AN ACT

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

Section 1. Short title.

This act shall be known and may be cited as the COVID-19 Pandemic Response Act.

Section 2. Definitions.

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


"COVID-19 vaccine." A vaccine for COVID-19 that has received an emergency use authorization from the United States Food and Drug Administration.
"Personal protective equipment." Gloves, respirators, face masks, gowns, face shields or other protective equipment designed to be worn by individuals to prevent or contain contact with, or to prevent transmission of, a communicable illness or the pathogens that cause communicable illness.

Section 3. Administration.

No later than 60 days after the effective date of this section, the Department of General Services, in consultation with the Adjutant General of the Commonwealth, the Secretary of Health and the Director of the Pennsylvania Emergency Management Agency, shall submit a report to the President pro tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, the chairperson and minority chairperson of the State Government Committee of the Senate, the chairperson and minority chairperson of the State Government Committee of the House of Representatives, the chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the Senate and the chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives. The report shall include:

(1) A review of the personal protective equipment purchased or acquired by the Commonwealth or its agencies in response to the COVID-19 pandemic. The review under this clause must include the following:

   (i) The types of personal protective equipment acquired.
(ii) The number of items of each type of personal protective equipment under subparagraph (i).

(iii) The number of items of each type of personal protective equipment which was distributed prior to the date of the report.

(iv) The number of items of each type of personal protective equipment which remains in the possession of the Commonwealth as of the date of the report.

(v) The amount and source of the money used to purchase personal protective equipment to address the COVID-19 pandemic.

(vi) The amount and source of personal protective equipment donated to, or otherwise acquired by, the Commonwealth at no charge to address the COVID-19 pandemic.

(2) A review of the number and types of COVID-19 vaccines administered to residents of this Commonwealth.

(3) A review of the number and types of COVID-19 tests administered to residents of this Commonwealth.

Section 4. Effective date.

This act shall take effect immediately.

SECTION 1. SHORT TITLE.

THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE COVID-19 PANDEMIC REPORTING, RESPONSE AND ACCOUNTABILITY AND VACCINE PERSONAL INFORMATION PRIVACY ACT.

SECTION 2. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"COVID-19." THE NOVEL CORONAVIRUS AS IDENTIFIED IN THE
"COVID-19 VACCINE." A VACCINE FOR COVID-19 THAT HAS RECEIVED AN EMERGENCY-USE AUTHORIZATION FROM THE UNITED STATES FOOD AND DRUG ADMINISTRATION.

"COVID-19 VACCINE PROVIDER." A PERSON OR ENTITY AUTHORIZED TO DISTRIBUTE OR ADMINISTER A COVID-19 VACCINE.

"HEALTH CARE PROVIDER." AS FOLLOWS:

1. A PERSON, CORPORATION, FACILITY, INSTITUTION OR OTHER ENTITY LICENSED, CERTIFIED OR APPROVED BY THE COMMONWEALTH TO PROVIDE HEALTH CARE OR PROFESSIONAL MEDICAL SERVICES.

2. THE TERM INCLUDES A PHYSICIAN, PODIATRIST, OPTOMETRIST, PSYCHOLOGIST, PSYCHIATRIST, PHYSICAL THERAPIST, CERTIFIED NURSE PRACTITIONER, NURSE MIDWIFE, PHYSICIAN ASSISTANT, CHIROPRACTOR, DENTIST, PHARMACIST OR AN INDIVIDUAL ACCREDITED OR CERTIFIED TO PROVIDE BEHAVIORAL HEALTH SERVICES.

"HEALTH CARE SERVICE." A TREATMENT, ADMISSION, PROCEDURE, MEDICAL SUPPLY AND EQUIPMENT OR OTHER SERVICE, INCLUDING BEHAVIORAL HEALTH, PRESCRIBED OR OTHERWISE PROVIDED OR PROPOSED TO BE PROVIDED BY A HEALTH CARE PROVIDER.

"PERSONAL INFORMATION." INFORMATION THAT IDENTIFIES, RELATES TO, DESCRIBES, IS CAPABLE OF BEING ASSOCIATED WITH OR COULD REASONABLY BE LINKED, DIRECTLY OR INDIRECTLY, WITH A PARTICULAR INDIVIDUAL OR HOUSEHOLD, INCLUDING ANY OF THE FOLLOWING:

1. AN IDENTIFIER SUCH AS A REAL NAME, ALIAS, POSTAL ADDRESS, TELEPHONE NUMBER, UNIQUE PERSONAL IDENTIFIER, ONLINE IDENTIFIER, INCLUDING AN INTERNET WEBSITE PROTOCOL ADDRESS, EMAIL ADDRESS, ACCOUNT NAME, SOCIAL SECURITY NUMBER, DRIVER'S LICENSE NUMBER, OR PASSPORT NUMBER.
LICENSE NUMBER, PASSPORT NUMBER OR OTHER SIMILAR IDENTIFIER.

(2) COMMERCIAL INFORMATION, INCLUDING A PRODUCT OR SERVICE PURCHASED, OBTAINED OR CONSIDERED OR OTHER PURCHASING OR CONSUMING HISTORY OR TENDENCY.

(3) BIOMETRIC INFORMATION.

(4) GEOLOCATION DATA.

"PERSONAL PROTECTIVE EQUIPMENT." GLOVES, RESPIRATORS, FACE MASKS, GOWNS, FACE SHIELDS, CLOTHING OR OTHER PROTECTIVE EQUIPMENT DESIGNED TO BE WORN BY INDIVIDUALS TO PREVENT OR CONTAIN CONTACT WITH, OR TO PREVENT OR CONTROL TRANSMISSION OF, A COMMUNICABLE ILLNESS OR THE PATHOGENS THAT CAUSE COMMUNICABLE ILLNESS.

SECTION 3. ADMINISTRATION.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF THE
SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF THE
HOUSE OF REPRESENTATIVES. THE REPORT SHALL INCLUDE:

(1) A REPORT OF PERSONAL PROTECTIVE EQUIPMENT AND
MEDICAL SUPPLIES PURCHASED OR ACQUIRED BY THE COMMONWEALTH OR
ITS AGENCIES IN RESPONSE TO THE COVID-19 PANDEMIC AND
WAREHOUSED AT THE FARM SHOW COMPLEX. THE REPORT UNDER THIS
PARAGRAPH MUST INCLUDE THE FOLLOWING:

(I) THE TYPES OF PERSONAL PROTECTIVE EQUIPMENT
ACQUIRED.

(II) THE NUMBER OF ITEMS OF EACH TYPE OF PERSONAL
PROTECTIVE EQUIPMENT UNDER SUBPARAGRAPH (I).

(III) THE NUMBER OF ITEMS OF EACH TYPE OF PERSONAL
PROTECTIVE EQUIPMENT WHICH WAS DISTRIBUTED PRIOR TO THE
DATE OF THE REPORT.

(IV) THE NUMBER OF ITEMS OF EACH TYPE OF PERSONAL
PROTECTIVE EQUIPMENT WHICH REMAINS IN THE POSSESSION OF
THE COMMONWEALTH AS OF THE DATE OF THE REPORT.

(V) THE AMOUNT AND SOURCE OF THE MONEY USED TO
PURCHASE PERSONAL PROTECTIVE EQUIPMENT TO ADDRESS THE
COVID-19 PANDEMIC.

(VI) THE AMOUNT AND SOURCE OF PERSONAL PROTECTIVE
EQUIPMENT DONATED TO, OR OTHERWISE ACQUIRED BY, THE
COMMONWEALTH AT NO COST TO ADDRESS THE COVID-19 PANDEMIC.

(VII) THE COUNTRY OF ORIGIN OR MANUFACTURE OF EACH
TYPE OF PERSONAL PROTECTIVE EQUIPMENT UNDER SUBPARAGRAPH
(I).

(VIII) THE FACILITIES UTILIZED TO STORE, MAINTAIN OR
WAREHOUSE THE COMMONWEALTH'S STOCKPILE OF PERSONAL
PROTECTIVE EQUIPMENT OTHER THAN THE FARM SHOW COMPLEX.

(IX) MEASURES TAKEN TO SECURE AND PROTECT THE
COMMONWEALTH'S STOCKPILE OF PERSONAL PROTECTIVE
EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, COSTS
ASSOCIATED WITH SECURITY SERVICES AND PEST CONTROL.

(X) INSURANCE, OTHER THAN THAT PROVIDED BY THE STATE
INSURANCE FUND OR THE COMMONWEALTH'S EXCESS PROPERTY
INSURANCE POLICY, MAINTAINED BY THE COMMONWEALTH OR ITS
AGENCIES ON THE COMMONWEALTH'S STOCKPILE OF PERSONAL
PROTECTIVE EQUIPMENT. THE REPORT SHALL CONTAIN, AT A
MINIMUM, THE INSURED REPLACEMENT VALUE OF THE
COMMONWEALTH'S STOCKPILE OF PERSONAL PROTECTIVE
EQUIPMENT, THE DATE INSURANCE COVERAGE COMMENCED, THE
COST OR ADJUSTED COST TO THE COMMONWEALTH OR ITS AGENCIES
FOR THE INSURANCE COVERAGE, TERMS RELATING TO THE
PROTECTION OR REPLACEMENT OF PERSONAL PROTECTIVE
EQUIPMENT DUE TO WATER DAMAGE CAUSED BY A FLOOD AND OTHER
CURRENT TERMS OF THE INSURANCE COVERAGE.

(XI) PERSONAL PROTECTIVE EQUIPMENT OR MEDICAL
SUPPLIES MAINTAINED BY THE COMMONWEALTH THAT EXPIRED,
SPOILED, INCURRED DAMAGE OR WERE RENDERED UNUSABLE WHILE
UNDER COMMONWEALTH CONTROL, INCLUDING THE FINAL
DISPOSITION OF THE ITEMS.

(XII) INSTANCES WHERE THE COMMONWEALTH OR ITS
AGENCIES REQUESTED AN EMPLOYEE OF THIS COMMONWEALTH, ITS
AGENCIES, A MEMBER OF THE GENERAL ASSEMBLY OR A
CONTRACTOR HIRED BY OR ACTING FOR THE COMMONWEALTH TO
COMPLETE A NONDISCLOSURE AGREEMENT TO VIEW, PURCHASE,
TRANSFER, TRANSPORT, HANDLE, DISTRIBUTE OR ACQUIRE
PERSONAL PROTECTIVE EQUIPMENT OR MEDICAL SUPPLIES HELD BY
THE COMMONWEALTH OR ITS AGENCIES IN RESPONSE TO THE COVID-19 PANDEMIC. THE REPORT MAY NOT CONTAIN THE NAME, TITLE OR OTHER PERSONALLY IDENTIFYING INFORMATION OF AN INDIVIDUAL THAT SIGNED OR WAS REQUESTED TO SIGN A NONDISCLOSURE AGREEMENT.

(XIII) COSTS ASSOCIATED WITH MAINTAINING A STOCKPILE OF PERSONAL PROTECTIVE EQUIPMENT AT THE FARM SHOW COMPLEX INCLUDING, BUT NOT LIMITED TO:

(A) LEASE AGREEMENTS TO STORE PERSONAL PROTECTIVE EQUIPMENT AND OTHER SUPPLIES ACQUIRED BY THE COMMONWEALTH IN RESPONSE TO THE COVID-19 PANDEMIC EXECUTED BETWEEN THE STATE FARM PRODUCTS SHOW COMMISSION AND ANY OTHER ENTITY IN COMPLIANCE WITH SECTION 1709(B) OF THE ADMINISTRATIVE CODE OF 1929.

(B) PAYMENTS MADE TO THE STATE FARM PRODUCTS SHOW FUND BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY OR ANY OTHER ENTITY FOR THE STORAGE OF PERSONAL PROTECTIVE EQUIPMENT AND OTHER SUPPLIES ACQUIRED BY THE COMMONWEALTH IN RESPONSE TO THE COVID-19 PANDEMIC.

(C) AN ESTIMATE OF LOST RENTAL REVENUE BY THE STATE FARM PRODUCTS SHOW COMMISSION FUND DUE TO THE UNAVAILABILITY OF THE FACILITIES AT THE FARM SHOW COMPLEX DURING THE TIME THE COMPLEX HAS BEEN USED AS A STORAGE WAREHOUSE FOR PERSONAL PROTECTIVE EQUIPMENT.

(2) A REPORT OF THE NUMBER AND TYPES OF COVID-19 VACCINES ADMINISTERED TO RESIDENTS OF THIS COMMONWEALTH.

(2.1) A REPORT OF THE NUMBER OF COVID-19 VACCINES WASTED, EXPIRED, DESTROYED OR OTHERWISE DETERMINED TO BE...
UNUSABLE IN THIS COMMONWEALTH.

(3) A REPORT OF THE NUMBER AND TYPES OF COVID-19 TESTS ADMINISTERED TO RESIDENTS OF THIS COMMONWEALTH.

(B) UPDATES.—THE SECRETARY OF HEALTH SHALL INCLUDE REGULAR UPDATES CONCERNING THE REPORTING REQUIRED UNDER SUBSECTION (A) IN THE REPORT UNDER SECTION 2102-D(B) OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

SECTION 4. PERSONAL PROTECTIVE EQUIPMENT LOGISTICS AND WAREHOUSING ADVISORY BOARD.

(A) ESTABLISHMENT.—THE PERSONAL PROTECTIVE EQUIPMENT LOGISTICS AND WAREHOUSING ADVISORY BOARD IS ESTABLISHED AS AN ADVISORY BOARD IN THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY. THE ADVISORY BOARD SHALL MEET WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION AND EVERY 30 DAYS THEREAFTER UNTIL THE EXPIRATION OF THIS SECTION.

(B) MEMBERSHIP.—THE ADVISORY BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS:

(1) THE GOVERNOR OR A DESIGNEE.
(2) THE ADJUTANT GENERAL OR A DESIGNEE, WHO SHALL SERVE AS CHAIR OF THE ADVISORY BOARD.
(3) THE SECRETARY OF HEALTH OR A DESIGNEE.
(4) THE SECRETARY OF GENERAL SERVICES OR A DESIGNEE.
(5) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.
(6) AN INDIVIDUAL WITH AT LEAST FIVE YEARS EXPERIENCE IN BUSINESS LOGISTICS, WAREHOUSING OR STORAGE APPOINTED BY THE MAJORITY LEADER OF THE SENATE.
(7) AN INDIVIDUAL WITH AT LEAST FIVE YEARS EXPERIENCE IN BUSINESS LOGISTICS, WAREHOUSING OR STORAGE APPOINTED BY THE
MINORITY LEADER OF THE SENATE.

(8) AN INDIVIDUAL WITH AT LEAST FIVE YEARS EXPERIENCE IN BUSINESS LOGISTICS, WAREHOUSING OR STORAGE APPOINTED BY THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(9) AN INDIVIDUAL WITH AT LEAST FIVE YEARS EXPERIENCE IN BUSINESS LOGISTICS, WAREHOUSING OR STORAGE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(C) DUTIES.--

(1) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION, THE ADVISORY BOARD SHALL SUBMIT A PLAN FOR UTILIZING AN EXISTING FACILITY OR CONSTRUCTING A NEW FACILITY AT FORT INDIANTOWN GAP FOR THE ONGOING STORAGE OF PERSONAL PROTECTIVE EQUIPMENT AND OTHER EMERGENCY RESOURCES NEEDED FOR THE COMMONWEALTH'S RESPONSE TO THE COVID-19 PANDEMIC TO ALL OF THE FOLLOWING:

(I) THE GOVERNOR.

(II) THE PRESIDENT PRO TEMPORE OF THE SENATE.

(III) THE MAJORITY LEADER OF THE SENATE.

(IV) THE MINORITY LEADER OF THE SENATE.

(V) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(VI) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(VII) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(2) THE PLAN UNDER PARAGRAPH (1) SHALL:

(I) OUTLINE THE SIZE AND FIT OUT REQUIRED FOR THE FACILITY.

(II) TAKE INTO CONSIDERATION THE LONG-TERM USAGE OF THE FACILITY, INCLUDING THE ABILITY OF THE FACILITY TO RESPOND TO FUTURE NATURAL DISASTERS OR PANDEMICS.
(III) PROVIDE ESTIMATED COSTS TO CONVERT OR CONSTRUCT THE FACILITY.

(IV) RECOMMEND FEDERAL RESOURCES, STATE RESOURCES OR OTHER RESOURCES AVAILABLE TO DESIGN AND CONSTRUCT THE FACILITY.

(V) PROVIDE A COST ESTIMATE AND A TIMELINE FOR ANY PROPOSED CONSTRUCTION.

(VI) OUTLINE ANTICIPATED OBSTACLES TO THE IMMEDIATE COMPLETION OR CONSTRUCTION OF THE FACILITY.

(VII) HIGHLIGHT THE UNIQUE CAPABILITIES AVAILABLE AT FORT INDIANTOWN GAP TO STORE THE EMERGENCY MANAGEMENT RESOURCES OF THIS COMMONWEALTH.

(D) EXPIRATION.—THIS SECTION SHALL EXPIRE AND THE ADVISORY BOARD SHALL CEASE TO EXIST 30 DAYS AFTER SUBMISSION OF THE REPORT ISSUED UNDER SUBSECTION (C). THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY SHALL SUBMIT A NOTICE OF THE EXPIRATION OF THIS SECTION TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN.

SECTION 5. COVID-19 EMERGENCY TESTING CAPACITY ENHANCEMENT.

(A) LEGISLATIVE FINDINGS.—THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

(1) THE ABILITY OF THE COMMONWEALTH TO ADMINISTER AND PROCESS COVID-19 TESTS IS CRUCIAL TO THE COMMONWEALTH'S RESPONSE TO THE COVID-19 PANDEMIC.

(2) THE COMMONWEALTH OPERATES A STATE LABORATORY IN EXTON AS AUTHORIZED UNDER SECTION 8(D) OF THE ACT OF APRIL 27, 1905 (P.L.312, NO.218), ENTITLED "AN ACT CREATING A DEPARTMENT OF HEALTH, AND DEFINING ITS POWERS AND DUTIES."

(3) DEPARTMENT OF HEALTH PERSONNEL HAVE STATED THAT THE STATE LABORATORY IS A LIMITING FACTOR IN THE COMMONWEALTH'S
RESPONSE TO THE COVID-19 PANDEMIC.

(4) THE DEPARTMENT OF HEALTH IS PURCHASING ADDITIONAL HIGH THROUGHPUT INSTRUMENTS TO INCREASE COVID-19 TESTING CAPACITY, BUT DUE TO THE LIMITED AVAILABLE SPACE AT THE STATE LABORATORY IN EXTON, THE COMMONWEALTH NEEDS ADDITIONAL SPACE OR FACILITIES TO INCREASE COVID-19 TESTING CAPACITY.

(5) THE COMMONWEALTH MUST IMMEDIATELY ADDRESS LIMITATIONS PRESENT IN THE COMMONWEALTH'S ABILITY TO PROCESS COVID-19 TEST RESULTS.

(B) EMERGENCY PROCESSING CAPACITY.--WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE SECRETARY OF HEALTH SHALL ISSUE AN INVITATION FOR BIDS OR A REQUEST FOR PROPOSALS OR MAY USE THE EMERGENCY PROCUREMENT PROCESS UNDER 62 PA.C.S. § 516 (RELATING TO EMERGENCY PROCUREMENT) TO INCREASE THE PROCESSING CAPACITY FOR COVID-19 TESTS IN THIS COMMONWEALTH.

(C) NONEMERGENCY PROCESSING CAPACITY.--WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION, THE SECRETARY OF HEALTH SHALL ISSUE A REPORT ON THE ANTICIPATED FUTURE NEEDS OF THIS COMMONWEALTH FOR TESTING FACILITIES, LABORATORIES AND ANY OTHER FACILITIES NECESSARY TO RESPOND TO A FUTURE INFECTIOUS DISEASE PANDEMIC TO ALL OF THE FOLLOWING:

(1) THE GOVERNOR.

(2) THE PRESIDENT PRO TEMPORE OF THE SENATE.

(3) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(D) REPORTING.--THE SECRETARY OF HEALTH SHALL INCLUDE REGULAR UPDATES REGARDING THE IMPLEMENTATION AND REPORTING UNDER THIS SECTION IN THE REPORT REQUIRED UNDER SECTION 2102-D(B) OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

SECTION 6. ANNUAL REPORT.
THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY SHALL CONSIDER
DATA, INFORMATION AND REPORTS CREATED UNDER THIS ACT FOR
INCLUSION AS APPROPRIATE IN THE ANNUAL REPORT COMPLETED UNDER 35
PA.C.S. § 7313(17) (RELATING TO POWERS AND DUTIES).

SECTION 7. MEDICAL OXYGEN.

(A) LEGISLATIVE FINDINGS.--THE GENERAL ASSEMBLY FINDS AND
DECLARÉS THE FOLLOWING:

(1) THE COVID-19 PANDEMIC HAS LED TO A SHORTAGE OF
MEDICAL OXYGEN IN LOCATIONS THROUGHOUT THE WORLD.

(2) MEDICAL OXYGEN, INCLUDING PORTABLE OXYGEN CYLINDERS,
IS CRITICAL FOR THE TREATMENT OF MANY ACUTE CASES OF COVID-
19.

(3) A SHORTAGE OF MEDICAL OXYGEN IN THIS COMMONWEALTH
COULD JEOPARDIZE THE STANDARD OF CARE FOR RESIDENTS OF THIS
COMMONWEALTH SUFFERING FROM COVID-19.

(B) REPORT ON SUPPLY OF MEDICAL OXYGEN.--WITHIN 60 DAYS OF
THE EFFECTIVE DATE OF THIS SECTION, THE SECRETARY OF HEALTH
SHALL ISSUE A REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY
REGARDING PLANS TO ENSURE A STEADY SUPPLY OF MEDICAL OXYGEN IN
THIS COMMONWEALTH DURING THE COVID-19 PANDEMIC. THE REPORT SHALL
INCLUDE, BUT NOT BE LIMITED TO, PROCUREMENT AND CONTINUED SUPPLY
OF MEDICAL OXYGEN BY THE COMMONWEALTH AND MEDICAL FACILITIES IN
THIS COMMONWEALTH, LIQUID OR GAS MEDICAL OXYGEN RESERVES, ONSITE
OXYGEN GENERATION SYSTEMS, PRESSURE SWING ADSORPTION OXYGEN
GENERATION AND ANY OTHER RELATED TOPIC DEEMED APPROPRIATE BY THE
SECRETARY OF HEALTH.

SECTION 8. SPECIAL FLOOD HAZARD AREA.

(A) PROHIBITED STORAGE.--NEITHER THE COMMONWEALTH NOR ITS
AGENCIES SHALL STORE PERSONAL PROTECTIVE EQUIPMENT, ACQUIRED
AFTER THE EFFECTIVE DATE OF THIS SECTION AND INTENDED FOR
DISTRIBUTION IN RESPONSE TO THE COVID-19 PANDEMIC, IN A FACILITY LOCATED IN A SPECIAL FLOOD HAZARD AREA.

(B) REMOVAL.--PERSONAL PROTECTIVE EQUIPMENT STORED IN A FACILITY LOCATED IN A SPECIAL FLOOD HAZARD AREA AS OF THE EFFECTIVE DATE OF THIS SECTION SHALL BE REMOVED FROM THE SPECIAL FLOOD HAZARD AREA AS SOON AS PRACTICABLE.

SECTION 9. REPORT BY ADJUTANT GENERAL.

WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE ADJUTANT GENERAL, IN CONSULTATION WITH THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY AND THE SECRETARY OF HEALTH, SHALL DEVELOP AN EMERGENCY PLAN TO REMOVE THE STATE'S STOCKPILE OF PERSONAL PROTECTIVE EQUIPMENT FROM THE FARM SHOW COMPLEX WITHIN 72-HOURS NOTICE OF AN IMPENDING FLOOD, HURRICANE, SEVERE WEATHER EVENT OR OTHER NATURAL DISASTER. THE PLAN SHALL OUTLINE THE RESOURCES NECESSARY TO EXECUTE THE REMOVAL OF THE STATE'S PERSONAL PROTECTIVE EQUIPMENT STOCKPILE WITHIN 72 HOURS AND TRANSPORT THE SAME TO A DESIGNATED SECURE FACILITY. THIS REPORT SHALL BE SUBMITTED TO THE PENNSYLVANIA EMERGENCY MANAGEMENT COUNCIL.

SECTION 10. COVID-19 VACCINE PERSONAL INFORMATION PRIVACY.

(A) GENERAL RULE.--EXCEPT AS PROVIDED IN SUBSECTION (B), A COVID-19 VACCINE PROVIDER SHALL DELETE THE PERSONAL INFORMATION OF AN INDIVIDUAL WHO REGISTERED TO RECEIVE A COVID-19 VACCINE FROM THE COVID-19 VACCINE PROVIDER BUT DID NOT RECEIVE THE COVID-19 VACCINE WITHIN SIX MONTHS OF THE REGISTRATION. IN SUCH A CIRCUMSTANCE, THE DELETION OF THE PERSONAL INFORMATION SHALL OCCUR:

(1) WITHIN 30 DAYS AFTER THE CONCLUSION OF THE SIX-MONTH PERIOD FOLLOWING THE REGISTRATION, IF THE CONCLUSION OF THE SIX-MONTH PERIOD OCCURS AFTER THE EFFECTIVE DATE OF THIS
(2) WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, IF THE EFFECTIVE DATE OF THIS SUBSECTION OCCURS AFTER THE CONCLUSION OF THE SIX-MONTH PERIOD FOLLOWING THE REGISTRATION.

(B) EXCEPTION.--IN COMPLIANCE WITH FEDERAL AND STATE LAW, A COVID-19 VACCINE PROVIDER MAY RETAIN THE PERSONAL INFORMATION OF AN INDIVIDUAL IF THE COVID-19 VACCINE PROVIDER DISTRIBUTED OR ADMINISTERED A COVID-19 VACCINE TO THE INDIVIDUAL OR PROVIDED ANOTHER HEALTH CARE SERVICE TO THE INDIVIDUAL WITHIN SIX MONTHS OF THE INDIVIDUAL REGISTERING TO RECEIVE A COVID-19 VACCINE FROM THE COVID-19 VACCINE PROVIDER.

SECTION 11. APPLICABILITY.

SECTION 10 SHALL NOT APPLY TO MEDICAL RECORDS THAT A COVID-19 VACCINE PROVIDER IS REQUIRED TO RETAIN UNDER FEDERAL OR STATE LAW.

SECTION 12. VIOLATION OF UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION LAW.

A VIOLATION OF SECTION 10 CONSTITUTES UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES WITHIN THE MEANING OF SECTION 2(4) OF THE ACT OF DECEMBER 17, 1968 (P.L.1224, NO.387), KNOWN AS THE UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION LAW, AND SHALL BE SUBJECT TO THE ENFORCEMENT PROVISIONS, CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION SPECIFIED IN THAT ACT.

SECTION 13. EXPIRATION.

THIS ACT SHALL EXPIRE DECEMBER 31, 2024.

SECTION 14. EFFECTIVE DATE.

THIS ACT SHALL TAKE EFFECT IMMEDIATELY.