

**Chiropractic Fellowship of PA
Summary of Legislation
March 2018**

Acting DHS Secretary Teresa Miller; DDAP Acting Secretary Jennifer Smith, and DOH Acting Secretary Rachel Levine All Confirmed By Senate

Three Wolf Cabinet members can now officially remove the “Acting” from their titles, as they received Senate confirmation this month. Teresa Miller, the former Insurance Commissioner, is now the Secretary for Human Services, Dr. Rachel Levine becomes the Secretary of Health, and Jennifer Smith takes over as Secretary of Drug and Alcohol Services. All serve at the pleasure of the Governor, but their positions require consent from the state Senate. Miller and Levine replaced predecessors who resigned, while Smith assumed the secretary position on the departure of Garry Tennis. Dr. Levine also still holds the title and duties of Physician General. The Wolf administration still intends to pursue the consolidation of DHS and Health, which would likely result in Dr. Levine returning to just that role, though the legislative process that is required to accomplish that end has not yet begun. Wolf had originally proposed also folding DDAP and the Department of Aging into this consolidation, but strong pushback from legislators and various interest groups caused the more modest unification of just two agencies. Congratulations to all of these deserving and hard-working public servants.

Chiropractic Board Cancels March Meeting; Medical Board postpones Naturopath Regulation Discussion

Due to predictions of bad travel weather, both the PA State Boards of Chiropractic and Physical Therapy canceled their March meetings, which had been scheduled for March 22. The Board meets again on May 17.

Meanwhile, the state Medical Board, which had begun the process of writing proposed regulations to define the scope of practice for naturopathic doctors, who were recently authorized by law to be registered with the Board, postponed the joint committee meeting anticipated for its most recent meeting, with the possibility it may reconvene at the April 17 meeting. We will keep you posted.

Governor's Office Publishes Regulatory Agenda

By an Executive Order issued in 1996, all agencies under the jurisdiction of the Governor are required to submit for publication semi-annually an agenda of regulations under development or consideration. The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process. Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments. The following agenda of possible interest to CFoP was published in the March 3, 2018 issue of the *PA Bulletin*.

**Regulation Being Considered Proposed Date Need and Legal Basis for Agency Contact
*Department of Environmental Protection (DEP)***

Radiological Health 25 Pa. Code Chapters 215—240 (# 7-499)	Quarter 2, 2018, EQB Consideration, as Final	This rulemaking proposes to amend Chapters 215—240 to update Computed Tomography and Fluoroscopic regulations; to address new X-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section. (Radiation Protection Act and Radon Certification Act)	Joseph Melnic (717) 783-9730 jmelnic@pa.gov
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State Board of Chiropractic

Chiropractic Specialties 49 Pa. Code Chapter 5 (# 16A-4312)	Spring 2018, as Proposed	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. The proposed rulemaking would prohibit a chiropractor from advertising that the chiropractor holds certification or otherwise is a specialist in a chiropractic specialty unless the chiropractor holds certification or diplomate status from a specialty board recognized by the American Board of Chiropractic Specialties. This proposal protects consumers of chiropractic services who can be misled by advertising of "certifications" that do not truly reflect advanced knowledge, training or skill.	Elizabeth Wecker (717) 783- 7155
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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 1343](#) RE: Continuing Ed Credit Carryover (by Rep. Harry Readshaw, et al)

Amends the act entitled, "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," adding that in addition to disciplinary powers and duties, boards and commissions shall have the power to provide for the carryover of any continuing education credits in excess of the number required for biennial renewal. The carryover shall be valid for one biennial renewal term only.

Reported as committed from House Professional Licensure Committee, read first time, and laid on the table, 3/1/2018

[HB 1636](#) RE: [Patient Trust Act](#) (by Rep. Dan Frankel, et al)

Amends the Medical Practice Act, further providing for definitions; and providing for governmental prohibition. The bill establishes that neither the commonwealth nor any political subdivision may require a licenses health care practitioner to provide a patient with information that is not medically accurate and medically appropriate for the patient or a medical service in a manner that is not evidence-based and appropriate for the patient; or prohibit a licensed health care practitioner from providing a patient with information that is medically accurate and medically appropriate for the patient or a medical service in a manner that is evidence-based and appropriate for the patient

Introduced and referred to House Professional Licensure Committee, 3/26/2018

[SB 892](#) RE: Chiropractic Students (by Sen. Guy Reschenthaler, et al)

Amends the Chiropractic Practice Act, in licensure and regulation, further providing for license required. The bill establishes that this section does not apply to a student enrolled in a chiropractic education program at a chiropractic college approved by the board provided the student is conducting chiropractic activities as part of the curriculum established by the chiropractic college and the student is under the direct, immediate and personal supervision of a chiropractor licensed by the board.

Reported as amended from House Professional Licensure Committee, read first time, and laid on the table, 3/14/2018

Budget-Related Bills

[HB 2121](#) RE: General Appropriation Act of 2018 (by Rep. Stan Saylor, 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, 2018, to June 30, 2019, 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, 2018; to provide appropriations from

various funds for the fiscal year July 1, 2018, to June 30, 2019. The effective date is effective immediately and the remained is effective July 1, 2018, or immediately, whichever is later.

Introduced and referred to House Appropriations Committee, 3/1/2018

Reported as committed from House Appropriations Committee, read first time, laid on the table, and

Removed from the table, 3/12/2018

Read second time and rereferred to House Appropriations Committee, 3/13/2018

Child Abuse Reporting

NONE

Health Care Bills

[HB 126](#) RE: Epinephrine Auto-Injector Entity Act (by former Rep. Matt Baker, et al)

Provides for the use and stock of epinephrine auto-injectors by recreation camps, colleges and universities, day-care facilities, youth sports leagues, amusement parks, restaurants, places of employment, and sports arenas. Requires completed training by employees of eligible institutions before administration and provides Good Samaritan protections. Also allows training to be conducted by a health care practitioner employed or contracted by an authorized entity.

Removed from the table, 3/19/2018

Read second time and rereferred to Senate Appropriations Committee, 3/27/2018

[HR 671](#) RE: Spinal CSF Leak Awareness Week (by Rep. Harry Readshaw, et al)

A Resolution designating the week of March 4 through 10, 2018, as "Spinal CSF Leak Awareness Week" in Pennsylvania.

Adopted, 3/13/2018 (190-0)

Health Care Work Force Bills

[HR 754](#) RE: Health Workforce Needs Study (by Rep. Kerry Benninghoff, et al)

A Resolution directing the Joint State Government Commission to study the long-term workforce and workforce training needs of the Commonwealth's health care sector.

Introduced and referred to House Labor and Industry Committee, 3/13/2018

Reported as committed from House Labor and Industry, 3/14/2018

Health Insurance Bills

NONE

Medical Assistance/DHS

NONE

Opioid Reduction

[HB 2200](#) RE: [Opioid Reform Package](#) (by Rep. Jason Ortity, et al)

Amends the Administrative Code, in powers of DOJ & its boards, for opioid action task force; for drug & alcohol treatment programs for pregnant women, mothers & their dependent children; for intergovernmental cooperation; making changes.

Filed, 3/27/2018

[HB 2201](#) RE: [Opioid Reform Package](#) (by Rep. Jason Ortity, et al)

Amends the Controlled Substance, Drug, Device and Cosmetic Act providing for prescribing of opioids and penalties.

Filed, 3/27/2018

[SB 922](#) RE: Nonnarcotic Medication Substance Use Disorder Treatment Program (by Sen. Wayne Langerholc, et al)

Amends Titles 35 (Health and Safety), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) establishing the Nonnarcotic Medication Substance Use Disorder Treatment Program within the Department of Drug and Alcohol Programs. The purpose of the program is to increase opportunities for single county authorities to provide an FDA-approved nonnarcotic medication indicated for use in treating an alcohol or substance use disorder combined with comprehensive substance abuse treatment to defendants as may be clinically appropriate through awarding of grants. Provides for single county authority requirements; use of grant funding; powers and duties of the department; court assessments for substance use disorder treatment; and recommendation of offenders for nonnarcotic medication assisted substance use disorder treatment.

Reported as amended from Senate Judiciary Committee, and read first time, 3/27/2018

Partnerships/Liability

NONE

Sales Tax Expansion

NONE

Worker's Comp

[SB 963](#) RE: Impairment Rating Evaluations (by Sen. Kim Ward, et al)

Amends the Workers' Compensation Act allowing employers to request an Impairment Rating Evaluation after an employee has received total disability compensation for a period of 104 weeks. Requires the employee to submit to a medical evaluation which shall be requested by the insurer within 60 days upon the expiration of the 104 weeks to determine the degree of impairment due to compensable injury. Further provides for physical examination or expert interview.

Laid on the table, removed from the table, 3/26/2018

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/>

2018 SENATE SPRING SESSION SCHEDULE

April	16, 17, 18, 23, 24, 25, 30
May	1, 2, 21, 22, 23
June	4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27, 28, 29

2018 HOUSE SPRING SESSION SCHEDULE

April	9, 10, 11, 16, 17, 18, 30
May	1, 2, 22, 23
June	4, 5, 6, 11, 12, 13, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30

State Board of Chiropractic Board Meeting Schedule

2018 Meeting Dates (Subject to Change)

May 17, July 19, September 20, November 8

All Board meetings are held at Penn Center, 2601 N. 3rd Street, Harrisburg, PA, at 9 AM

DHS Medical Assistance Advisory Committee (MAAC)

ALL MEETINGS ARE SCHEDULED FROM 10:00 A.M. TO 12 NOON

Lecture Hall 246/248, Temple University Harrisburg

234 Strawberry Square, Harrisburg, PA

Remaining 2018 Meeting Dates: April 26, May 24, June 28, July 26, September 27, October 25, December 13

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>