

JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN  
ALVIN C. BUSH, VICE CHAIRMAN  
ARTHUR COCCODRILLI  
ROBERT J. HARBISON, III  
JOHN F. MIZNER, ESQ.  
ROBERT E. NYCE, EXECUTIVE DIRECTOR  
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417  
FAX: (717) 783-2664  
irrc@irrc.state.pa.us  
<http://www.irrc.state.pa.us>

**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

May 17, 2001

Honorable Feather O. Houstoun, Secretary  
Department of Public Welfare  
333 Health & Welfare Building  
Harrisburg, PA 17105

Re: Regulation #14-449 (IRRC #2193)  
Department of Public Welfare  
Special MA Eligibility Provisions; Resources Provisions for Categorically  
Needy NMP-MA and MNO-MA

Dear Secretary Houstoun:

The Independent Regulatory Review Commission approved your regulation on May 17, 2001.  
Our Order is enclosed and is available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,

  
John R. McGinley, Jr.  
Chairman

evp

Enclosure

cc: Honorable Dennis M. O'Brien, Majority Chairman, House Health & Human Services Committee  
Honorable Frank L. Oliver, Democratic Chairman, House Health & Human Services Committee  
Honorable Harold F. Mowery, Chairman, Senate Public Health & Welfare Committee  
Honorable Vincent J. Hughes, Minority Chairman, Senate Public Health & Welfare Committee  
Nia Wilson, Legal Counsel, House Health & Human Services Committee  
Stanley Mitchell, Chief Counsel, House Health & Human Services Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held May 17, 2001

John R. McGinley, Jr., Chairman  
Alvin C. Bush, Vice Chairman, by Phone  
Arthur Coccodrilli  
John F. Mizner

Regulation No. 14-449  
Department of Public Welfare  
Special MA Eligibility Provisions  
Resource Provisions for Categorically Needy  
NMP-MA and MNO-MA

On April 25, 2001, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Public Welfare. This rulemaking amends 55 Pa. Code by revising §§ 140.2, 140.202 and 178.2 and adding §§ 140.100, 140.305, 178.84 and 178.163. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

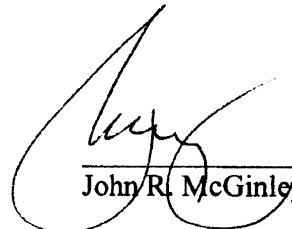
This regulation codifies a 1993 Notice of Rule Change (NORC). The purpose of the NORC and this regulation is to adopt a less restrictive resource methodology to determine eligibility for low-income children under 21 years of age and their families in MA and GA programs. The resources of these children and their families will be excluded and will not be considered when determining eligibility for the Healthy Beginnings, Healthy Horizons, Supplement Security Income-related or Temporary Assistance for Needy Families and GA-related programs.

We have determined this regulation is consistent with the statutory authority of the Department of Public Welfare (62 P.S. §§ 201(2) and 403(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
\_\_\_\_\_  
John R. McGinley, Jr., Chairman