

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

Monday, October 1, 2018

[Senate Bill 623](#) (Yaw) would amend Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes to update Pennsylvania law to include the codification of Pennsylvania Orders for Life Sustaining Treatment (POLST) to be used by medical professionals across all health care settings for patients who voluntarily wish to execute a POLST order.

The measure would create Subchapter F under Chapter 54 for POLST which would be defined as an order issued for the care of an individual regarding cardiopulmonary resuscitation or other medical interventions that are entered in accordance with section 5498.2 (relating to requirements for valid POLST). A POLST is intended for patients with serious health conditions and limited life expectancy and not recommended for individuals with stable, even if chronic, medical conditions and years of life expectancy. A POLST would not be valid without the voluntary consent of the patient or a surrogate decision maker. An Out-of-Hospital Do-Not-Resuscitate (OOH-DNR) order could not be executed on or after the date the Department of Health adopts an initial POLST form. The chapter would continue to apply to any OOH-DNR order executed prior to that date.

Nothing in the subchapter could be construed to advance or support euthanasia, suicide, or health care practitioner-assisted suicide and a health insurer could not:

- Require an individual to consent to a POLST as a condition for insurance;
- Charge a different rate whether or not the individual consents to, or has, a POLST;
- Require a health care provider to offer a POLST;
- Provide a financial incentive to a health care provider for having a POLST policy; or
- Penalize a health care provider for failing to achieve a target for POLST completions.

The bill would prohibit a health care provider or facility from requiring a POLST as a condition of admission and from offering an in-kind or financial incentive to a patient or surrogate decision maker for having a POLST. The bill would allow a health care provider to be paid for consultation with or counseling of a patient concerning a POLST or offering health care planning.

A POLST Advisory Committee would be created to advise the Department of Health. The bill would require the Department to perform the following functions in consultation with the POLST Advisory Committee: to adopt a POLST form, to develop education materials, and to make the POLST form and educational materials available on the Department's website. The Department would be required to publish the initial proposed POLST form and any subsequent

updates to the form in the Pennsylvania Bulletin and provide a 60-day comment period. A copy of the form would also have to be provided to the Senate Health and Human Services Committee and the House Health Committee. The final version of the POLST form would be published in the Pennsylvania Bulletin and on the Department's website.

The measure would require an attending physician or health care provider to notify the patient or the surrogate if he or she cannot comply, in good conscience, with a POLST or if the policies of a health care provider preclude compliance.

A health care provider or other person would not be subject to civil or criminal liability or discipline for unprofessional conduct for:

- Complying with a POLST based upon a good faith assumption that the orders therein were valid; or
- Refusing to comply with a POLST on the good faith belief that the POLST was not valid, and compliance would be unethical or result in medical care having no medical basis in addressing any medical need or condition.

The legislation would allow a health care provider to comply with a POLST from another state if the POLST meets certain standards and the health care provider consults with the patient or surrogate regarding continued compliance. This provision would not apply to an order that directs procedures or withholding of procedures inconsistent with Pennsylvania law. The Department of Health would be directed to study the feasibility and cost of creating an internet-based registry allowing health care providers to obtain POLST information for a patient and to report the results of the study to the Senate Health and Human Services Committee and the House Health Committee. **Passed: 47-1.**

Senate Bill 701 (Browne) would authorize the Department of General Services to convey 0.49 acres of land and any improvements in Harrisburg to 812 Market, Inc. for \$1. Costs and fees incidental to the conveyance would be borne by the grantee. In the event the conveyance is not effectuated within two years, the property could be disposed of in accordance with Section 2405-A of the Administrative Code. The grantee could not convey the property without the approval of the Governor. **Passed: 48-0.**

Senate Resolution 441 (Killion) designates the month of October 2018 as "Domestic Violence Awareness Month" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 442 (Schwank) designates October 9, 2018 as "PANS/PANDAS Awareness Day" in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 443 (McGarrigle) designates the month of October 2018 as "Pennsylvania Pharmacists Month." **Adopted by Voice Vote.**

Senate Resolution 444 (Tartaglione) recognizes September 10, 2018 as "World Suicide Prevention Day" in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 445](#) (Bartolotta) recognizes October 10, 2018 as “World Mental Health Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 446](#) (Mensch) designates October 13, 2018 as “Metastatic Breast Cancer Awareness Day” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 447](#) (Sabatina) designates the month of October 2018 as “Polish American Heritage Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[Senate Resolution 448](#) (Fontana) recognizes the month of October 2018 as “Italian-American Heritage Month” in Pennsylvania. [Adopted by Voice Vote.](#)

[House Bill 1294](#) (Ward) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to authorize a Purple Heart license plate for motorcycles and a Legion of Merit plate for passenger cars and trucks with a registered gross weight of not more than 14,000 pounds. An additional provision would allow a transportation network company driver to display an illuminated sign provided by a transportation network company within the interior of his or her vehicle as long as the sign is approved by the Public Utility Commission or the Philadelphia Parking Authority, as applicable. [Passed: 48-0.](#)

Executive Session

Nominations to Various Boards and Commissions. [Confirmed: 48-0.](#)

Michael Negra – Pennsylvania Liquor Control Board (Two-Thirds Vote Required).
[Confirmed: 48-0.](#)

Tuesday, October 2, 2018

[Senate Bill 172](#) (Argall) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to establish two separate programs: a state work zone speed enforcement program and a speed enforcement program in the City of Philadelphia.

State Program

- The state program would be an automated speed enforcement program in active work zones on federal aid highways under the jurisdiction of the Department of Transportation (PennDOT) and the Turnpike.
- Driving in excess of the posted speed limit in an automated speed enforcement work area by at least 11 miles per hour would be a violation under the program. A person violating the limit as a first offense would receive a written warning. A second offense would be punishable by a fine of \$75 and a third and subsequent offenses by a fine of \$150. A penalty imposed under the program would not be considered a criminal conviction, would not be made part of the operating record of the individual and could not be subject

to merit rating for insurance purposes. No surcharge points could be imposed in the provision of motor vehicle coverage.

- At least two appropriate warning signs would have to be conspicuously placed before the active work zone notifying the public that an automated speed enforcement device is in use. A notice identifying the location of automated speed enforcement systems would also have to be posted at the site and on the PennDOT and Turnpike Commission websites.
- The legislation would provide for the types and content of the notices that would be sent to violators and the process for payment of fines.
- Images collected for the program could not be used for any other surveillance purposes and would have to be destroyed within one year. The images would not be considered a public record under the Right-to-Know Law.
- Compensation under a contract to implement the program could not be based in any part on the quantity of notices of violation issued or the amount of fines imposed or generated.
- The fines would be deposited in two restricted receipts accounts in the State Treasury. After administrative costs are paid, the remaining funds would be allocated by the Department or Turnpike for the first three years as follows: 45 percent to the State Police for recruiting and training cadets (55 percent of available funds) and for an increased State Police presence in work zones (45 percent of available funds); 15 percent retained by PennDOT or the Turnpike for work zone safety, traffic safety and educating the motoring public; and 40 percent deposited into the Motor License Fund for appropriation by the General Assembly. Fines in the last two years would be allocated by PennDOT and the Turnpike to develop a work zone and highway safety program.
- PennDOT and the Turnpike Commission would be required to report annually to the Senate and House Transportation Committees on the program with the information specified in the legislation.
- The program would expire in five years.

Philadelphia Program

- The Philadelphia program would be a pilot program established for an automated speed enforcement program on U.S. Route 1 (Roosevelt Boulevard) between Ninth Street and the Philadelphia County line shared with Bucks County.
- Driving in excess of the posted speed limit in an automated speed enforcement area by at least 11 miles per hour would be a violation under the program. The fine under the Philadelphia program would be \$150 unless a lesser amount is set in the ordinance which must be adopted by Philadelphia to establish the program. The ordinance could also create fines for first offense, second offense and third offense and subsequent offenses

but no single fine could exceed \$150. The Philadelphia Parking Authority would act as the System Administrator. A penalty imposed under the program would not be considered a criminal conviction, would not be made part of the operating record of the individual and could not be subject to merit rating for insurance purposes. No surcharge points could be imposed in the provision of motor vehicle coverage.

- At least two appropriate warning signs would have to be conspicuously placed at the beginning and end and at two-mile intervals of the designated speed enforcement zone notifying the public that an automated speed enforcement device is in use. A notice identifying the location of automated speed enforcement systems would also have to be posted on PennDOT's website. No fines would be authorized during the first 30 days of operation but warnings could be issued by the System Administrator during this time. An additional sign warning of the use of the automated speed enforcement immediately ahead would have to be posted.
- The legislation would provide for the types and content of the notices that would be sent to violators and the process for payment of fines.
- Images collected for the program could not be used for any other surveillance purposes and would have to be destroyed within one year. The images would not be considered a public record under the Right-to-Know Law.
- The fines from the Philadelphia program would be used by PennDOT for a Transportation Enhancement Grants Program as established by Section 3116 (relating to automated red light enforcement systems in first class cities). The grants would be awarded on a competitive basis based on the majority vote of a selection committee consisting of four representatives from PennDOT appointed by the Secretary and four members appointed by the Mayor of Philadelphia. The Secretary or a designee would serve as chairperson of the selection committee. Priority would be given to applications seeking grant funds for transportation enhancements in the municipality where the automated speed camera system is operated.
- Philadelphia could not collect an amount equal to or greater than two percent of its annual budget from the collection of revenue from the issuance and payment of violations.
- The program would expire in five years. [Concurrence in House Amendments to Senate Amendments: 47-1.](#)

[Senate Bill 180](#) (Greenleaf) would amend Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes to update and revise the law relating to organ and tissue donations. Among other provisions, the legislation would:

- Include information about anatomical donation on the sample durable health care power of attorney and health care treatment instructions form;

- Expand the list of individuals who may donate the anatomy of the decedent;
- Clarify when a revocation of a gift takes effect;
- Clearly state that persons making anatomical gifts or a donor's estate are not liable for any injury or damage resulting from the use of the anatomical gift;
- Outline the procedure for hospitals to notify organ procurement organizations regarding a person who has died or whose death is imminent;
- Outline the procedure for organ procurement organizations to secure anatomical gifts from a person;
- Provide that proposed anatomical gift recipients may accept or reject a gift in whole or in part;
- Ensure that neither the physician who attends the decedent at death nor the physician who determines the time of death may participate in the procedures relating to organ or tissue donation;
- Permit an organ donation organization to obtain certified copies of death records of a donor from the Department of Health Division of Vital Records, upon request and payment of associated fees;
- Require the Department of Transportation to record and store all organ donor designations in the Donate Life PA Registry, which would not be considered public records subject to disclosure under the Right-to-Know Law;
- Increase the contribution an applicant for a driver's license or renewal vehicle registration may make to the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund from \$1 to \$3;
- Direct the Department of Transportation to provide links on its website through which individuals may make voluntary contributions to the fund;
- Revise the membership of the Organ and Tissue Donation Advisory Committee;
- Establish the Department of Health as the lead Commonwealth agency responsible for promoting organ and tissue donation and coordinating activities among Commonwealth agencies and stakeholders;
- Prohibit procurement organizations from divulging any individually identifiable information except for the purposes of facilitating organ, eye or tissue donation and transplantation unless expressly authorized to release information by the recipient, the donor or the next of kin of the donor;

- Enumerate prohibited activities by procurement organizations and funeral establishments;
- Establish procedures for the facilitation of an anatomical gift from a decedent whose death is under investigation including allowing the coroner or medical examiner to have the final authority to allow or disallow an anatomical gift;
- Require the Department of Education to make a model curriculum and other information about organ donation available on its website for students in grades 9 through 12;
- Allow institutions of higher education, in collaboration with organ procurement organizations, to provide organ and tissue donation information to students;
- Direct the State Board of Medicine, the State Board of Osteopathic Medicine and the State Board of Nursing to promulgate regulations providing for physician and nurse training regarding organ and tissue donation and recovery;
- Require the Legislative Budget and Finance Committee to conduct a study and performance evaluation of expenditures which utilize grants from the Department of Health under section 8622(b) (relating to the Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), to be completed within two years of the effective date of the act;
- Repeal existing law relating to corneal transplants; and
- Add Subchapter D to Chapter 86 establishing separate provisions governing the donation of hands, facial tissue, limbs and other vascularized composite allografts. **[Concurrence in House Amendments, as Amended: 48-0.](#)**

[Senate Bill 764](#) (Gordner) would amend the Board of Vehicles Act to add Chapter 5 governing recreational vehicle dealers, manufacturers and suppliers. Under the bill, a manufacturer or distributor could not sell a recreational vehicle in the Commonwealth without first having entered into a signed manufacturer/dealer agreement with a dealer. The manufacturer/dealer agreement would have to designate the area of sales responsibility exclusively assigned to a dealer. A manufacturer could not change the area or contract with another dealer for sale of the same line-make in the designated area during the agreement. The area of sales responsibility could be reviewed or changed with the consent of both parties not less than 12 months after the execution of the agreement. Dealers would also be prohibited from selling a new recreational vehicle without a manufacturer/dealer agreement signed by both parties.

A manufacturer or distributor could terminate, cancel or fail to renew a manufacturer/dealer agreement with just cause and at least 90 days of prior written notice stating all of the reasons for the decision. After notice is received, the dealer would have 30 days to provide written notice of intent to correct the claimed deficiencies. The dealer would have 90 days from the original notice to rectify the deficiencies. Correcting the deficiencies within the 90 days would void the notice to terminate or cancel. If the dealer fails to submit the notice of intent to address the deficiencies, termination, cancellation or failure to renew would take effect.

A dealer could terminate or cancel the manufacturer/dealer agreement with or without just cause by giving 30 days written notice. If the reason is for just cause, the dealer would have to state the reasons in the written notice. The manufacturer or distributor would have 30 days following the receipt of the notice to provide notice of intent to fix the claimed deficiencies and 90 days from the original notice to rectify the deficiencies. If the deficiencies are rectified in the 90 days, the notice would be void. Failure to provide notice of intent to rectify or failure to rectify the deficiencies would result in the termination or cancellation as provided in the original notice. Among other provisions, the legislation would establish additional standards governing repurchase of inventory, transfer of a dealership, warranty obligations and indemnification.

Concurrence in House Amendments, as Amended: 48-0.

Senate Bill 1232 (Ward) would designate the portion of U. S. Route 30 in Westmoreland County from Greengate Road, Hempfield Township to East Pittsburgh Street, Hempfield Township as the J. Edward “Hutch” Hutchinson Memorial Bypass. **Passed: 48-0.**

Senate Resolution 292 (White) directs the Joint State Government Commission to study the issue of immunization policies for students residing at institutions of higher education, conduct a comprehensive analysis of compliance with existing immunization requirements, examine the need for updating immunization policies, suggest options for enhancing voluntary immunization rates for students and report its findings and recommendations to the Senate. **Adopted by Voice Vote.**

Senate Resolution 449 (Dinniman) recognizes the month of November 2018 as “Carbon Monoxide Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 450 (Tartaglione) recognizes the month of October 2018 as “National Disability Employment Awareness Month” and designates the month of October 2018 as “Disability Employment Awareness Month” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 451 (Reschenthaler) recognizes the national tolling of bells on November 11, 2018 to honor those who served in World War I. **Adopted by Voice Vote.**

Senate Resolution 452 (Fontana) designates the week of October 14 through 20, 2018 as “Homeless Children’s Awareness Week” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 453 (Scavello) designates the month of October 2018 as “1918 Influenza Pandemic Remembrance Month” in Pennsylvania to mark the 100th anniversary of this global public health crisis. **Adopted by Voice Vote.**

Senate Resolution 454 (Stefano) designates October 9, 2018 as “First Responder and Good Samaritan Appreciation Day” in Pennsylvania. **Adopted by Voice Vote.**

Senate Resolution 455 (Stefano) designates the week of October 7 through 13, 2018 as “National Newspaper Week” in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 126](#) (Warner) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes providing for epinephrine auto-injectors and more cancer trial access for patients who may not participate in a study due to limited financial means. All sponsors of cancer clinical trials would have to inform potential patient-subjects at the time of the informed consent process of the following: reimbursement for travel and ancillary costs would be available to all enrollees based on financial need; coverage of travel and other costs would be provided to eliminate financial barriers to enrollment; and family, friends or chaperones that attend the cancer clinical trial treatments to support the patient-subject would be eligible for reimbursement of their travel and other expenses. The bill stipulates that reimbursement for travel and expenses would not be considered coercive or exerting undue influence to participate in a trial. Government, industry, public and private foundations, corporations and individuals would be permitted to offer financial support to patient-subjects or their family, friends or chaperones to cover ancillary costs through their support of a third-party reimbursement entity. The legislation outlines third party registration guidelines and reimbursement program guidelines.

The bill would also permit an “authorized entity” to maintain a supply of epinephrine auto-injectors and to authorize a properly trained employee to provide an epinephrine auto-injector to a person for self-administration or for the employee to administer the injection to a person under certain circumstances. Authorized entities include, but are not limited to: recreation camps, colleges and universities, day-care facilities, youth sports leagues, amusement parks, restaurants, places of employment, sports arenas and law enforcement agencies. A health care practitioner could prescribe, and pharmacists and health care practitioners could dispense, epinephrine auto-injectors in the name of authorized entities to be maintained for use. The bill outlines the type of training employees of an authorized entity would have to complete and provides for Good Samaritan protections. As amended in the House, the legislation would further clarify the limitations on prescribing opioids to minors. Under the changes, certain requirements would not apply if the minor remains admitted to a licensed health care facility or the prescriber is continuing a treatment initiated by another member of the prescriber’s practice who had complied with all of the requirements. [Concurrence in House Amendments to Senate Amendments: 48-0.](#)

[House Bill 1386](#) (Phillips-Hill) would amend the Public School Code to modify the levels of teacher instructional certificates by grade and age. The legislation would provide for the following certification levels for instructional certificates beginning December 31, 2021:

- Early childhood (prekindergarten, kindergarten, grades one through four or ages three through nine);
- Elementary (kindergarten, grades one through six or ages four through 11);
- Middle (grades six through nine or ages 11 through 15);
- Secondary (grades seven through 12 or ages 11 through 21);
- Specialized areas (prekindergarten through grade 12 or up to age 21); and

- Specialized education (prekindergarten through grade 12 or up to age 21).

Existing certificates issued in accordance with 22 Pa Code, Chapter 49 regulations (relating to certification of professional personnel) would remain valid for the term of the certificate. Individuals holding an elementary/middle or special education certificate would be allowed to expand the scope of their certificate to meet the new elementary, middle and special education grade levels by a process determined by the Department of Education that would include, but not be limited to, continuing education credits or the satisfactory outcome of a PRAXIS assessment for the specific certification level. [Passed: 48-0.](#)

[House Bill 1414](#) (Barrar) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to expand the definition of “emergency service responder” to include a police officer who is also a member of a county or regional municipal Special Emergency Response Team which is authorized to respond to emergencies under 42 Pa.C.S. §8953. The legislation would also expand the definition of “emergency vehicle” to include a privately-owned vehicle used in answering an emergency call when used by a police officer who is a member of a Special Emergency Response Team. The legislation would require that a privately-owned vehicle which meets the definition be equipped with revolving or flashing red lights and an audible warning system. The lights and warning system would have to be returned to the head of the Special Emergency Response Team upon termination of the individual’s active status as a police officer or an active member of a Special Emergency Response Team. A vehicle owned by the City of Philadelphia and operated by first judicial district certified armed probation officers would also be included the definition of emergency vehicle. Additional provisions would:

- Extend the authority to a fire police captain and a fire police lieutenant to use flashing or revolving lights mounted internally in the passenger compartment of fire department vehicles or privately-owned vehicles when answering an emergency call;
- Allow police and sheriff vehicles, and emergency vehicles to be equipped with flashing red and blue lights in reverse lamp assemblies;
- Permit tow trucks to be equipped with one or more flashing or revolving yellow lights and one or more flashing or revolving white lights. The manner in which the lights are displayed would be determined by regulation of the Department of Transportation. The flashing or revolving yellow and white lights could only be activated when the vehicle is performing tow-truck duties or within the vicinity of an emergency response area;
- Require a solid waste collection vehicle to be equipped with a bright yellow strobe light affixed to the roof in accordance with Department regulations. The strobe light would have to be active while stopped upon a street and while engaged in the collection of garbage, solid wastes, recyclables and refuse or while moving between stops at a speed not greater than 10 miles per hour; and
- Require motorists, when approaching and passing a stationary solid waste collection vehicle with an activated bright yellow strobe light to make a lane change into a lane not

adjacent to the solid waste collection vehicle, if possible, in the existing safety and traffic conditions, or reduce the speed of the vehicle and be prepared to stop. **Passed: 48-0.**

House Bill 1499 (M. K. Keller) would amend Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes to update provisions relating to planned communities, condominiums and cooperatives. Among other provisions, the legislation would:

- Add a provision stating that if the declaration requires the association or a unit owner to be responsible for operation and maintenance of storm water management facilities, it would be deemed that the association or unit owner agree to be responsible for compliance with the storm water management facilities' permit terms and conditions;
- Require the declarant to remain responsible for compliance with respect to storm water management facilities as may be required by the approved subdivision and land development plans until such time as the obligations of the declarant cease;
- Authorize an association, even if unincorporated, to levy reasonable fines for violations of the declaration, bylaws and rules and regulations of the association, and suspend a unit owner's access to common elements, voting rights, and the right to serve on the board if they are delinquent in assessments for violations of the governing documents of the community;
- Include a provision authorizing a special meeting to be called for the purpose of an election of the executive board before termination of a period of declarant control;
- Clarify that the procedures and voting requirements relating to the conveyance or encumbrance of common elements also apply in the case of tax sale or involuntary transfer, and that the interest in the common elements subject to the declaration prior to a conveyance or encumbrance are still subject to the declaration following the conveyance or encumbrance unless the deed or agreement to convey the common elements specifically provides otherwise;
- Establish that a declarant's obligation to release the real estate from liens before conveying the real estate to the association includes unpaid real estate taxes on that real estate; and
- Provide a limitation period that clarifies an association's right to pursue an action under a declarant's warranty against structural defects is six years after the warranty begins or two years after the unit owners elect an executive board, whichever is later.

Passed: 48-0.

Wednesday, October 3, 2018

Senate Bill 912 (Brooks) would amend the Human Services Code to add a section requiring the Department of Human Services to establish a medical assistance presumptive eligibility program for home care, home health and older adult daily living center services for individuals who are

eligible for medical assistance nursing facility services but wish to receive care in a less restrictive setting. The program would have to be designed to accomplish all of the following:

- Provide home care, home health and older adult daily living center services only for individuals who are age 65 or older and nursing facility clinically eligible;
- Permit a qualified entity to submit an application to the Department for medical assistance on behalf of individuals;
- Permit an individual who is applying for medical assistance to declare and attest to the accuracy of income and assets on an appropriate application form; and
- Permit a qualified entity to determine the presumptive eligibility of individuals to receive medical assistance.

A “qualified entity” would be defined as a home care agency, home health agency, older adult daily living center or an organization, authorized by the Department, that elects to determine the deemed eligibility of individuals to receive medical assistance under the program. If a qualified entity determines that an individual is deemed eligible, the individual may begin receiving home and community-based services from a medical assistance provider as soon as a preliminary service plan is developed. If an individual determined to be presumptively eligible is subsequently determined ineligible, the qualified entity that made the determination of presumptive eligibility would not be reimbursed for the cost of home care services or home health services. If an individual provides fraudulent information, the qualified entity could seek reimbursement from the individual.

Within 180 days of the effective date of the section, the Department would be required to apply for any necessary federal waivers or state plan amendments. Fifteen days prior to applying for any waiver or amendment, the Department would have to submit the proposed application to the designated legislative committees. The Department would be required to report annually to the General Assembly on the program, including participation levels, administrative costs and estimated savings. The measure would direct the Legislative Budget and Finance Committee to conduct a study of the fiscal impact and effectiveness of the deemed eligibility program and report its findings and recommendations to the legislature by October 31, 2023. If a federal waiver or state plan amendment required under the program is approved by the Centers for Medicare and Medicaid Services for federal reimbursement, the Secretary of Human Services would be required to transmit notice of the approval to the Legislation Reference Bureau for publication in the *Pennsylvania Bulletin*. **Passed: 48-0.**

Senate Bill 1073 (Vulakovich) would amend the Enforcement Officer Disability Benefits Law by including the following law enforcement officers under the act:

- Campus police officers employed by a participating university (a state-owned university, a community college or a state-related college or university that elects to participate in the act by submitting a notice to the Department of Labor and Industry);

- DCNR rangers, DCNR ranger supervisors, DCNR ranger operations specialists and DCNR ranger trainees employed by the Department of Conservation and Natural Resources;
- Members of the Fort Indiantown Gap Police;
- Investigative staff of the Office of Inspector General;
- Members of the Allegheny County Port Authority Police; and,
- Members of the Allegheny County Housing Authority Police.

The bill would direct that any payments required to be made on account of these employees be made by their employers from moneys appropriated to them. An additional provision would include corrections officers or jail guards employed by a county or municipality and whose principal duty is the care, custody and control of inmates under the section which provides compensation for diseases of the heart and of the respiratory system. [Passed: 48-0.](#)

[Senate Bill 1176](#) (Yaw) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to prohibit the filing of any ordinance or petition under the Home Rule Law for four years following an election in which any Home Rule question appeared on the ballot and was defeated. [Passed: 48-0.](#)

[Senate Bill 1237](#) (Baker) would create the Pennsylvania Rural Health Redesign Center Authority Act to promote access to high-quality health care in rural communities by encouraging innovation in health care delivery. The legislation would establish the Pennsylvania Rural Health Redesign Center Authority to be governed by a board as outlined in the legislation. Among other duties, the board would:

- Apply for, solicit, receive, allocate, disburse, administer and expend money in the Pennsylvania Rural Health Design Center Fund established in the bill, or other money available to the Authority from both public and private sources;
- Apply for, accept and administer grants and loans;
- Take, hold, administer, invest and dispose of property or money of the Authority; and
- Collaborate with state agencies, seek waivers from state agency requirements, and coordinate with agencies to seek waivers from federal requirements.

Board members would be prohibited from receiving confidential information related to an entity where a conflict of interest exists. Individuals employed by the Authority board would not be employees of the Commonwealth for any purpose, including for purposes of compensation, pension benefits or retirement. The Authority would be barred from pledging the credit or taxing power of the Commonwealth, and from acquiring rural hospitals or participant rural hospitals.

The board would be responsible for the administration of the global budget model. The “global budget model” would be defined as “an innovative payment and service delivery model that is intended to reduce health care costs while maintaining access to care, improving the quality of care in rural counties and meeting the health needs of participant rural hospitals’ local communities and under which participating payers pay participant rural hospitals using a global budget methodology established by the authority.” Additionally, the board would:

- Evaluate and select rural hospitals for participation in the model;
- Provide technical assistance, training and education to participant rural hospitals;
- Collect and maintain data;
- Review rural hospital transformation plans consistent with federal and state law; and
- Assist hospitals to determine targeted population health improvement goals.

Payers (insurers, government programs, etc.) and rural hospitals would submit letters of interest to the Authority to participate in the global budget model. As a condition of participation, a participant payer would have to sign an agreement with the Authority. As a condition of participation, a participant rural hospital would be required to submit an initial transformation plan, sign an agreement with the Authority, and submit annual updates to its transformation plan.

The accounts and books of the Authority would have to be audited annually by an independent certified public accounting firm. A copy of the audit would be filed with the Secretary of the Senate and the Chief Clerk of the House by December 31 of each year. The financial statement and the Authority’s audit would be submitted annually to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin. The Authority would also be required to electronically submit annual reports on the performance and compliance of each participant rural hospital to the Department and other appropriate parties as determined by the board and annual reports on its activities to the Governor and the General Assembly. The legislation would establish the Pennsylvania Rural Health Design Center Fund as a separate fund in the State Treasury to be administered by the Authority. Money deposited in the Fund would be held for the purposes of the Authority and would not be considered a part of the General Fund. **Passed: 48-0.**

Senate Resolution 456 (Alloway) honors Camp Letterman. **Adopted by Voice Vote.**

Senate Resolution 457 (Vogel) recognizes the Women of the Grange. **Adopted by Voice Vote.**

Senate Resolution 458 (Tartaglione) recognizes the month of October 2018 as “National Breast Cancer Awareness Month” in Pennsylvania and October 19, 2018 as “National Mammography Day” in Pennsylvania. **Adopted by Voice Vote.**

[Senate Resolution 459](#) (Mensch) recognizes October 8, 2018 as “National Hydrogen and Fuel Cell Day” in Pennsylvania. **[Adopted by Voice Vote.](#)**

[House Bill 783](#) (Nesbit) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to require a tax status certification only for mobile or manufactured homes that have been previously titled in Pennsylvania to a person using the home as a residence in the Commonwealth immediately preceding its sale or transfer. The certification would include county, municipal and school district real estate taxes due on the mobile or manufactured home as of the date of certification, including any delinquent taxes turned over to a third party for collection. **[Passed: 48-0.](#)**

[House Bill 2060](#) (M. Quinn) would amend Title 18 (Crimes and Offenses) and Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to modify the statutory provisions governing the relinquishment of firearms by individuals subject to active final protection from abuse orders or a conviction of misdemeanor crimes of domestic violence. Among other provisions, the measure would:

- Require the relinquishment of firearms within 24 hours rather than the current 60 days;
- Eliminate the current third party safe-keeping provision which allows firearms to be turned over to friends and family;
- Require firearms to be relinquished to a sheriff, law enforcement agency, licensed dealer, licensed attorney or commercial armory;
- Provide that a person commits a second degree misdemeanor if he or she intentionally or knowingly fails to relinquish a firearm or other weapon;
- Require the courts to order the police or sheriff to accompany the plaintiff to the plaintiff’s residence before or during service of protection from abuse petition and orders, if the plaintiff claims the assistance is necessary for his or her safety; and
- Outline the recordkeeping requirements and other administrative provisions related to the receipt and maintenance of the weapons. **[Passed: 43-5.](#)**

(2018-106)