

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2392 Session of 2022

INTRODUCED BY HAMM, STAMBAUGH, GROVE, SCHLEGEL CULVER, COX,
HENNESSEY, JAMES, SAYLOR, KEEFER, ROWE AND FARRY,
MARCH 9, 2022

REFERRED TO COMMITTEE ON HEALTH, MARCH 9, 2022

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 verification of eligibility.

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

7 Section 1. Section 441.9 of the act of June 13, 1967
8 (P.L.31, No.21), known as the Human Services Code, is amended by
9 adding subsections to read:

10 Section 441.9. Verification of Eligibility.--* * *

11 (d) The following apply regarding lottery winnings:

12 (1) The department shall enter into a data matching
13 agreement with the Pennsylvania Gaming Control Board to identify
14 individuals with lottery or gambling winnings of \$3,000 or more.

15 (2) On at least a monthly basis, the department shall review
16 the information under paragraph (1) and close the case for
17 individuals who are ineligible for medical assistance based upon
18 verification of the winnings specified under paragraph (1).

1 (3) An individual who has failed to disclose the winnings
2 specified under paragraph (1) and has been identified through
3 the database match shall be deemed to have presumptively
4 committed an intentional violation of the medical assistance
5 program.

6 (e) On at least a monthly basis, the department shall
7 receive and review information from the Department of Health
8 concerning individuals enrolled in medical assistance that
9 indicates a change in circumstances that may affect eligibility
10 for medical assistance, including death records.

11 (f) On at least a quarterly basis, the department shall
12 receive and review information from the Department of Labor and
13 Industry concerning individuals enrolled in medical assistance
14 that indicates a change in circumstances that may affect
15 eligibility for medical assistance, including changes in
16 employment or wages.

17 (g) On at least a monthly basis, the department shall review
18 information concerning individuals enrolled in medical
19 assistance that indicates a change in circumstances that may
20 affect eligibility for medical assistance, including potential
21 changes in residency as identified by out-of-State electronic
22 benefit transfer (EBT) transactions.

23 (h) On at least a monthly basis, the department shall
24 receive and review information from the Department of
25 Corrections concerning individuals enrolled in medical
26 assistance that indicates a change in circumstances that may
27 affect eligibility for medical assistance.

28 (i) On at least a quarterly basis, the department shall
29 receive and review information from the Department of Revenue
30 concerning individuals enrolled in medical assistance that

1 indicates a change in circumstances that may affect eligibility
2 for food stamps, including potential changes in income, wages or
3 residency as identified by tax records.

4 (j) Notwithstanding any other provision of law, the
5 department shall not accept eligibility determinations for
6 medical assistance from a health insurance exchange established
7 in this Commonwealth under section 1321(c) of the Patient
8 Protection and Affordable Care Act (Public Law 111-148, 42
9 U.S.C. § 18041(c)). The department may accept assessments from
10 the exchange but shall verify eligibility and make eligibility
11 determinations.

12 (k) If the department receives information concerning an
13 individual enrolled in medical assistance that indicates a
14 change in circumstances that may affect eligibility for medical
15 assistance, the department shall review the individual's case.

16 (l) The department may execute a memorandum of understanding
17 with any other State department, agency or division for
18 information required to be shared between entities specified in
19 this section.

20 (m) Nothing in this section shall prohibit the department
21 from contracting with one or more independent vendors to provide
22 additional data or information that may indicate a change in
23 circumstances that may affect eligibility for medical
24 assistance.

25 (n) Unless required under Federal law, the department may
26 not:

27 (1) Designate itself as a qualified health entity for
28 purpose of making presumptive eligibility determinations or for
29 any purpose not expressly authorized by State law.

30 (2) Accept self-attestation of income, residency, age,

1 household composition, caretaker or relative status or receipt
2 of other coverage without verification prior to enrollment.

3 (3) Request authority to waive or decline to periodically
4 check any available income-related data sources to verify
5 eligibility.

6 (4) Request authority to waive or decline to comply with
7 public notice requirements applicable to proposed changes to the
8 State plan in accordance with 42 CFR 440.386 (relating to public
9 notice), 447.57 (relating to beneficiary and public notice
10 requirements) and 447.205 (relating to public notice of changes
11 in Statewide methods and standards for setting payment rates).

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