THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 1247 Session of 2020

INTRODUCED BY MENSCH, KILLION, LANGERHOLC, PHILLIPS-HILL, STEFANO, COSTA, BREWSTER AND TARTAGLIONE, SEPTEMBER 3, 2020

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, SEPTEMBER 3, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 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," providing for personal protective equipment for
frontline workers.

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 an
article to read:
ARTICLE I-A
PERSONAL PROTECTIVE EQUIPMENT FOR FRONTLINE WORKERS

Section 101-A. 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:

"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 disaster emergency.

"Frontline worker." An employee who is unable to perform the employee's job duties remotely and continues to perform the employee's job duties during the COVID-19 pandemic while being employed by any of the following:

1. A hospital or health care system.
2. A retail grocery store.
3. A long-term health care facility.
4. A police department.
5. A fire department.
6. A volunteer fire department.
7. An emergency medical services company.
8. A volunteer emergency medical services company.
9. A sanitation company.

"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.

"Personal protective equipment." Equipment worn to minimize exposure to hazards that cause serious injuries and illnesses.

"Sanitation company." An entity engaged in the collection, processing, transfer, transportation or disposal of solid waste or recyclables.

Section 102-A. Frontline workers.

Money appropriated by the Federal Government or the General Assembly for expenses incurred as a result of the COVID-19 pandemic which is to be used to purchase or provide personal protective equipment or supplies to frontline workers shall
1 include the individuals defined in section 101-A.
2 Section 2. This act shall take effect immediately.