

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1786 Session of 2019

INTRODUCED BY SAINATO, BARRAR, STRUZZI, McCLINTON, YOUNGBLOOD, CALTAGIRONE, CAUSER, PETRARCA, JAMES, READSHAW, FREEMAN, DEASY, DAVIDSON, KIM, SCHLOSSBERG, HILL-EVANS, MADDEN, WARREN, CIRESI, HOWARD, KOSIEROWSKI, RIGBY, SCHWEYER AND SNYDER, AUGUST 30, 2019

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 18, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in incentives for municipal volunteers
3 of fire companies and nonprofit emergency medical services
4 agencies, establishing the First Responder Loan Forgiveness
5 Program; and making editorial changes.

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

8 Section 1. Subchapter D heading of Chapter 79A of Title 35
9 of the Pennsylvania Consolidated Statutes is amended to read:

SUBCHAPTER D

[MISCELLANEOUS PROVISIONS] PENALTIES

12 Section 2. Chapter 79A of Title 35 is amended by adding a
13 subchapter to read:

SUBCHAPTER E

FIRST RESPONDER LOAN FORGIVENESS

16 Sec.

17 79A41. Definitions.

1 79A42. First Responder Loan Forgiveness Program.

2 79A43. Award of loan forgiveness.

3 79A44. Amount of awards.

4 79A45. Funding.

5 ~~79A46. Administration.~~

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6 ~~79A47. Point system.~~

7 ~~79A48. Certification.~~

8 ~~79A49. Guidelines.~~

9 79A46. POINT SYSTEM.

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10 79A47. CERTIFICATION.

11 79A48. REGULATIONS.

12 § 79A41. Definitions.

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

16 "Active first responder." A member of an emergency medical
17 services agency or a member of a ~~volunteer~~ fire company or
18 volunteer rescue company.

<--

19 "Agency." The Pennsylvania Higher Education Assistance
20 Agency.

21 "Approved institution of higher learning." A degree-granting
22 or certificate-granting educational institution, including a
23 vocational school, that:

24 (1) offers a postsecondary program of education;

25 (2) is located in this Commonwealth; and

26 (3) is approved by the agency.

27 "Approved program of education." A curriculum or course of
28 study pursued at an approved institution of higher learning as
29 determined by the agency.

30 "Emergency medical services agency." ~~An emergency medical~~

<--

1 ~~service corporation, association or organization which meets all~~
2 ~~of the following:~~

3 ~~(1) Is located in this Commonwealth.~~

4 ~~(2) Is licensed by the Department of Health.~~

5 ~~(3) Is regularly engaged in the provision of emergency~~
6 ~~medical services, including basic life support or advanced~~
7 ~~life support services and advanced life support squads as~~
8 ~~defined in 28 Pa. Code § 1027.1 (relating to general~~
9 ~~provisions) and licensed quick response services. AS DEFINED <--~~
10 ~~IN SECTION 8103 (RELATING TO DEFINITIONS).~~

11 ~~"FIRE COMPANY." A VOLUNTEER FIRE COMPANY.~~

12 ~~"Program." The First Responder Loan Forgiveness Program~~
13 ~~established in section 79A42 (relating to First Responder Loan~~
14 ~~Forgiveness Program).~~

15 ~~"Qualified applicant." An active first responder who~~
16 ~~qualifies for loan forgiveness under section 79A43 (relating to~~
17 ~~award of loan forgiveness).~~

18 ~~"Volunteer fire company." A nonprofit chartered corporation, <--~~
19 ~~association or organization located in this Commonwealth which~~
20 ~~provides fire protection or rescue services and which may offer~~
21 ~~other voluntary emergency services within this Commonwealth.~~
22 ~~Voluntary emergency services provided by a volunteer fire~~
23 ~~company may include voluntary ambulance and voluntary rescue~~
24 ~~services. AS DEFINED IN SECTION 7802 (RELATING TO DEFINITIONS). <--~~

25 ~~"Volunteer rescue company." A nonprofit chartered <--~~
26 ~~corporation, association or organization located in this~~
27 ~~Commonwealth that provides emergency rescue services. AS DEFINED <--~~
28 ~~IN SECTION 7802.~~

29 ~~§ 79A42. First Responder Loan Forgiveness Program.~~

30 ~~(a) Program established.--The First Responder Loan~~

1 Forgiveness Program is established. The program shall provide
2 loan forgiveness awards to qualified applicants in accordance
3 with this subchapter. The agency shall administer the program
4 for active first responders on a Statewide basis.

5 (b) Applicants.--An active first responder ~~who meets~~ MUST <--
6 MEET the following criteria ~~may~~ TO apply to the agency for loan <--
7 forgiveness under the program THIS SUBCHAPTER: <--

8 (1) Is a resident of this Commonwealth.

9 (2) Has been an active first responder, as certified in
10 accordance with section ~~79A48~~ 79A47 (relating to <--
11 certification), for a period of at least one year in this
12 Commonwealth.

13 (3) ~~Has enrolled~~ ENROLLED as a student in an approved <--
14 program of education AND COMPLETED A POSTSECONDARY DEGREE OR <--
15 CERTIFICATION PROGRAM.

16 (4) Provides the ~~approved institution of higher learning~~ <--
17 AGENCY with a sworn or official statement by the ~~Office of~~ <--
18 ~~the State Fire Commissioner~~ CHIEF OF THE FIRE COMPANY or the <--
19 chief or president of the emergency medical services agency,
20 attesting that the applicant is a member in good standing of
21 the emergency medical services agency, ~~volunteer~~ fire company <--
22 or volunteer rescue company.

23 § 79A43. Award of loan forgiveness.

24 The agency may provide loan forgiveness for an active first
25 responder who, in the first year as an active first responder
26 following completion of a postsecondary degree or certification
27 program and, in each subsequent year, meets all of the following
28 criteria:

29 (1) Is a recipient of an agency-administered, federally
30 insured student loan.

1 (2) Has completed a certificate or degree program at an
2 approved institution of higher learning. The certificate or
3 degree program must be an approved program of education.

4 (3) Is certified as an active first responder, by the
5 Bureau of Emergency Medical Services or the Office of the <--
6 State Fire Commissioner, CHIEF OR PRESIDENT OF THE EMERGENCY <--
7 MEDICAL SERVICES OR CHIEF OF THE FIRE COMPANY, for four
8 consecutive years preceding the date of application.

9 (4) Executes a sworn affidavit, under penalty of
10 perjury, that the individual does not have a delinquent
11 payment owing to any Commonwealth agency.

12 § 79A44. Amount of awards.

13 (a) Loan forgiveness.--Agency-administered, federally
14 insured student loans for an approved program of education
15 provided to a qualified applicant may be forgiven by the agency
16 as follows:

17 (1) The agency may forgive a qualified applicant's loan
18 in an amount up to \$16,000.

19 (2) Payment of the award shall be made in accordance
20 with the procedures established by the agency.

21 (3) A qualified applicant may receive loan forgiveness
22 awards as follows:

23 (i) First year of active first responder status
24 following graduation in an amount up to \$4,000, but not
25 exceeding 25% of the original qualifying loans.

26 (ii) Second year of active first responder status
27 following graduation in an amount up to \$4,000, but not
28 exceeding 25% of the original qualifying loans.

29 (iii) Third year of active first responder status
30 following graduation in an amount up to \$8,000, but not

1 exceeding 50% of the original qualifying loans.

2 (b) Preference.--The agency may give preference in approving
3 loan forgiveness awards under the program to renewal
4 applications.

5 § 79A45. Funding.

6 The agency may approve loan forgiveness awards only to the
7 extent that funds are appropriated by the General Assembly and
8 are sufficient to cover administration of the program. In the
9 event that funding is insufficient to fully fund administration
10 and awards to all qualified applicants, the agency shall prorate
11 loan forgiveness awards.

12 ~~§ 79A46. Administration.~~ <--

13 ~~The agency shall promulgate regulations and adopt policies,~~
14 ~~procedures and forms as are necessary and not inconsistent with~~
15 ~~the provisions of this subchapter.~~

16 ~~§ 79A47 § 79A46. Point system.~~ <--

17 (a) General rule.--A point system establishing the
18 requirements for annual certification of active first responders
19 shall be developed and implemented by the chief or president of:

20 (1) a ~~volunteer~~ fire company; <--

21 (2) a volunteer rescue company; and

22 (3) an emergency medical services agency.

23 (b) Factors.--The point system shall be used to determine
24 whether to certify an individual as an active first responder
25 and shall include the following factors:

26 (1) The number of emergency calls to which the
27 individual responded.

28 (2) The individual's level of training and participation
29 in formal training OR DRILLS. <--

30 (3) Time spent by the individual on administration and

1 support activities, including maintenance of facilities and
2 equipment.

3 (4) Involvement by the individual in FUNDRAISING AND <--
4 other projects that directly benefit the organization's
5 financial viability, emergency response or operational
6 readiness.

7 ~~§ 79A48~~ § 79A47. Certification. <--

8 (a) Application.--An applicant for certification as an
9 active first responder must submit a signed application to the
10 chief or president of the ~~volunteer~~ fire company, volunteer <--
11 rescue company or emergency medical services agency that the
12 applicant serves.

13 (b) Local sign-off.--The chief or president of the ~~volunteer~~ <--
14 fire company or volunteer rescue company and another officer of
15 the volunteer fire company or volunteer rescue company, or the
16 chief or president of the emergency medical services agency and
17 another officer of the emergency medical services agency, shall:

18 (1) Sign the application attesting to the individual's
19 status as an active first responder.

20 (2) Forward the application to the ~~Office of the State~~ <--
21 ~~Fire Commissioner or the Department of Health~~ AGENCY for <--
22 final review and processing.

23 ~~§ 79A49. Guidelines.~~ § 79A48. REGULATIONS. <--

24 The agency shall PROMULGATE REGULATIONS AND ESTABLISH RULES <--
25 OR adopt guidelines, including forms, necessary to administer
26 this subchapter.

27 Section 3. This act shall take effect in 60 days.