

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – JOHN PIPPY, CHAIRMAN

## Monday, March 23, 2009

[Senate Bill 366](#) (Browne) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to provide that all prisoners have the right to bail except for those accused of capital offenses, offenses for which the maximum sentence is life, or when no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community. Under current law, only those accused of capital offenses have no right to bail. The Pennsylvania Constitution was amended in 1998 to allow for these changes. **Passed: 50-0.**

## Tuesday, March 24, 2009

[Senate Bill 89](#) (Vance) would reenact and amend the Health Care Cost Containment Act which expired on June 30, 2008. The bill would extend the sunset date of the Act to June 30, 2014. The legislation would also:

- Require the meetings held by the Council's technical advisory group to be open to the public;
- Require that audit results of providers or health care insurers be provided to the audited provider or health care insurer on a timely basis, not exceeding 30 days beyond presentation of audit findings to the Council;
- Create a Payment Data Advisory Group composed of technical experts and individuals knowledgeable in payment systems and discharge claims data to produce recommendations surrounding the collection of payment data, analysis and manipulation of payment data, and the public reporting of payment data;
- Prohibit the Council from requiring any data source to contract with any specific vendor for submission of any specific data elements to the Council;
- Require payor data to be released to individual providers for purposes of verification and validation prior to inclusion in a public report;
- Clarify that payor discounts and allowances are considered confidential proprietary information and are not records subject to public access under the Right to Know Law;
- Establish a 15-member Health Care Cost Containment Council Act Review Committee to study, review and recommend changes to the Health Care Cost Containment Act and submit a report to the General Assembly; and
- Require the Legislative Budget and Finance Committee to conduct a sunset evaluation of the performance of the Council by September 1, 2013. **Passed: 50-0.**

[Senate Bill 195](#) (Waugh) would amend the Industrialized Housing Act to authorize the Department of Community and Economic Development to enter into a multistate agreement for the purposes of regulating the construction of components of industrialized/commercial modular buildings. The Department would be required to adopt regulations to administer the program.

Modules of industrialized/commercial modular buildings that are certified under the program would be deemed to meet the requirements of the Pennsylvania Construction Code Act. The bill provides definitions of “industrialized/commercial modular building” and “industrialized/commercial building module”. [Passed: 50-0.](#)

### *Executive Session*

Nominations to Various Boards and Commissions, and John Michael Hall as the Secretary of Aging. [Confirmed: 50-0.](#)

### **Wednesday, March 25, 2009**

[Senate Bill 189](#) (Corman) would amend the Insurance Company Law of 1921 to require health care insurers to provide coverage to a child of an insured employee from the age at which coverage normally terminates up through and including the age of 29. The coverage would be at the option of the policyholder and at the insured’s expense. In order to be eligible for the continued coverage, the child would have to:

- be unmarried;
- have no dependents;
- be a resident of the Commonwealth or enrolled as a full-time student at an institution of higher education; and,
- have no other coverage under any group or individual health insurance policy or be entitled or eligible for benefits under any government health care benefits program.

[Passed: 50-0.](#)

[Senate Bill 443](#) (D. White) would create the Preventable Serious Adverse Events Act to permit health insurers to withhold payment to health care providers in the event of a preventable serious adverse event, or services required to correct or treat the problem created by such an event. A health care provider who discovers that payment has unknowingly been sought for a preventable event or services required to correct or treat it would be required to immediately notify the health payor or patient and to refund any payment received within 30 days. The Department of Health would be responsible for investigating complaints regarding a health care facility that is seeking payment which is prohibited under the legislation. The Department of State would investigate complaints against a health care provider that is not a health care facility. [Passed: 50-0.](#)

[Senate Bill 490](#) (M. White) would amend Act 256 of 1955 to transfer \$174 million from the Oil and Gas Lease Fund to the General Fund. The bill would also appropriate the following amounts from the Oil and Gas Lease Fund:

- \$1 million to the Department of Environmental Protection (DEP) for distribution to county conservation districts that have responsibilities related to oil and gas development activities and to conduct inspections of permitted oil and gas sites;

- \$3.5 million to DEP for implementation of a nutrient credit trading program as provided by law;
- \$1 million to the Department of Conservation and Natural Resources (DCNR) for the administration of the Pennsylvania Natural Heritage Program and for the processing of on-line environmental review applications submitted under the Pennsylvania Natural Diversity Inventory;
- \$500,000 to the Pennsylvania Fish and Boat Commission for the administration of environmental reviews received under the Pennsylvania Natural Diversity Inventory; and.
- \$500,000 to the Pennsylvania Game Commission for the administration of environmental reviews received under the Pennsylvania Natural Diversity Inventory.

The bill would also authorize DCNR to expend up to \$2 million from the Fund for the carbon dioxide sequestration network pilot program authorized under 66 Pa.C.S. §2815 (c) (2). **Passed: 33-17.**

**Senate Resolution 59** (Brubaker) designates March 31, 2009 as “Pennsylvania Farm Bureau Day” and congratulates Pennsylvania Farm Bureau members for their contribution to the Commonwealth and its agricultural industry. **Adopted by Voice Vote.**

**Senate Resolution 60** (Folmer) designates the week of March 23 through 27, 2009 as “Family Farm Week” in Pennsylvania. **Adopted by Voice Vote.**

(2009-049)