOLA,
KANE AND MUTH, MARCH 12, 2021

REFERRED TO HEALTH AND HUMAN SERVICES, MARCH 12, 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 medical assistance,
4 providing for pregnancy-related and postpartum medical
5 assistance.

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 441.10. Pregnancy-Related and Postpartum Medical
12 Assistance.--(a) The secretary shall apply to the Centers for
13 Medicare and Medicaid Services of the United States Department
14 of Health and Human Services for a waiver under section 1115 of
15 the Social Security Act (49 Stat. 620, 42 U.S.C. § 1315) to
16 permit a woman receiving medical assistance under section
17 1902(e) (5) of the Social Security Act (49 Stat. 620, 42 U.S.C. §
18 1396a(e) (5)) to be eligible for pregnancy-related and postpartum
19 medical assistance for up to an additional ten months following

1 the birth of the child.

2 (b) A woman shall, subject to any necessary Federal
3 approval, be eligible for additional pregnancy-related and
4 postpartum medical assistance under subsection (a) if the woman:

5 (1) Is eligible for medical assistance at the time of
6 delivery.

7 (2) Is not otherwise eligible for medical assistance.

8 (3) Has income less than two hundred fifteen percent of the
9 Federal poverty income guidelines.

10 (c) If the initial application for the waiver under
11 subsection (a) receives Federal approval, the secretary shall
12 apply for subsequent extensions of the waiver as necessary. If
13 the initial application for the waiver under subsection (a) does
14 not receive Federal approval, the secretary shall, no later than
15 180 days after failure to receive Federal approval under
16 subsection (a) is received, submit a report to the Governor and
17 the General Assembly detailing ways the application can be
18 updated to receive Federal approval. The report and application
19 for the waiver shall be updated and resubmitted until the
20 application receives Federal approval.

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