
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 1087 Session of
2020

INTRODUCED BY KLUNK, BARRAR, ECKER, FEE, KAUFFMAN, MOUL,
ROTHMAN, RYAN, COX, GAYDOS, OWLETT, CAUSER AND SAYLOR,
NOVEMBER 12, 2020

REFERRED TO COMMITTEE ON HEALTH, NOVEMBER 12, 2020

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to
2 conduct an audit of the data collection systems utilized by
3 the Department of Health during the COVID-19 pandemic.

4 WHEREAS, The novel coronavirus was first discovered in Wuhan,
5 China, at the end of December of 2019; and

6 WHEREAS, The novel coronavirus is the virus that causes
7 COVID-19; and

8 WHEREAS, The first documented case of COVID-19 appeared in
9 this Commonwealth in March of 2020; and

10 WHEREAS, On March 6, 2020, Governor Wolf signed a declaration
11 of disaster emergency to mitigate the spread of COVID-19 in this
12 Commonwealth; and

13 WHEREAS, The Secretary of Health has served as the primary
14 point of contact for all COVID-19 infection data in this
15 Commonwealth through her role as the head of the Department of
16 Health in accordance with the Disease Prevention and Control Act
17 of 1955; and

18 WHEREAS, The collecting and sharing of information with

1 respect to COVID-19 infection rates, locations of positive
2 COVID-19 cases, mortality data and other information within the
3 purview of the Department of Health is vital to contain the
4 virus and inform the public; and

5 WHEREAS, The Bureau of Health Statistics and Registries of
6 the Department of Health is responsible for the death
7 certificates of all individuals who have died in this
8 Commonwealth, including individuals who have died for reasons
9 other than COVID-19; and

10 WHEREAS, The coroners and medical examiners in this
11 Commonwealth are responsible for investigating deaths that occur
12 in this Commonwealth due to a communicable disease; and

13 WHEREAS, In late April of 2020, the Pennsylvania State
14 Coroners Association publicly stated that there was a conflict
15 between the number of COVID-19 deaths reported by the Department
16 of Health and the number of COVID-19 deaths reported by coroners
17 in this Commonwealth; and

18 WHEREAS, Due to the alarming conflict in the number of COVID-
19 19 deaths reported by the Department of Health and coroners in
20 this Commonwealth, the Department of Health removed hundreds of
21 deceased individuals from the Department of Health's list of
22 COVID-19 deaths without an explanation or a review of the death
23 certificates for the removed individuals; and

24 WHEREAS, On May 26, 2020, the Department of Health released a
25 report specifying the number of COVID-19 cases discovered in
26 nursing homes; and

27 WHEREAS, Upon the release of the Department of Health's
28 report, nursing homes immediately contested the information in
29 the report, including information in the report stating that
30 COVID-19 cases exceeded the number of beds in certain nursing

1 homes; and

2 WHEREAS, More than seven months since the beginning of the
3 COVID-19 pandemic, there is still no consistent reporting
4 mechanism for COVID-19 cases and deaths in nursing homes; and

5 WHEREAS, Despite nursing homes and other long-term care
6 facilities providing numerous reports on COVID-19 to the
7 Department of Health and the Department of Human Services,
8 information on COVID-19 for nursing homes and other long-term
9 care facilities is often delayed more than a week and the
10 information often includes many missing details; and

11 WHEREAS, On May 22, 2020, the Department of Health announced
12 that the Department of Health was combining COVID-19 testing
13 results from viral tests and antibody tests; and

14 WHEREAS, A viral or polymerase chain test reaction test is
15 utilized to determine if a patient has a current viral infection
16 of COVID-19; and

17 WHEREAS, An antibody test is utilized to determine if a
18 patient had a prior or previously undiagnosed or asymptomatic
19 viral infection of COVID-19; and

20 WHEREAS, The Department of Health's decision to combine the
21 two different COVID-19 test results when submitting reports on
22 COVID-19 to the Centers for Disease Control and Prevention
23 results in an over inflation of the status of COVID-19 cases in
24 this Commonwealth; and

25 WHEREAS, The Department of Health continues to report COVID-
26 19 data on polymerase chain test results that is more than 30
27 days old; and

28 WHEREAS, In addition to the Department of Health's decision
29 to combine the polymerase chain test results for COVID-19 and
30 the antibody test results for COVID-19 when submitting reports

1 on COVID-19 to the Centers for Disease Control and Prevention,
2 the Department of Health's failure to report antibody testing to
3 the Centers for Disease Control and Prevention has distorted the
4 status of COVID-19 cases in this Commonwealth; and

5 WHEREAS, Residents of this Commonwealth have logged numerous
6 complaints about the causes of death listed on the death
7 certificates of loved ones; and

8 WHEREAS, Death certificates in this Commonwealth can be filed
9 by coroners, medical examiners, treating health care providers
10 and other authorized individuals; and

11 WHEREAS, A review of the death certificate information from
12 other states shows numerous inaccuracies in the reporting of
13 COVID-19 deaths and the comorbidities associated with the
14 deaths; and

15 WHEREAS, During two days in June of 2020, this Commonwealth
16 recorded a 100% positive rate for COVID-19 on all tests
17 performed; and

18 WHEREAS, Despite this statistical anomaly, the Department of
19 Health has not initiated or reviewed the COVID-19 data reported
20 on those two days to review necessary changes to data reporting;
21 and

22 WHEREAS, From October 20 to October 21, 2020, the COVID-19
23 data provided by the Department of Health showed more COVID-19
24 deaths in long-term care facilities than in this entire
25 Commonwealth; and

26 WHEREAS, This higher COVID-19 death rate data in long-term
27 care facilities is a statistical impossibility; and

28 WHEREAS, Instances of anomalies, inaccuracies, statistical
29 impossibilities and other reporting concerns are still happening
30 at the Department of Health more than seven months after the

1 beginning of the COVID-19 pandemic; and

2 WHEREAS, Residents of this Commonwealth need to have accurate
3 and reliable COVID-19 data to make choices for their health,
4 safety and security; therefore be it

5 RESOLVED, That the House of Representatives direct the
6 Legislative Budget and Finance Committee to conduct an audit of
7 the data collection systems utilized by the Department of Health
8 during the COVID-19 pandemic; and be it further

9 RESOLVED, That the Legislative Budget and Finance Committee
10 review information received from nursing homes, long-term care
11 facilities, health care facilities, coroners and medical
12 examiners to determine the accurate number of COVID-19 cases in
13 this Commonwealth; and be it further

14 RESOLVED, That the Legislative Budget and Finance Committee's
15 audit include all of the following information:

16 (1) An analysis of the daily total COVID-19 reports
17 submitted to the Department of Health.

18 (2) An analysis of the daily total COVID-19 reports
19 received by the Department of Health by other State agencies.

20 (3) An analysis of the COVID-19 reports provided by
21 county coroners, medical examiners and local boards of
22 health.

23 (4) An analysis of the changes in the daily total COVID-
24 19 reports provided by the Department of Health, including
25 the revised numbers of COVID-19 positive test results and
26 decreases to the total number of reported cases.

27 (5) An analysis of the comorbidities reported by
28 patients who tested positive for COVID-19 in addition to the
29 positive viral diagnoses.

30 (6) Conclusions regarding the areas where data

1 discrepancies have been found and how the discrepancies can
2 be avoided in future;
3 and be it further

4 RESOLVED, That the Legislative Budget and Finance Committee
5 review the death certificates of deceased individuals which have
6 been labeled as COVID-19 deaths and analyze the following
7 information:

8 (1) The location of death.

9 (2) The individual who recorded the death.

10 (3) The method of recording the chain of events
11 regarding the death.

12 (4) The location of COVID-19 in the chain of events
13 listed as the cause of death;

14 and be it further

15 RESOLVED, That the Legislative Budget and Finance Committee
16 review the reporting of COVID-19 data to determine the number of
17 viral tests and antibody tests performed in this Commonwealth,
18 including the following information:

19 (1) The number of polymerase chain test reaction tests
20 performed, including the number of samples tested and the
21 number of individuals tested.

22 (2) The number of COVID-19 positive polymerase chain
23 test reaction results, including the number of times the same
24 individual tested positive for COVID-19.

25 (3) The number of COVID-19 negative polymerase chain
26 test reaction results, including the number of times the same
27 individual tested negative for COVID-19.

28 (4) The number of antibody tests or other serum tests
29 performed, including the number of samples tested and the
30 number of individuals tested.

1 (5) The number of COVID-19 positive antibody tests or
2 other serum tests performed, including the number of times
3 the same individual tested positive for COVID-19.

4 (6) The number of COVID-19 negative antibody tests or
5 serum tests performed, including the number of times the same
6 individual tested negative for COVID-19.

7 (7) A determination on when the Department of Health
8 ceased combining COVID-19 testing results from viral tests
9 and antibody tests when submitting reports on COVID-19 to the
10 Centers for Disease Control and Prevention.

11 (8) A determination on how other COVID-19 test results
12 are collated, counted and reported in this Commonwealth;
13 and be it further

14 RESOLVED, That the Legislative Budget and Finance Committee
15 review the anomalies in the reporting of COVID-19 data by the
16 Department of Health, including, but not limited to, all of the
17 following:

18 (1) The dates when the positivity rate of COVID-19 tests
19 in this Commonwealth was more than 50%.

20 (2) The laboratories that performed the COVID-19 tests
21 described under paragraph (1).

22 (3) The brands of the COVID-19 tests described under
23 paragraph (1).

24 (4) The types of the COVID-19 tests described under
25 paragraph (1).

26 (5) The counties where the COVID-19 tests described
27 under paragraph (1) were performed and the number of COVID-19
28 tests that were performed on different dates than the COVID-
29 19 tests described under paragraph (1);

30 and be it further

1 RESOLVED, That the Legislative Budget and Finance Committee
2 review the delays in reporting of positive COVID-19 cases and
3 the circumstances that are leading to delays in excess of 40
4 days in the reporting of positive COVID-19 cases; and be it
5 further

6 RESOLVED, That the Legislative Budget and Finance Committee
7 issue a report on the COVID-19 data collected by the Department
8 of Health for the period beginning March 6, 2020, and ending
9 March 6, 2021, or for the period beginning March 6, 2020, and
10 ending 60 days after expiration or termination of the Governor's
11 declaration of disaster emergency issued on March 6, 2020,
12 whichever is later; and be it further

13 RESOLVED, That the Legislative Budget and Finance Committee
14 issue interim reports every 60 days beginning 90 days after the
15 adoption of this resolution on the COVID-19 information
16 collected and any interim findings.