
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1909 Session of
2017

INTRODUCED BY PHILLIPS-HILL, BARBIN, DAVIS, DRISCOLL, GROVE,
HILL-EVANS, KEEFER, KLUNK, KNOWLES, MALONEY, O'NEILL,
READSHAW AND RYAN, NOVEMBER 6, 2017

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, NOVEMBER 6, 2017

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled "An
2 act defining the liability of an employer to pay damages for
3 injuries received by an employe in the course of employment;
4 establishing an elective schedule of compensation; providing
5 procedure for the determination of liability and compensation
6 thereunder; and prescribing penalties," in additional
7 coverages, further providing for the definition of "employe."

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

10 Section 1. Section 601(a) of the act of June 2, 1915
11 (P.L.736, No.338), known as the Workers' Compensation Act, is
12 amended to read:

13 Section 601. (a) In addition to those persons included
14 within the definition of the word "employe" as defined in
15 section 104, "employe" shall also include:

16 (1) officers, directors, firefighters and any other members
17 of volunteer fire departments or volunteer fire companies,
18 including any paid fireman who is a member of a volunteer fire
19 company and performs the services of a volunteer fireman during
20 off-duty hours, who shall be entitled to receive compensation in

1 case of injuries received while actively engaged as firemen or
2 while going to or returning from a fire which the fire company
3 or fire department attended including travel from and the direct
4 return to a fireman's home, place of business or other place
5 where he shall have been when he received the call or alarm or
6 while participating in instruction fire drills in which the fire
7 department or fire company shall have participated or while
8 repairing or doing other work about or on the fire apparatus or
9 buildings and grounds of the fire company or fire department
10 upon the authorization of the chief of the fire company or fire
11 department or other person in charge or while answering any
12 emergency calls for any purpose or while riding upon the fire
13 apparatus which is owned or used by the fire company or fire
14 department or while performing any other duties of such fire
15 company or fire department as authorized by the municipality or
16 while performing duties imposed by section 15, act of April 27,
17 1927 (P.L.465, No.299), referred to as the Fire and Panic Act;

18 (2) [all] officers, directors, ambulance corpsmen and any
19 other members of volunteer ambulance corps of the various
20 municipalities who shall be and are hereby declared to be
21 employes of such municipality for the purposes of this act who
22 shall be entitled to receive compensation in the case of
23 injuries received while actually engaged as ambulance corpsmen
24 or while going to or returning from any fire, accident, or other
25 emergency which such volunteer ambulance corps shall attend
26 including travel from and the direct return to a corpsman's
27 home, place of business or other place where he shall have been
28 when he received the call or alarm; or while participating in
29 ambulance corps of which they are members; or while repairing or
30 doing other work about or on the ambulance apparatus or

1 buildings and grounds of such ambulance corps upon the
2 authorization of the corps president or other person in charge;
3 or while answering any emergency call for any purpose or while
4 riding in or upon the ambulance apparatus owned by the ambulance
5 corps of which they are members at any time or while performing
6 any other duties of such ambulance corps as are authorized by
7 the municipality;

8 (3) officers, directors, rescue and lifesaving squad members
9 or any other members of volunteer rescue and lifesaving squads
10 of the various municipalities who shall be and are hereby
11 declared to be employes of such municipalities for the purposes
12 of this act and who shall be entitled to receive compensation in
13 the case of injuries received while actually engaged as a rescue
14 and lifesaving squad member attending to any emergency to which
15 that squad has been called or responded including travel from
16 and the direct return to a squad person's home, place of
17 business or other place where he shall have been when he
18 received the call or alarm or while participating in rescue and
19 lifesaving drills in which the squad is participating; while
20 repairing or doing other work about or on the apparatus,
21 buildings and grounds of such rescue and lifesaving squad upon
22 the authorization of the chief or other person in charge; or
23 while riding in or upon the apparatus of the rescue and
24 lifesaving squad and at any time while performing any other
25 duties authorized by the municipality;

26 (4) volunteer members of the State Parks and Forest Program,
27 who shall be declared to be employes of the Commonwealth for the
28 purposes of this act, shall be entitled to receive compensation
29 in case of injuries received while actually engaged in
30 performing any duties in connection with the volunteers in the

1 State Parks and Forest Program;

2 (5) Pennsylvania Deputy Game Protectors are hereby defined
3 to be employes of the Commonwealth for all the purposes of this
4 act and shall be entitled to receive compensation in case of
5 injuries received while actually engaged in the performance of
6 duties as a Pennsylvania Deputy Game Protector whether employed
7 by the Game Commission or otherwise;

8 (6) all special waterways patrolmen are hereby declared to
9 be employes of the Commonwealth for all purposes of this act and
10 shall be entitled to receive compensation in case of injuries
11 received while actually engaged in the performance of their
12 duties as special waterways patrolmen whether actually receiving
13 compensation from the Pennsylvania Fish Commission or not;

14 (7) all forest firefighters are hereby declared to be
15 employes of the Commonwealth for the purposes of this act and
16 shall be entitled to receive compensation in case of injuries
17 received while actually engaged in the performance of their
18 duties as forest firefighters or forest fire protection employes
19 which duties shall include participation in the extinguishing of
20 forest fires or traveling to and from forest fires or while
21 performing any other duties relating to forest fire protection
22 as authorized by the Secretary of Environmental Resources or his
23 designee.

24 (8) All volunteer members of hazardous materials response
25 teams who shall be and are hereby declared to be employes of the
26 Commonwealth agency, county, municipality, regional hazardous
27 materials organization, volunteer service organization,
28 corporation, partnership or of any other entity which organized
29 the hazardous materials response team for the primary purpose of
30 responding to the release of a hazardous material. All such

1 volunteer members of hazardous materials response teams shall be
2 entitled, under this act, to receive compensation in the case of
3 injuries received while actively engaged as hazardous materials
4 response team members or while going to or returning from any
5 emergency response incident or accident which the hazardous
6 materials response team attended, including travel from and
7 direct return to a team member's home, place of business or
8 other place where the member shall have been when the member
9 received the call or alarm to respond to the emergency incident
10 or accident; or while participating in hazardous materials
11 response drills or exercises in which the hazardous materials
12 response team is participating; or while repairing or doing
13 other work about or on the hazardous materials response team
14 apparatus or buildings and grounds of the hazardous materials
15 response team upon the authorization of the chief of the
16 hazardous materials response team or other person in charge; or
17 while answering any emergency calls for any purpose; or while
18 riding upon the hazardous materials response team apparatus
19 which is owned or used by the hazardous materials response team
20 in responding to an emergency or drill or with the express
21 permission of the chief of the team; or while performing any
22 other duties of such hazardous materials response team as
23 authorized by the Commonwealth agency, county, municipality,
24 regional hazardous materials organization, volunteer service
25 organization, corporation, partnership or any other entity which
26 duly organized the hazardous materials response team.

27 (9) All local coordinators of emergency management, as
28 defined in 35 Pa.C.S. § 7502 (relating to local coordinator of
29 emergency management), of the various municipalities who shall
30 be and are hereby declared to be employes of such municipalities

1 for the purposes of this act and who shall be entitled to
2 receive compensation in the case of injuries received while
3 actually engaged as local coordinator of emergency management at
4 any emergency to which he has been called or responded,
5 including travel from and the direct return to his home, place
6 of business or other place where he shall have been when he
7 received the call or alarm or while performing any other duties
8 authorized by the municipality.

9 (10) An employe who, while in the course and scope of his
10 employment, goes to the aid of a person and suffers injury or
11 death as a direct result of any of the following:

12 (i) Preventing the commission of a crime, lawfully
13 apprehending a person reasonably suspected of having committed a
14 crime or aiding the victim of a crime. For purposes of this
15 clause, the terms "crime" and "victim" shall have the same
16 meanings as given to them in section 103 of the act of November
17 24, 1998 (P.L.882, No.111), known as the "Crime Victims Act."

18 (ii) Rendering emergency care, first aid or rescue at the
19 scene of an emergency.

20 * * *

21 Section 2. This act shall take effect immediately.