

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 384 Session of 2013

INTRODUCED BY BAKER, KASUNIC, YUDICHAK, EICHELBERGER, ERICKSON, VULAKOVICH, HUTCHINSON, YAW, WAUGH, BROWNE AND COSTA, FEBRUARY 1, 2013

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 1, 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," in general budget implementation, further
 31 providing for the Department of Public Welfare.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

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

6 Section 1729-E. Department of Public Welfare.

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

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

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

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

25 (ii) (Reserved).

26 (iii) (Reserved).

27 (iv) (Reserved).

28 (v) (Reserved).

29 (vi) [(Reserved).] The department shall reimburse a
30 "critical access hospital," as defined in section

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

6 (A) "inpatient critical access hospital
7 services," as defined in section 1861(mm) (2) of the
8 Social Security Act (49 Stat. 620, 42 U.S.C.
9 1395x(mm) (2)), provided to a medical assistance
10 recipient; and

11 (B) "outpatient critical access hospital
12 services," as defined in section 1861(mm) (3) of the
13 Social Security Act (49 Stat. 620, 42 U.S.C. §
14 1395x(mm) (3)), provided to a medical assistance
15 recipient.

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

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

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

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

1 (B) The department shall submit to the Public
2 Health and Welfare Committee of the Senate and the
3 Health and Human Services Committee of the House of
4 Representatives an annual report including the
5 following data:

6 (I) Family size.

7 (II) Household income.

8 (III) County of residence.

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

11 (V) Third-party insurance information.

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

16 Section 2. The amendment of section 1729-E of the act shall
17 apply to fiscal years beginning after June 30, 2009.

18 Section 3. This act shall take effect immediately.