

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**

**No. 2477** Session of  
2008

INTRODUCED BY EACHUS, DeWEESE, McCALL, SURRA, COHEN, MANN,  
FRANKEL, MUNDY, HALUSKA, GEIST, McGEEHAN, YOUNGBLOOD,  
K. SMITH, BELFANTI, PALLONE, CAPPELLI, RUBLEY, BEYER, BISHOP,  
BLACKWELL, CASORIO, DePASQUALE, GEORGE, WHEATLEY,  
CALTAGIRONE, BRENNAN, WALKO, GOODMAN, GRUCELA, STABACK,  
HARHAI, HARKINS, HARPER, JAMES, HUTCHINSON, JOSEPHS, KOTIK,  
KULA, LEACH, MAHONEY, WOJNAROSKI, R. MILLER, MURT, MYERS,  
M. O'BRIEN, PAYNE, PETRARCA, PYLE, READSHAW, REICHLEY,  
SAINATO, SAYLOR, SOLOBAY, J. WHITE, R. TAYLOR, DALLY, MILNE,  
GIBBONS, FREEMAN, VULAKOVICH, BARRAR AND MELIO, MAY 2, 2008

REFERRED TO COMMITTEE ON LABOR RELATIONS, MAY 2, 2008

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as  
2 reenacted and amended, "An act defining the liability of an  
3 employer to pay damages for injuries received by an employe  
4 in the course of employment; establishing an elective  
5 schedule of compensation; providing procedure for the  
6 determination of liability and compensation thereunder; and  
7 prescribing penalties," further defining "occupational  
8 disease."

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. Section 108(m.1) of the act of June 2, 1915  
12 (P.L.736, No.338), known as the Workers' Compensation Act,  
13 reenacted and amended June 21, 1939 (P.L.520, No.281) and added  
14 December 20, 2001 (P.L.967, No.115), is amended to read:

15 Section 108. The term "occupational disease," as used in  
16 this act, shall mean only the following diseases.

17 \* \* \*

1 (m.1) Hepatitis C in the occupations of professional and  
2 volunteer firefighters, volunteer ambulance corps personnel,  
3 volunteer rescue and lifesaving squad personnel, emergency  
4 medical services personnel and paramedics, Pennsylvania State  
5 Police officers, Capitol Police employed by the Department of  
6 General Services, Commonwealth and county probation and parole  
7 officers, Bureau of Narcotics Investigators employed by the  
8 Office of Attorney General, Liquor Control Enforcement Officers  
9 employed by the Pennsylvania State Police, sheriffs and deputy  
10 sheriffs, police officers requiring certification under 53  
11 Pa.C.S. Ch. 21 (relating to employees), and Commonwealth and  
12 county correctional employes, and forensic security employes of  
13 the Department of Public Welfare, having duties including care,  
14 custody and control of inmates involving exposure to such  
15 disease. Hepatitis C in any of these occupations shall establish  
16 a presumption that such disease is an occupational disease  
17 within the meaning of this act, but this presumption shall not  
18 be conclusive and may be rebutted. This presumption shall be  
19 rebutted if the employer has established an employment screening  
20 program, in accordance with guidelines established by the  
21 department in coordination with the Department of Health and the  
22 Pennsylvania Emergency Management Agency and published in the  
23 Pennsylvania Bulletin, and testing pursuant to that program  
24 establishes that the employe incurred the Hepatitis C virus  
25 prior to any job-related exposure.

26 \* \* \*

27 Section 2. This act shall take effect in 60 days.