
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 165 Session of
2013

INTRODUCED BY YUDICHAK, FARNESE, TEPLITZ, TARTAGLIONE, ARGALL,
FERLO, FONTANA, SOLOBAY, RAFFERTY, COSTA AND BREWSTER,
JANUARY 15, 2013

REFERRED TO PUBLIC HEALTH AND WELFARE, JANUARY 15, 2013

AN ACT

1 Requiring the Department of Health and the Department of
2 Environmental Protection to coordinate and cooperate on any
3 investigations into suspected disease or cancer clusters in
4 this Commonwealth.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Disease and
9 Cancer Cluster Coordination Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Department." The Department of Health of the Commonwealth.

15 "Disease or cancer cluster." The occurrence of:

16 (1) a greater-than-expected number of cases of a
17 particular disease or cancer within a group of individuals, a
18 geographical area or a period of time; or

1 (2) a particular disease or cancer in such number of
2 cases or meeting such other criteria as the secretary may
3 determine.

4 "Response team." The disease and cancer cluster response
5 team authorized by this act.

6 "Secretary." The Secretary of Health of the Commonwealth.
7 Section 3. Purposes.

8 The purposes of this act are:

9 (1) To provide the department with the authority to
10 conduct investigations into the potential for environmental
11 contamination or toxic substances to cause disease or cancer
12 clusters.

13 (2) To ensure that the department has the authority to
14 take actions to help address existing and potential
15 environmental pollution and toxic substances that may
16 contribute to a disease or cancer cluster.

17 (3) To enable the department to work in conjunction with
18 other State agencies in investigating and helping to address
19 the possible causes of disease or cancer clusters.

20 (4) To help facilitate the rapid investigation of
21 potential disease or cancer clusters in this Commonwealth.

22 Section 4. Guidelines for investigations and response to
23 suspected disease or cancer cluster.

24 (a) Duty to develop.--The secretary, in consultation with
25 the Secretary of Environmental Protection, shall develop
26 guidelines and policies that describe a systematic and
27 integrated approach to investigate:

28 (1) One or more suspected or potential disease or cancer
29 clusters.

30 (2) The pollutants or toxic substances that may be

1 associated with one or more suspected disease or cancer
2 clusters.

3 (3) The potential causes of one or more disease or
4 cancer clusters.

5 (b) Required provisions.--The guidelines developed under
6 subsection (a) shall include, but are not limited to, the
7 following provisions:

8 (1) Definitions of key concepts and actions.

9 (2) Disease or cancer cluster identification and
10 reporting protocols.

11 (3) Standardized methods of reviewing and categorizing
12 data, including from health surveillance systems and disease
13 or cancer cluster reports.

14 (4) Guidance for using, in a health-protective way, an
15 appropriate epidemiological, statistical or other approach
16 for the circumstances of an investigation.

17 (5) Procedures for peer review of key documents by
18 individuals who have no direct or indirect conflict of
19 interest.

20 (6) A description of the responsibilities of the
21 secretary and the Secretary of Environmental Protection in
22 conducting investigations under this act.

23 (c) Public review and comment.--The guidelines developed
24 under this act shall be made available for public review and
25 comment for at least 60 days.

26 Section 5. Disease and cancer cluster response team.

27 (a) Authority to establish.--The secretary, in consultation
28 with the Secretary of Environmental Protection, Federal
29 agencies, other State agencies and institutions of higher
30 education may establish and operate a disease and cancer cluster

1 response team.

2 (b) Supervision by secretary.--The secretary shall be
3 responsible for directing, coordinating and approving the work
4 of the response team authorized under this section to ensure
5 that the work is consistent with achieving the purposes of this
6 act.

7 (c) Expertise.--The response team shall have expertise in
8 epidemiology, toxicology, pollution control, data analysis,
9 environmental health, exposure assessment, community outreach
10 and involvement and other fields as the secretary determines are
11 appropriate.

12 (d) Investigation.--At the direction of the secretary, the
13 response team shall investigate suspected disease or cancer
14 clusters, environmental pollutants or toxic substances
15 associated with those disease or cancer clusters and potential
16 causes of the disease or cancer cluster.

17 (e) Report.--

18 (1) At the conclusion of an investigation under this
19 section, the response team shall prepare a report of its
20 findings and conclusions and present the report to the
21 secretary.

22 (2) The report of the response team shall be made public
23 and prepared in a manner that preserves the confidentiality
24 of individuals.

25 Section 6. Petition.

26 (a) Who may submit.--Any person, including a State or local
27 official, may submit a petition to the secretary requesting that
28 the response team conduct an investigation or take other action
29 to address the potential of causes of disease or cancer clusters
30 under this act.

1 (b) Basis to be described.--Each petition submitted under
2 this section shall clearly describe the basis for the requested
3 investigation or action, including any data supporting the
4 request.

5 (c) Criteria to be established.--The secretary shall
6 establish criteria for the consideration of petitions under this
7 section. The criteria shall include the following:

8 (1) Evidence of the release of pollution or toxic
9 substances.

10 (2) The locations in which there appear to be
11 potentially significant health threats.

12 (3) Cases in which existing data appear to be inadequate
13 to fully assess the potential risks to the public.

14 (4) Other factors as the secretary deems necessary.

15 (d) Written response.--No later than 60 days after receiving
16 the petition, the secretary shall provide a written response
17 that includes:

18 (1) The investigation or actions that will be taken in
19 response to the petition.

20 (2) The reason for any denial or deferral of a response.

21 Section 7. Advisory committees.

22 (a) Establishment.--The secretary shall establish a
23 community disease or cancer cluster advisory committee in each
24 area where an investigation is conducted in response to a
25 petition submitted under section 6.

26 (b) Duties.--The advisory committee shall provide oversight,
27 guidance and advice relating to the investigation. This duty
28 shall include, but not be limited to:

29 (1) The investigation of suspected and potential disease
30 or cancer clusters.

1 (2) The investigation of environmental pollutants or
2 toxic substances associated with suspected or potential
3 disease or cancer clusters.

4 (3) The investigation of potential causes of disease or
5 cancer clusters and the efforts to address the potential
6 causes of disease or cancer clusters.

7 (4) The most effective means of ensuring outreach and
8 involvement to the community.

9 (c) Membership.--Membership on the advisory committee shall
10 include:

11 (1) Individuals who are or may be impacted by a
12 suspected disease or cancer cluster.

13 (2) Local officials.

14 (3) At least two individuals appointed by the secretary
15 who have knowledge of the suspected disease or cancer
16 cluster.

17 (4) Other appropriate individuals as determined by the
18 secretary.

19 Section 8. Reports.

20 (a) Duty to prepare.--Within one year of the effective date
21 of this section, the secretary, in consultation with the
22 Secretary of Environmental Protection, shall prepare a report
23 that includes the following:

24 (1) The status of any activities conducted under this
25 act to investigate and address the suspected and potential
26 causes of disease or cancer clusters.

27 (2) A list of the pollutants and toxic substances
28 associated with suspected and potential disease or cancer
29 clusters.

30 (3) Outreach activities to State agencies, local

1 officials and communities.

2 (4) Other relevant information.

3 (b) Submission of report.--The secretary shall submit the
4 report under this section to the Public Health and Welfare
5 Committee of the Senate, the Environmental Resources and Energy
6 Committee of the Senate, the Health Committee of the House of
7 Representatives and the Environmental Resources and Energy
8 Committee of the House of Representatives.

9 Section 9. Effective date.

10 This act shall take effect in 60 days.