

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1057 Session of 2022

INTRODUCED BY BROOKS, COLLETT, STEFANO, MENSCH, DUSH,  
 CAPPELLETTI, J. WARD, MUTH, L. WILLIAMS AND HUTCHINSON,  
 FEBRUARY 8, 2022

REFERRED TO HEALTH AND HUMAN SERVICES, FEBRUARY 8, 2022

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
 2 "An act providing for and reorganizing the conduct of the  
 3 executive and administrative work of the Commonwealth by the  
 4 Executive Department thereof and the administrative  
 5 departments, boards, commissions, and officers thereof,  
 6 including the boards of trustees of State Normal Schools, or  
 7 Teachers Colleges; abolishing, creating, reorganizing or  
 8 authorizing the reorganization of certain administrative  
 9 departments, boards, and commissions; defining the powers and  
 10 duties of the Governor and other executive and administrative  
 11 officers, and of the several administrative departments,  
 12 boards, commissions, and officers; fixing the salaries of the  
 13 Governor, Lieutenant Governor, and certain other executive  
 14 and administrative officers; providing for the appointment of  
 15 certain administrative officers, and of all deputies and  
 16 other assistants and employes in certain departments, boards,  
 17 and commissions; providing for judicial administration; and  
 18 prescribing the manner in which the number and compensation  
 19 of the deputies and all other assistants and employes of  
 20 certain departments, boards and commissions shall be  
 21 determined," in powers and duties of the Department of Health  
 22 and its departmental administrative and advisory boards,  
 23 providing for administration of COVID-19 antigen tests.

24 The General Assembly of the Commonwealth of Pennsylvania  
 25 hereby enacts as follows:

26 Section 1. The act of April 9, 1929 (P.L.177, No.175), known  
 27 as The Administrative Code of 1929, is amended by adding a  
 28 section to read:

1 Section 2127. Administration of COVID-19 Antigen Tests.--(a)  
2 Notwithstanding any other provision of law, the Department of  
3 Health, in collaboration with other State agencies, shall  
4 provide a temporary waiver to authorize licensed pharmacies to  
5 be reimbursed for medical billing related to the administration  
6 of COVID-19 antigen tests approved by the United States Food and  
7 Drug Administration.

8 (b) The temporary waiver under subsection (a) shall remain  
9 in place for no less than six months following the termination  
10 of the Federal emergency declaration related to COVID-19 or  
11 December 31, 2022, whichever is later. The Secretary of Health  
12 shall transmit notice of the date of the expiration of the  
13 temporary waiver to the Legislative Reference Bureau for  
14 publication in the Pennsylvania Bulletin.

15 (c) To the extent necessary in order to implement this  
16 section, the Department of Health shall request a waiver of  
17 Federal law and regulations or any other necessary approval from  
18 the Federal Government.

19 Section 2. This act shall take effect in 30 days.