
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2201 Session of
2020

INTRODUCED BY HAHN, PYLE, LONGIETTI, SCHLOSSBERG, FREEMAN,
READSHAW, ROEBUCK, HILL-EVANS, SAMUELSON AND THOMAS,
JANUARY 10, 2020

REFERRED TO COMMITTEE ON HEALTH, JANUARY 10, 2020

AN ACT

1 Providing for cancer control, prevention and research and for
2 the Pennsylvania Cancer Control, Prevention and Research
3 Advisory Board; and making related repeals.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Cancer
8 Control, Prevention and Research Act.

9 Section 2. Definitions.

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

13 "Board." The Pennsylvania Cancer Control, Prevention and
14 Research Advisory Board continued under section 3.

15 "Cancer." All malignant neoplasms, regardless of the tissue
16 of origin, including malignant lymphoma and leukemia.

17 "Department." The Department of Health of the Commonwealth.

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

1 Section 3. Pennsylvania Cancer Control, Prevention and Research
2 Advisory Board.

3 (a) Board continued.--The Pennsylvania Cancer Control,
4 Prevention and Research Advisory Board is continued as an
5 advisory board within the department.

6 (b) Membership.--The board shall consist of 11 members, all
7 of whom shall be residents of this Commonwealth. The board shall
8 include:

9 (1) Ten individuals appointed by the Governor with the
10 consent of a majority of the Senate as follows:

11 (i) three shall be distinguished scientists and
12 physicians in the field of cancer;

13 (ii) one shall be a qualified professional nurse
14 engaged in the practice of oncological nursing;

15 (iii) one shall be skilled in health care
16 administration;

17 (iv) two shall have substantial experience in the
18 field of public health, one of whom shall be a
19 professional nurse engaged in the practice of community
20 health nursing; and

21 (v) three shall be consumer members.

22 (2) The secretary.

23 (c) Terms.--The terms of the members shall be four years
24 from the respective date of their appointment.

25 (d) Chairperson.--A chairperson of the board shall be
26 appointed by the Governor for a term of four years.

27 (e) Meetings and quorum.--The board shall meet no less than
28 four times annually at the call of the chairperson or, in the
29 chairperson's absence or incapacity, at the call of the
30 secretary. Six members of the board shall constitute a quorum

1 for the purpose of exercising all of the powers of the board. A
2 vote of the majority of the members present shall be sufficient
3 for all actions of the board.

4 (f) Expenses.--Each board member, except the secretary,
5 shall receive actual traveling expenses and other necessary
6 expenses.

7 (g) Conflict of interest.--No member of the board may
8 participate in any discussions and decisions to recommend grants
9 or contracts to any qualified association or to any agency of
10 the Commonwealth or its political subdivisions with which the
11 member is associated as a member of the governing body or as an
12 employee, or with which the member has entered into any
13 contractual arrangement.

14 Section 4. Responsibilities of board.

15 (a) Bylaws.--The board shall have the power to prescribe,
16 amend and repeal bylaws governing the manner in which the
17 business of the board is conducted.

18 (b) Duty to advise.--The board shall advise the secretary
19 with respect to cancer control, prevention and research in this
20 Commonwealth.

21 (c) Approval of program.--The board shall approve each year
22 a program for cancer control, prevention and research to be
23 known as the Pennsylvania Cancer Plan.

24 (d) Award of grants and contracts.--In order to implement in
25 whole or in part the Pennsylvania Cancer Plan, the board shall
26 recommend to the secretary the awarding of grants and contracts
27 to qualified associations, nonprofit organizations or
28 governmental agencies in order to plan, establish or conduct
29 programs in cancer control or prevention, cancer education and
30 training and cancer clinical research.

1 (e) Eligible programs.--Grants and contracts may be
2 recommended for:

3 (1) The cancer registry under section 6.

4 (2) Cancer screening, detection and prevention.

5 (3) Cancer epidemiology and biostatistical studies.

6 (4) Cancer community outreach programs, including grants
7 for the provision of facilities and personnel for conducting
8 summer camps and other activities for cancer-afflicted
9 children.

10 (5) Cancer rehabilitation.

11 (6) Communication and planning among cancer
12 institutions.

13 (7) Cancer education and information.

14 (8) Cancer training.

15 (9) Cancer clinical research.

16 (f) Funding priorities.--Consistent with the Pennsylvania
17 Cancer Plan the board shall give its:

18 (1) first priority to funding grants and contracts
19 relating to subsection (e) (1), (2), (3) and (4);

20 (2) second priority to funding grants and contracts
21 relating to subsection (e) (5) and (6); and

22 (3) third priority to funding grants and contracts
23 relating to subsection (e) (7), (8) and (9).

24 (g) Criteria.--The following criteria shall be given
25 consideration for recommending grants and contracts for
26 programs:

27 (1) The relevancy of the applicant's proposal to the
28 Pennsylvania Cancer Plan.

29 (2) The feasibility of the applicant's proposal.

30 (h) Rules and regulations.--The board shall recommend to the

1 secretary rules and regulations consistent with laws of this
2 Commonwealth as it may deem necessary for the performance of its
3 duties and the proper administration of this act.

4 (i) Report.--The board shall report annually to the Governor
5 and the General Assembly. The report shall include, but not be
6 limited to, the following:

7 (1) A full description of the grants and contracts
8 funded under this act.

9 (2) The amount of grants and contracts.

10 (3) An outline of the proposal on which grants were
11 based.

12 (4) The results achieved as a result of the grants.

13 Section 5. Responsibilities of secretary.

14 (a) Award of grants and contracts.--The secretary shall
15 award grants and contracts only from among those recommended by
16 the board to qualified associations in this Commonwealth and
17 governmental agencies in order to plan, establish or conduct
18 programs in cancer control and prevention, cancer education and
19 training and cancer research. The secretary may request
20 additional recommendations from the board.

21 (b) Assistance to board.--The secretary shall provide such
22 staff, information and other assistance as the secretary may
23 deem necessary for the completion of the board's
24 responsibilities. The staff shall be responsible to the
25 secretary.

26 Section 6. Cancer registry.

27 (a) Registry.--The department shall establish a system for
28 the Statewide collection and dissemination of data on cases of
29 cancer by anatomical site, medical and occupational history of
30 patients, stage of disease and other data necessary to

1 effectuate the provisions of this act as determined by the
2 department.

3 (b) Required reporting.--Individuals in charge of hospitals
4 and laboratories shall be required by the department, in
5 accordance with regulations adopted with the advice of the
6 board, to report cases of cancer on forms furnished by the
7 department.

8 (c) Confidentiality of information.--The reports required
9 under this act shall be confidential and not open to public
10 inspection or dissemination. This subsection shall not restrict
11 the collection and analysis of data by the department or those
12 with which the department contracts, nor shall it restrict the
13 department from permitting the use of the reports and data
14 contained in the reports for research purposes, subject to
15 strict supervision by the department to ensure that the use of
16 the reports is limited to specific research purposes.

17 Section 7. Repeals.

18 Repeals are as follows:

19 (1) The General Assembly declares that the repeals under
20 paragraphs (2) and (3) are necessary to effectuate this act.

21 (2) Article II-B of the act of April 9, 1929 (P.L.343,
22 No.176), known as The Fiscal Code, is repealed.

23 (3) The act of December 18, 1980 (P.L.1241, No.224),
24 known as the Pennsylvania Cancer Control, Prevention and
25 Research Act, is repealed.

26 Section 8. Continuation.

27 This act is a continuation of Article II-B of the act of
28 April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.
29 Except as otherwise provided in this act, all activities
30 initiated under Article II-B of The Fiscal Code shall continue

1 and remain in full force and effect and may be completed under
2 this act. Orders, regulations, rules and decisions which were
3 made under Article II-B of The Fiscal Code and which are in
4 effect on the effective date of section 7(2) and (3) of this act
5 shall remain in full force and effect until revoked, vacated or
6 modified under this act. Contracts, obligations and collective
7 bargaining agreements entered into under Article II-B of The
8 Fiscal Code are not affected nor impaired by the repeal of
9 Article II-B of The Fiscal Code.

10 Section 9. Effective date.

11 This act shall take effect in 60 days.