

AMENDMENTS TO HOUSE BILL NO. 2510

Sponsor: SENATOR BROWNE

Printer's No. 3799

1 Amend Bill, page 1, lines 1 through 4, by striking out all of
2 said lines and inserting
3 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
4 "An act relating to the finances of the State government;
5 providing for cancer control, prevention and research, for
6 ambulatory surgical center data collection, for the Joint
7 Underwriting Association, for entertainment business
8 financial management firms, for private dam financial
9 assurance and for reinstatement of item vetoes; providing for
10 the settlement, assessment, collection, and lien of taxes,
11 bonus, and all other accounts due the Commonwealth, the
12 collection and recovery of fees and other money or property
13 due or belonging to the Commonwealth, or any agency thereof,
14 including escheated property and the proceeds of its sale,
15 the custody and disbursement or other disposition of funds
16 and securities belonging to or in the possession of the
17 Commonwealth, and the settlement of claims against the
18 Commonwealth, the resettlement of accounts and appeals to the
19 courts, refunds of moneys erroneously paid to the
20 Commonwealth, auditing the accounts of the Commonwealth and
21 all agencies thereof, of all public officers collecting
22 moneys payable to the Commonwealth, or any agency thereof,
23 and all receipts of appropriations from the Commonwealth,
24 authorizing the Commonwealth to issue tax anticipation notes
25 to defray current expenses, implementing the provisions of
26 section 7(a) of Article VIII of the Constitution of
27 Pennsylvania authorizing and restricting the incurring of
28 certain debt and imposing penalties; affecting every
29 department, board, commission, and officer of the State
30 government, every political subdivision of the State, and
31 certain officers of such subdivisions, every person,
32 association, and corporation required to pay, assess, or
33 collect taxes, or to make returns or reports under the laws
34 imposing taxes for State purposes, or to pay license fees or
35 other moneys to the Commonwealth, or any agency thereof,
36 every State depository and every debtor or creditor of the
37 Commonwealth," providing for regional response health
38 collaboration and for emergency COVID-19 response; and, in

1 additional special funds and restricted accounts, providing
2 for return of COVID response transfers.

3 Amend Bill, page 1, lines 7 through 15; pages 2 through 6,
4 lines 1 through 30; page 7, lines 1 through 9; by striking out
5 all of said lines on said pages and inserting

6 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
7 as The Fiscal Code, is amended by adding articles to read:

8 ARTICLE I-B

9 REGIONAL RESPONSE HEALTH COLLABORATION

10 Section 101-B. Definitions.

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

14 "Assisted living residence." As defined in section 1001 of
15 the act of June 13, 1967 (P.L.31, No.21), known as the Human
16 Services Code.

17 "COVID-19." The novel coronavirus as identified in the
18 Governor's Proclamation of Disaster Emergency issued on March 6,
19 2020, published at 50 Pa.B. 1644 (March 21, 2020).

20 "Department." The Department of Human Services of the
21 Commonwealth.

22 "Facility." Any of the following:

23 (1) An assisted living residence.

24 (2) A long-term care nursing facility.

25 (3) A personal care home.

26 "Health collaborative." A collaboration of a local health
27 care system that provides educational support and clinical
28 coaching in a specific region of this Commonwealth. The term
29 includes an academic medical center located in this
30 Commonwealth.

31 "Long-term care nursing facility." As defined in section
32 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the
33 Health Care Facilities Act.

34 "Personal care home." As defined in section 1001 of the
35 Human Services Code.

36 Section 102-B. Establishment.

37 The Regional Response Health Collaborative Program is
38 established within the department.

39 Section 103-B. Duties of the department.

40 The department shall do the following to implement the
41 Regional Response Health Collaborative Program:

42 (1) Divide the Commonwealth into six geographic regions,
43 as follows:

44 (i) Northeast.

45 (ii) Southeast.

46 (iii) North central.

47 (iv) South central.

48 (v) Northwest.

1 (vi) Southwest.

2 (2) Solicit proposals from and enter into a grant
3 agreement with at least one eligible health collaborative
4 applicant from each region under paragraph (1) to provide
5 operations, management and administration to protect
6 residents in facilities from COVID-19.

7 (3) Establish guidelines for each health collaborative
8 to:

9 (i) Promote health and stabilize the economy of the
10 region by directly supporting COVID-19 readiness and
11 response in facilities.

12 (ii) Improve the quality of care related to
13 infection prevention and other priority health care
14 conditions common to facilities.

15 (iii) Expand COVID-19 testing to include
16 asymptomatic staff and residents in facilities to expand
17 public health surveillance.

18 (iv) Implement best practices in infection control,
19 including, but not limited to:

20 (A) enhanced testing capability;

21 (B) infection control consultation and
22 implementation, including contact tracing; and

23 (C) advanced clinical care, including onsite and
24 telemedicine-supported clinical care, remote
25 monitoring and physician consultation.

26 Section 104-B. Eligibility.

27 In order to be deemed an eligible applicant, a health
28 collaborative must provide information on how it would meet the
29 guidelines under section 103-B when submitting an application to
30 the department.

31 Section 105-B. Funding.

32 Funding for the Regional Response Health Collaborative
33 Program shall come from the following sources:

34 (1) From money appropriated for COVID Relief - Long-Term
35 Living Programs, \$175,000,000 shall be distributed by the
36 department for the purposes provided under section 103-B(2).

37 (2) An allocation of up to \$175,000,000 from funding
38 received by the Commonwealth from the United States
39 Department of Health and Human Services or Centers for
40 Disease Control and Prevention for testing through Division B
41 of Title I of the Federal Paycheck Protection Program and
42 Health Care Enhancement Act (Public Law 116-139).

43 ARTICLE I-C

44 EMERGENCY COVID-19 RESPONSE

45 SUBARTICLE A

46 PRELIMINARY PROVISIONS

47 Section 101-C. Definitions.

48 The following words and phrases when used in this article
49 shall have the meanings given to them in this section unless the
50 context clearly indicates otherwise:

51 "Account." The restricted account established under section

1 110-C.

2 "CARES Act." The Federal Coronavirus Aid, Relief, and
3 Economic Security Act (Public Law 116-136).

4 "Human Services Code." The act of June 13, 1967 (P.L.31,
5 No.21), known as the Human Services Code.

6 SUBARTICLE B

7 COVID-19 RESPONSE RESTRICTED ACCOUNT

8 Section 110-C. COVID-19 Response Restricted Account.

9 The COVID-19 Response Restricted Account is established in
10 the General Fund as a restricted account. Money received by the
11 Commonwealth from the Federal Government under Division A of
12 Title V of the CARES Act shall be deposited into the account.
13 All money in the account shall be appropriated by the General
14 Assembly.

15 Section 111-C. Money in account.

16 (a) Continuation.--Except as provided under subsection (b),
17 all money in the account, including, but not limited to, money
18 credited to the account under section 110-C, prior year
19 encumbrances and any earned interest, shall not lapse or be
20 transferred to any other fund or account.

21 (b) County Block Grants.--Money in the account that remains
22 unexpended from the State Treasury as of December 1, 2020, shall
23 be transferred by the State Treasurer to the Department of
24 Community and Economic Development for distribution to counties
25 eligible to receive funds under subarticle (d).

26 (c) Distribution.--By December 15, 2020, money transferred
27 under subsection (b) shall be distributed by the Department of
28 Community and Economic Development to each county eligible to
29 receive funds under subarticle (d) on a pro rata basis using the
30 population proportion amount calculated under section 130-C(e).

31 (d) Use of funds.--Money transferred to the Department of
32 Community and Economic Development and distributed to counties
33 under subsection (c) may be used only for eligible uses under
34 section 131-C.

35 (e) Notification by treasurer.--By November 29, 2020, the
36 State Treasurer shall notify the chairperson and minority
37 chairperson of the Appropriations Committee of the Senate and
38 the chairperson and minority chairperson of the Appropriations
39 Committee of the House of Representatives of the amount of money
40 in the account that is estimated to remain unexpended as of
41 December 1, 2020, and will be transferred to the Department of
42 Community and Economic Development.

43 (f) Notification.--By December 31, 2020, the Secretary of
44 the Department of Community and Economic Development shall
45 notify the chairperson and minority chairperson of the
46 Appropriations Committee of the Senate and the chairperson and
47 minority chairperson of the Appropriations Committee of the
48 House of Representatives of the amount of money distributed to
49 each county under subsection (c).

50 SUBARTICLE C

51 DEPARTMENT OF AGRICULTURE

1 Section 120-C. Dairy Assistance.

2 (a) COVID Dairy Assistance.--Money appropriated for COVID
3 Relief - Dairy Assistance Program shall be used to make payments
4 to each dairy farm that experienced a loss from the production
5 of milk that was discarded during the proclamation of disaster
6 emergency issued by the Governor on March 6, 2020, published at
7 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
8 disaster emergency, and applies for assistance. The payment
9 under this section shall be determined as follows:

10 (1) A minimum COVID Dairy Assistance payment equal to
11 \$1,500; and

12 (2) A pro rata share of any funds remaining after
13 payments under paragraph (1) based upon the volume of the
14 dairy farm's milk that was discarded during the disaster
15 emergency compared to the total volume of milk discarded
16 during the disaster emergency.

17 (b) Application.--The Department of Agriculture shall
18 develop an application for dairy farmers to apply for assistance
19 under this section within 15 days of the effective date of this
20 section. The application shall be made available and posted on
21 the Department of Agriculture's publicly accessible Internet
22 website and be in a form that can be completed and returned by
23 the dairy farmer electronically or through United States mail.
24 The deadline for submitting applications to the department shall
25 be September 30, 2020.

26 (c) Methodology.--The Department of Agriculture, in
27 consultation with the Milk Marketing Board, shall determine the
28 method to calculate the volume of discarded milk.

29 (d) Payments.--Payments under this section shall be made no
30 later than November 30, 2020.

31 (e) Report.--By December 31, 2020, the Department of
32 Agriculture shall issue a report to the chairperson and minority
33 chairperson of the Appropriations Committee of the Senate and
34 the chairperson and minority chairperson of the Appropriations
35 Committee of the House of Representatives and post the report on
36 the Department of Agriculture's publicly accessible Internet
37 website. The report shall include the following information:

38 (1) The total number of dairy farms that applied for
39 assistance under this section.

40 (2) The total amount of discarded milk for which
41 assistance under this section was sought.

42 (3) The average amount of discarded milk per dairy farm
43 that applied for assistance under this section.

44 (4) An estimate of the total value of discarded milk for
45 which assistance was sought under this section.

46 (5) The average value of discarded milk per dairy farm
47 that applied for assistance under this section.

48 (6) The total number of dairy farms that received
49 assistance under this section by county.

50 (7) The total dollar value of assistance payments under
51 this section by county.

1 (f) Definitions.--For the purpose of this section,
2 "discarded milk" shall be defined as the volume of milk produced
3 compared to the volume of milk that was hauled to a processor.
4 Section 121-C. Pennsylvania Agricultural Surplus System.

5 From money appropriated for COVID Relief - Dairy Assistance
6 Program, no more than \$5,000,000 may be administered by the
7 Department of Agriculture under the provisions of the act of
8 November 23, 2010 (P.L.1134, No.113), known as the Pennsylvania
9 Agricultural Surplus System Act. The money shall be used to
10 donate, sell or otherwise provide dairy products to charitable
11 food organizations in existence within this Commonwealth.
12 Section 122-C. State Food Purchase Program.

13 Money appropriated for COVID Relief - State Food Purchase
14 Program shall be used for grants to counties for the purchase of
15 food to be provided to needy persons in this Commonwealth, which
16 shall be administered by the Department of Agriculture under the
17 provisions of the act of December 11, 1992 (P.L.807, No.129),
18 known as the State Food Purchase Program Act. This amount may
19 include no more than \$5,000,000 to be used to donate, sell or
20 otherwise provide food products to charitable food organizations
21 in existence within this Commonwealth under the provisions of
22 the act of November 23, 2010 (P.L.1134, No.113), known as the
23 Pennsylvania Agricultural Surplus System Act.

24 SUBARTICLE D

25 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

26 Section 130-C. County Block Grant.

27 (a) General rule.--From money appropriated for COVID Relief
28 - County Block Grant for county block grants, each county shall
29 receive an amount equal to the population proportion amount as
30 determined by subsection (e).

31 (a.1) Distribution.--The Department of Community and
32 Economic Development shall distribute funding to counties on or
33 before July 15, 2020.

34 (b) Minimum distribution.--No county shall receive a
35 distribution under this section that is less than \$1,000,000.

36 (c) Proration.--The distribution to a county shall be
37 adjusted on a pro rata basis to the extent necessary to meet the
38 minimum distribution requirements under subsection (b) and not
39 exceed the total amount appropriated for county block grants.

40 (d) Exclusion.--A county that has received a disbursement
41 directly from the Federal Government through the CARES Act is
42 not eligible to receive funds under this subarticle.

43 (e) Population proportion amount.--For the purposes of
44 subsection (a), the population proportion shall be determined as
45 follows:

46 (1) the population estimate of the county; divided by

47 (2) the sum of the population estimates of all counties
48 minus the sum of the population estimates of all counties
49 that received a disbursement directly from the Federal
50 Government through the CARES Act.

51 (f) Population estimate.--For purposes of this section, a

1 county's population shall be equal to the published estimate by
2 the United States Census Bureau Population Estimates Program for
3 calendar year 2019.

4 Section 131-C. Eligible uses of funds.

5 Funds appropriated to a county for COVID Relief - County
6 Block Grant shall only be used for the following purposes:

7 (1) Offsetting the cost of direct county response,
8 planning and outreach efforts related to COVID-19, including
9 the purchase of personal protective equipment. A county may
10 incur direct administrative costs for the County Block Grant
11 Program under this subarticle not to exceed 2% of the amount
12 received, or \$200,000, whichever is less.

13 (2) Small business grant programs to support businesses
14 with fewer than 100 employees with priority given to those
15 businesses that did not receive a loan or grant through the
16 Federal Paycheck Protection Program or the Economic Injury
17 Disaster Loan Program established under the CARES Act and to
18 support businesses and other entities that are primarily
19 engaged in the tourism industry, including State and county
20 fairs, regardless of the number of employees the business or
21 other entity has. Counties may utilize Community Development
22 Financial Institutions to administer all or a portion of
23 their small business grant programs.

24 (3) Grant programs to support the following entities for
25 costs related to assisting businesses during the COVID-19
26 disaster emergency:

- 27 (i) Certified Economic Development Organizations.
- 28 (ii) Local Development Districts.
- 29 (iii) Industrial Resource Centers.
- 30 (iv) Small Business Development Centers.
- 31 (v) Economic Development Corporations.

32 (4) Assistance to cities, boroughs, incorporated towns,
33 or townships located within the county for response and
34 planning efforts related to COVID-19, including the purchase
35 of personal protective equipment.

36 (5) Behavioral health and substance use disorder
37 treatment services.

38 (6) Nonprofit assistance programs for entities that are
39 an exempt organization under section 501(c) (3) or 501(c) (19)
40 of the Internal Revenue Code of 1986 (Public Law 99-514, 26
41 U.S.C. § 1 et seq.).

42 (7) Broadband Internet deployment with priority given to
43 unserved or underserved areas.

44 Section 132-C. Cultural and museum preservation grants.

45 (a) Use of funds.--From money appropriated for COVID Relief
46 - Cultural and Museum Preservation Grant Program, \$20,000,000
47 shall be transferred to the authority and shall be used to make
48 grants under this subarticle.

49 (b) Definitions.--The following words and phrases when used
50 in this section shall have the meanings given to them in this
51 subsection unless the context clearly indicates otherwise:

1 "Authority." The Commonwealth Financing Authority.

2 "Eligible cultural organization." A facility or organization
3 meeting the criteria for grants under subsection (f) and that
4 was subject to closure by the proclamation of disaster emergency
5 issued by the Governor on March 6, 2020, published at 50 Pa.B.
6 1644 (March 21, 2020), and any renewal of the state of disaster
7 emergency and that experienced a loss of revenue related to the
8 closure.

9 "Museum." An institution that cares for and presents owned
10 or borrowed collections of artifacts and other objects of
11 artistic, cultural, historical or scientific importance that
12 presents the collection to the public for the purpose of
13 education and enjoyment and that was subject to closure by the
14 proclamation of disaster emergency issued by the Governor on
15 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
16 any renewal of the state of disaster emergency and that
17 experienced a loss of revenue related to the closure. The term
18 shall include each organization within a tax-exempt organization
19 that meets the criteria of this definition.

20 "Program." The COVID-19 Cultural and Museum Preservation
21 Grant Program established under subsection (c).

22 (c) Establishment of program.--The authority shall establish
23 the COVID-19 Cultural and Museum Preservation Grant Program.

24 (d) Purpose of program.--The program shall receive
25 applications and award grants to eligible cultural organizations
26 and museums in accordance with this section.

27 (d.1) Application.--The authority shall develop an
28 application for eligible cultural organizations and museums to
29 apply for grants under this section within 30 days of the
30 effective date of this section. The application shall be made
31 available and posted on the authority's publicly accessible
32 Internet website and be in a form that can be completed
33 electronically or through the United States mail.

34 (d.2) Deadline.--No application for a grant under this
35 section may be submitted after September 30, 2020.

36 (e) Guidelines.--The authority shall establish guidelines
37 that are consistent with the provisions of this section within
38 30 days of the effective date of this section. The guidelines
39 shall be:

40 (1) submitted to the Legislative Reference Bureau for
41 publication in the Pennsylvania Bulletin; and

42 (2) posted on the authority's publicly accessible
43 Internet website.

44 (f) Program requirements.--

45 (1) An eligible cultural organization or museum must be
46 one of the following categories:

47 (i) Children's museum.

48 (ii) General museum with at least two equally
49 significant disciplines.

50 (iii) History museum or historical site.

51 (iv) Military or maritime museum.

- 1 (v) Natural history museum.
- 2 (vi) Accredited zoo.
- 3 (vii) Planetarium.
- 4 (viii) Science and technology center.
- 5 (ix) Orchestra.
- 6 (x) Art museum.
- 7 (xi) Performing arts organization.

8 (2) An eligible cultural organization or museum must
 9 provide evidence that the eligible cultural organization or
 10 museum has received funding prior to the effective date of
 11 this section from the Pennsylvania Historical and Museum
 12 Commission or the Department of Community and Economic
 13 Development.

14 (g) Grant limits.--The authority may award a grant to an
 15 eligible cultural organization or museum not to exceed \$500,000.

16 (h) Award of grants.--The authority shall award grants and
 17 make grant payments under this section no later than November
 18 30, 2020.

19 (i) Expiration.--This section shall expire once all funds
 20 transferred to the authority under subsection (a) have been
 21 exhausted or December 1, 2020, whichever occurs first.

22 Section 133-C. Food Access Initiative.

23 From money appropriated to the Department of Community and
 24 Economic Development for COVID Relief - Food Access Initiative,
 25 \$10,000,000 shall be distributed to the Food Access Initiative.

26 SUBARTICLE E

27 DEPARTMENT OF EDUCATION

28 Section 140-C. Department of Education.

29 (a) General rule.--This section shall apply to
 30 appropriations to the Department of Education.

31 (b) Subject to subsection (d), from money appropriated for
 32 the COVID Relief - Pre-K Counts Program, \$7,000,000 shall be
 33 distributed to the Pre-K Counts Program.

34 (c) Subject to subsection (d), from money appropriated for
 35 the COVID Relief - Head Start Supplemental Assistance Program,
 36 \$2,000,000 shall be distributed to the Head Start State
 37 Supplemental Assistance Program.

38 (d) The following shall apply:

39 (1) An eligible person or entity receiving a payment
 40 under this section must be in operation as of March 31, 2020.

41 (2) A person or entity receiving a payment under this
 42 section shall provide documentation to the Department of
 43 Education, upon request, for purposes of an audit review.

44 (3) A payment received under this section may only be
 45 used to cover necessary COVID-19 related costs, including,
 46 but not limited to, a cost:

47 (i) not otherwise reimbursed by Federal, State or
 48 another source of funding; and

49 (ii) incurred during the period between March 1,
 50 2020, and November 30, 2020.

51 SUBARTICLE F

1 DEPARTMENT OF HEALTH

2 Section 150-C. Department of Health.

3 (a) General rule.--Subject to subsection (b), from money
4 appropriated for the COVID Relief - Community-Based Health Care
5 Centers, \$10,000,000 shall be used for making payments to
6 community-based health care centers as a one-time payment to
7 each facility, which shall be determined as follows:

8 (1) Divide:

9 (i) the facility's Coronavirus Aid, Relief, and
10 Economic Security Act Supplemental Funding grant award
11 from Health Resources and Services Administration; by

12 (ii) The total of all community-based health care
13 centers' Coronavirus Aid, Relief, and Economic Security
14 Act Supplemental Funding grant award from Health
15 Resources and Services Administration.

16 (2) Multiply the quotient under paragraph (1) by
17 \$10,000,000.

18 (b) Limitations.--The following shall apply:

19 (1) An eligible person or entity receiving a payment
20 under this section must be in operation as of March 31, 2020.

21 (2) A person or entity receiving a payment under this
22 section shall provide documentation to the Department of
23 Health, upon request, for purposes of an audit review.

24 (3) A payment received under this section may only be
25 used to cover necessary COVID-19 related costs, including,
26 but not limited to, those:

27 (i) not otherwise reimbursed by Federal, State or
28 another source of funding.

29 (ii) incurred during the period between March 1,
30 2020, and November 30, 2020.

31 SUBARTICLE G

32 DEPARTMENT OF HUMAN SERVICES

33 Section 160-C. Use of money.

34 (a) Uses.--The following shall apply:

35 (1) Subject to paragraph (11), from money appropriated
36 for COVID Relief - Long-Term Living Programs, \$457,000,000
37 shall be used for the following purposes:

38 (i) The sum of \$245,000,000, for the purpose of
39 making payments to nonpublic and county nursing
40 facilities, which shall be allocated as follows:

41 (A) Of the amount under this subparagraph,
42 \$196,000,000 shall be distributed as a one-time
43 payment to each nonpublic and county nursing
44 facility, which shall be determined as follows:

45 (I) Divide:

46 (a) the facility's number of medical
47 assistance days for the third quarter of
48 calendar year 2019 as reported under Article
49 VIII-A of the act of June 13, 1967 (P.L.31,
50 No.21), known as the Human Services Code; by

51 (b) the total number of medical

1 assistance days for all facilities for the
2 third quarter of calendar year 2019 as
3 reported under Article VIII-A of the Human
4 Services Code.

5 (II) Multiply:

6 (a) the quotient under subclause (I); by

7 (b) \$196,000,000.

8 (B) Of the amount under this subparagraph,
9 \$49,000,000 shall be distributed as a one-time
10 payment to each nonpublic and county nursing
11 facility, which shall be determined as follows:

12 (I) Divide:

13 (a) the number of the facility's
14 licensed beds as of March 31, 2020; by

15 (b) the total licensed beds of all
16 nonpublic and county nursing facilities as of
17 March 31, 2020.

18 (II) Multiply:

19 (a) the quotient under subclause (I); by

20 (b) \$49,000,000.

21 (ii) The sum of \$140,000,000 for the purpose of
22 making payments for personal assistance services provided
23 by home health care agencies, home care agencies and
24 direct care workers employed through the participant-
25 directed employer model. Each home health care provider,
26 home care provider or direct care worker employed through
27 the participant-directed employer model shall receive a
28 one-time payment, which shall be determined as follows:

29 (A) Of the amount under this subparagraph,
30 \$112,000,000 shall be distributed as a one-time
31 payment to a home health care provider or home care
32 provider, which shall be determined as follows:

33 (I) Divide:

34 (a) the provider's number of medical
35 assistance 15-minute units, excluding
36 overtime, invoiced in the third quarter of
37 calendar year 2019; by

38 (b) the total medical assistance 15-
39 minute units for all home health care
40 providers and home care providers, excluding
41 overtime, invoiced in the third quarter of
42 calendar year 2019.

43 (II) Multiply:

44 (a) the quotient under subclause (I); by

45 (b) \$112,000,000.

46 (B) Of the amount under this subparagraph,
47 \$28,000,000 shall be distributed as a one-time
48 payment to each direct care worker employed through
49 the participant-directed employer model who provides
50 personal assistance services, which shall be
51 determined as follows:

1 (I) Divide:

2 (a) the number of medical assistance
3 personal assistance 15-minute units provided
4 by a direct care worker employed through the
5 participant-directed employer model,
6 excluding overtime, invoiced in the third
7 quarter of calendar year 2019; by

8 (b) all medical assistance personal
9 assistance 15-minute units provided by all
10 direct care workers employed through the
11 participant-directed employer model,
12 excluding overtime, invoiced in the third
13 quarter of calendar year 2019.

14 (II) Multiply:

15 (a) the quotient under subclause (I); by

16 (b) \$28,000,000.

17 (iii) The sum of \$50,000,000 for the purpose of
18 making payments to assisted living residences and
19 personal care homes, which shall be allocated as follows:

20 (A) Of the amount under this subparagraph,
21 \$45,000,000 shall be distributed as a one-time
22 payment to each assisted living residence and
23 personal care home, which shall be determined as
24 follows:

25 (I) Divide:

26 (a) the occupancy of the assisted living
27 residence or personal care home, as
28 determined by the Department of Human
29 Services' most recent inspection on or before
30 April 1, 2020; by

31 (b) the total occupancy of all assisted
32 living residences, including those with a
33 special care designation, and personal care
34 homes, as determined by the Department of
35 Human Services' most recent inspections on or
36 before April 1, 2020.

37 (II) Multiply:

38 (a) the quotient under subclause (I); by

39 (b) \$45,000,000.

40 (B) Of the amount under this subparagraph,
41 \$5,000,000 shall be distributed as a one-time payment
42 to each personal care home, which shall be determined
43 as follows:

44 (I) Divide:

45 (a) the personal care facility's number
46 of individuals for whom the facility received
47 a payment from the Department of Human
48 Services for Supplemental Security Income in
49 March 2020; by

50 (b) the total of all personal care
51 facilities' individuals for whom payments for

1 Supplemental Security Income were made by the
2 Department of Human Services in March 2020.

3 (II) Multiply:

4 (a) the quotient under subclause (I); by

5 (b) \$5,000,000.

6 (iv) The sum of \$13,000,000 for the purpose of
7 making payments for adult day care services as a one-time
8 payment to each adult day care services provider, which
9 shall be determined as follows:

10 (A) Divide:

11 (I) the adult day care services provider's
12 total medical assistance fee-for-service and
13 Community HealthChoices payments for the third
14 quarter of calendar year 2019; by

15 (II) the sum of all adult day care services
16 providers' medical assistance fee-for-service and
17 Community HealthChoices payments for the third
18 quarter of calendar year 2019.

19 (B) Multiply:

20 (I) the quotient under clause (A); by

21 (II) \$13,000,000.

22 (v) The sum of \$1,000,000 for the purpose of making
23 payments for residential habilitation services as a one-
24 time payment to each provider, which shall be determined
25 as follows:

26 (A) Divide:

27 (I) the residential habilitation services
28 provider's total medical assistance fee-for-
29 service and Community HealthChoices payments for
30 the third quarter of calendar year 2019; by

31 (II) The total sum of all residential
32 habilitation medical assistance fee-for-service
33 and Community HealthChoices payments for the
34 third quarter of calendar year 2019.

35 (B) Multiply:

36 (I) the quotient under clause (A); by

37 (II) \$1,000,000.

38 (vi) The following shall apply:

39 (A) The sum of \$8,000,000 for the purpose of
40 making payments for eligible Medicaid ventilator or
41 tracheostomy qualified medical assistance nonpublic
42 and county nursing facilities. A nonpublic or county
43 nursing facility will qualify for payment if, based
44 upon The Supplemental Ventilator Care and
45 Tracheostomy Care Payments for December 2019, the
46 facility had:

47 (I) Ten or more medical assistance recipient
48 residents who received medically necessary
49 ventilator care or tracheostomy care; and

50 (II) At least 17% of the facility's medical
51 assistance recipient resident population received

1 medically necessary ventilator care or
2 tracheostomy care.

3 (B) The amount appropriated under this
4 subparagraph shall be distributed as a one-time
5 payment to each qualified medical assistance
6 nonpublic and county nursing facility, determined as
7 follows:

8 (I) Divide:

9 (a) The facility's number of medical
10 assistance recipient residents who receive
11 necessary ventilator care or tracheostomy
12 care for the third quarter of calendar year
13 2019; by

14 (b) The sum of all qualified medical
15 assistance nonpublic and county nursing
16 facilities' number of medical assistance
17 recipient residents who receive necessary
18 ventilator care or tracheostomy care for the
19 third quarter of calendar year 2019.

20 (II) Multiply:

21 (a) the quotient under subclause (I); by

22 (b) \$8,000,000.

23 (2) Subject to paragraph (11), from money appropriated
24 for COVID Relief - Community HealthChoices, \$50,000,000 shall
25 be used for making payments to Community HealthChoices
26 managed care organizations as a one-time payment to each
27 organization, which shall be determined as follows:

28 (i) Divide:

29 (A) the Community HealthChoices managed care
30 organization's number of medical assistance nursing
31 facility clinically eligible participants as of March
32 31, 2020; by

33 (B) the total of all Community HealthChoices
34 managed care organizations' number of medical
35 assistance nursing facility clinically eligible
36 recipients as of March 31, 2020.

37 (ii) Multiply:

38 (A) the quotient under subparagraph (i); by

39 (B) \$50,000,000.

40 (3) Subject to paragraph (11), from money appropriated
41 for COVID Relief - Long-Term Care - Managed Care, \$10,000,000
42 shall be used for making payments to organizations that have
43 entered into an agreement with the Department of Human
44 Services to operate a life program, as defined under section
45 602 of the Human Services Code, in a specified county or set
46 of counties, as determined by the department. Each
47 organization shall receive a one-time payment, which shall be
48 determined as follows:

49 (i) Divide:

50 (A) the organization's total amount reimbursed
51 for long-term care - managed care for the first

1 quarter of calendar year 2020; by

2 (B) the total amount reimbursed for long-term
3 care - managed care for the first quarter of calendar
4 year 2020.

5 (ii) Multiply:

6 (A) the quotient under subparagraph (i); by

7 (B) \$10,000,000.

8 (4) Subject to paragraph (11), from money appropriated
9 for COVID Relief - Intellectual Disabilities - Community
10 Waiver Program, \$259,280,000 shall be allocated for the
11 intellectual disabilities community waiver program.

12 (5) Subject to paragraph (11), from money appropriated
13 for COVID Relief - Autism Services, \$720,000 shall be
14 allocated for autism intervention and services.

15 (6) Subject to paragraph (11), from money appropriated
16 for COVID Relief - Child-Care Services, \$116,000,000 shall be
17 allocated for child care services. No money under this
18 paragraph shall be made available before the Department of
19 Human Services completes a study on the economic impacts of
20 child care closures during the proclamation of disaster
21 emergency issued by the Governor on March 6, 2020, published
22 at 50 Pa. B. 1644 (March 21, 2020), and any renewal of the
23 state of disaster emergency. The Department of Human Services
24 shall use the study to develop criteria for distribution of
25 the appropriation to eligible child care providers.

26 (7) Subject to paragraph (11), from money appropriated
27 for COVID Relief - Domestic Violence Programs, \$10,000,000
28 shall be allocated for domestic violence and housing support
29 services.

30 (8) Subject to paragraph (11), from money appropriated
31 for COVID Relief - Homeless Assistance Services, \$10,000,000
32 shall be allocated for the homeless assistance program.
33 Counties that participate in the Human Services Block Grant
34 Program under Article XIV-B of the Human Services Code must
35 use these funds for eligible services under the homeless
36 assistance program.

37 (9) Subject to paragraph (11), from money appropriated
38 for COVID Relief - Legal Services, \$8,000,000 shall be
39 allocated for legal services.

40 (10) Subject to paragraph (11), from money appropriated
41 for COVID Relief - Critical Access Hospitals, \$10,000,000
42 shall be used for making payments to critical access
43 hospitals as a one-time payment to each facility, which shall
44 be determined as follows:

45 (i) Divide:

46 (A) The facility's fiscal year 2019-2020
47 allocation by;

48 (B) The total of all critical access hospitals
49 allocations for fiscal year 2019-2020.

50 (ii) Multiply:

51 (A) the quotient under subparagraph (i); by

1 (B) \$10,000,000.

2 (11) The following apply:

3 (i) An eligible person or entity receiving a payment
4 under this section must be in operation as of March 31,
5 2020.

6 (ii) A person or entity receiving a payment under
7 this section shall provide documentation to the
8 Department of Human Services, upon request, for purposes
9 of an audit review.

10 (iii) A payment received under this section may only
11 be used to cover necessary COVID-19 related costs,
12 including, but not limited to, a cost:

13 (A) not otherwise reimbursed by Federal, State
14 or other source of funding; and

15 (B) incurred during the period between March 1,
16 2020, and November 30, 2020.

17 (b) (Reserved).

18 SUBARTICLE H

19 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

20 Section 170-C. Health Care System Assistance.

21 Money appropriated for COVID Relief - Health Care System
22 Assistance to the Pennsylvania Emergency Management Agency shall
23 be used to acquire medical equipment and supplies for health
24 care entities to meet urgent patient and staff needs to address
25 surge demand. Health care entities shall include, but not be
26 limited to, hospitals, nursing facilities and emergency medical
27 services.

28 SUBARTICLE I

29 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY

30 Section 180-C. COVID - 19 Student Loan Interest Forbearance
31 Program.

32 (a) Program.--Money appropriated for COVID Relief - Student
33 Loan Interest Forbearance Program to the Pennsylvania Higher
34 Education Assistance Agency shall be used to temporarily relieve
35 Pennsylvania student loan borrowers from interest payments for
36 non-defaulted private loans that are held and identified by the
37 Pennsylvania Higher Education Assistance Agency.

38 (b) Methodology.--To implement the program under subsection
39 (a), the Pennsylvania Higher Education Assistance Agency shall:

40 (1) Automatically place all borrowers that are in a
41 repayment status into a forbearance status suspending
42 payments until September 30, 2020.

43 (2) Allow borrowers who are placed into a forbearance
44 status under paragraph (1) an option to continue payments at
45 the borrower's discretion.

46 (3) Waive the interest accrual on Pennsylvania Higher
47 Education Assistance Agency-owned private student loans until
48 September 30, 2020.

49 (4) Make the program available beginning March 13, 2020,
50 and ending September 30, 2020.

51 (c) Expiration.--This section shall expire once all funds

1 allocated under this section have been exhausted or November 30,
2 2020, whichever occurs first.

3 SUBARTICLE J

4 PENNSYLVANIA HOUSING FINANCE AGENCY

5 Section 190-C. Definitions.

6 The following words and phrases when used in this subarticle
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Agency." The Pennsylvania Housing Finance Agency.

10 "Eligible landlord." An individual or entity owning a place
11 of residence that leases the residence to an individual and that
12 experienced a loss of rental income because the lessee became
13 unemployed after March 1, 2020, or the lessee had their annual
14 household income reduced by 30% or more due to reduced work
15 hours and wages related to COVID-19. The loss of rental income
16 must be at least 30 days past due.

17 "Lessee." An individual who leases a place of residence in
18 which the individual will permanently reside.

19 Section 191-C. Mortgage and Rental Assistance Program.

20 (a) Establishment of program.--The agency shall establish
21 the COVID Relief - Mortgage and Rental Assistance Grant Program.

22 (b) Purpose of the program.--The program shall receive
23 applications from lessees, landlords, mortgagees and mortgagors
24 and award grants to eligible landlords and mortgagees in
25 accordance with this act.

26 (c) Use of funds.--Money appropriated to the Pennsylvania
27 Housing Finance Agency for COVID Relief - Mortgage and Rental
28 Assistance shall be used to make grants under this subarticle.

29 (d) Allocation.--The agency shall allocate a minimum of
30 \$150,000,000 of the funds received for use under this subarticle
31 for rental assistance grants.

32 (e) Guidelines.--The agency shall establish guidelines that
33 are consistent with the provisions of this subarticle within 30
34 days of the effective date of this section. The guidelines shall
35 be:

36 (1) submitted to the Legislative Reference Bureau for
37 publication in the Pennsylvania Bulletin; and

38 (2) posted on the agency's publicly accessible Internet
39 website.

40 (g) Program requirements.--The following shall apply:

41 (1) An eligible lessee, mortgagor, landlord or mortgagee
42 shall submit to the agency the name of the lessee or
43 mortgagor from whom rental or mortgage payments are sought,
44 along with any additional information deemed necessary by the
45 agency to carry out the agency's responsibilities under this
46 section.

47 (2) Assistance may be awarded to lessors or mortgagees
48 on behalf of lessees or mortgagors who became unemployed
49 after March 1, 2020, or had their annual household income
50 reduced by 30% or more due to reduced work hours and wages
51 related to COVID-19.

1 (3) The agency shall develop an application for eligible
2 lessees, mortgagors, landlords or mortgagees to apply for
3 assistance under this section within 30 days of the effective
4 date of this section. The application shall include an
5 attestation by the landlord or mortgagee releasing the lessee
6 or mortgagor of any remaining obligation for any past due or
7 future rent or mortgage payment for which the agency pays the
8 landlord or mortgagee. The application shall be made
9 available and posted on the agency's publicly accessible
10 Internet website and be in a form that can be completed and
11 returned by the lessee, mortgagor, landlord or mortgagee
12 electronically or through the United States mail. The
13 deadline for submitting applications to the agency shall be
14 September 30, 2020.

15 (4) The agency shall verify the name of the lessee or
16 mortgagor with the Department of Labor and Industry's Bureau
17 of Unemployment Compensation to ensure the lessee or
18 mortgagor became unemployed after March 1, 2020.

19 (5) The agency shall require any applicant seeking
20 assistance based on reduced work hours or wages related to
21 the coronavirus pandemic to submit information verifying such
22 information.

23 (6) The agency shall make payments only to lessors or
24 mortgagees.

25 (7) The agency shall make payments only on behalf of
26 households with an annualized current income of no more than
27 the upper limit of "median income" as defined in guidelines
28 published annually by the United States Department of Housing
29 and Urban Development.

30 (8) The agency shall notify each lessee or mortgagor of
31 the amount of payment made to the landlord or mortgagee on
32 the lessee's or mortgagor's behalf.

33 (9) The agency shall make payments as follows:

34 (i) For rental assistance, an amount equal to 100%
35 of the lessee's monthly rent, not to exceed \$750 per
36 month, for each month for which assistance is sought for
37 a maximum of six months. Payments shall be made no later
38 than November 30, 2020.

39 (ii) For mortgage assistance, an amount equal to
40 100% of the mortgagor's monthly mortgage, not to exceed
41 \$1,000 per month, for each month for which assistance is
42 sought for a maximum of six months. Payments shall be
43 made no later than November 30, 2020.

44 (h) Report.--By December 31, 2020, the agency shall issue a
45 report to the chairperson and minority chairperson of the
46 Appropriations Committee of the Senate and the chairperson and
47 minority chairperson of the Appropriations Committee of the
48 House of Representatives and post the report on the agency's
49 publicly accessible Internet website. The report shall include
50 the following information:

51 (1) The total number of landlords who applied for

1 assistance under this section.

2 (2) The total number of mortgagees who applied for
3 assistance under this section.

4 (3) The total amount of assistance that was sought.

5 (4) The average amount of assistance that was applied
6 for under this section.

7 (5) The average amount of assistance that was provided
8 under this section.

9 (6) The total number of landlords and mortgagees who
10 received assistance under this section by county.

11 (7) The value of payments made by the agency under this
12 section by county.

13 SUBARTICLE K

14 STATE SYSTEM OF HIGHER EDUCATION

15 Section 190.1-C. State University Assistance.

16 (a) Program.--Money appropriated for COVID Relief - State
17 Universities shall be used by the State System of Higher
18 Education to make payments to State universities for costs
19 resulting from the proclamation of disaster emergency issued by
20 the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March
21 21, 2020), and any renewal of the state of disaster emergency.

22 (b) Determination of payments.--Payments made under this
23 section to each State university shall be determined as follows:

24 (1) Multiply:

25 (i) the 2019 fall headcount enrollment for each
26 State university; by

27 (ii) the amount of the appropriation for COVID
28 Relief - State Universities.

29 (2) Divide:

30 (i) the product under paragraph (1); by

31 (ii) the 2019 fall headcount enrollment for all
32 State universities.

33 (c) Payment deadline.--Payments made under this section
34 shall be made no later than July 15, 2020.

35 (d) Report.--By July 31, 2020, the Chancellor of the State
36 System of Higher Education shall issue a report to the
37 chairperson and minority chairperson of the Appropriations
38 Committee of the Senate and the chairperson and minority
39 chairperson of the Appropriations Committee of the House of
40 Representatives and post the report on the State System of
41 Higher Education's publicly accessible Internet website. The
42 report shall include the following information:

43 (1) The 2019 fall headcount enrollment for each State
44 university.

45 (2) The 2019 fall headcount enrollment for all State
46 universities.

47 (3) The payment made to each State university under this
48 section.

49 (4) The total payments made to all State universities
50 under this section.

51 (e) Definitions.--As used in this section, the following

1 words and phrases shall have the meanings given to them in this
2 subsection unless the context clearly indicates otherwise:

3 "Fall headcount enrollment." The number of students enrolled
4 in credit-bearing courses and the number of students enrolled in
5 clock-hour programs.

6 "State university." A university which is part of the State
7 System of Higher Education under Article XX-A of the act of
8 March 10, 1949 (P.L.30, No.14), known as the Public School Code
9 of 1949.

10 Section 2. The act is amended by adding a section to read:
11 Section 1735.1-A.1. Return of COVID-19 response transfers.

12 (a) Return of special fund transfers.--Any money transferred
13 from special funds under the Governor's jurisdiction to a
14 restricted account under section 1735-A.1 shall be returned to
15 each special fund in an amount equal to the initial transfer.

16 (b) Deposit.--Money returned under subsection (a) shall be
17 transferred to the applicable special fund from which the money
18 was transferred under section 1735-A.1 and deposited by July 31,
19 2020.

20 (c) Restriction on use of returned funds.--After deposit
21 under subsection (b), no department, commission, agency, office
22 or authority of the Governor or the Commonwealth shall expend
23 any portion of money deposited into a special fund under
24 subsection (b) unless appropriated by the General Assembly.

25 Section 3. This act shall take effect immediately.