

AMENDMENTS TO HOUSE BILL NO. 850

Sponsor: REPRESENTATIVE WARNER

Printer's No. 1691

1 Amend Bill, page 1, line 3, by inserting after "assistance,"
2 further providing for responsibilities and obligations of
3 department, applicants and recipients, establishing the
4 Electronic Benefits Transfer Card Management Program and

5 Amend Bill, page 1, lines 8 through 10, by striking out all
6 of said lines and inserting

7 Section 1. Section 405.3(a) of the act of June 13, 1967
8 (P.L.31, No.21), known as the Human Services Code, is amended by
9 adding a paragraph to read:

10 Section 405.3. Responsibilities and Obligations of
11 Department, Applicants and Recipients.--(a) Subject to Federal
12 approval, only where necessary, each adult applicant or
13 recipient of cash assistance or other person who is required to
14 sign an application for assistance shall be required as a
15 condition of eligibility to enter into a mutual agreement with
16 the department that will set forth the responsibilities and
17 obligations to be undertaken by the recipient to achieve self-
18 sufficiency, the time frames within which each obligation is to
19 be completed, the penalties for failure to comply and the
20 actions to be taken by the department to support the efforts of
21 the applicant or recipient. Where appropriate, these obligations
22 shall include, but not be limited to:

23 * * *

24 (10) Agreeing to comply with the requirements of the
25 Electronic Benefits Transfer Card Management Program under
26 section 414.1.

27 * * *

28 Section 2. The act is amended by adding sections to read:

29 Section 414.1. Electronic Benefits Transfer Card Management
30 Program.--(a) The department shall establish and maintain a
31 program to be known as the Electronic Benefits Transfer Card
32 Management Program.

33 (b) The purpose of the program is to ensure the efficient
34 delivery of public assistance through the proper management of
35 electronic benefits transfer cards.

36 (c) The department shall promulgate rules and regulations
37 enumerating acceptable purchases and transaction types which are

1 consistent with assisting the recipient in achieving self-
2 sufficiency.

3 (d) The department shall develop electronic controls,
4 oversight mechanisms and follow-up procedures to detect and
5 track the following:

6 (1) Suspicious electronic benefits transfer card
7 transactions that might indicate fraudulent use. In order to
8 implement this paragraph, the department shall have the
9 following duties:

10 (i) Collect information regarding the use of electronic
11 benefits transfer cards if more than fifty percent of the funds
12 used in the electronic benefits transfer card transactions occur
13 outside of this Commonwealth.

14 (ii) Differentiate between electronic benefits transfer card
15 transactions that occur in states that border this Commonwealth
16 and electronic benefits transfer card transactions that occur in
17 states that do not border this Commonwealth.

18 (iii) Analyze electronic benefits transfer card transactions
19 that occur outside of this Commonwealth to determine if the
20 recipient of benefits is a resident of this Commonwealth. In
21 making a determination under this subparagraph, the department
22 shall analyze the following:

23 (A) The location of employment of the recipient of benefits.

24 (B) The amount of times that the electronic benefits
25 transfer card is used outside of this Commonwealth compared to
26 the amount of times the electronic benefits transfer card is
27 used in this Commonwealth.

28 (C) Whether the electronic benefits transfer card
29 transactions occur in-person or through electronic means.

30 (2) The use of electronic benefits transfer cards that might
31 indicate an attempt to acquire goods and services that do not
32 comply with the rules and regulations promulgated under
33 subsection (c).

34 (e) Unless otherwise prohibited, data and information
35 gathered under this section shall be made available to the
36 Office of Inspector General, the Auditor General and the
37 Attorney General.

38 (f) As used in this section, the term "program" means the
39 Electronic Benefits Transfer Card Management Program.

40 Amend Bill, page 2, line 17, by striking out all of said line
41 and inserting

42 Section 3. The addition of sections 405.3(a)(10) and 414.1
43 of the act shall expire five years after the effective date of
44 this section.

45 Section 4. This act shall take effect as follows:

46 (1) The addition of section 438 of the act shall take
47 effect in 60 days.

48 (2) This section shall take effect immediately.

49 (3) The remainder of this act shall take effect in 180

1 days.