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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1610 Session of  
2021

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INTRODUCED BY DAY, CONKLIN, SCHLEGEL CULVER, DRISCOLL, GILLEN,  
HILL-EVANS, HOWARD, MIZGORSKI AND STAMBAUGH, JUNE 11, 2021

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, JUNE 11, 2021

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, providing for personal protective  
3 equipment stockpile.

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

6 Section 1. Title 35 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 59

9 PERSONAL PROTECTIVE EQUIPMENT STOCKPILE

10 Sec.

11 5901. Scope of chapter.

12 5902. Definitions.

13 5903. Requirements.

14 § 5901. Scope of chapter.

15 This chapter provides for the establishment of a stockpile of  
16 a 12-month supply of personal protective equipment in this  
17 Commonwealth.

18 § 5902. Definitions.

1 The following words and phrases when used in this chapter  
2 shall have the meanings given to them in this section unless the  
3 context clearly indicates otherwise:

4 "Disaster emergency." A declaration by the Governor of  
5 disaster emergency under section 7301(c) (relating to general  
6 authority of Governor).

7 "Facility." Any of the following:

8 (1) A domiciliary care home as defined in section 2202-A  
9 of the act of April 9, 1929 (P.L.177, No.175), known as The  
10 Administrative Code of 1929.

11 (2) Any of the following entities as defined in section  
12 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as  
13 the Health Care Facilities Act:

14 (i) A home health care agency.

15 (ii) A long-term care nursing facility.

16 (iii) A hospice.

17 (iv) A home care agency.

18 (v) A home care registry.

19 (3) An older adult daily living center as defined in  
20 section 2 of the act of July 11, 1990 (P.L.499, No.118),  
21 known as the Older Adult Daily Living Centers Licensing Act.

22 (4) A personal care home as defined in section 1001 of  
23 the act of June 13, 1967 (P.L.31, No.21), known as the Human  
24 Services Code.

25 (5) An assisted living residence as defined in section  
26 1001 of the Human Services Code.

27 (6) A PACE provider as defined in section 1894 of the  
28 Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.).

29 (7) Any other public or private organization, or entity  
30 or part of an organization or entity, that uses public funds

1 and is paid, in part, to provide care to care-dependent  
2 individuals.

3 "Personal protective equipment." Gloves, hand sanitizer,  
4 respirators, face masks, gowns, face shields and other  
5 protective equipment designed to be worn or used by individuals  
6 to prevent or contain contact with, or to prevent transmission  
7 of, a communicable illness or the pathogens that cause  
8 communicable illness.

9 § 5903. Requirements.

10 (a) Establishment.--The Commonwealth shall purchase and keep  
11 in date a one-year stockpile of personal protective equipment to  
12 be utilized in the event of a disaster emergency. The personal  
13 protective equipment may be utilized by any facility that is in  
14 need of the equipment as determined by the Department of Health.

15 (b) Location.--The stockpile shall be divided up and located  
16 in secured locations in the following areas:

17 (1) One-fourth of the stockpile shall be located in the  
18 northwest area of this Commonwealth.

19 (2) One-fourth of the stockpile shall be located in the  
20 northeast area of this Commonwealth.

21 (3) One-fourth of the stockpile shall be located in the  
22 southwest area of this Commonwealth.

23 (4) One-fourth of the stockpile shall be located in the  
24 southeast area of this Commonwealth.

25 (c) Funding.--The Department of Health is authorized to use  
26 funds specifically appropriated by the General Assembly for the  
27 purposes of this chapter and any funds, contributions or  
28 payments which may be made available to the Department of Health  
29 by the Federal Government, another State agency or any public or  
30 private source for the purpose of implementing this chapter.

1 Section 2. This act shall take effect immediately.