

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, October 2, 2017

[Senate Bill 530](#) (Killion) would amend the Social Workers, Marriage and Family Therapists and Professional Counselors Act to make a number of changes. The license requirements for marriage and family therapists and professional counselors would be amended to require the completion of at least 3,000 hours of supervised clinical experience after obtaining a master's degree. The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors would be permitted to allow an individual who is a licensed or certified clinical social worker, marriage and family therapist or professional counselor in another state to practice in Pennsylvania without licensure for no more than 60 days as part of a relief effort related to a state or federal emergency. Restrictions on the use of the title "Licensed Clinical Social Worker" and "Licensed Professional Counselor" would be expanded to prohibit advertising or engaging in the independent practice of clinical social work or professional counseling without holding a license in good standing. The bill would make it unlawful for any person to engage in the independent practice of clinical social work, marriage and family therapy or professional counseling without being licensed. A provision which provided an \$85,000 appropriation from the Professional Licensure Augmentation Account to the Bureau of Professional and Occupational Affairs for the payment of costs of processing licenses and renewals and other costs of the board would be repealed. The bill would also add and update numerous definitions.

Passed: 46-3.

[Senate Resolution 210](#) (Costa) recognizes the month of October 2017 as "National Arts and Humanities Month" in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 45](#) (Godshall) would create the Right-to-Try Act to allow terminally ill patients to use potentially life-saving investigational drugs, biological products and medical devices. The measure would authorize manufacturers to make available an investigational drug, biological product or medical device, with or without cost, to eligible patients as defined in the act. Nothing in the legislation could be construed to require a health insurer to provide coverage for any health care services that would not otherwise be covered under an eligible patient's health insurance policy. A health care provider who, while exercising reasonable care, recommends or participates in the use of an investigational drug, biological product or medical device under the act would not be subject to criminal or civil liability or be considered to have committed an act of unprofessional conduct under any licensure act. A licensure board could not suspend or otherwise take action against an individual holding a license issued by a Commonwealth licensure board based solely on the health care provider's recommendations to an eligible patient regarding access to or treatment with an investigational drug, biological product or medical device. Nothing in the act could be construed as creating a private cause of action against a manufacturer of an investigational drug, biological product or medical device or against any other individual involved in the care of an eligible patient, except when the injury results from a failure to exercise reasonable care. **Passed: 49-0.**

Tuesday, October 3, 2017

[Senate Bill 564](#) (Yaw) would create the Bridge Safety Fencing Act to require the Pennsylvania Department of Transportation to include protective fencing in the construction of new bridges and erect protective fencing on any existing bridge at such time that a major renovation is required when the bridge is located over an interstate highway. When a bridge is built with a sidewalk or a concrete barrier is installed, modified or rehabilitated on a bridge with a sidewalk over an interstate or other limited access highway, the department would be required to install protective fencing. If a bridge does not have a sidewalk over an interstate or other limited access highway, the department, as part of its preliminary design process, would be required to consider the installation of protective fencing at all of the following locations:

- On an overpass near a school, playground or other site where it would be expected that the overpass would be frequently used by children;
- On an overpass in an urban area used exclusively by pedestrians and not easily kept under surveillance by police;
- On an overpass where experience relating to nearby structures indicates a need for protective fencing; and
- On an overpass where there have been incidents of objects being dropped or thrown from the overpass and where increased surveillance, warning signs or apprehension of offenders has not effectively alleviated the problem.

The protective fencing requirement would not apply if:

- A protective barrier is required on the bridge; or
- The fencing would obstruct scenic views of the area, and the municipality in which the bridge is located decides that fencing must not be placed on the bridge and provides a statement that there have been no incidents of objects being dropped from the bridge onto traffic and that local law enforcement will monitor the bridge. **Passed: 50-0.**

[Senate Resolution 212](#) (Argall) recognizes the month of October 2017 as “Chiropractic Conservative Care First Health Month” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 213](#) (Mensch) designates October 13, 2017 as “Metastatic Breast Cancer Awareness Day” in Pennsylvania. **Adopted by Voice Vote.**

Wednesday, October 4, 2017

[House Bill 103](#) (Neuman) would designate the bridge located on the portion of State Route 980 over the Chartiers Creek in Canonsburg Borough, Washington County as the Officer Scott L. Bashioum Memorial Bridge. **Passed: 50-0.**

[House Bill 409](#) (Evankovich) would amend the Pennsylvania Construction Code Act to update various sections. The composition of the Uniform Construction Code Review and Advisory Council (RAC) would be changed, with legislative appointees added. Other changes to RAC procedures would provide for: removal of members, member terms, participation in meetings and voting, and the addition of technical advisory committees. Technical advisory committees would be established for each of the codes included in the Uniform Construction Code (UCC). Under the provisions of the bill, the RAC would have to initiate a new review of the updated sections contained in the 2015 edition of the ICC Codes within 30 days of the effective date of this legislation. The decisions of the Council with respect to the 2015 edition previously provided to the Department of Labor and Industry on May 29, 2015 would remain in effect until September 30, 2018. On October 1, 2018, the decisions of the RAC as a result of the new review would supersede any previous inconsistent council decisions or departmental regulations.

The bill would also update the process for the review of future ICC Codes including public comment periods, public hearings and reporting requirements. The RAC would have to commence its reviews of updated sections 21 months following the publication of a new edition of the ICC Codes. An additional provision would allow the Department to contract with the ICC to establish and publish code manuals specific to the Pennsylvania UCC. The fees imposed on municipal building permits would be increased from \$4.00 to \$4.50. The fee would be divided among three accounts: the municipal code official training account (43.5 percent), the construction contractor training account (43.5 percent) and the newly-created RAC administrative account (13 percent). The Department of Community and Economic Development (DCED) could utilize up to three percent of the monies allocated to the municipal code official training account and the construction contractor training account for administrative and program expenses. No later than November 1 of each calendar year, DCED would have to report to the Senate and House Labor and Industry Committees on the number of building permits issued, total fees collected and how the funds were used. Similarly, the Department of Labor and Industry would have to report annually to the committees on the expenditures associated with the Code review process. **Passed: 50-0.**

(2017-146)