



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2455

PRINTERS NO. 3697

PRIME SPONSOR: Lawrence

COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY: House Bill 2455, Printer's Number 3697, amends the Administrative Code to provide for local health department COVID-19 antibody testing and to add Article XXI-C, COVID-19 Emergency Testing Plan and Reporting. This legislation is effective immediately and expires 60 days after the expiration or termination of the proclamation of disaster emergency issued by the Governor on March 6, 2020 and any renewal of the state of disaster emergency.

ANALYSIS: This legislation adds Section 2127, Local Health Department COVID-19 Antibody Testing. Local health departments may notify the Secretary of Health in writing of the intent to implement serology tests to identify antibodies to the COVID-19 virus. Within 72 hours of notification from the local health department, the Secretary of Health shall authorize eligible state laboratories to facilitate and coordinate testing with respective local health departments. A local health department shall reimburse state laboratories for costs incurred for services performed. Individuals must be notified of their test results as soon as practicable and the local health department shall notify the PA Department of Health of the number of positive, false positive, negative and false negative tests daily.

HB 2455 adds Article XXI-C, COVID-19 Emergency Testing Plan and Reporting that requires the Governor or an authorized designee to submit a plan, consistent with the federal Paycheck Protection Program and Health Care Enhancement Act, for COVID-19 testing to the Secretary of the United States Department of Health and Human Services. The plan must delineate goals for the remainder of calendar year 2020 and shall include: the number of tests needed, month-by-month, including diagnostic, serological and other tests as appropriate; month-by-month estimates of laboratory and testing capacity, including capacity related to workforce, equipment and supplies and available tests; and a description of how the Commonwealth will use federal money appropriated for COVID-19 testing, including easing any COVID-19 community mitigation orders issued by the Governor. The General Assembly shall appropriate funds for COVID-19 testing upon approval or acceptance of the plan.

Funds appropriated for COVID-19 Emergency Testing Plan and Reporting may be used for any of the following: necessary expenses to research, develop, validate, manufacture, purchase, administer and expand capacity for COVID-19 tests; manufacturing, procurement and distribution of tests, testing equipment and testing supplies, including personal protective equipment needed to administer tests; the development and validation of rapid, molecular point-of-care tests; support for workforce and epidemiology; scaling up academic, commercial, public health and hospital laboratories, health care facilities and community-based testing sites; conducting surveillance and contact tracing; and supporting development of COVID-19 testing plans.

The Emergency Testing Plan and Reporting shall give initial testing priority to individuals who serve an essential health and safety function or who are at high-risk of contracting COVID-19. The following shall also be given priority:

- Employees of health care providers
- Staff and residents of nursing home facilities, assisted living residences, personal care homes, hospices and other congregate care settings
- Staff and recipients of home care, home health care, behavioral health care, intellectual disability and substance abuse disorder providers
- Emergency service and public safety personnel
- Employees of any business or industry deemed essential
- Any other category of individuals who serve an essential health and safety function or who are at high-risk of contracting COVID-19

The Department of Health shall submit a weekly report to designated members of the General Assembly that includes a summary of the following COVID-19-related information:

- The technology and supplies procured or acquired
- The administrative and operating costs of a State laboratory
- The number and type of completed tests by a State laboratory, including diagnostic and serology tests
- The number of positive, false positive, negative and false negative test results from completed tests
- A description of State laboratory testing limitations related to acquiring reagents or other components of the testing process
- Demographic test result data including age, sex, race and ethnicity

FISCAL IMPACT: Enactment of this legislation should have no adverse fiscal impact on Commonwealth funds. In regard to Section 2127, the only Department of Health requirement is to authorize state laboratories to facilitate and coordinate serology testing with local health departments. Regarding Article XXI-C, the Governor's Office should be able to prepare the COVID-19 Emergency Testing Plan and Reporting within existing resources. The resulting costs of the Plan could be paid from the federal funds appropriated for COVID-19 testing.

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House Appropriations Committee (R)

DATE: May 4, 2020

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