



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

THE GOVERNOR

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.

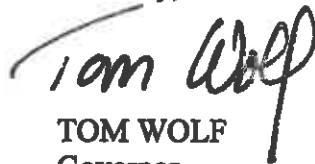
In February 2015, I expanded Medicaid to ensure that Pennsylvanians can receive affordable, straightforward, accessible healthcare without unnecessary delays and confusion. Because of this expansion, more people have access to health care, thousands of jobs were created, and billions of dollars were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

RECEIVED
2018 OCT 19 PM 3:01
DEPT OF STATE
OFFICE OF THE GOVERNOR

RECEIVED

2018 OCT 18 AM 9:55

DEPT OF STATE
BUREAU OF CEI



RECEIVED

2018 OCT 19 PM 3:03

DEPT OF STATE
BUREAU OF CEI

ACT NO. _____

HOUSE BILL NO. 2138

SESSION OF 20 18



RECEIVED

BY _____

OCT 18 2018

OFFICE OF GENERAL COUNSEL

REFERRED _____

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2138 Session of
2018

INTRODUCED BY DOWLING, CUTLER, BARRAR, RYAN, WARD, REED, SAYLOR,
GROVE, MENTZER, BERNSTINE, KAUFEMAN, COX, ZIMMERMAN,
B. MILLER, KLUNK, JAMES, WALSH, SCHEMEL, PHILLIPS-HILL, FEE,
DAY, TURZAI, WARNER, MASSER AND KEEFER, MARCH 13, 2018

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 11, 2018

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 work requirements.

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

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

10 Section 441.10. Work Requirements.--(a) No later than March
11 1 of each year, the secretary shall apply to the Centers for
12 Medicare and Medicaid Services of the United States Department
13 of Health and Human Services for a demonstration program under
14 section 1115 of the Social Security Act (49 Stat. 620, 42 U.S.C.
15 § 1315) for the following purposes:

16 (1) Instituting a work requirement for a medical assistance
17 enrollee who is not exempt under paragraph (4). The work

1 requirement shall require a medical assistance enrollee to
2 become employed, actively seek employment as verified by the
3 department, or attend a job training program in accordance with ←
4 the following:

5 (i) In the case of a medical assistance enrollee who is
6 employed or attending job training programs in order to maintain
7 enrollment in the medical assistance program, the medical
8 assistance enrollee shall work twenty hours a week or complete
9 twelve job training program-related activities a month.

10 (ii) A medical assistance enrollee who has failed to comply
11 with the work requirement under subparagraph (i) shall
12 relinquish medical assistance program eligibility for the
13 following time periods:

14 (A) Three months beginning in year two of employment ←
15 ENROLLMENT IN MEDICAL ASSISTANCE. ←

16 (B) Six months beginning after the time period under clause
17 (A) expires.

18 (C) Nine months beginning after the time period under clause
19 (B) expires.

20 (2) Requiring an able-bodied medical assistance enrollee who
21 is nineteen years of age or older to verify on a biannual basis
22 or by request of the department the medical assistance
23 enrollee's family income or the medical assistance enrollee's
24 compliance with the provisions under paragraph (1) for the
25 purpose of determining the medical assistance enrollee's
26 eligibility.

27 (3) Delaying an individual from enrolling in a medical
28 assistance program if the individual has failed to comply with
29 paragraphs (1) and (2).

30 (4) Exempting a medical assistance enrollee from the

1 requirements under paragraphs (1) and (2) under any of the
2 following conditions:

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

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

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

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

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

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

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

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

23 (IX) THE MEDICAL ASSISTANCE ENROLLEE IS THE PRIMARY
24 CAREGIVER TO AN INDIVIDUAL WHO IS PERMANENTLY DISABLED OR WHO IS
25 IN HOSPICE CARE.

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

30 (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