

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 955 Session of 2023

INTRODUCED BY COSTA, HAYWOOD, BREWSTER, FONTANA, HUGHES, KANE, COMITTA AND CAPPELLETTI, OCTOBER 13, 2023

REFERRED TO HEALTH AND HUMAN SERVICES, OCTOBER 13, 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 reimbursement for certain medical
5 assistance items and services; and abrogating regulations.

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

8 Section 1. Section 443.6(g) of the act of June 13, 1967
9 (P.L.31, No.21), known as the Human Services Code, is amended
10 and the section is amended by adding a subsection to read:

11 Section 443.6. Reimbursement for Certain Medical Assistance
12 Items and Services.--* * *

13 (g) The department shall establish a benefit [packages]
14 package for [dental and] pharmacy services for medical
15 assistance recipients twenty-one years of age or older, and any
16 exceptions to [such] the benefit [packages] package as the
17 department determines are appropriate. Notwithstanding any other
18 provision of law, including this section, during State fiscal
19 year 2011-2012, the department shall establish such benefit

1 [packages] package, limits and exceptions thereto by publication
2 of one or more notices in the Pennsylvania Bulletin. A notice
3 shall describe the available benefit [packages] package or
4 limits and any exceptions thereto. The benefit [packages]
5 package, limits and exceptions thereto shall take effect as
6 specified in the notice and remain in effect until changed by a
7 subsequent notice issued on or before June 30, 2012, or
8 thereafter by department regulation.

9 (h) The department shall establish a benefit package for
10 dental services for medical assistance recipients twenty-one
11 years of age or older. Notwithstanding any other provision of
12 law, including this section, during State fiscal year 2023-2024,
13 the department shall establish the benefit package by
14 publication of one or more notices in the Pennsylvania Bulletin.
15 A notice shall describe the available benefit package. The
16 benefit package shall take effect as specified in the notice and
17 remain in effect until changed by department regulation. The
18 department shall seek a State plan amendment or Federal waiver
19 from the Centers for Medicare and Medicaid Services, if needed,
20 to allow the medical assistance program to provide coverage for
21 dental services in accordance with this section. The benefit
22 package under this subsection:

23 (1) shall include all coverages for dental services provided
24 prior to the dental benefit package changes announced under 41
25 Pa.B. 5133 (September 24, 2011);

26 (2) may not remove any existing coverage for dental services
27 or include a benefit limitation for covered dental services; and

28 (3) may include additional coverages for dental services
29 beyond those currently provided and those provided prior to the
30 dental benefit package changes announced under 41 Pa.B. 5133

1 (September 24, 2011).

2 Section 2. All regulations and parts of regulations are
3 abrogated to the extent of any inconsistency with this act.

4 Section 3. If a Federal waiver under section 443.6(h) of the
5 act or a State plan amendment is approved by the Centers for
6 Medicare and Medicaid Services, the Secretary of Human Services
7 shall transmit notice of the approval to the Legislative
8 Reference Bureau for publication in the next available issue of
9 the Pennsylvania Bulletin.

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

11 (1) Section 2 of this act shall take effect immediately
12 following publication of the notice under section 3 of this
13 act.

14 (2) The remainder of this act shall take effect
15 immediately.