

**Chiropractic Fellowship of PA
Summary of Legislation
June 2016**

GA Bill Sent to Governor, Revenue Package Still Under Debate

It started out so well. All spring the House and Senate leaders, and Gov. Wolf, had talked about leaving the past behind, and working together to get an on-time, commonsense budget passed. Well, they got the spending part done, but when it came to paying for it, the “wheels fell off”. On June 30, the Senate voted [47 to 3](#) and the House voted [144 to 54](#) to approve the 2016-17 General Appropriations (GA) bill, [SB1073](#). The total for the overall spending plan for SB1073 is \$31.62 billion.

Despite this budget agreement, many of the remaining ancillary "Code" bills, outlining spending directions for education (the centerpiece of the budget agreement), and amendments to the tax and fiscal codes to provide for new revenues, have yet to be passed. Governor Wolf has stated that he will not sign the budget bill until he also receives the legislation that includes a revenue plan. The House and Senate recessed to the call of their chairs, until agreement is reached. The Governor must sign, veto (in whole or “blueline”) or allow the bill to become law by July 11. The Budget Secretary is required to certify that the spending plan can be paid for from existing revenues before the Governor can sign it, and estimates are that without new revenues or other accounting gymnastics, revenues will fall about a billion dollars short by the end of June, 2017.

One budget-related bill that did pass the General Assembly, but also awaits the Governor’s action, is [HB 1062](#) . Sponsored by then Representative, now Senator Tom Killion (R-Delaware), the bill amends the Public Welfare Code. Although the bill provides for nursing home and intellectual disabilities payments, it also transfers the eHealth Partnership Authority to the Department of Human Services. The bill is effective immediately upon the Governor’s signature. Whether it falls victim to the budget struggle remains to be seen

Legislative Activity

The following bills of interest to CFoP were acted on by the General Assembly this past month.

Scope of Practice/Licensure Bills

[HB 1619](#) RE: The Interstate Medical Licensure Compact Act (by Rep. Jesse Topper, et al)

Authorizes the Commonwealth to join the Interstate Medical Licensure Compact. Provides for the form of the compact. Further provides for the Interstate Medical Licensure Compact Commission and for its powers and duties. Also provides for the power and duties of the Governor and the Secretary of the Commonwealth under the act.

Reported as committed from House Health Committee, read first time, and rereferred to House Rules Committee, 6/8/2016

Reported as committed from House Rules Committee, read second time, and rereferred to House Appropriations Committee, 6/14/2016

Reported as committed from House Appropriations Committee, read third time, and passed House, 6/15/2016 (182-0)

Received in the Senate and referred to Senate Consumer Protection & Prof. Licensure Committee, 6/20/2016

Reported as committed from Senate Consumer Protection & Prof. Licensure Committee, and read first time, 6/29/2016

[SB 1318](#) RE: Interstate Medical Licensure Compact Act (by Sen. Tom Killion, et al)

Authorizes the Commonwealth of Pennsylvania to join the Interstate Medical Licensure Compact; provides for the form of the compact; and imposes additional powers and duties on the Governor, the Secretary of the Commonwealth and the Interstate Medical Licensure Compact. In order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the Interstate Medical Licensure Compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians

to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. The compact creates another pathway for licensure and does not otherwise change a state's existing Medical Practice Act. The compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the compact.

Introduced and referred to Senate Consumer Protection & Prof. Licensure Committee, 6/15/2016

Budget-Related Bills

[HB 1062](#) RE: Welfare Code Amendments (by Rep./Sen. Tom Killion, et al)

Amends the Public Welfare Code providing for the phase out of the obligation of counties operating public nursing facilities to pay an annual fee to the Department of Human Services. Extends the Nursing Facility Budget Adjustment Factor for three years and the Medical Assistance day-one incentive payment for one year. Also extends child welfare provider submissions for one year and the nursing facility assessment for three years along with the Intermediate Care Facilities for Persons with an Intellectual Disability assessment. The bill also eliminates the requirement that the department dedicate staff solely to the licensure and enforcement associated with assisted living residences. Transfers the eHealth Partnership Authority to the Department of Human Services. Effective immediately.

Reported as amended from Senate Public Health and Welfare Committee, and read first time, 6/27/2016

Read second time, and rereferred to Senate Appropriations Committee, 6/28/2016

Reported as committed from Senate Appropriations Committee, read third time, and passed Senate, 6/29/2016 (49-0)

Received as amended in House and rereferred House Rules Committee, re-reported on concurrence as committed from House Rules Committee, and House concurred in Senate amendments, 6/30/2016 (195-2)

Signed in the House, 6/30/2016

Signed in the Senate, 7/1/2016

In the hands of the Governor, 7/1/2016. Last day for Governor's action, 7/11/2016

[SB 1073](#) RE: General Appropriation Act of 2016 (By Sen. Pat Browne, et al)

Provides from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2016, to June 30, 2017, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2016, to June 30, 2017; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2016, to June 30, 2017, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2016; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015. Effective July 1, 2016, or immediately, whichever is later.

Reported as amended from House Appropriations Committee, read third time, and passed House, 6/28/2016 (132-68)

Received as amended in Senate and rereferred Senate Rules and Executive Nominations Committee,

rereported as amended from Senate Rules & Executive Nominations Committee, and Senate concurred in House amendments, with amendments, 6/29/2016 (47-3)
Received as amended in Senate and rereferred Senate Rules and Executive Nominations Committee, Re-reported on concurrence as amended from Senate Rules and Executive Nominations Committee, and concurred in House amendments, with further amendments, 6/29/2016
Received as amended in House and rereferred House Rules Committee, 6/29/2016
Re-reported on concurrence as committed from House Rules Committee, and House concurred in Senate amendments to House amendments, 6/30/2016
Signed in the Senate and House, 7/1/2016
In the hands of the Governor, 7/1/2016. Last day for Governor's action, 7/11/2016

Child Abuse Reporting

[SB 1156](#) RE: Child Abuse Reports (by Sen. John Sabatina, et al)
Amends Title 23 (Domestic Relations), in child protective services, further providing for definitions, for disposition and expunction of unfounded reports and general protective services reports, for employees having contact with children and adoptive and foster parents by adding clergy and health care personnel to the scope, for volunteers having contact with children and for recertification. The bill provides or reports to be maintained for ten years or until the child is 23 years old (changed from five years).
Amended on House floor, read second time, and Rereferred to House Appropriations Committee, 6/7/2016
Reported as committed from House Appropriations Committee, 6/8/2016
Read third time and passed House, 6/28/2016 (197-1)
Received as amended in Senate and rereferred Senate Rules and Executive Nominations Committee, 6/29/2016

Health Care Bills

[SB 1318](#) RE: Interstate Medical Licensure Compact Act (by Sen. Tom Killion, et al)
Authorizes the Commonwealth of Pennsylvania to join the Interstate Medical Licensure Compact; provides for the form of the compact; and imposes additional powers and duties on the Governor, the Secretary of the Commonwealth and the Interstate Medical Licensure Compact. In order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the Interstate Medical Licensure Compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. The compact creates another pathway for licensure and does not otherwise change a state's existing Medical Practice Act. The compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the compact.
Introduced and referred to Senate Consumer Protection & Prof. Licensure Committee, 6/15/2016

Health Care Work Force Development

NONE

Health Insurance Bills

[HB 2241](#) RE: Retroactive Denials (by Rep. Karen Boback, et al)
Amends Title 40 (Insurance) to allow insurers to retroactively deny reimbursements to health care providers under certain conditions including fraud, waste, abuse, duplicate claims, required denial by a federal or state government plan, and coordination of benefits with another insurer.
Introduced and referred to House Insurance Committee, 7/1/2016

Medical Assistance/DHS

[HB 2211](#) RE: Human Services Code (by Rep. Matt Baker, et al)

Amends the Human Services Code, in public assistance, further providing for medical assistance payments for institutional care; in children and youth, further providing for provider submissions; in nursing facility assessments, further providing for definitions and for time periods; in intermediate care facilities for persons with an intellectual disability assessments, further providing for definitions and for time periods; in hospital assessments, further providing for definitions and for time period; in departmental powers and duties as to licensing, further providing for regulations; establishing the Pennsylvania eHealth Partnership Program; providing for the Pennsylvania eHealth Partnership Fund; abrogating a related regulation; and making a related repeal.

Introduced and referred to House Health Committee, 6/22/2016

Reported as committed from House Health Committee, read first time, and rereferred to House Rules Committee, 6/23/2016

Reported as committed from House Rules Committee, amended on House floor, read second time, and Rereferred to House Appropriations Committee, 6/28/2016

Reported as committed from House Appropriations Committee, read third time, and passed House, 6/29/2016 (200-0)

[SB 9](#) RE: Proof of Citizenship for Receipt of Public Benefits Act (by Sen. Patrick Stefano, et al)

Requires proof of identification and proof of eligibility as a prerequisite to the application for public benefits. An agency, upon determining that public money has been expended on or public benefits provided to an unauthorized alien shall prepare an invoice listing the cost of the expenditures or benefits and transmit that invoice and any identifying information concerning the unauthorized alien to be posted on PennWATCH.

Reported as amended from House State Government Committee, read first time, and laid on the table, 6/7/2016

Sales Tax Expansion

NONE

WORKER'S COMP

[HB 1800](#) RE: Workers Compensation Treatments (by Rep. Ryan Mackenzie, et al)

Amends the Workers Compensation Act to require that all reasonable and necessary treatments, services, products, or accommodations be consistent with treatment guidelines selected by the Department of Labor and Industry. Provides for a panel of medical providers, selected by the L&I Secretary, to review and propose amendments to adopted guidelines. Provides for appeals. Effective in 60 days.

Laid on table in House Labor and Industry Committee, 6/14/2016

Upcoming meetings of Interest

Some House Committee meetings and session can be viewed online at: <http://www.pahousegop.com/>

Senate Committee meetings and session can be streamed at: <http://www.pasenategop.com/>

The House and Senate are in recess, pending a budget agreement. The Fall Legislative Schedule has not yet been released.

Copies of bills described above can be obtained through the CFOP office, or on-line at:

<http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm>