
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 276 Session of
2007

INTRODUCED BY O'PAKE, MELLOW, COSTA, LAVALLE, BOSCOLA, RHOADES,
MUSTO, FONTANA, TARTAGLIONE, ORIE, STOUT, WOZNIAK, RAFFERTY,
KASUNIC, WASHINGTON, ERICKSON, KITCHEN, LOGAN AND STACK,
MARCH 8, 2007

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 8, 2007

AN ACT

1 Providing for State assistance for certain cancer screening;
2 conferring powers and duties on the Department of Health;
3 establishing the Cancer Screening Fund; and making an
4 appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Cancer
9 Screening Assistance Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Claimant." A citizen of this Commonwealth who seeks payment
15 for screening.

16 "Department." The Department of Health of the Commonwealth.

17 "Fund." The Cancer Screening Fund established in section 4.

18 "Income." Includes earned and unearned income.

1 "Screening." Any of the following:

2 (1) A mammogram.

3 (2) A prostate specific antigen test.

4 (3) A fecal-occult blood test or flexible sigmoidoscopy
5 for early detection of colorectal cancer or a colonoscopy in
6 the case of a high-risk individual, or where medically
7 necessary, a barium enema.

8 Section 3. Department.

9 The department has the following powers and duties:

10 (1) Administer this act.

11 (2) Utilize the fund under section 4(b).

12 (3) Promulgate regulations to implement this act.

13 Section 4. Fund.

14 (a) Establishment.--The Cancer Screening Fund is established
15 as a separate fund in the State Treasury.

16 (b) Purpose.--The purpose of the fund is to make payments
17 for screening under section 5.

18 (c) Source.--The source of the fund is appropriations. Money
19 in the fund is continuously appropriated to the fund. The
20 appropriation shall not lapse at the end of any fiscal year.

21 Section 5. Screening.

22 (a) Program.--The department shall make payments under
23 subsection (d) for claimants who are eligible under subsection
24 (b).

25 (b) Eligibility.--To be eligible for payment under
26 subsection (d), a claimant must establish to the satisfaction of
27 the department all of the following:

28 (1) The claimant meets the following age qualifications:

29 (i) If the claimant is a woman, she is at least 40
30 years of age.

1 (ii) If the claimant is a man, he is at least 50
2 years of age.

3 (2) The claimant earns less than the income specified by
4 regulations of the department.

5 (3) The claimant does not have medical insurance which
6 will cover screening.

7 (4) The claimant is not eligible for assistance under
8 Subarticle (f) of Article IV of the act of June 13, 1967
9 (P.L.31, No.21), known as the Public Welfare Code.

10 (c) Procedure.--

11 (1) A claimant must submit an application on a form
12 prescribed by the department.

13 (2) Within 30 days of receipt of the application, the
14 department shall make one of the following determinations:

15 (i) Eligibility.

16 (ii) Ineligibility. A determination under this
17 subparagraph includes a reason for the determination.

18 (3) Failure to meet the time requirement of paragraph
19 (2) or the reason requirement of paragraph (2)(ii) shall be
20 deemed a determination of eligibility.

21 (4) A determination under this subsection is subject to
22 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure
23 of Commonwealth agencies) and 7 Subch. A (relating to
24 judicial review of Commonwealth agency action).

25 (d) Payment.--The department shall provide a claimant who is
26 determined to be eligible under subsection (c) with a voucher
27 obligating the department to pay the health care provider a
28 stated amount for the screening performed upon the payment.

29 Section 19. Appropriation.

30 The sum of \$1,500,000 is hereby appropriated to the Cancer

1 Screening Fund for the fiscal year July 1, 2007, to June 30,
2 2008, to carry out the provisions of this act. This
3 appropriation is subject to section 4(c).

4 Section 20. Effective date.

5 This act shall take effect as follows:

6 (1) This section shall take effect immediately.

7 (2) Section 5 shall take effect on the effective date of
8 regulations promulgated under section 3(3).

9 (3) The remainder of this act shall take effect in 60
10 days.