

ARTHUR COCCODRILLI, CHAIRMAN
ALVIN C. BUSH, VICE CHAIRMAN
DAVID M. BARASCH, ESQ.
DAVID J. DEVRIES, ESQ.
JOHN F. MIZNER, ESQ.
KIM KAUFMAN, EXECUTIVE DIRECTOR
MARY S. WYATTE, CHIEF COUNSEL
LESLIE A. LEWIS JOHNSON, DEPUTY 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

March 15, 2007

Honorable Estelle B. Richman, Secretary
Department of Public Welfare
333 Health and Welfare Building
Harrisburg, PA 17120

Re: Regulation #14-490 (IRRC #2449)
Department of Public Welfare
Special MA Eligibility Provisions

Dear Secretary Richman:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

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

Sincerely,

Arthur Coccodrilli

Chairman

wbg

Enclosure

cc: Honorable Ted B. Erickson, Chairman, Senate Public Health and Welfare Committee
Honorable Vincent J. Hughes, Minority Chairman, Senate Public Health and Welfare Committee
Honorable Frank L. Oliver, Majority Chairman, House Health and Human Services Committee
Honorable George T. Kenney, Jr., Minority Chairman, House Health and Human Services Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held March 15, 2007

Arthur Coccodrilli, Chairman
Alvin C. Bush, Vice Chairman, by Phone
David M. Barasch, Esq.
David J. DeVries, Esq.
John F. Mizner, Esq., by Phone

Regulation No. 14-490 (#2449)
Department of Public Welfare
Special MA Eligibility Provisions

On November 16, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapter 140. The proposed regulation was published in the November 27, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 16, 2007.

This final-form regulation adopts an option contained in the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000 (BCCPT). The BCCPT permits states to provide Medicaid coverage to low-income, uninsured women under 65 years of age who have been screened and determined to need treatment for breast or cervical cancer through the Centers for Disease Control and Prevention's National Breast and Cervical Cancer Early Detection Program.

We have determined this regulation is consistent with the statutory authority of the Department (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.




Arthur Coccodrilli, Chairman