

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 278 Session of 2013

INTRODUCED BY BAKER, GINGRICH, PICKETT, D. COSTA, M. K. KELLER, MAJOR, O'NEILL, STERN, CAUSER, RAPP, KAVULICH, CARROLL, CUTLER, TAYLOR, CALTAGIRONE, HESS, C. HARRIS, READSHAW, SWANGER, FLECK, DENLINGER, MURT, SAINATO AND GRELL, JANUARY 23, 2013

REFERRED TO COMMITTEE ON HEALTH, JANUARY 23, 2013

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
 2 as amended, "An act relating to the finances of the State
 3 government; providing for the settlement, assessment,
 4 collection, and lien of taxes, bonus, and all other accounts
 5 due the Commonwealth, the collection and recovery of fees and
 6 other money or property due or belonging to the Commonwealth,
 7 or any agency thereof, including escheated property and the
 8 proceeds of its sale, the custody and disbursement or other
 9 disposition of funds and securities belonging to or in the
 10 possession of the Commonwealth, and the settlement of claims
 11 against the Commonwealth, the resettlement of accounts and
 12 appeals to the courts, refunds of moneys erroneously paid to
 13 the Commonwealth, auditing the accounts of the Commonwealth
 14 and all agencies thereof, of all public officers collecting
 15 moneys payable to the Commonwealth, or any agency thereof,
 16 and all receipts of appropriations from the Commonwealth,
 17 authorizing the Commonwealth to issue tax anticipation notes
 18 to defray current expenses, implementing the provisions of
 19 section 7(a) of Article VIII of the Constitution of
 20 Pennsylvania authorizing and restricting the incurring of
 21 certain debt and imposing penalties; affecting every
 22 department, board, commission, and officer of the State
 23 government, every political subdivision of the State, and
 24 certain officers of such subdivisions, every person,
 25 association, and corporation required to pay, assess, or
 26 collect taxes, or to make returns or reports under the laws
 27 imposing taxes for State purposes, or to pay license fees or
 28 other moneys to the Commonwealth, or any agency thereof,
 29 every State depository and every debtor or creditor of the
 30 Commonwealth," further providing, in general budget
 31 implementation, for the Department of Public Welfare.

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

3 Section 1. Section 1729-E of the act of April 9, 1929
4 (P.L.343, No.176), known as The Fiscal Code, amended or added
5 July 17, 2007 (P.L.141, No.42) and July 2, 2012 (P.L.823,
6 No.87), is amended to read:

7 Section 1729-E. Department of Public Welfare.

8 The following shall apply to appropriations for the
9 Department of Public Welfare:

10 (1) Any rule, regulation or policy for the Federal or
11 State appropriations for the cash assistance, outpatient,
12 inpatient, capitation, behavioral health, long-term care and
13 Supplemental Grants to the Aged, Blind and Disabled, Child
14 Care and Attendant Care programs adopted by the Secretary of
15 Public Welfare during the fiscal year which adds to the cost
16 of any public assistance program shall be effective only from
17 and after the date upon which it is approved as to the
18 availability of funds by the Governor.

19 (2) Federal and State medical assistance payments. The
20 following shall apply:

21 (i) No funds appropriated for approved capitation
22 plans shall be used to pay a provider who fails to supply
23 information in a form required by the department in order
24 to facilitate claims for Federal financial participation
25 for services rendered to general assistance clients.

26 (ii) (Reserved).

27 (iii) (Reserved).

28 (iv) (Reserved).

29 (v) (Reserved).

30 (vi) [(Reserved).] The department shall reimburse a

1 "critical access hospital," as defined in section
2 1861(mm) (1) of the Social Security Act (49 Stat. 620, 42
3 U.S.C. § 1395x(mm) (1)), which is qualified to participate
4 under Title XIX of the Social Security Act (42 U.S.C. §
5 1396 et seq.) at 101% of medical assistance allowable
6 costs for:

7 (A) "inpatient critical access hospital
8 services," as defined in section 1861(mm) (2) of the
9 Social Security Act (42 U.S.C. 1395x(mm) (2)),
10 provided to a medical assistance recipient; and

11 (B) "outpatient critical access hospital
12 services," as defined in section 1861(mm) (3) of the
13 Social Security Act (42 U.S.C. § 1395x(mm) (3)),
14 provided to a medical assistance recipient.

15 (vii) The following shall apply to eligibility
16 determinations for services under medical assistance:

17 (A) Unless the custodial parent or legally
18 responsible adult has provided to the department, at
19 application or redetermination, information required
20 by the department for inclusion in the annual report
21 under clause (B), no funds from an appropriation for
22 medical assistance shall be used to pay for medical
23 assistance services for a child under 21 years of
24 age:

25 (I) who has a Supplemental Security Income
26 (SSI) level of disability; and

27 (II) whose parental income is not currently
28 considered in the eligibility determination
29 process.

30 (B) The department shall submit to the Public

1 Health and Welfare Committee of the Senate and the
2 Health and Human Services Committee of the House of
3 Representatives an annual report including the
4 following data:

5 (I) Family size.

6 (II) Household income.

7 (III) County of residence.

8 (IV) Length of residence in this
9 Commonwealth.

10 (V) Third-party insurance information.

11 (VI) Diagnosis and type and cost of services
12 paid for by the medical assistance program on
13 behalf of each eligible and enrolled child
14 described in clause (A).

15 Section 2. The amendment of section 1729-E of the act shall
16 apply to fiscal years beginning after June 30, 2013.

17 Section 3. This act shall take effect immediately.