October 19, 2018

TO THE HONORABLE HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 2138, Printer’s Number 3328.

In February 2015, I expanded Medicaid to ensure that Pennsylvanians can receive affordable, straightforward, accessible healthcare without unnecessary delays and confusion. Because of this expansion, more people have access to health care, thousands of jobs were created, and billions of dollars were infused into the economy.

Medicaid has served as a critical resource for Pennsylvanians who are suffering from a substance use disorder as our Commonwealth battles an unprecedented prescription drug and heroin public health crisis. Through Medicaid expansion, almost 124,000 newly eligible Medicaid enrollees were able to access drug and alcohol treatment that is critical to helping patients recover from the disease of addiction.

This legislation does not promote health coverage, access and treatment. Instead, this legislation increases costs, creates unnecessary delays and confusion, penalizes individuals who need healthcare, and terminates health coverage for those who need it the most.

For the reasons set forth above, I must withhold my signature from House Bill 2138, Printer’s Number 3328.

Sincerely,

TOM WOLF
Governor
ACT NO. ___

HOUSE BILL NO. 2138

SESSION OF 20 __18__
AN ACT


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

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

Section 441.10. Work Requirements.--(a) No later than March 1 of each year, the secretary shall apply to the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services for a demonstration program under section 1115 of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1315) for the following purposes:

(1) Instituting a work requirement for a medical assistance enrollee who is not exempt under paragraph (4). The work...
requirement shall require a medical assistance enrollee to
become employed, actively seek employment as verified by the
department, or attend a job training program in accordance with the following:
(i) In the case of a medical assistance enrollee who is
employed or attending job training programs in order to maintain
enrollment in the medical assistance program, the medical
assistance enrollee shall work twenty hours a week or complete
twelve job training program-related activities a month.
(ii) A medical assistance enrollee who has failed to comply
with the work requirement under subparagraph (i) shall
relinquish medical assistance program eligibility for the
following time periods:
(A) Three months beginning in year two of employment
ENROLLMENT IN MEDICAL ASSISTANCE.
(B) Six months beginning after the time period under clause
(A) expires.
(C) Nine months beginning after the time period under clause
(B) expires.
(2) Requiring an able-bodied medical assistance enrollee who
is nineteen years of age or older to verify on a biannual basis
or by request of the department the medical assistance
enrollee's family income or the medical assistance enrollee's
compliance with the provisions under paragraph (1) for the
purpose of determining the medical assistance enrollee's
eligibility.
(3) Delaying an individual from enrolling in a medical
assistance program if the individual has failed to comply with
paragraphs (1) and (2).
(4) Exempting a medical assistance enrollee from the
requirements under paragraphs (1) and (2) under any of the following conditions:

(i) The medical assistance enrollee is attending high school as a full-time student.

(ii) The medical assistance enrollee is currently receiving temporary or permanent long-term disability benefits.

(iii) The medical assistance enrollee is an individual nineteen EIGHTEEN years of age or younger or sixty-five years of age or older.

(iv) The medical assistance enrollee is a pregnant woman.

(v) The medical assistance enrollee receives Supplemental Security Income (SSI) benefits.

(vi) The medical assistance enrollee resides in a mental health institution or correctional institution.

(vii) The medical assistance enrollee is experiencing a crisis, serious medical condition, or temporary condition that prevents the Medicaid enrollee from actively seeking employment, such as INCLUDING, BUT NOT LIMITED TO, domestic violence or A substance use disorder.

(viii) The medical assistance enrollee is the primary caregiver to a dependent who is under six years of age or is permanently disabled, SIX YEARS OF AGE OR YOUNGER.

(ix) The medical assistance enrollee is the primary caregiver to an individual who is permanently disabled or who is in hospice care.

(b) The secretary's application for the demonstration program under subsection (a) shall also align with other assistance programs that have work requirements in order to reduce the cost of monitoring the work requirements.

(c) The demonstration program under subsection (a) may also
We certify that this bill, House Bill No. 2138, Printer's No. 3328, has passed the House of Representatives and the Senate.

Chief Clerk, House of Representatives

Speaker, House of Representatives

President, Senate

Approved the ______ day of ____________ A.D. 20__

Governor