

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 355 Session of  
2007

INTRODUCED BY SANTONI, CALTAGIRONE, COHEN, CURRY, EACHUS,  
FRANKEL, FREEMAN, GERGELY, GOODMAN, HENNESSEY, KOTIK, LEACH,  
MAHONEY, PETRONE, READSHAW, SCAVELLO, SOLOBAY, STABACK,  
STURLA, THOMAS, WALKO, WOJNAROSKI, YOUNGBLOOD AND COSTA,  
FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
FEBRUARY 9, 2007

AN ACT

1 Amending the act of August 24, 1951 (P.L.1304, No.315),  
2 entitled, as amended, "An act to improve local health  
3 administration throughout the Commonwealth by authorizing the  
4 creation, establishment and administration of single-county  
5 or joint-county departments of health in all counties;  
6 exempting certain municipalities from the jurisdiction of  
7 single-county or joint-county departments of health;  
8 permitting the dissolution of departments or boards of health  
9 in certain municipalities; authorizing State grants to  
10 counties which establish departments of health and to certain  
11 municipalities if they meet prescribed requirements;  
12 conferring powers and duties upon the State Department of  
13 Health in connection with the creation, establishment and  
14 administration of single-county or joint-county departments  
15 of health and administration of the health laws in parts of  
16 certain municipalities not subject to the jurisdiction of  
17 single-county or joint-county departments of health, and the  
18 administration of State grants; and repealing an act which  
19 confers health powers upon counties of the first class,"  
20 defining "public health emergency"; providing for public  
21 health emergency response, for public health monitoring and  
22 for public health assessment; and further providing for State  
23 grants to county departments of health and to certain  
24 municipalities.

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

27 Section 1. Section 3 of the act of August 24, 1951

1 (P.L.1304, No.315), known as the Local Health Administration  
2 Law, is amended by adding a subsection to read:

3 Section 3. Definitions.--The following terms, whenever used  
4 in this act, have the meanings indicated in this section, except  
5 where the context indicates a clearly different meaning:

6 \* \* \*

7 (j) Public health emergency." An occurrence or imminent  
8 threat of an illness or health condition, caused by  
9 bioterrorism, epidemic or pandemic disease or novel and highly  
10 infectious agent or biological or chemical toxin, that poses a  
11 substantial risk of human fatality or long-term disability, or  
12 an occurrence where such illness or health condition results  
13 from a natural or man-made disaster.

14 Section 2. The act is amended by adding sections to read:

15 Section 10.1. Public Health Emergency Response.--The county  
16 departments of health shall plan for and respond to public  
17 health emergencies within their jurisdiction. Such plans shall  
18 include:

19 (1) reasonable and appropriate mechanisms for monitoring the  
20 potential for and the spread of an event which could or does  
21 pose a public health emergency;

22 (2) reliable testing and evaluation in order to determine  
23 the presence of a public health emergency;

24 (3) mechanisms for identifying and treating all individuals  
25 thought to have been exposed to an illness or health condition  
26 resulting in a public health emergency;

27 (4) provisions for quarantining and isolating individuals  
28 and groups who may have been exposed to or infected by a  
29 contagious or infectious agent;

30 (5) provisions for providing mass inoculations or treatment

for individuals who have been exposed or could reasonably be expected to be exposed to a contagious or infectious agent, including the stockpiling of inoculations, vaccines, immunizing agents, antibiotics, serums, antitoxins, medications and medical supplies as may be deemed appropriate;

(6) provisions for closing, evacuating and decontaminating facilities where there is reasonable cause to believe that a condition may endanger the public health;

(7) provisions for dealing with the victims of a public health emergency, including corpses;

(8) provisions for disposing of contaminated materials and supplies;

(9) an inventory of resources available to the county to respond to a public health emergency; and

(10) provisions for commanding the use of such resources as may be necessary to reasonably respond to a public health emergency.

Section 10.2. Public Health Monitoring.--A county department of health shall create systems, including electronic means, to monitor and collect data and other information that will enable the county department of health to determine if a public health emergency is imminent.

Section 10.3. Public Health Assessment.--A county department of health shall collect baseline health status data, disease data and other data and information that will allow the county to assess the health status of the residents of the county and evaluate the success of any public health improvement effort.

Section 3. Section 25(d) of the act, amended December 17, 1990 (P.L.717, No.179), is amended and the section is amended by adding subsections to read:

Section 25. State Grants to County Departments of Health and  
to Certain Municipalities.--\* \* \*

(d) Environmental Health Services.--The Commonwealth shall  
pay an additional annual grant of not more than [one dollar and  
fifty cents (\$1.50)] three dollars (\$3.00) per capita resident  
to each county department of health or department or board of  
health of a municipality eligible for grants under this act for  
environmental health services provided by the county or  
municipality.

As used in this subsection "environmental health services"  
means services such as but not limited to air and noise  
pollution control, restaurant and wholesale food inspection,  
rodent and vector control, water and sewage inspection, housing  
code enforcement and other similar services in addition to other  
local health grants for public health services.

(e) Planning and Incentive Grants.--(1) In order to  
stimulate local and regional public health infrastructure, the  
Department of Health shall offer counties which do not have a  
county department of health or are not participating in a joint-  
county department of health on the effective date of this  
subsection one-time grants to enable them to plan for the  
development of a local department of health. The maximum grant  
awarded to any county for planning under this subsection shall  
be fifty thousand dollars (\$50,000).

(2) The Department of Health shall offer incentive grants to  
counties which do not have a county department of health or are  
not participating in a joint-county department of health on the  
effective date of this subsection to assist them in the costs of  
creating a county department of health. The maximum incentive  
grant offered to any county under this subsection shall be five

1 hundred thousand dollars (\$500,000).

2 (f) Public Health Emergency Planning Grants.--County  
3 departments of health, joint-county departments of health and  
4 municipal health departments certified by the Secretary of  
5 Health pursuant to this act shall receive a grant from the  
6 Department of Health to develop a local public health emergency  
7 plan pursuant to this act. Such grants shall be either seven and  
8 one-half cents (7 1/2¢) per capita resident or one hundred  
9 thousand dollars (\$100,000), whichever amount is greater.

10 (g) Public Health Monitoring Grants.--County departments of  
11 health, joint-county departments of health and municipal health  
12 departments certified by the Secretary of Health pursuant to  
13 this act shall receive a one-time implementation grant from the  
14 Department of Health to develop a health monitoring system  
15 pursuant to this act. Such grants shall be for no more than two  
16 hundred and fifty thousand dollars (\$250,000). After such  
17 monitoring systems are implemented, counties shall receive a  
18 monitoring system maintenance payment equal to ten cents (10¢)  
19 per capita resident.

20 Section 4. This act shall take effect July 1, 2007, or  
21 immediately, whichever is later.