

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

House and Senate Wrap Up Legislative Business, Head Home to Campaign

In a typical whirlwind end of session flurry, the General Assembly passed numerous bills on a variety of subjects, including further expansions of the sale of beer and liquor, internet gaming, and guns, while they fell a vote or two short of doing more legislation on pensions, animal cruelty and others, some for purely political reasons, and some just because they ran out of time before the election recess. Both chambers will return in November, for ostensibly ceremonial and organizational purposes for next session, but there is an outside chance of a few bills that only require a final chamber vote to get to the Governor may be considered. Below is a rundown of bills of interest to CFoP, as usual, that were acted on this month. At this writing, the Governor has several bills on his desk, including the Retroactive Denials bill, [HB 2241](#), but had yet to take action. Gov. Wolf did veto one bill, [SB 562](#), which made numerous substantive changes to how regulations are considered and approved. The votes in both chambers were largely party line, with the Democrats voting against it in both the House and Senate, so an override is unlikely.

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 516](#) RE: Naturopathic Doctor Practice Act (by Rep. Mark Mustio, et al)

Regulates to the practice of naturopathic medicine under the State Board of Medicine, provides for the issuance of licenses and the suspension and revocation of licenses, and provides for penalties. **Provides title protection for eligible individuals.** Provisions regarding the State Board of Medicine's duties are effective immediately and the remainder is effective in two years.

Reported as amended from Senate Consumer Protection & Prof. Licensure Committee, and read first time, 10/18/2016

Read second time, rereferred to Senate Appropriations Committee, and reported as committed from Senate Appropriations Committee, 10/24/2016

Read third time and passed Senate, 10/25/2016 (48-0)

Received as amended in House and rereferred House Rules Committee, 10/25/2016

Re-reported on concurrence as committed from House Rules Committee, and House concurred in Senate amendments, 10/26/2016 (183-7)

Signed in the House, 10/26/2016

Signed in the Senate, and In the hands of the Governor, 10/27/2016

Approved by the Governor, 11/3/2016 (Act No. 128 of 2016)

[HB 1619](#) RE: 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.

Read third time, and passed Senate, 10/17/2016 (49-0)

Signed in the House and Senate, 10/18/2016

Approved by the Governor, 10/26/2016. Act No. 112 of 2016

[HB 2352](#) RE: Pain Management Clinic Regulation Act (by Rep. Matt Baker, et al)

Provides for the regulation of pain management clinics; imposes powers and duties on the Department of Health; and prescribes a penalty. Each pain management clinic shall register and maintain a valid registration with the Department of Health. The bill provides for term and form of registration as well as reasons for denial. Pain management clinics shall maintain records and be located and operated at a publicly accessible, fixed location that meets certain standards. The department shall promulgate regulations and conduct inspections.

Reported as committed from House Health Committee, read first time, and laid on the table, 10/18/2016
Removed from the table 10/19/2016

Budget-Related Bills

NONE

Child Abuse Reporting

NONE

Health Care Bills

NONE

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, requires denial by a federal or state government plan, and coordination of benefits with another insurer.

Reported as committed from Senate Banking and Insurance Committee, and read first time, 10/19/2016

Read second time, 10/25/2016

Read third time, and passed Senate, 10/26/2016 (47-0)

Signed in the House, 10/26/2016

Signed in the Senate, 10/27/2016

Approved by the Governor, 11/4/2016 (Act No. 146 of 2016)

Medical Assistance/DHS

NONE

Partnerships

[HB 1398](#) RE: Partnerships and LLC's (by Rep. Adam Harris, et al)

Amends Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) modernizing the law on limited liability partnerships, general partnerships, limited partnerships and limited liability companies; and making conforming changes with respect to associations, corporations, unincorporated nonprofit associations and business trusts by doing the following: As to general provisions, making conforming changes by revising provisions on application of title, definitions, defense of usury, tax clearance of certain fundamental transactions and fee schedule. As to entities generally, making conforming changes by revising requirements for foreign association names. As to entity transactions, making conforming changes by revising provisions on regulatory conditions and required notices and approvals, nature of transactions, approval by limited partnership, effect of merger, statement of division and effectiveness, effect of division and effect of domestication. As to foreign associations, making conforming changes by revising provisions on governing law. As to corporations, making conforming changes by revising provisions on distributions by business corporations and by adding provisions on derivative actions and the use of special litigation committees by business corporations and nonprofit corporations. As to partnerships generally: extensively revising provisions on: interchangeability of partnership, limited liability company and corporate forms of organization; and ownership of certain professional partnerships; and adding a provision on failure to observe formalities. As to limited liability partnerships: extensively revising provisions on: scope; definitions; limitation on liability of partners; extraterritorial application of subchapter; foreign registered limited liability partnerships; and annual registration; and adding provisions on: distributions; and dissolution. As to general partnerships, repealing existing Chapter 83 and replacing it with a new Chapter 84 relating to: general provisions; nature of partnership; relations of

partners to persons dealing with partnership; relations of partners to each other and to partnership; transferable interests and rights of transferees and creditors; dissociation; dissociation as partner if business not wound up; and dissolution and winding up. As to limited partnerships, repealing existing Chapter 85 and replacing it with a new Chapter 86 relating to: general provisions; formation and filings; limited partners; general partners; contributions and distributions; dissociation; transferable interests and rights of transferees and creditors; dissolution and winding up; and actions by partners. As to limited liability companies: repealing existing Subchapters A, B, C, D, E, F, I and K of Chapter 89 and replacing them with a new Chapter 88 relating to: general provisions; formation and filings; relations of members and managers to persons dealing with limited liability company; relations of members to each other and to limited liability company; transferable interests and rights of transferees and creditors; dissociation; dissolution and winding up; actions by members; and benefit companies; and revising provisions on restricted professional companies. As to unincorporated nonprofit associations, making conforming amendments by revising provisions on ownership and transfer of property. As to business trusts, making conforming changes by revising provisions on application and effect of chapter and liability of trustees and beneficiaries. As to names, revising provisions on register established. Effective in 90 days.

Rereferred to Senate Appropriations Committee, 10/17/2016

Reported as amended from Senate Appropriations Committee, 10/18/2016

Laid on the table, 10/24/2016

Removed from the table, and read second time, 10/25/2016

Read third time, and passed Senate, 10/26/2016 (48-0)

Received as amended in House and rereferred to House Rules Committee, re-reported on concurrence as committed from House Rules Committee, and House concurred in Senate amendments, 10/27/2016 (185-0)

Signed in the House, 10/27/2016

Regulatory Review

SB 562 RE: IRRC Process Changes (by Sen. John Gordner, et al)

Amends the Regulatory Review Act requiring that within five days of receipt of proposed regulations, the chair of the pertinent oversight committee must provide a paper or electronic copies to each member of the committee for their review. Empowers committee chairs to hold hearings on the proposed regulations or to hold meetings for the purpose of adopting official comments by a majority vote of the members of the committee. Also requires chairs to distribute a copy of final form regulations to each member of the committee within five days. Stipulates time periods for review or action by the committees will be either for a period of 14 calendar days or six legislative days, whichever is longer; committees may have the Independent Regulatory Review Commission remove from its agenda final form regulations which the committee either disapproves or requests additional time for review; and removes the requirement that agency statements of purpose be published in the Pennsylvania Bulletin. Lays out guidelines for action following the commission's review process. Effective in 60 days.

Reported as committed from House Appropriations Committee, read third time, and passed House, 10/26/2016 (109-81)

Received as amended in Senate and rereferred to Senate Rules and Executive Nominations Committee, Re-reported on concurrence as committed Senate Rules and Executive Nominations Committee, and Senate concurred in House amendments, 10/26/2016 (31-16)

Signed in the Senate and House, 10/27/2016

In the hands of the Governor, 10/27/2016. Last day for Governor's action, 11/6/2016

Vetoed by the Governor, 10/28/2016. Veto # 6.

Sales Tax Expansion

NONE

WORKER'S COMP

NONE

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/>

State Board of Chiropractic 2017 meeting dates (subject to change)

January 19

March 23

May 18

July 20

September 21

November 9

2016 SENATE SESSION SCHEDULE

November 16

2016 House Fall Legislative Schedule

November 14, 15

The 2015-16 Legislative Session Ends Officially on November 30.

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>