

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1159 Session of  
1983

INTRODUCED BY SHAFFER, PECORA, REIBMAN, HELFRICK, ANDREZESKI,  
STAPLETON, O'CONNELL AND SHUMAKER, NOVEMBER 30, 1983

REFERRED TO MILITARY AND VETERANS AFFAIRS, NOVEMBER 30, 1983

AN ACT

1 Amending the act of April 29, 1982 (P.L.355, No.99), entitled  
2 "An act establishing a Vietnam Herbicides Information  
3 Commission; imposing powers and duties on the commission;  
4 granting additional powers and duties to the Department of  
5 Health and making an appropriation," designating dioxin as a  
6 specific herbicide to be studied by the commission; extending  
7 the life of the commission; extending the deadline for making  
8 its final report; empowering the commission to initiate an  
9 epidemiological study; revising content requirements of  
10 report forms; and making an editorial change.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Sections 2, 3(f), 7, 8, 9 and 12 of the act of  
14 April 29, 1982 (P.L.355, No.99), known as the Vietnam Herbicides  
15 Information Act, are amended to read:

16 Section 2. Definitions.

17 The following words and phrases when used in this act shall  
18 have, unless the context clearly indicates otherwise, the  
19 meanings given to them in this section:

20 "Agent Orange." The herbicide composed of [tri-chlorphenoxy  
21 acitic] trichlorophenoxyacetic acid and [di-chlorphenoxyacitic]

1 dichlorophenoxyacetic acid and the contaminant dioxin (TCDD).

2 "Commission." The Vietnam Herbicides Information Commission  
3 established pursuant to section 3.

4 "Department." The Department of Health of the Commonwealth  
5 of Pennsylvania.

6 "Secretary." The Secretary of Health of the Commonwealth of  
7 Pennsylvania.

8 "Veteran." A person who was a resident of the Commonwealth  
9 at the time of his induction into the Armed Forces of the United  
10 States of America or is a resident of this Commonwealth who  
11 served in the armed forces during the years 1961-1972.

12 "Vietnam herbicide." The herbicides, defoliants and other  
13 causative agents containing dioxin, including Agent Orange, used  
14 in the Vietnam Conflict.

15 Section 3. The Vietnam Herbicides Information Commission.

16 \* \* \*

17 (f) The commission shall be established for a period of  
18 [two] five years.

19 \* \* \*

20 Section 7. Reports.

21 The commission shall make a preliminary report to the  
22 Governor and the Legislature of its findings, conclusions and  
23 recommendations not later than November 30, 1982 and a final  
24 report of its findings, conclusions and recommendations not  
25 later than June 30, [1983] 1987.

26 Section 8. Duties of the Department of Health.

27 For the purpose of identifying persons who were exposed to  
28 Vietnam herbicides and for the purpose of compiling data on the  
29 health effects of this exposure, the department shall:

30 (1) Establish, promote and maintain a public information

1 program on Vietnam herbicides. Such program shall be  
2 coordinated with the Department of Military Affairs and the  
3 Governor's Outreach and Assistance Centers and shall include,  
4 but may not be limited to, assistance in the commission's  
5 efforts to contact veterans who were exposed to the herbicide  
6 containing dioxin.

7 (2) Establish, maintain and promote a reporting process  
8 for veterans who were exposed to herbicides, defoliants and  
9 other causative agents, including Agent Orange.

10 (3) Maintain a central data bank within the department  
11 for information collected on the health effects of exposure  
12 to Vietnam herbicides and for the cataloguing of existing  
13 scientific and medical literature on the health effects of  
14 this exposure.

15 (4) Initiate education for health professionals to  
16 assist them in understanding the potential risks and state-  
17 of-art knowledge with regard to detection, diagnosis and  
18 treatment of acute and chronic symptoms associated with  
19 Vietnam herbicides exposure. The education component should  
20 utilize existing resources, such as the informational films  
21 prepared by the Veterans Administration, whenever possible.

22 (5) Initiate an epidemiological study or studies of the  
23 health effects of exposure to herbicides, defoliants and  
24 other causative agents, including Agent Orange.

25 Section 9. Reports to the department.

26 (a) A physician who has primary responsibility for treating  
27 a veteran who believes he may have been exposed to chemical  
28 herbicides or defoliants, including Agent Orange, while serving  
29 in the Armed Forces of the United States, shall, at the request  
30 of the veteran, submit a report to the department on a form

1 provided by the department. If there is no physician having  
2 primary responsibility for treating the veteran, the hospital  
3 treating the veteran shall, at the request of the veteran,  
4 submit the report to the department.

5 (b) The form provided by the department to the physician  
6 shall be similar in content to the forms being used by the  
7 Veterans Administration in their Agent Orange Registry Program  
8 and shall request the following information:

9 (1) Symptoms of the veteran.

10 (2) Diagnosis of the veteran.

11 (3) Methods of treatment prescribed.

12 [(4) Dates of military service in Vietnam and the  
13 locations in Vietnam where the veteran served.]

14 (c) The department may require the veteran to provide such  
15 other information as determined by the secretary of the  
16 department.

17 Section 12. Report by department.

18 The department shall make an annual report to the Legislature  
19 of its findings and recommendations concerning the  
20 effectiveness, impact and benefits derived from the special  
21 policies as provided for in this act. Such report shall be  
22 delivered on or before March 1 and shall contain evaluations of  
23 the policies and any legislation deemed necessary and proper to  
24 the House Federal-State Relations [Committee] and Military and  
25 Veterans Affairs Committees and the Senate Military and Veterans  
26 Affairs Committee.

27 Section 2. This act shall take effect immediately.