

No. 173

AN ACT

Amending the act of June 24, 1937 (P. L. 2051), entitled, as amended, "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Welfare and county boards of assistance hereby created for this purpose; authorizing the Department of Public Welfare to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further providing for medical assistance for the aged of persons sixty-five years of age or over.

Public Assistance Law.

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

Section 9.1, act of June 24, 1937, P. L. 2051, added July 26, 1961, P. L. 875, amended by adding a new subsection (d).

Section 1. Section 9.1, act of June 24, 1937 (P. L. 2051), known as the "Public Assistance Law," added July 26, 1961 (P. L. 875), is amended by adding, at the end thereof, a new subsection to read:

Section 9.1. Medical Assistance for the Aged.— * * *

(d) The Department of Public Welfare may establish eligibility for medical assistance for the aged of any person sixty-five years of age or over upon application regardless of the condition of health of the person at the time of making the application.

Section 2. This act shall take effect July 1, 1963.

APPROVED—The 26th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 174

AN ACT

Amending the act of June 24, 1937 (P. L. 2051), entitled, as amended, "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Welfare and county boards of assistance hereby created for this purpose; authorizing the Department of Public Welfare to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of

Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," providing that medical assistance for the aged shall include post hospital care in non-public nursing homes, and further regulating eligibility for medical assistance for the aged.

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

Public Assistance Law.

Section 1. Subsection (a) of section 9.1, act of June 24, 1937 (P. L. 2051), known as the "Public Assistance Law," is amended by adding, at the end thereof, a new clause to read:

Subsection (a), section 9.1, act of June 24, 1937, P. L. 2051, amended by adding a new clause (6).

Section 9.1. Medical Assistance for the Aged.—(a) As used in this section,

* * * * *

(6) "*Post hospital care in non-public nursing homes*" means nursing home care not in excess of sixty days during any twelve-month period in a non-public nursing home as prescribed by a responsible physician and initiated within five days following inpatient hospital care under the provisions of this section and incident thereto.

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Section 2. Subsection (b) of section 9.1 of the act is amended by adding, at the end thereof, a new clause to read:

Subsection (b), section 9.1 of act amended by adding a new clause (5).

Section 9.1. Medical Assistance for the Aged.— * * *

(b) Medical assistance for the aged shall consist of full or partial payment of any or all of the following care or services for which Federal financial participation is available:

* * * * *

(5) *Payment for post hospital care in a non-public nursing home at rates not to exceed those established by the Department of Public Welfare for non-public nursing home care for other assistance recipients.*

* * * * *

Section 3. Clause (4) of subsection (c) of section 9.1 of the act, added July 26, 1961 (P. L. 875), is amended to read:

Clause (4), subsection (c), section 9.1 of act, added July 26, 1961, P. L. 875, amended.

Section 9.1. Medical Assistance for the Aged.— * * *

(c) A person shall be eligible for medical assistance for the aged, if he—

* * * * *

(4) With respect to medical assistance for the aged other than public nursing care, is a single person or married but not living with spouse and has an annual income of not more than [fifteen hundred dollars (\$1500)]

twenty-four hundred dollars (\$2400) and real and personal property, exclusive of resident property, household furnishings and automobile of a value, less encumbrances, of not more than [fifteen hundred dollars (\$1500)] *twenty-four hundred dollars (\$2400)*; or is living with spouse and their combined annual income does not exceed [twenty-four hundred dollars (\$2400)] *thirty-eight hundred forty dollars (\$3840)* and the value less encumbrances of their combined real and personal property, exclusive of resident property, household furnishings and automobile, does not exceed [twenty-four hundred dollars (\$2400)] *thirty-eight hundred and forty dollars (\$3840)*; except that when minor or incompetent children live with and are dependent upon the applicant, the maximum income shall be adjusted upward in the amount of five hundred dollars (\$500) for each such child: Provided, however, That when a person otherwise eligible for such medical assistance for the aged has property valued in excess of the appropriate amount specified in this subsection he shall be eligible for such medical assistance for the aged, but the payment for which he is eligible shall be reduced by the amount of such excess, and when a person otherwise eligible for such medical assistance for the aged has income in excess of the appropriate amount specified in this subsection, the payment for which he is eligible shall be reduced by six times the average monthly excess of such income;

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Section 4. This act shall take effect July 1, 1963.

APPROVED—The 26th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 175

AN ACT

Repealing clause (13) of section 14, act of April 24, 1947 (P. L. 89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," removing provisions relating to the lien of pecuniary legacies.

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