

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1916 Session of  
1979

INTRODUCED BY McCALL, GATSKI, GOODMAN, B. F. O'BRIEN, WARGO AND  
STUBAN, OCTOBER 29, 1979

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, OCTOBER 29, 1979

AN ACT

1 Amending the act of June 21, 1939 (P.L.566, No.284), entitled  
2 "An act defining the liability of an employer to pay damages  
3 for occupational disease contracted by an employe arising out  
4 of and in the course of employment; establishing an elective  
5 schedule of compensation; providing procedure for the  
6 determination of liability and compensation thereunder;  
7 imposing duties on the Department of Labor and Industry, the  
8 Workmen's Compensation Board, Workmen's Compensation  
9 Referees, and deans of medical schools; creating a medical  
10 board to determine controverted medical issues; establishing  
11 an Occupational Disease Fund in custody of the State  
12 Workmen's Insurance Board; imposing upon the Commonwealth a  
13 part of the compensation payable for certain occupational  
14 diseases; making an appropriation; and prescribing  
15 penalties," providing certain compensation for disability due  
16 to berylliosis.

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

19 Section 1. Subsection (i) of section 301, act of June 21,  
20 1939 (P.L.566, No.284), known as "The Pennsylvania Occupational  
21 Disease Act," amended November 28, 1969 (P.L.312, No.134), is  
22 amended to read:

23 Section 301. \* \* \*

24 (i) Notwithstanding any other provisions of this act,

1 compensation for silicosis, anthraco-silicosis, coal worker's  
2 pneumoconiosis, [and] asbestosis, and berylliosis shall be paid  
3 for each month beginning with the month this amending act  
4 becomes effective, or beginning with the first month of  
5 disability, whichever occurs later, at the rate of seventy-five  
6 dollars (\$75) per month, to every employe totally disabled  
7 thereby as a result of exposure thereto, who has not theretofore  
8 been compensated because his claim was barred by any of the time  
9 limitations prescribed by this act, and shall continue during  
10 the period of such total disability. No compensation under this  
11 section shall be paid to any employe who has not been exposed to  
12 a silica, coal, or asbestos hazard within the Commonwealth of  
13 Pennsylvania for a period of two years. Subsequent to the  
14 effective date of this amending act of 1969, it shall be  
15 necessary to be a resident of Pennsylvania in order to qualify  
16 for compensation, but not to continue receiving the same after  
17 qualification. All such compensation to those whose last  
18 exposure precedes the effective date of this amending act shall  
19 be paid by the Commonwealth. Employes whose last exposure  
20 follows the effective date of this amending act and who become  
21 entitled to the compensation provided by this subsection shall  
22 be paid as provided by this act.

23 An application for compensation under this subsection shall  
24 not be accepted from any person who, during the preceding six  
25 months has been determined to be ineligible hereunder.

26 Every application shall be accompanied by two prints of the  
27 same recent photograph of the applicant, and such other proof of  
28 identity as the board shall require. One of the prints shall be  
29 stamped by the board and returned to the applicant, who shall  
30 deliver it to the physician at the time of examination. The

1 physician shall attach the print to his report to the board.

2 \* \* \*

3 Section 2. This act shall take effect immediately.