

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 559 Session of 2021

INTRODUCED BY ARGALL, BROOKS, PHILLIPS-HILL, STEFANO, MENSCH, YUDICHAK, SCAVELLO, PITTMAN AND J. WARD, APRIL 13, 2021

SENATOR ARGALL, STATE GOVERNMENT, AS AMENDED, MAY 11, 2021

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in access to public records during disaster
22 declaration, further providing for definitions and for public
23 records under Right-to-Know Law.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 2801-H of the act of April 9, 1929
27 (P.L.177, No.175), known as The Administrative Code of 1929, is
28 amended by adding definitions to read:

1 Section 2801-H. Definitions.

2 The following words and phrases when used in this article
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 * * *

6 "Vaccine." A vaccine intended to provide acquired immunity
7 against severe acute respiratory syndrome coronavirus 2 (SARS-
8 coV-2), the virus causing coronavirus disease 2019 (COVID-19).

9 "Wasted vaccine." A vial of vaccine that is accidentally
10 broken or vaccine that is drawn up and not administered.

11 Section 2. ~~Section 2805-H of the act~~ INTRODUCTORY PARAGRAPH <--
12 OF THE ACT, ADDED JULY 27, 2020 (P.L.702, NO.77), IS AMENDED AND
13 THE SECTION is amended by adding a paragraph to read:

14 Section 2805-H. Public records under Right-to-Know Law.

15 Subject to section 708 of the act of February 14, 2008
16 (P.L.6, No.3), known as the Right-to-Know Law, the following
17 information shall be considered a public record under the Right-
18 to-Know Law **[during a disaster declaration]**: <--

19 * * *

20 (4) Notwithstanding section 3101.2 of the Right-to-Know
21 Law and the act of April 23, 1956 (1955 P.L.1510, No.500),
22 known as the Disease Prevention and Control Law of 1955, the
23 number of vaccines administered and the number of wasted
24 vaccines. IF A VACCINE IS WASTED, THE NAME OF THE PROVIDER, <--
25 PROVIDER'S CLINIC OR ORGANIZATION THAT REPORTS A WASTED
26 VACCINE, INCLUDING THE NUMBER OF WASTED VACCINES THE
27 PROVIDER, PROVIDER'S CLINIC OR ORGANIZATION REPORTS AND THE
28 REASON FOR THE REPORTED WASTED VACCINE, SHALL BE A PUBLIC
29 RECORD AND SHALL BE REPORTED BY THE DEPARTMENT OF HEALTH ON A
30 PUBLICLY ACCESSIBLE INTERNET WEBSITE. AS USED IN THIS

1 PARAGRAPH, THE TERM "PROVIDER" SHALL MEAN ANY ENROLLED COVID-
2 19 VACCINE PROVIDER THAT HAS ENTERED INTO AN AGREEMENT WITH
3 THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND HAS BEEN
4 ALLOCATED VACCINE BY THE DEPARTMENT OF HEALTH.

5 Section 3. This act shall take effect in ~~60~~ 30 days.

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