

Chiropractic Fellowship of PA
Summary of Legislation
May 2016

Getting Ready for June

Despite promising talk of leaving the prior budget debacle behind and working toward an on-time budget for 2016-17, the House and Senate made little progress this month in advancing that cause. Tangential issues were taken up and mostly discarded, while the 2016-17 budget bill, [HB 1999](#), remained in the House Appropriations Committee, far from the end of the race. Some House Republicans had said they would have the bill to the Senate by Memorial Day, but that did not happen. The House and Senate then recessed for the holiday, and will resume, presumably in earnest, work on the budget the week of June 6. A total of 17 calendar days in June are scheduled for session at this point. That number may shrink, or grow, depending on the progress of the negotiations. All four legislative caucuses and the Governor have stated that this year will be different from last, but with qualifiers that don't necessarily inspire confidence. One of the holdups appears to be the settling on a "cost to carry" number between the negotiators, a combination of a perceived "structural" deficit, and other existing costs remaining from the current budget year. As is reported below, although a Capital Budget project bill was approved, bills demanded by the House dealing with caps to RACP have fallen off the calendar in the Senate.

Revenue is also a matter of debate. Senate Democrats have proposed revamping the tax structure, to allow for a graduated tax, while House Republicans, continuing to oppose most new or increased taxes, took an ultimately unsuccessful run at one of their tried and true "non-tax" revenue sources, expanded gambling. A bill amending the Gaming law came up for a vote this month, but proposed amendments on allowing video gaming terminals in bars, clubs and other businesses, as well as other casino-related language, were proposed and failed on the House floor, and the bill was left on the calendar. Meanwhile a bicameral group of legislators calling themselves the "Taxpayers' Caucus", led by York County legislators **Sen. Scott Wagner** and **Rep. Seth Grove**, held a press conference May 24 to announce their report finding over \$3 billion in potential savings, decrying the need for any of the Governor's proposed revenue increases. The details of their report can be found here: <http://www.repgrove.com/Display/SiteFiles/103/CaucusFiles/Documents/CaucusReport.pdf>
Fasten your seat belts, it appears it's going to be another bumpy ride.

DHS Publishes Statements of Policy: Clarification of "Within a Provider's Office"

The Department of Human Services published a statement of policy to clarify the meaning of "within a provider's office" in § 1101.51(c)(3) (relating to ongoing responsibilities of providers) and to identify the enrollment process for **co-location arrangements** that are not precluded by the regulation, which applies to providers enrolled in the Medical Assistance (MA) Program. Details related to this statement of policy may be found in the Pennsylvania Bulletin. This statement of policy is effective upon publication in the Pennsylvania Bulletin, which is in the May 28, 2016. Comments and questions regarding this statement of policy should be directed to the Office of Medical Assistance programs, c/o Deputy Secretary's Office, Attn: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120, (717) 772-6341. <http://www.pabulletin.com/secure/data/vol46/46-22/910.html>

Legislative Activity

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

Scope of Practice/Licensure Bills

NONE

Budget-Related Bills

[HB 1999](#) RE: General Appropriation Act of 2016 (by Rep. Bill Adolph)

Provides provide 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 Oil and Gas Lease 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 and the Multimodal Transportation 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; and 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.

Removed from the table, read second time, and rereferred to House Appropriations Committee, 5/2/2016

[HB 2077](#) RE: Budget Impasses (by Rep. Jaret Gibbons, et al)

Amends the Fiscal Code, in general budget implementation, providing for appropriations during budget impasse by adding that during a budget impasse, the same amount of money appropriated for a line item in the general appropriation act for the prior fiscal year shall be appropriated for the current fiscal year. The bill excepts appropriations to the governor, lieutenant governor, Senate and House.

Introduced and referred to House Appropriations Committee, 5/23/2016

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).

Rereferred to Senate Rules and Executive Nominations Committee, 5/9/2016

Reported as amended from Senate Rules and Executive Nominations Committee, read third time, and passed Senate, 5/10/2016 (48-0)

Received in the House and referred to House Children and Youth Committee, 5/12/2016

Reported as committed from House Children and Youth Committee, read first time and laid on the table, 5/24/2016

Removed from the table, 5/25/2016

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

Health Care Bills

[HB 2096](#) RE: Newborn Child Testing (By Rep. Angel Cruz, et al)

Amends the Newborn Child Testing Act further providing for newborn child screening and follow-up program by providing for the ability of the department to add, move or remove diseases for which newborn children shall be screened and laboratory screening results reported. The act is effective immediately and shall apply retroactively to January 1, 2016.

Introduced and referred to House Health Committee, 5/24/2016

Health Care Work Force Development

[HB 400](#) RE: Work Experience for High School Students with Disabilities Act (by Rep. Mauree Gingrich, et al)

Requires the Office of Vocational Rehabilitation to provide pre-employment transition services to youth with disabilities and facilitate the process of job and career development between local education agencies and public and

private employers to ensure the successful transition of high school students with disabilities into competitive integrated employment. Provides for the powers and duties of the Office of Vocational Rehabilitation under the act and requires the State Board of Vocational Rehabilitation to review and approve the policies and procedures prior to the issuance of policies and procedures necessary for the implementation of the act. Prior to the review by the State Board, the Pennsylvania Rehabilitation Council shall have the opportunity to comment on the policies and procedures. Further provides upon the initial appropriation of sufficient funds to carry out the provisions of this act, the Office of Vocational Rehabilitation is required to publish notice of the appropriation in the Pennsylvania Bulletin.

Re-reported on concurrence as committed from House Rules Committee, and House concurred in Senate amendments, 5/3/2016 (199-0)

Approved by the Governor 5/17/2016 (Act No. 26 of 2016)

Health Insurance Bills

NONE

Medical Assistance/DHS

NONE

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/>

2016 SENATE SESSION SCHEDULE

June 6, 7, 8, 13, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

2016 HOUSE SESSION SCHEDULE

June 6, 7, 8, 13, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 & 30

The Fall Legislative Schedule has not been announced yet.

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>