

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1828 Session of  
2013

---

INTRODUCED BY M. K. KELLER, EVANKOVICH, EVERETT, GINGRICH,  
C. HARRIS, MILLARD, R. MILLER, MOUL, MUSTIO, ROCK, SONNEY AND  
SWANGER, NOVEMBER 12, 2013

---

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, NOVEMBER 12, 2013

---

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as  
2 reenacted and amended, "An act defining the liability of an  
3 employer to pay damages for injuries received by an employe  
4 in the course of employment; establishing an elective  
5 schedule of compensation; providing procedure for the  
6 determination of liability and compensation thereunder; and  
7 prescribing penalties," in additional coverages, further  
8 providing for reimbursement.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 602 of the act of June 2, 1915 (P.L.736,  
12 No.338), known as the Workers' Compensation Act, reenacted and  
13 amended June 21, 1939 (P.L.520, No.281), added June 19, 2002  
14 (P.L.419, No. 60), is amended to read:

15 Section 602. (a) The following shall apply:

16 (1) A municipality or an area of a municipality which  
17 receives emergency services pursuant to a contract, standing  
18 agreement or arrangement from a volunteer emergency service  
19 provider located in a host municipality shall reimburse the host  
20 municipality under the provisions of either clause (2) or (3).

1 Discounts received by the host municipality, for premiums or for  
2 premium volume, which are unrelated to the emergency services  
3 shall not be included in the calculation to determine the  
4 contribution of others to the host municipality under this  
5 clause.

6 (2) Reimbursement under clause (1) shall be for a portion of  
7 the cost of the workers' compensation premiums covering the  
8 members of the volunteer emergency service provider. The  
9 appropriate portion of the cost shall be determined as follows:

10 (i) Determine the population ratio of the municipality or  
11 the area of the municipality receiving emergency services to the  
12 entire population (host municipality and the municipality or the  
13 area of the municipality) receiving emergency services from the  
14 volunteer emergency service provider. The following shall apply:

15 (A) No segment of the population of the municipality or area  
16 of the municipality receiving emergency services may be included  
17 in more than one service area for purposes of calculating the  
18 ratio under subclause (i).

19 (B) If the first due area for fire protection services and  
20 the first due area for emergency medical services differ within  
21 a municipality or an area of a municipality receiving emergency  
22 services, then the ratio under subclause (i) shall be calculated  
23 using the first due area for fire protection services.

24 (ii) Multiply the ratio under subclause (i) by the host  
25 municipality's entire cost of the workers' compensation premium  
26 for covering members of the volunteer emergency service  
27 provider.

28 (3) The host municipality and the municipality receiving the  
29 emergency services may agree to share the cost on some other  
30 basis.

1 (b) As used in this section:

2 "Emergency services" shall mean any of the following:

3 (i) Fire protection services.

4 (ii) Ambulance services.

5 (iii) Emergency medical services.

6 (iv) Quick response services.

7 (v) Emergency management services.

8 (vi) Rescue and lifesaving services.

9 (vii) Hazardous material support services.

10 (viii) Certified hazardous materials response services.

11 "Host municipality" shall mean a municipality that is  
12 responsible for workers' compensation premiums for an emergency  
13 service provider located within its corporate boundaries.

14 "Volunteer emergency service provider" shall mean any of the  
15 following:

16 (i) A volunteer fire company.

17 (ii) A volunteer ambulance corps.

18 (iii) A volunteer quick response service.

19 (iv) A volunteer rescue and lifesaving squad.

20 (v) A volunteer hazardous materials support team.

21 (vi) A volunteer certified municipal emergency management  
22 coordinator.

23 (vii) A volunteer hazardous materials response team.

24 Section 2. This act shall take effect in 60 days.