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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1380 Session of  
2023

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INTRODUCED BY GROVE, GREINER, KEEFER, FLICK, MOUL AND STRUZZI,  
JUNE 12, 2023

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REFERRED TO COMMITTEE ON HUMAN SERVICES, JUNE 12, 2023

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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 administration of assistance programs.

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

7 Section 1. Section 403.1 of the act of June 13, 1967  
8 (P.L.31, No.21), known as the Human Services Code, is amended to  
9 read:

10 Section 403.1. Administration of Assistance Programs.--(a)  
11 The department is authorized to establish rules, regulations,  
12 procedures and standards consistent with law as to the  
13 administration of programs providing assistance, including  
14 regulations promulgated under subsection (d), that do any of the  
15 following:

16 (1) Establish standards for determining eligibility and the  
17 nature and extent of assistance.

18 (2) Authorize providers to condition the delivery of care or  
19 services on the payment of applicable copayments.

1 (3) Modify existing benefits, establish benefit limits and  
2 exceptions to those limits, establish various benefit packages  
3 and offer different packages to different recipients, to meet  
4 the needs of the recipients.

5 (4) Establish or revise provider payment rates or fee  
6 schedules, reimbursement models or payment methodologies for  
7 particular services.

8 (5) Restrict or eliminate presumptive eligibility.

9 (6) Establish provider qualifications.

10 (7) Access data from any other state agency to verify  
11 residency and eligibility of an applicant prior to approval.

12 (8) Utilize data analytics, including artificial  
13 intelligence, for eligibility verification and the detection of  
14 fraud.

15 (9) Prioritize all job training programs with the Department  
16 of Labor and Industry, Department of Education and Workforce  
17 Development Boards to increase employment and self-reliance for:

18 (i) Able-bodied Medical Assistance consumers.

19 (ii) Residents making minimum wage who are not enrolled in a  
20 secondary or higher education institution.

21 (10) Require physical health managed care organizations to  
22 share medical assistance claims data with providers.

23 (11) Establish health savings accounts and medical  
24 assistance premiums to assist residents transitioning out of  
25 medical assistance programs.

26 (b) The department is authorized to develop and submit State  
27 plans, waivers or other proposals to the Federal Government and  
28 to take such other measures as may be necessary to render the  
29 Commonwealth eligible for available Federal funds or other  
30 assistance.

1 (c) Notwithstanding any other provision of law, the  
2 department shall take any action specified in subsection (a) as  
3 may be necessary to ensure that expenditures [for State fiscal  
4 year 2011-2012] for assistance programs administered by the  
5 department do not exceed the aggregate amount appropriated for  
6 such programs [by the act of June 30, 2011 (P.L.633, No.1A),  
7 known as the General Appropriation Act of 2011]. The department  
8 shall seek such waivers or Federal approvals as may be necessary  
9 to ensure that actions taken pursuant to this section comply  
10 with applicable Federal law. During State fiscal year 2011-2012,  
11 the department shall not enter into a new contract for  
12 consulting or professional services, unless the department  
13 determines that:

14 (1) it does not have sufficient staff to perform the  
15 services and it would be more cost effective to contract for the  
16 services than to hire new staff to provide the services; or

17 (2) it does not have staff with the expertise required to  
18 perform the services.

19 (d) For purposes of implementing subsection (c), and  
20 notwithstanding any other provision of law, including section  
21 814-A, the secretary shall promulgate regulations pursuant to  
22 section 204(1)(iv) of the act of July 31, 1968 (P.L.769,  
23 No.240), referred to as the "Commonwealth Documents Law," which  
24 shall be exempt from the following:

25 (1) Section 205 of the "Commonwealth Documents Law."

26 (2) Section 204(b) of the act of October 15, 1980 (P.L.950,  
27 No.164), known as the "Commonwealth Attorneys Act."

28 (3) The act of June 25, 1982 (P.L.633, No.181), known as the  
29 "Regulatory Review Act."

30 [(e) The regulations promulgated under subsection (d) may be

1 retroactive to July 1, 2011, and shall be promulgated no later  
2 than June 30, 2012.]

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