

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1311 Session of
1969

INTRODUCED BY MRS. ANDERSON, MRS. KELLY, MESSRS. PEZAK,
PRENDERGAST, KAUFMAN, MEBUS, TAYOUN, BELLomini, GROSS,
COMER, LAMARCA, ECKENSBERGER, PERRY, BARBER, QUILES,
PIEVSKY, GREENFIELD, M. E. MILLER, F. M. ALLEN, SEMANOFF,
MANDERINO, D. M. DAVIS, SHERMAN, CROWLEY, POLASKI, WARGO,
LUTTY, WOJDAK and GELFAND, JUNE 16, 1969

SENATOR WILLARD, PUBLIC HEALTH AND WELFARE, IN SENATE,
AS AMENDED, APRIL 14, 1970

AN ACT

1 Establishing in the State Department of Health a program for the care of persons suffering from chronic renal diseases, <--
2 including PROVIDING FOR an advisory committee in connection therewith, designating powers and duties in relation thereto, <--
3 and making an appropriation therefor.
4
5

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

8 SECTION 1. AS USED IN THIS ACT: <--

9 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH OF THE
10 COMMONWEALTH OF PENNSYLVANIA.

11 (2) "SECRETARY" MEANS THE SECRETARY OF HEALTH OF THE
12 COMMONWEALTH OF PENNSYLVANIA.

13 ~~SECTION 4. 2. THE STATE DEPARTMENT OF HEALTH HEREAFTER~~ <--
14 ~~REFERRED TO AS THE DEPARTMENT,~~ THE DEPARTMENT shall establish a <--
15 program for the care and treatment of persons suffering from
16 chronic renal diseases. This program shall assist persons
17 suffering from chronic renal diseases who require lifesaving

1 care and treatment for such renal disease, but who are unable to
2 pay for such services on a continuing basis.

3 ~~Section 2. Department funds shall be used to provide~~ <--
4 ~~lifesaving dialysis services to patients. Funds may be provided~~
5 ~~for developing home dialysis treatment services and the~~
6 ~~necessary specialized personnel and equipment. The department~~
7 ~~shall develop and utilize newer methods of dialysis designed to~~

8 SECTION 3. (A) THE DEPARTMENT SHALL: <--

9 (1) USE DEPARTMENT FUNDS TO PROVIDE DIALYSIS SERVICES TO
10 PATIENTS. FUNDS MAY BE PROVIDED FOR DEVELOPING HOME DIALYSIS
11 TREATMENT SERVICES AND THE NECESSARY SPECIALIZED PERSONNEL AND
12 EQUIPMENT.

13 (2) DEVELOP AND UTILIZE NEWER METHODS OF DIALYSIS DESIGNED
14 TO make the process more efficient and economical and shall take
15 into account other applications of the procedure such as home
16 dialysis. ~~The department may seek~~ <--

17 (3) SEEK the active participation and consultation from <--
18 industry in order to streamline equipment and procedures for
19 greater efficiency. ~~The department, with~~ <--

20 (4) PROVIDE TRAINING FOR MEDICAL AND NURSING PERSONNEL WHO <--
21 WILL CARRY OUT DIALYSIS SERVICES IN COMMUNITIES IN THE STATE.

22 (5) WITH the advice of the advisory committee, shall develop
23 standards for determining eligibility for care and treatment
24 under this program.

25 ~~Section 3. The department shall also serve to provide~~ <--
26 ~~training for medical and nursing personnel who will carry out~~
27 ~~dialysis services in other communities in the State. The~~
28 ~~department may also work in close cooperation with other medical~~
29 ~~specialists who are seeking ways~~

30 (B) THE DEPARTMENT MAY: <--

1 (1) COOPERATE WITH MEDICAL SPECIALISTS WHO ARE SEEKING WAYS
2 to develop successful means of kidney transplantation. Dialysis
3 services are necessary as an adjunct to this type of medical
4 investigation.

5 (2) RECEIVE AND MAKE USE OF ANY OUTSIDE SOURCE OF FUNDS <--
6 WHICH MAY BECOME AVAILABLE FROM FEDERAL, VOLUNTARY,
7 PHILANTHROPIC, OR OTHER SOURCES IN ORDER TO AUGMENT STATE FUNDS.

8 Section 4. ~~The Secretary of Health hereafter referred to as~~ <--
9 ~~the secretary, shall~~ THE GOVERNOR SHALL NOMINATE AND, BY AND <--
10 WITH THE ADVICE AND CONSENT OF TWO-THIRDS OF ALL THE MEMBERS OF
11 THE SENATE, appoint a Renal Disease Advisory Committee,
12 hereafter referred to as the committee, to consult with the
13 department in the administration of this act. The committee
14 shall be composed of ~~seven~~ ELEVEN persons representing hospitals <--
15 and medical schools which establish dialysis centers, voluntary
16 agencies interested in kidney diseases, local public health
17 agencies, physicians licensed to practice medicine in all of its
18 branches, and the general public. The members of the committee
19 shall serve for a two year period and may be reappointed. The
20 committee shall serve without compensation, but shall receive
21 necessary travel expenses. The chairman of the committee shall
22 be ~~appointed~~ ELECTED by the Governor. ~~This COMMITTEE. THE~~ <--
23 committee, with the approval of the secretary, shall establish
24 standards for the expenditure of State funds which are provided
25 for the support of persons suffering from renal diseases to
26 assure the availability of specialized personnel, resources, and
27 equipment necessary to enable such persons to function and to
28 care for patients with severe uremia. The secretary shall choose
29 from a list provided by the advisory committee, the institutions
30 which qualify under the standards established to receive grants.

1 of State funds to provide care for renal disease patients.

2 ~~Section 5. The department may also receive and make use of~~ <--
3 ~~any outside source of funds which may become available from~~
4 ~~Federal, voluntary, philanthropic, or other sources in order to~~
5 ~~augment State funds.~~

6 SECTION 5. (A) THE STANDARDS ESTABLISHED FOR THE EXPENDITURE <--
7 OF STATE FUNDS UNDER THIS ACT SHALL BE IN ACCORDANCE WITH THE
8 REQUIREMENTS OF THIS SECTION.

9 (B) THE DEPARTMENT SHALL PROVIDE FUNDS IN THE AMOUNTS
10 INDICATED IN SUBSECTION (C) FOR PERSONS WHOSE INCOME, OR, THE
11 INCOME OF THE PERSON RESPONSIBLE FOR HIS SUPPORT, IS LESS THAN
12 THE STANDARD BUDGET ALLOWANCE DETERMINED AS FOLLOWS:

13	(1)	STANDARD BUDGET ALLOWANCE	NUMBER OF PERSONS IN FAMILY	<--
14		\$4,300	1	
15		6,300	2	
16		8,300	3	
17		9,100	4	
18		9,900	5	
19		10,500	6	

20 (2) FOR EACH ADDITIONAL PERSON IN A FAMILY OF MORE THAN SIX <--
21 PERSONS, ONE THOUSAND DOLLARS (\$1,000) SHALL BE ADDED TO THE
22 STANDARD BUDGET ALLOWANCE FOR EACH ADDITIONAL MEMBER.

23 (3) THE NUMBER OF PERSONS IN THE FAMILY ARE THOSE DEPENDENT
24 ON THE STANDARD BUDGET ALLOWANCE FOR SUPPORT.

25 (4) THE STANDARD BUDGET ALLOWANCE IS THE ADJUSTED GROSS
26 INCOME FOR FEDERAL INCOME TAX PURPOSES LESS AN EXCLUSION FOR
27 OTHER RESOURCES, AS FOLLOWS:

28 (I) PERSONAL PROPERTY, SUCH AS INCOME-PRODUCING EQUIPMENT,
29 INVENTORY OF A SMALL BUSINESS OR TOOLS, IF SUCH PROPERTY IS
30 NEEDED TO PRODUCE INCOME DURING OR FOLLOWING REHABILITATION

1 SERVICES;

2 (II) OWNERSHIP OF A RESIDENCE AND CONTIGUOUS LAND;

3 (III) PERSONAL PROPERTY SUCH AS HOUSEHOLD FURNITURE, LIFE
4 INSURANCE POLICIES, ONE AUTOMOBILE, ETC.; AND

5 (IV) PROPERTY WHEN IT REPRESENTS AN INCOME-PRODUCING
6 ENTERPRISE AND THE NET INCOME DERIVED THEREFROM IS WITHIN THE
7 NORMAL LIVING REQUIREMENTS.

8 IN MAKING THE DETERMINATION OF WHAT CONSTITUTES THE STANDARD
9 BUDGET ALLOWANCE, BOTH INCOME AND ESTATE SHALL BE CONSIDERED.
10 WHERE THERE ARE SPOUSE AND CHILDREN, THE ESTATE SHALL NOT BE
11 DEPLETED TO THE POINT THAT SPOUSE AND CHILDREN WILL BE
12 PAUPERIZED IN THE CASE OF THE DEATH OF THE PATIENT.

13 (C) THE DEPARTMENT SHALL PAY ON BEHALF OF A PATIENT ELIGIBLE
14 FOR ASSISTANCE UNDER SUBSECTION (B) AN AMOUNT EQUAL TO THE
15 DIFFERENCE BETWEEN THE STANDARD BUDGET ALLOWANCE AND THE AMOUNT
16 REQUIRED TO BE PAID BY THE PATIENT AS FOLLOWS:

17	ANNUAL STANDARD BUDGET ALLOWANCE	ANNUAL PATIENT SHARE OF COST	<--
18	\$ 0 - 00.....	\$ 00.00	
19	100 - 199.....	20.00	
20	200 - 299.....	40.00	
21	300 - 399.....	60.00	
22	400 - 499.....	80.00	
23	500 - 599.....	105.00	
24	600 - 699.....	130.00	
25	700 - 799.....	160.00	
26	800 - 899.....	190.00	
27	900 - 999.....	220.00	
28	1000 - 1099.....	250.00	
29	1100 - 1199.....	290.00	
30	1200 - 1299.....	325.00	

1 PATIENT SO ELECTS, BE PAID IN TWELVE SUBSTANTIALLY EQUAL MONTHLY
2 PAYMENTS OR MAY BE PAID AS THE PATIENT AND SECRETARY MAY AGREE.

3 Section 6. No resident of this State shall be denied
4 treatment because of his place of residence.

5 Section 7. No resident of this State shall be denied
6 treatment because he is unable to pay for such services.

7 Section 8. The funds which are provided by the State shall
8 only be expended for the care and treatment of persons suffering
9 from renal diseases including home dialysis care; training of
10 personnel and other expenses incident to providing proper care
11 and treatment; extend financial assistance to persons suffering
12 from renal diseases in obtaining the medical, nursing,
13 pharmaceutical, and technical services necessary in caring for
14 such diseases including the renting of home dialysis equipment;
15 and treatment of complications which may result from dialysis.
16 These funds shall not be utilized to pay for general medical
17 care services which should come from private, local, other State
18 or Federal sources.

19 Section 9. The sum of one million dollars (\$1,000,000) or as
20 much thereof as may be necessary, is appropriated to the State
21 Department of Health for the purpose of administering the
22 provisions of this act.

23 Section 10. This act shall take effect immediately.