Amending the act of April 9, 1929 (P.L.343, No.176), entitled "An act relating to the finances of the State government; providing for cancer control, prevention and research, for ambulatory surgical center data collection, for the Joint Underwriting Association, for entertainment business financial management firms, for private dam financial assurance and for reinstatement of item vetoes; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of Article VIII of the Constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof,
every State depository and every debtor or creditor of the Commonwealth, "providing for coronavirus aid, relief and emergency response; and establishing the Coronavirus Aid, Relief and Emergency Response Fund.

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

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

ARTICLE I-B
CORONAVIRUS AID, RELIEF AND EMERGENCY RESPONSE

Section 101-B. Definitions.

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


"Commonwealth agency." An agency or department of the executive branch.

"COVID-19 pandemic." The novel coronavirus as identified in 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.

"Department." The Treasury Department of the Commonwealth.

"Eligible entity." A Commonwealth agency, municipal government, licensed nursing home, health care system or hospital seeking reimbursement from the Coronavirus Aid, Relief and Emergency Response Fund under section 103-B(a).

"Eligible expense." A non-budgeted cost incurred by a Commonwealth agency or municipal government as a result of the COVID-19 pandemic.

"Fund." The Coronavirus Aid, Relief and Emergency Response Fund established under section 102-B(a).

"Health care system." An organized system of health care in which multiple health care providers participate and the health care providers satisfy all of the following:

(1) The health care providers provide health care services in a manner so that the public is aware that the health care providers participate in a joint arrangement.

(2) The health care providers participate in any of the following joint activities:

(i) A utilization review that involves the review of health care decisions of participating covered entities by other participating covered entities or a third party on behalf of the participating covered entities.

(ii) Quality assessment and improvement activities that include the assessment of the treatment provided by participating covered entities by other participating covered entities or a third party on behalf of the participating covered entities.

(iii) Payment activities if all of the following apply:

(A) The financial risk for delivering health care is partially or wholly shared by participating covered entities through the joint arrangement.

(B) Protected health care information created or received by the participating covered entities is reviewed by other participating covered entities or a third party on behalf of the participating covered entities.

"Municipal government." The governing body of a county,
city, township or borough in this Commonwealth.

"Small business." Any of the following which employs less
than 500 individuals:

(1) A limited liability company.
(2) A sole proprietorship.
(3) A joint-stock company or association.
(4) A corporation for profit as defined in 15 Pa.C.S. § 102 (relating to definitions).
(5) Corporation not-for-profit as defined in 15 Pa.C.S. § 102.

Section 102-B. Establishment of fund.

(a) Establishment.--The Coronavirus Aid, Relief and
Emergency Response Fund is established as a restricted account
in the State Treasury.

(b) Transfers.--The State Treasurer shall transfer any money
appropriated from the Federal Government to the Commonwealth
for expenses incurred as a result of the COVID-19 pandemic to
the fund.

Section 103-B. Disbursement.

(a) Allocation.--Money from the fund shall be allocated as
follows:

(1) An amount of $500,000,000 shall be allocated to
reimburse hospitals and health care systems for eligible
expenses.

(2) An amount of $300,000,000 shall be allocated to
reimburse licensed nursing homes for eligible expenses.

(3) An amount of $400,000,000 shall be allocated to
reimburse municipal governments for eligible expenses that
are not eligible for reimbursement from the Federal
Government for eligible expenses under the CARES Act as
follows:

(i) An amount of $200,000,000 shall be allocated to reimburse county governments for eligible expenses.

(ii) An amount of $200,000,000 shall be allocated to reimburse cities, townships and boroughs for eligible expenses.

(4) An amount of $100,000,000 shall be allocated to reimburse Commonwealth agencies for eligible expenses.

(5) An amount of $300,000,000 shall be allocated to reimburse all of the following for eligible expenses:

(i) Volunteer ambulance corporations.

(ii) Volunteer rescue organizations.

(iii) Regional police and fire departments.

(iv) Police departments providing law enforcement services to a city, township or borough.

(v) Fire departments, including volunteer fire companies, providing services to a city, township or borough.

(6) An amount of $400,000,000 shall be allocated to the Department of Community and Economic Development to assist small businesses impacted by the COVID-19 pandemic as follows:

(i) An amount of $200,000,000 shall be allocated for the COVID-19 Working Capital Access Program. The Department of Community and Economic Development shall ensure that funds allocated under the paragraph are distributed in a manner that prioritizes eligible small businesses who have not received a loan from the Commonwealth or the United States Small Business Administration in relation to the COVID-19 pandemic.
(ii) An amount of $200,000,000 shall be allocated to
cover 75% of the expenses and losses incurred by small
businesses as a result of complying with the Department
of Health and the Centers for Disease Control and
Prevention guidelines for sanitation and reopening in
relation to the COVID-19 pandemic.

(7) An amount of $500,000 shall be allocated to
reimburse the department for the costs incurred to implement
this article.

(b) Documentation.--

(1) In order to receive a reimbursement from the fund
under subsection (a), an eligible entity shall submit all of
the following to the department:

(i) A list of the eligible entity's eligible
expenses for the current calendar or fiscal year and the
eligible entity's original projected budget for the
current calendar or fiscal year.

(ii) The eligible entity's eligible expenses
incurred during the preceding month.

(iii) Any other document required by the department
that is necessary to ensure that the eligible entity is
in compliance with Federal law and guidance.

(2) Upon the review and approval of the documentation
submitted by an eligible entity under paragraph (1), the
State Treasurer shall allocate money from the fund in
accordance with subsection (a) to the eligible entity for
eligible expenses incurred during the preceding month.

(c) Remaining money.--Any money not allocated under
subsection (a) shall remain in the fund until appropriated by
the General Assembly for the contingency costs of eligible
entities until the eligible period has expired.

Section 104-B. Transparency portal.

(a) Establishment.--The department shall establish a
transparency portal on the department's publicly accessible
Internet website. The transparency portal shall provide current
information about the fund that is updated from the close of the
prior business day.

(b) Contents.--The transparency portal shall include all of
the following information:

(1) Each eligible entity that received money from the
fund.

(2) The amount of money each eligible entity received
from the fund.

(3) The total amount of money disbursed from the fund.

(4) The available remaining balance in the fund.

(c) Submission.--All contact documents submitted to the
department by eligible entities pertaining to the fund shall be
posted on the department's publicly accessible Internet website
under section 1702 of the act of February 14, 2008 (P.L.6,
No.3), known as the Right-to-Know Law.

Section 105-B. Report.

After the final disposition of money in the fund, the
department shall submit a report to the General Assembly and the
Inspector General on all of the following:

(1) The final disposition of money in the fund.

(2) The use of the Do Not Pay Initiative Pilot Program
established under section 106-B(a).

(3) The number of entities that were ineligible to
receive money from fund.

(4) The savings to the fund as a result of the
identification of entities that are ineligible to receive
money from the fund.

(5) The results of any Federal or State audit of the
money received by the Commonwealth to address the COVID-19
pandemic.

Section 106-B. Do-Not-Pay Pilot Program.

(a) Establishment.--The department shall enter a memorandum
of understanding with the United States Department of the
Treasury to established the Do-Not-Pay Pilot Program.

(b) Use.--Before issuing a reimbursement for eligible
expenses under section 103-B(a) to an entity, the department
shall utilize the Do-Not-Pay Pilot Program to ensure the entity
is eligible to receive the reimbursement.

Section 107-B. Improper payments and misuse of funds.

(a) Improper payments.--An eligible entity that receives
money from the fund and makes improper payments shall be held
liable by the Commonwealth under the Improper Payments
Elimination and Recovery Act of 2010 (Public Law 111-204, 124
Stat. 2224) for the total amount of any disallowance of Federal
funds as result of the improper payments.

(b) Misuse of funds.--An eligible entity that misuses
Federal funds shall be subject to civil action under the False

(c) Notice.--The department shall provide notice of the
penalties specified under subsections (a) and (b) to each
eligible entity that receives money from the fund.

Section 2. This act shall take effect immediately.