

No. 2008-69

AN ACT

SB 4

Amending the act of August 26, 1971 (P.L.351, No.91), entitled "An act providing for a State Lottery and administration thereof; authorizing the creation of a State Lottery Commission; prescribing its powers and duties; disposition of funds; violations and penalties therefor; exemption of prizes from State and local taxation and making an appropriation," further providing for PACE and PACENET eligibility.

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

Section 1. Section 503 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, amended November 26, 2003 (P.L.212, No.37), is amended to read:

Section 503. Determination of eligibility.

(a) Duties of department.—¹The department shall adopt regulations relating to the determination of eligibility of prospective claimants and providers, including dispensing physicians and certified registered nurse practitioners when acting in accordance with rules and regulations promulgated by the State Board of Nursing as required by the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, and the State Board of Pharmacy minimum standards of practice, and the determination and elimination of program abuse. To this end, the department shall establish a compliance unit staffed sufficiently to fulfill this responsibility. The department shall have the power to declare ineligible any claimant or provider who abuses or misuses the established prescription plan. The department shall have the power to investigate cases of suspected provider or recipient fraud.

(b) Social Security cost-of-living adjustment.—*Notwithstanding any other provision of this act to the contrary, persons who, as of December 31, 2007, are enrolled in the PACENET program shall remain eligible for the PACENET program if the maximum income limit is exceeded due solely to a Social Security cost-of-living adjustment. Notwithstanding any other provision of this act to the contrary, persons who, as of December 31, 2008, are enrolled in the PACE program shall remain eligible for the PACE program if the maximum income limit is exceeded due solely to a Social Security cost-of-living adjustment. Eligibility in the PACE or PACENET program pursuant to this subsection shall expire on December 31, 2010.*

Section 2. This act shall take effect immediately.

APPROVED—The 9th day of July, A.D. 2008.

EDWARD G. RENDELL

¹"Duties of department.—" omitted in enrolled bill.