

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2429 Session of 2024

INTRODUCED BY BRIGGS, HOHENSTEIN, HILL-EVANS, SMITH-WADE-EL, KHAN, SCHLOSSBERG, HANBIDGE, SANCHEZ AND GIRAL, JUNE 20, 2024

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 20, 2024

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 persons eligible for medical
 5 assistance.

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

8 Section 1. Section 441.1(c) and (d) of the act of June 13,
 9 1967 (P.L.31, No.21), known as the Human Services Code, are
 10 amended and the section is amended by adding a subsection to
 11 read:

12 Section 441.1. Persons Eligible for Medical Assistance.--* *

13 *

14 (c) Except as [provided under subsection (a)(4) and (5)]
 15 otherwise provided in this section, upon notification of
 16 incarceration, the department shall temporarily suspend[, for a
 17 period of not more than two years,] medical assistance for a
 18 recipient who becomes incarcerated in a correctional
 19 institution. The suspension of medical assistance shall cease

1 and the recipient shall continue to receive medical assistance
2 upon notification of an inmate's release from the correctional
3 institution, subject to the eligibility requirements under the
4 Commonwealth's approved Title XIX State Plan.

5 (d) Notwithstanding subsection (c), upon [notification from
6 a correctional institution of an inmate's release and] the
7 department's receipt of an inmate's application, the department
8 shall determine the inmate's eligibility for medical assistance.
9 Except as provided under [subsection] subsections (a)(4) and (5)
10 and (e) and to the extent consistent with Federal law, medical
11 assistance may not be provided until the date of the inmate's
12 release.

13 (e) Notwithstanding subsections (c) and (d) and subject to
14 Federal approval, beginning January 1, 2026, the department is
15 authorized to establish a reentry program under the medical
16 assistance program for recipients who are incarcerated in a
17 correctional institution. The following apply:

18 (1) The reentry program shall, at a minimum, provide
19 eligible recipients access to the following:

20 (i) Substance use disorder treatment and case management
21 services prior to release from a participating correctional
22 institution.

23 (ii) A thirty-day supply of medication upon release from a
24 participating correctional institution.

25 (2) A county may request to have its county correctional
26 institution participate in the reentry program. The following
27 apply:

28 (i) The request to participate must be on a form and contain
29 the information as the department prescribes.

30 (ii) The application to the department must be adopted by a

1 majority vote of the governing body and transmitted to the
2 department accompanied by the signature of the chairperson of
3 the board of commissioners and attested by the chief clerk of
4 the county or, in the case of a home rule county, by the
5 equivalent consistent with the provisions of the county charter.

6 (3) The department may approve a county's request under
7 paragraph (2) based on capacity of the program and the county's
8 plan to provide reentry services. In reviewing the county's
9 plan, the department shall, at a minimum, consider the
10 following:

11 (i) The county's readiness and capacity to provide reentry
12 services.

13 (ii) The county's plan to provide information to the
14 department for suspension and reactivation of medical assistance
15 for recipients.

16 (iii) Demonstrated support from the county's criminal
17 justice collaborative or criminal justice advisory board.

18 (iv) Demonstrated commitment and cooperation by the county
19 correctional institution and its employed or contracted
20 providers of health care services to participate in the reentry
21 program.

22 (4) A county's participation in the reentry program is
23 voluntary.

24 (5) The department may continue to accept applications under
25 this subsection from nonparticipating counties on an annual
26 basis.

27 Section 2. This act shall take effect immediately.