

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 848

PRINTER NO. 1277

AMOUNT

\$400,000

FUND

Professional Licensure Augmentation Account

DATE INTRODUCED

August 21, 2021

PRIME SPONSOR

Senator Mensch

DESCRIPTION

Senate Bill 848 amends Act 218 of 1905, which creates the Department of Health, to create the position of Chief Nursing Officer of the Commonwealth within the Department of Health. The bill outlines the powers and duties of the Secretary of Health, an advisory board, a Chief Nursing Officer and a Physician General.

The bill stipulates the following with regard to the Secretary of Health:

- Shall be head of the department and appointed by the Governor, with advice and consent of the Senate of Pennsylvania;
- Shall be a graduate of an accredited medical or osteopathic medical school and a practicing physician licensed by the Commonwealth or an individual with professional experience in the field of public health, health services delivery or education or training of health service professionals; and
- Shall serve at the pleasure of the Governor.

Senate Bill 848 outlines the following with regard to the Physician General (PG):

- There shall be an office of the PG within the administrative structure of the department;
- Shall be appointed by the Governor, with advice and consent of the Senate of Pennsylvania;
- Shall be provided adequate staff and other support as needed by the department;
- Shall be a graduate of an accredited medical or osteopathic medical school and be a practicing physician licensed by the Commonwealth;
- May provide a designee to serve in the PG's stead;
- Shall serve at the pleasure of the Governor; and
- Shall have the following duties:
 - To advise the Governor and secretary on health policy;

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- To participate in the decision-making process of the department on policies relating to all medical and public health-related issues and in the decision-making process of other executive branch agencies as directed by the Governor;
- To review professional standards and practices in medicine and public health which are related to matters within the jurisdiction of the department and other executive branch agencies;
- To consult with recognized experts on medical and public health matters which are within the jurisdiction of the department and other executive branch agencies;
- To provide advice on medical and public health issues to the secretary and to other executive branch agencies;
- To coordinate educational, informational and other programs for the promotion of wellness, public health and related medical issues in this Commonwealth and serve as the primary advocate for these programs;
- Consult with experts in this Commonwealth and other states regarding medical research, innovation and development which relate to programs and issues of importance to the department and the Commonwealth;
- Perform other duties as directed by the Governor; and
- Serve as a voting member of the State Board of Medicine and the State Board of Osteopathic Medicine when the secretary is not a physician.

The bill establishes the following with regard to the Chief Nursing Officer (CNO) of the Commonwealth:

- There shall be an office of the CNO within the administrative structure of the department;
- Shall be appointed by the Governor with the advice and consent of the Senate of Pennsylvania;
- Shall be provided with adequate staff and other support as needed by the department;
- Shall be the following:
 - A graduate of an accredited school of nursing;
 - A practicing nurse licensed by the Commonwealth; and
 - A registered nurse with an unencumbered license issued by the Commonwealth who has at least ten years of working experience as a registered nurse and who has an advanced degree in nursing or public health.
- Shall serve at the pleasure of the Governor;
- Shall have the following duties:
 - To advise the Governor and the secretary of health policy;

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- To participate in the decision-making process of the department on policies relating to all nursing and public health-related issues and in the decision-making process of other executive branch agencies as directed by the Governor;
- To review professional standards and practices in nursing and public health which are related to matters within the jurisdiction of the department and other executive branch agencies;
- To consult with recognized experts on nursing and public health matters which are within the jurisdiction of the department and other executive branch agencies;
- To provide advice on nursing and public health issues to the secretary and to other executive branch agencies;
- To coordinate educational, informational and other programs for the promotion of wellness, public health and related nursing issues in this Commonwealth and serve as the primary advocate for these programs;
- To consult with experts in this Commonwealth and other states regarding health care research, innovation and development which relate to programs and issues of importance to the department and the Commonwealth;
- Perform other duties as directed by the Governor; and
- Serve as a voting member of the State Board of Nursing.
- Stipulates the following with regard to the CNO:
 - Shall serve as one of the six registered nurses appointed by the Governor to serve on the State Board of Nursing. The majority of the members elected to the Senate shall not advise and consent to the CNO serving on the State Board of Nursing;
 - May appoint a designee to serve on the State Board of Nursing. If the CNO appoints a designee, the designee shall be a registered nurse and shall only serve as the designee with the advice and consent of the majority of the members elected to the Senate; and
 - Upon the first vacancy on the State Board of Nursing after the effective date of this clause, the CNO, or the CNO's designee, shall become a member of the State Board of Nursing. The CNO or the CNO's designee shall become a permanent designated member of the State Board of Nursing.
- Provides funding for the office of the CNO from the Professional Licensure Augmentation Account; and
- Clarifies that nothing in the CNO subsection of the law shall permit the CNO to act independently of the Secretary.

This act shall take effect in 60 days.

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FISCAL IMPACT:

Senate Bill 848 is estimated to cost \$400,000 to the Commonwealth from the Professional Licensure Augmentation Account. This estimate is assuming that the Chief Nursing Office will replicate the staffing patterns in the Physician General's Office. The estimated annual cost for the Physician General's Office is \$400,000 which is primarily personnel cost and benefits for three employees: the Physician General, an assistant and a clerical staff person.

There is a provision in the bill to provide funding from the Department of State's Professional Licensure Augmentation Account to the Department of Health for use in the performance of the duties of the Office of Chief Nursing Officer. The Department of State's Professional Licensure Augmentation Account is funded solely from the fees and fines collected by the licensing boards and commissions, so no General Fund dollars will be required for the implementation of Senate Bill 848.