

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 421 Session of 2023

INTRODUCED BY HAMM, KEEFER, ROWE, ZIMMERMAN, GROVE, KAUFFMAN, PICKETT, STAMBAUGH, FLICK, JOZWIAK, MOUL, WARNER AND JAMES, MARCH 15, 2023

REFERRED TO COMMITTEE ON HUMAN SERVICES, MARCH 15, 2023

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 three thousand  
15 dollars (\$3,000) or more.

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

1 verification of the winnings specified under paragraph (1).

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

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

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

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

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

29 (i) On at least a quarterly basis, the department shall  
30 receive and review information from the Department of Revenue

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

5 (j) Notwithstanding any other provision of law, the  
6 department shall not accept eligibility determinations for  
7 medical assistance from a health insurance exchange established  
8 in this Commonwealth under 42 U.S.C. § 18041(c) (relating to  
9 State flexibility in operation and enforcement of Exchanges and  
10 related requirements). The department may accept assessments  
11 from the exchange but shall verify eligibility and make  
12 eligibility determinations.

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

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

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

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

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

1     (2) Accept self-attestation of income, residency, age,  
2 household composition, caretaker or relative status or receipt  
3 of other coverage without verification prior to enrollment.

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

7     (4) Request authority to waive or decline to comply with  
8 public notice requirements applicable to proposed changes to the  
9 State plan in accordance with 42 CFR 440.386 (relating to public  
10 notice), 447.205 (relating to public notice of changes in  
11 Statewide methods and standards for setting payment rates) and  
12 447.57 (relating to beneficiary and public notice requirements).

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