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TO: All Senators

SEP 27 2011

FROM: Senator Dave Argall *DA*

DATE: September 26, 2011

SUBJECT: PA Health Club Act

In the near future, I will be introducing legislation amending the Health Club Act (Act 87 of 1989) to allow clubs to offer safe, convenient access to exercise at times that best fit into each individual's schedule. For many individuals it is not always convenient or possible to exercise during a health club's traditional hours of operation, and those who work in fields such as health care and law enforcement often have a work schedule that limits the time they have available for exercise to non-traditional hours.

In order to better serve these individuals, some health clubs would like the flexibility to be able to offer access to club facilities during non-traditional hours. However, under current law in order to provide access to their facilities during non-traditional hours, health clubs must have a CPR certified employee present.

My legislation will provide a safe alternative to the CPR staffing requirement by allowing a club to receive a limited waiver from the Bureau of Consumer Protection within the Attorney General's Office if certain safeguards are provided. Under my bill the following criteria must be met in order to receive a waiver: the area to be accessed may not be more than 6,000 square feet and must be readily accessible to emergency services responders from outside of the health club; the area must have safety equipment - an AED, a panic button, a 911 telephone and at least four personal security devices; individuals using the health club must have received instruction on use of this safety equipment; and signs must be posted indicating the location of all safety equipment and instructions for its use. In addition to these requirements, many health clubs that would like to provide non-traditional hours access to members already have other enhanced security features such as keycard access and surveillance systems to prevent "tailgater" entry. Currently, citizens in 48 other states enjoy the benefits of exercise at health clubs during non-traditional hours when safety features as I am proposing are present.

The Health Club Act does not apply to non-profit organizations, like YMCAs.

If you would like to co-sponsor this legislation please contact Susan Bentzel at sbentzel@pasen.gov or 7-2637.