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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2216 Session of  
2003

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INTRODUCED BY HESS, SATHER, WATSON, BAKER, PHILLIPS,  
E. Z. TAYLOR, CRAHALLA, GINGRICH, MACKERETH, MUSTIO,  
R. STEVENSON, WILT, FABRIZIO, KOTIK, BARD, BASTIAN, BELFANTI,  
BROWNE, BUNT, CAPPELLI, CAUSER, CORRIGAN, DALEY, FAIRCHILD,  
GEIST, GEORGE, GOOD, GOODMAN, HENNESSEY, HERMAN, HORSEY,  
MARSICO, McILHATTAN, PETRARCA, REICHLEY, RUBLEY, SAYLOR,  
SEMMEL, SOLOBAY, STERN, TIGUE, WASHINGTON, WRIGHT AND  
YOUNGBLOOD, NOVEMBER 25, 2003

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
NOVEMBER 25, 2003

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AN ACT

1 Amending the act of June 26, 2001 (P.L.755, No.77), entitled "An  
2 act establishing a special fund and account for money  
3 received by the Commonwealth from the Master Settlement  
4 Agreement with tobacco manufacturers; providing for home and  
5 community-based care, for tobacco use prevention and  
6 cessation efforts, for Commonwealth universal research  
7 enhancement, for hospital uncompensated care, for health  
8 investment insurance, for medical assistance for workers with  
9 disabilities, for regional biotechnology research centers,  
10 for the Health Link Program, for community-based health care  
11 assistance programs, for PACE reinstatement and PACENET  
12 expansion, for medical education loan assistance and for  
13 percentage allocation and appropriation of moneys," further  
14 providing for use of the Tobacco Settlement Fund.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 306 of the act of June 26, 2001 (P.L.755,  
18 No.77), known as the Tobacco Settlement Act, is amended to read:

19 Section 306. Use of Tobacco Settlement Fund.

20 (a) Annual report.--The Governor shall report on the fund in

1 the annual budget which shall include the amounts appropriated  
2 to each program.

3 (b) Appropriations.--

4 (1) The General Assembly hereby appropriates funds in  
5 the fund in accordance with the following percentages based  
6 on actual funds received in each year or upon receipt of the  
7 final annual payment:

8 (i) Eight percent for deposit into the Health  
9 Account pursuant to this chapter, which shall be  
10 deposited immediately upon receipt. Notwithstanding the  
11 restriction of section 307 to the contrary, for fiscal  
12 year 2003-2004, up to \$25 million shall be allocated to  
13 the Department of Aging to be distributed to area  
14 agencies on aging for senior transportation programs,  
15 senior center services and home and community-based  
16 services.

17 (ii) Thirteen percent for home and community-based  
18 services pursuant to Chapter 5. For fiscal year 2001-  
19 2002, up to \$13.5 million may be used for expanded  
20 counseling, area agency on aging training and education,  
21 assistive technology and for reducing waiting lists for  
22 services in the Department of Aging.

23 (iii) Twelve percent for tobacco use prevention and  
24 cessation programs pursuant to Chapter 7.

25 (iv) Eighteen percent for health and related  
26 research pursuant to section 906 and one percent for  
27 health and related research pursuant to section 909.

28 (v) Ten percent for the uncompensated care payment  
29 program pursuant to Chapter 11.

30 (vi) Thirty percent for health investment insurance

1           pursuant to Chapter 13 and for the purchase of Medicaid  
2           benefits for workers with disabilities pursuant to  
3           Chapter 15.

4           (vii) Eight percent for the expansion of the PACENET  
5           program pursuant to Chapter 23.

6           (2) In addition, any Federal funds received for any of  
7           these programs is hereby specifically appropriated to those  
8           programs.

9           (c) Lapses.--Lapses shall be deposited in the Health Account  
10          except for the following:

11          (1) Lapses from moneys provided for the home and  
12          community-based care services shall be reallocated to the  
13          home and community-based care program for use in succeeding  
14          years.

15          (2) Lapses from moneys provided for the health  
16          investment insurance program shall be reallocated to the  
17          health investment insurance program for use in succeeding  
18          years.

19          Section 2. This act shall take effect immediately.