
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 479 Session of
2019

INTRODUCED BY GROVE, RYAN, ROTHMAN, MILLARD, KEEFER AND JAMES,
FEBRUARY 12, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 12, 2019

AN ACT

1 Amending the act of December 8, 1959 (P.L.1718, No.632),
2 entitled "An act providing for the payment of the salary,
3 medical and hospital expenses of employes of State penal and
4 correctional institutions, State mental hospitals, Youth
5 Development Centers, County Boards of Assistance, and under
6 certain conditions other employes of the Department of Public
7 Welfare, who are injured in the performance of their duties;
8 and providing benefit to their widows and dependents in
9 certain cases," further providing for a limitation on salary
10 payments to employees.

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

13 Section 1. Section 1 of the act of December 8, 1959
14 (P.L.1718, No.632), entitled "An act providing for the payment
15 of the salary, medical and hospital expenses of employes of
16 State penal and correctional institutions, State mental
17 hospitals, Youth Development Centers, County Boards of
18 Assistance, and under certain conditions other employes of the
19 Department of Public Welfare, who are injured in the performance
20 of their duties; and providing benefit to their widows and
21 dependents in certain cases," is amended to read:

22 Section 1. Any employe of a State penal or correctional

1 institution under the Bureau of Correction of the Department of
2 Justice and any employe of a State mental hospital or Youth
3 Development Center under the Department of [Public Welfare]
4 Human Services, who is injured during the course of [his]
5 employment by an act of any inmate or any person confined in
6 such institution or by any person who has been committed to such
7 institution by any court of the Commonwealth of Pennsylvania or
8 by any provision of the ["Mental Health Act"] act of July 9,
9 1976 (P.L.817, No.143), known as the Mental Health Procedures
10 Act, and any employe of County Boards of Assistance injured by
11 act of an applicant for or recipient of public assistance and
12 any employe of the Department of [Public Welfare] Human Services
13 who has been assigned to or who has volunteered to join the fire
14 fighting force of any institution of the Department of [Public
15 Welfare] Human Services injured while carrying out fire fighting
16 duties, shall be paid, by the Commonwealth of Pennsylvania,
17 [his] the employe's full salary[,] for no more than three years
18 from the date of the injury, or until the disability arising
19 therefrom no longer prevents [his] the employe's return as an
20 employe of such department, board or institution at a salary
21 equal to that earned by [him] the employe at the time of [his]
22 injury, whichever is sooner.

23 All medical and hospital expenses incurred in connection with
24 any such injury shall be paid by the Commonwealth of
25 Pennsylvania for no more than three years from the date of the
26 injury, or until the disability arising from such injury no
27 longer prevents [his] the employe's return as an employe of such
28 department, board or institution at a salary equal to that
29 earned by [him] the employe at the time of [his] injury,
30 whichever is sooner.

1 During the time salary for such disability shall be paid by
2 the Commonwealth of Pennsylvania any workmen's compensation
3 received or collected for such period shall be turned over to
4 the Commonwealth and paid into the General Fund, and if such
5 payment shall not be so made, the amount so due the Commonwealth
6 shall be deducted from any salary then or thereafter becoming
7 due and owing.

8 The [widow] surviving spouse and minor dependents of any
9 employe who dies within one year as a result of such injuries
10 shall be paid benefits equal to fifty per cent of the full
11 salary of the deceased employe.

12 When a [widow] surviving spouse and minor dependents not in
13 [her] the surviving spouse's custody are entitled to payments,
14 one-half of such payments shall be paid to the [widow] surviving
15 spouse and one-half to the dependents. In every case the amount
16 payable to minor dependents shall be divided equally among them
17 and be paid to the persons or institutions having custody of
18 them.

19 In the case of a [widow] surviving spouse or a [widow]
20 surviving spouse with minor dependents in [her] the surviving
21 spouse's custody, such benefits shall terminate when such
22 [widow] surviving spouse remarries. In the case of minor
23 dependents, except when in the custody of a remarried [widow]
24 surviving spouse, such benefits shall terminate when all of the
25 minor dependents become eighteen years of age. Neither a [widow]
26 surviving spouse nor minor dependents shall receive any benefits
27 under this act while receiving benefits under the [Federal]
28 Social Security [Law] Act (49 Stat. 620, 42 U.S.C. § 301 et
29 seq.). The benefits provided by this act shall be reduced by the
30 amount of any workmen's compensation benefits received or

1 collected by any such [widow] surviving spouse or minor
2 dependents because of the same injury. Payments for the benefit
3 of minor dependents shall be made to the person having legal
4 custody of them.

5 Section 2. This act shall take effect immediately.