

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2510 Session of 2020

INTRODUCED BY TURZAI, READSHAW, KORTZ, KAIL, BARRAR, BOBACK, CAUSER, SCHLEGEL CULVER, DeLUCA, EMRICK, FEE, FRITZ, GILLEN, GREGORY, GREINER, HELM, KAUFFMAN, M. K. KELLER, KNOWLES, MARSHALL, MENTZER, MIHALEK, MILLARD, MIZGORSKI, NELSON, O'NEAL, OWLETT, PICKETT, POLINCHOCK, RADER, RAPP, REESE, RYAN, SAYLOR, SCHMITT, STAATS, THOMAS, WARNER, ZIMMERMAN, SIMMONS, STRUZZI, HEFFLEY, TOEPEL, MOUL, JOZWIAK, TOOHL AND FARRY, MAY 12, 2020

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 19, 2020

AN ACT

1 Providing for regional response health collaborations to promote
2 health in facilities by supporting COVID-19 readiness and
3 response and improving the quality of infection prevention; <--
4 AND MAKING EMERGENCY APPROPRIATIONS FOR HUMAN SERVICES.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Regional
9 Response Health Collaborative Act.

10 Section 2. Definitions.

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

14 "Assisted living residence." As defined in section 1001 of
15 the act of June 13, 1967 (P.L.31, No.21), known as the Human

1 Services Code.

2 ~~"Authority." The Commonwealth Financing Authority.~~ <--

3 "COVID-19." The novel coronavirus as identified in the  
4 Governor's Proclamation of Disaster Emergency issued on March 6,  
5 2020, published at 50 Pa.B. 1644 (March 21, 2020).

6 "DEPARTMENT." THE DEPARTMENT OF HUMAN SERVICES OF THE <--  
7 COMMONWEALTH.

8 "Emergency medical services agency." As defined in 35  
9 Pa.C.S. § 8103 (relating to definitions).

10 "Facility." Any of the following:

- 11 (1) An assisted living residence.
- 12 (2) A long-term care nursing facility.
- 13 (3) A personal care home.

14 "Federal funds." Funds received from the Federal Government  
15 to fight COVID-19 under the Federal Coronavirus Aid, Relief, and  
16 Economic Security Act (Public Law 116-136, 134 Stat. 281).

17 "Health collaborative." A collaboration of a local health  
18 care system that provides educational support and clinical  
19 coaching in a specific region of this Commonwealth.

20 "Long-term care nursing facility." As defined in section  
21 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the  
22 Health Care Facilities Act.

23 "Personal care home." As defined in section 1001 of the  
24 Human Services Code.

25 "Region." The following areas of this Commonwealth:

- 26 (1) Northeast.
- 27 (2) Southeast.
- 28 (3) North central.
- 29 (4) South central.
- 30 (5) Northwest.

1 (6) Southwest.

2 Section 3. Regional response health collaborative.

3 (a) Division.--The ~~authority~~ DEPARTMENT shall divide this <--  
4 Commonwealth into regions and shall delineate all of the  
5 facilities within the parameters of a region.

6 (b) Proposals.--The ~~authority~~ DEPARTMENT shall solicit <--  
7 proposals from health collaboratives to provide operations,  
8 management and administration of the purposes provided under  
9 subsection (e) in each region to protect residents in facilities  
10 from COVID-19.

11 (c) Contract.--The ~~authority~~ DEPARTMENT, IN CONSULTATION <--  
12 WITH THE SECRETARY OF HEALTH, shall contract with at least one  
13 health collaborative in each region for the purposes provided  
14 under subsection (e).

15 (d) Appropriation.--The amount of \$500,000,000 of the  
16 Federal funds is appropriated to the ~~authority~~ DEPARTMENT for <--  
17 the purposes of this act. The ~~authority~~ DEPARTMENT shall <--  
18 distribute the funds to each health collaborative contracted  
19 under subsection (c).

20 (e) Purpose.--Each health ~~care~~ collaborative shall: <--

21 (1) Promote health and stabilize the economy of the  
22 region by directly supporting COVID-19 readiness and response  
23 in facilities.

24 (2) Improve the quality of care related to infection  
25 prevention and other priority health care conditions common  
26 to facilities.

27 (3) Expand COVID-19 testing to include asymptomatic  
28 staff and residents in facilities to expand public health  
29 surveillance.

30 Section 4. Duties.

1 (a) Review.--Each health collaborative shall perform daily  
2 strategic review of facilities in their region.

3 (b) Plan.--Through collaborative review of the clinical  
4 situation within facilities identified as having unmet needs, a  
5 health collaborative shall formulate an action plan tailored to  
6 the facility, identifying specific resources or tactical actions  
7 to implement to assist facilities.

8 (c) Components.--A health collaborative shall provide for  
9 the following as provided under section 5:

10 (1) Enhanced testing capability.

11 (2) Infection control consultation and implementation,  
12 including contact tracing.

13 (3) Advanced clinical care, including remote monitoring  
14 and physician consultation.

15 (d) Funds.--A health collaborative shall:

16 (1) budget for and distribute funds provided by the  
17 ~~authority~~ DEPARTMENT; and <--

18 (2) track and record the expense associated with each  
19 type of testing and with implementing infection control  
20 consultation across the region.

21 Section 5. Components.

22 (a) Enhanced testing.--

23 (1) If a facility experiences a positive test of COVID-  
24 19, testing of facility residents and health care workers  
25 shall be conducted. Onsite testing shall be made available  
26 through mobile testing teams developed by the health  
27 collaborative. The health collaborative shall coordinate the  
28 testing response with participation from local emergency  
29 medical services agencies and regional testing laboratories  
30 to prioritize receipt of test results.

1 (2) A health collaborative shall deploy systematic  
2 surveillance testing on a weekly basis using a random  
3 sampling of not more than five asymptomatic residents in a  
4 facility. Results of the testing shall be shared with all  
5 stakeholders and the Commonwealth.

6 (b) Infection control and consultation.--A health  
7 collaborative shall deploy clinical staff to perform onsite  
8 observation and consultation as part of the mobile testing team.  
9 The clinical staff shall:

10 (1) implement infection control practices, such as  
11 cohorting, personal protective equipment use, case detection  
12 and staffing practices; and

13 (2) facilitate completion of exposure tracing studies.

14 (c) Advanced clinical management assistance.--Clinical staff  
15 shall provide onsite and telemedicine-supported clinical care  
16 for a facility.

17 SECTION 6. EMERGENCY APPROPRIATIONS FOR HUMAN SERVICES. <--

18 (A) CONSTRUCTION WITH GENERAL APPROPRIATION ACT OF 2019.--  
19 ALL APPROPRIATIONS CONTAINED IN THIS SECTION SHALL BE IN  
20 ADDITION TO ANY APPROPRIATION UNDER THE ACT OF JUNE 28, 2019  
21 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF  
22 2019.

23 (B) APPROPRIATIONS TO DEPARTMENT OF HUMAN SERVICES.--  
24 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING  
25 AMOUNTS ARE APPROPRIATED TO THE DEPARTMENT OF HUMAN SERVICES FOR  
26 THE 2019-2020 FISCAL YEAR:

27 THE FOLLOWING FEDERAL  
28 AMOUNTS ARE APPROPRIATED TO  
29 SUPPLEMENT THE SUM APPROPRIATED  
30 FOR "MEDICAL ASSISTANCE - LONG-

1 TERM CARE":

2 (1) "COVID - MEDICAL  
3 ASSISTANCE - LONG-TERM CARE."

4 FEDERAL APPROPRIATION..... 449,000,000

5 THE FOLLOWING FEDERAL  
6 AMOUNTS ARE APPROPRIATED TO  
7 SUPPLEMENT THE SUM APPROPRIATED  
8 FOR "MEDICAL ASSISTANCE - LONG-  
9 TERM CARE - MANAGED CARE":

10 (1) "COVID - MEDICAL  
11 ASSISTANCE - LONG-TERM CARE -  
12 MANAGED CARE."

13 FEDERAL APPROPRIATION..... 8,000,000

14 THE FOLLOWING FEDERAL  
15 AMOUNTS ARE APPROPRIATED TO  
16 SUPPLEMENT THE SUM APPROPRIATED  
17 FOR "COMMUNITY HEALTHCHOICES":

18 (1) "COVID - COMMUNITY  
19 HEALTHCHOICES."

20 FEDERAL APPROPRIATION..... 50,000,000

21 THE FOLLOWING FEDERAL  
22 AMOUNTS ARE APPROPRIATED TO  
23 SUPPLEMENT THE SUM APPROPRIATED  
24 FOR INTELLECTUAL DISABILITIES -  
25 COMMUNITY WAIVER PROGRAM:

26 (1) "COVID - COMMUNITY ID  
27 WAIVER PROGRAM."

28 FEDERAL APPROPRIATION..... 259,280,000

29 THE FOLLOWING FEDERAL  
30 AMOUNTS ARE APPROPRIATED TO

1 SUPPLEMENT THE SUM APPROPRIATED  
2 FOR THE SUM APPROPRIATED FOR  
3 SERVICES TO PERSONS WITH AUTISM  
4 SPECTRUM DISORDERS:

5 (1) "COVID - AUTISM  
6 INTERVENTION SERVICES."

7 FEDERAL APPROPRIATION..... 720,000

8 Section ~~6~~ 7. Effective date.

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9 This act shall take effect immediately.