AN ACT

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; providing for judicial administration; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," in powers and duties of the Department of Health and its departmental administrative and advisory boards, providing for local health department COVID-19 antibody testing.

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

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a section to read:
Section 2127. Local Health Department COVID-19 Antibody Testing.--(a) A health department may notify the secretary of the health department's intention to implement serology tests to identify antibodies to the COVID-19 virus in coordination with the guidance provided in the policy. Notification under this subsection shall be made in writing to the secretary by the health director or equivalent employee of a health department.

(b) Within seventy-two (72) hours of receipt of the notification under subsection (a), the secretary shall authorize, in writing, State laboratories holding a Clinical Laboratory Improvement Amendments (CLIA) certificate and that meet CLIA requirements to perform high-complexity testing, to facilitate and coordinate testing with the respective health department. The following shall apply:

(1) A health department shall reimburse a State laboratory for costs incurred by the State laboratory for services performed under this subsection.

(2) An individual tested under this subsection shall:
   (i) Be notified in writing at the time of initial testing of the applicable provisions of section (IV)(D) of the policy.
   (ii) Be advised of test results as soon as practicable in a manner determined by the health department.

(3) A health department performing serology tests under this subsection shall report the total number of positive and negative test results to the Department of Health of the Commonwealth on a daily basis.

(c) This section shall expire sixty (60) days after the expiration or termination of the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
disaster emergency.

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Health department." A county or municipal health department in this Commonwealth.


"Secretary." The Secretary of Health of the Commonwealth.

Section 2. This act shall take effect in 60 days.