



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 1525

PRINTERS NO. 2023

PRIME SPONSOR: Ellis

### COST / (SAVINGS)

FUND	FY 2010/11	FY 2011/12
General Fund	\$0	\$490,000

**SUMMARY:** House Bill 1525, printer's number 2023, amends the act of December 21, 1989 (P.L. 672, No. 87), known as the Health Club Act, to further provide for employee being available to administer CPR. The effective date is 60 days after enactment.

**ANALYSIS:** The bill amends Section 14 of the Health Club Act by adding a subsection to allow health clubs that offer health club services during non-staffed hours to submit a written request to the director of the Office of Attorney General's Bureau of Consumer Protection for a waiver from the requirement to have CPR-trained staffer present.

The director of the Bureau of Consumer Protection may approve a waiver if the director determines that the portion of the health club's premises that health club members may access during non-staffed hours is not more than 6,000 square feet and is readily accessible to emergency services personnel from outside the health club. In addition, in order for the director to approve a waiver, the director must determine that the non-staffed hours portion of the health club must be equipped with the following:

- an automated external defibrillator (AED) and appropriate signage;
- a wall-mounted panic button that when activated sends an electronic signal to a public safety answering point that a person is in need of emergency services;
- a 911 telephone that provides automatic or easy access to a public safety answering point; and
- no less than four personal security devices designed to be worn around the neck of a person and when intentionally activated by the wearer sends an electronic signal to a public safety answering point or a remote monitoring station indicating that a person is in need of emergency services.

The health club must also provide instructions during member orientation sessions on the use of the health club during non-staffed hours and the use of the AED and emergency services equipment.

The bill would change the role of the Office of Attorney General from registration oversight to an inspection function. Health clubs are currently required to register with the Office of Attorney General under the Health Club Act, however the Office is not charged with inspecting health clubs or conducting reviews to ensure that municipal health or safety requirements are satisfied. House Bill 1525 would compel such a role in order to evaluate CPR-waiver requests and determine compliance with the law. Currently almost 1,200 health clubs are registered with the Office of Attorney General's Bureau of Consumer Protection.

**FISCAL IMPACT:** The enactment of this bill is estimated to result in additional costs of approximately \$490,000 for the Office of the Attorney General to provide for salaries and operating costs (extensive travel) for four additional Consumer Protection Agents to inspect the 1,200 registered Pennsylvania health clubs to make sure the health clubs meet the waiver requirements before any CPR-trained staffer waiver is granted. One additional administrative position would be needed to oversee the organization and maintenance of the data that would necessary to be collected and maintained to document that waiver requirements are satisfied. The Health Club Act requires health clubs to register annually with the Office of Attorney General. The bill is unclear as to whether health clubs must apply for the limited waiver on an annual basis as well. If the limited waiver approval process is required on a less than annual basis, costs for the Office of Attorney General will be less.

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House Appropriations Committee (R)

**DATE:** June 30, 2011

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*