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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 177 Session of  
2013

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INTRODUCED BY GREENLEAF, ERICKSON, FARNESE, MENSCH, KASUNIC,  
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COSTA, BOSCOLA, BAKER AND MCILHINNEY, JANUARY 17, 2013

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REFERRED TO PUBLIC HEALTH AND WELFARE, JANUARY 17, 2013

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AN ACT

1 Establishing a task force on Lyme disease and related maladies;  
2 and providing for powers and duties of the task force, the  
3 Department of Health, the Department of Conservation and  
4 Natural Resources and the Pennsylvania Game Commission to  
5 execute prevention and education strategies.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Lyme and  
10 Related Tick-Borne Disease Surveillance, Education, Prevention  
11 and Treatment Act.

12 Section 2. Findings.

13 The General Assembly finds that:

14 (1) Lyme disease and other tick-borne diseases are  
15 carried primarily by ticks and pose a serious threat to the  
16 health and quality of life of many citizens of this  
17 Commonwealth.

18 (2) The most common way to acquire Lyme disease is to be

1 bitten by a tick that carries the spirochete.

2 (3) In 2009, 5,722 cases of Lyme disease were reported  
3 in this Commonwealth, the highest number of cases reported in  
4 any state, and representing a 76% increase since 2006. In  
5 2011, provisional numbers of 7,484 cases confirm this ongoing  
6 upward trend.

7 (4) These trends illustrate the World Health  
8 Organization's (WHO) projections through 2100. The WHO states  
9 that Lyme disease will increasingly become a public health  
10 threat in the United States. Pennsylvania needs to be  
11 prepared to deal with this trend, which is already being  
12 observed in Pennsylvania's statistics.

13 (5) Lyme disease is most prevalent in Southeastern  
14 Pennsylvania, but it is found across this Commonwealth.

15 (6) With proper precautions taken while engaged in  
16 outdoor activities, people can greatly reduce their chances  
17 of tick pathogen transmission by making sure that frequent  
18 tick checks are made and ticks are removed and disposed of  
19 promptly and properly.

20 (7) The early clinical diagnosis and appropriate  
21 treatment of these tick-borne disorders and diseases can  
22 greatly reduce the risks of continued symptoms which can  
23 affect every system and organ of the human body and often  
24 every aspect of life.

25 (8) Left untreated, Lyme disease can cause a number of  
26 signs and symptoms which can become quite severe.

27 Section 3. Legislative intent.

28 It is the intent of the General Assembly:

29 (1) To provide the public with information and education  
30 to create greater public awareness of the dangers of and

1 measures available to prevent, diagnose and treat Lyme  
2 disease and related maladies.

3 (2) To ensure that:

4 (i) Licensees, insurers, patients and governmental  
5 agencies are educated about treatment options.

6 (ii) Licensees provide patients with sufficient  
7 information about treatment options to enable patients to  
8 make an informed choice as part of informed consent and  
9 to respect the autonomy of that choice.

10 (iii) Pennsylvania government agencies provide  
11 unbiased information regarding treatment options.

12 Section 4. Definitions.

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

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

17 "Licensee." A licensed physician, a physician's assistant, a  
18 certified registered nurse practitioner or other licensed health  
19 care professional.

20 "Lyme disease." The clinical diagnosis of a patient by a  
21 licensed physician or certified registered nurse practitioner of  
22 the presence of signs or symptoms compatible with acute, late-  
23 stage, persistent infection with *Borrelia burgdorferi* or  
24 complications related to such infection or with such other  
25 strains of *Borrelia* that are recognized by the Centers for  
26 Disease Control and Prevention as a cause of Lyme disease. The  
27 term includes infection that meets the surveillance criteria  
28 established by the Centers for Disease Control and Prevention  
29 and other acute and persistent manifestations of such an  
30 infection as determined by a physician.

1 "Related tick-borne illness." A case of Bartonella,  
2 babesiosis/piroplasmosis, anaplasmosis, ehrlichiosis or other  
3 tick-transmissible illness. The term does not include Lyme  
4 disease.

5 "Secretary." The Secretary of Health of the Commonwealth.

6 "State officials." The term includes the Secretary of  
7 Environmental Protection of the Commonwealth.

8 "Task force." The task force established by this act.  
9 Section 5. Task force.

10 (a) Establishment.--The department shall establish a task  
11 force on Lyme disease and related tick-borne diseases.

12 (b) Purpose.--The task force shall investigate and make  
13 recommendations to the department regarding:

14 (1) The surveillance and prevention of Lyme disease and  
15 related tick-borne illnesses in this Commonwealth.

16 (2) Raising awareness about the long-term effects of the  
17 misdiagnosis of Lyme disease.

18 (3) Development of a program of general public and  
19 health care professional information and education regarding  
20 Lyme disease which shall include the broad spectrum of  
21 scientific and treatment options regarding all stages of Lyme  
22 disease and related tick-borne illnesses.

23 (4) Cooperation with the Pennsylvania Game Commission to  
24 disseminate the information required under paragraph (3) to  
25 licensees of the commission and the general public.

26 (5) Cooperation with the Department of Conservation and  
27 Natural Resources to disseminate the information required  
28 under paragraph (3) to the general public and visitors of  
29 State parks and lands.

30 (6) Cooperation with the Department of Education to:

1 (i) Disseminate the information required under  
2 paragraph (3) to school administrators, faculty and  
3 staff, parents, guardians and students.

4 (ii) Determine what role schools may play in the  
5 prevention of Lyme disease, including, but not limited  
6 to, prompt removal and reporting of tick removals to  
7 State officials.

8 (iii) Update policies to recognize signs or symptoms  
9 of Lyme disease and related tick-borne illnesses as  
10 health conditions potentially requiring accommodations.

11 (7) Cooperation of the Department of Environmental  
12 Protection to test ticks and provide results and to publish  
13 infection rates on its publicly accessible Internet website.

14 (c) Composition.--The task force shall be composed of the  
15 following individuals:

16 (1) The secretary or a designee.

17 (2) The Secretary of the Commonwealth or a designee.

18 (3) The Secretary of Education or a designee.

19 (4) The Deputy Secretary for Parks and Forestry in the  
20 Department of Conservation and Natural Resources or a  
21 designee.

22 (5) The Director of the Bureau of Information and  
23 Education of the Pennsylvania Game Commission or a designee.

24 (6) Two physicians licensed in this Commonwealth who are  
25 knowledgeable concerning treatment of Lyme disease and  
26 related tick-borne illness and who are members of the  
27 International Lyme and Associated Diseases Society.

28 (7) Two physicians licensed in this Commonwealth who are  
29 knowledgeable concerning treatment of Lyme disease and  
30 related tick-borne illness and who are members of the

1 Infectious Diseases Society of America.

2 (8) An epidemiologist licensed in this Commonwealth who  
3 has expertise in spirochetes and related infectious diseases.

4 (9) Two individuals who represent Lyme disease patient  
5 groups who may be a Lyme disease patient or a family member  
6 of a Lyme disease patient.

7 (10) One individual who is a Lyme disease patient or  
8 family member of a Lyme disease patient.

9 (11) Two registered nurses licensed in this  
10 Commonwealth, one of whom is a certified registered nurse  
11 practitioner and both of whom are knowledgeable concerning  
12 Lyme disease and related tick-borne illness.

13 (12) The Director of Vector Management of the  
14 Department of Environmental Protection.

15 (13) An entomologist with the Department of Entomology  
16 of The Pennsylvania State University who has experience in  
17 tick identification and tick borne diseases.

18 (14) A registered school nurse licensed in this  
19 Commonwealth who is knowledgeable concerning Lyme disease and  
20 related tick-borne illness.

21 (15) Two veterinarians licensed in this Commonwealth, at  
22 least one of whom is a veterinary epidemiologist and both of  
23 whom are knowledgeable concerning Lyme disease and related  
24 tick-borne illness.

25 (d) Meetings.--

26 (1) Within 45 days of the effective date of this  
27 section, the secretary shall appoint the members of the task  
28 force. The secretary shall appoint a chairman of the task  
29 force.

30 (2) The task force shall convene within 90 days of the

1 effective date of this section and shall meet at least  
2 quarterly.

3 (3) The task force shall issue a report with  
4 recommendations to the secretary within one year of its first  
5 meeting. The report shall also be transmitted to the Public  
6 Health and Welfare Committee of the Senate and the Health  
7 Committee of the House of Representatives.

8 (4) Nothing in this act shall be construed to prohibit  
9 the task force from making interim reports.

10 (e) Compensation and expenses.--The members of the task  
11 force shall receive no compensation for their services but shall  
12 be allowed their actual and necessary expenses incurred in  
13 performance of their duties. Reimbursement shall be provided by  
14 the department.

15 (f) Duties of department.--The department shall:

16 (1) Develop a program of general public and health care  
17 professional information and education regarding Lyme disease  
18 which shall include the broad spectrum of scientific and  
19 treating options regarding all stages of Lyme disease and  
20 related tick-borne illnesses.

21 (2) Develop an active tick collection, testing and  
22 surveillance program in cooperation with the Department of  
23 Environmental Protection to provide a better understanding  
24 of, including, but not limited to, the full range of tick-  
25 borne diseases, geographic hot spots and levels of  
26 infectivity to be used in targeting prevention and education  
27 efforts. This effort may include the exploration of and  
28 recommendations regarding the use of veterinary data on tick-  
29 borne disease prevention, specifically dogs and horses and  
30 perhaps other animals, as the Centers for Disease Control and

1 Prevention has recommended.

2 (3) Cooperate with the Pennsylvania Game Commission to  
3 disseminate the information required under paragraph (1) to  
4 licensees of the Pennsylvania Game Commission and the general  
5 public.

6 (4) Cooperate with the Department of Conservation and  
7 Natural Resources to disseminate the information required  
8 under paragraph (1) to the general public and visitors of  
9 State parks and lands.

10 (5) Cooperate with the Department of Education to:

11 (i) Disseminate the information required under  
12 paragraph (1) to school administrators, school nurses,  
13 faculty and staff, parents, guardians and students.

14 (ii) Determine what role schools may play in the  
15 prevention of Lyme disease, including, but not limited  
16 to, prompt removal and reporting of tick removals to  
17 State officials.

18 (iii) Update policies to recognize signs or symptoms  
19 of Lyme disease and related tick-borne illnesses as  
20 health conditions potentially requiring accommodations.

21 (6) Cooperate with professional associations of health  
22 care professionals to provide the education program for  
23 professionals required under paragraph (1).

24 (7) Cooperate with the Department of Environmental  
25 Protection to publish and make available on its publicly  
26 accessible Internet website the information developed under  
27 paragraph (2) to health care professionals and the general  
28 public.

29 (8) Cooperate with the Pennsylvania State University,  
30 Department of Entomology, cooperative extension program for



1 integrated pest management, to disseminate educational  
2 resources about ticks, related diseases and integrated pest  
3 management for disease prevention as required under paragraph  
4 (1) to health care professionals and the general public.

5 (9) Identify and apply for public and private grants and  
6 funding in order to carry out the provisions of this act.

7 Section 6. Effective date.

8 This act shall take effect immediately.