

POMA BILL TRACKING

Following are some bills POMA is tracking and recently saw action and are being shared in the March 1, 2024 issue of *Under the Dome*.



HB2012 (T) - An Act providing for cause of action for antitrust conduct, for indirect purchaser recovery under State antitrust laws and for premerger notice of health care mergers and transactions; and imposing penalties.

Sponsor: Rep. Nick Pisciotano (D)

Summary: (PN 2571) The Pennsylvania Open Markets Act provides for cause of action for antitrust conduct, indirect purchaser recovery under State antitrust laws and premerger notice of health care mergers and transactions; and to impose penalties. Provides definitions. Prohibits trusts or trade conspiracies, monopolizing or monopsonizing, certain acquisitions and abuses of market power. Enables the attorney general to bring civil action against an individual who engages in unlawful acts under this act. Details the specific jurisdiction and investigation abilities of the attorney general and authorizes the recovery of costs if litigated action is successful. Provides general rules, methods and computations for the measurement of damages under the act. Provides for premerger notifications regarding health care. Provides the attorney general with the power to conduct civil investigations. Provides the party served under this section to file a petition for an order modifying or setting aside the interrogatory or subpoena. Provides regulations for the production of documentary material. Provides for investigation enforcement orders. Requires individuals served an interrogatory or subpoena to comply with the terms of the interrogatory or subpoena unless an exception applies. Provides for the attorney general to recover a civil penalty up to \$25,000. Provides for confidentiality and records of investigation. Establishes criminal penalties for felonies of the third degree under this section that consists of up to four years of imprisonment, a fine of up to \$1,000,000 or both. Provides standing to commence an action for individuals who have suffered damages. Provides for private antitrust enforcement, class action lawsuits, federal cooperation, interstate cooperation, exceptions to the act and act applicability. Asserts act remedies are cumulative. Effective in 60 days.

HB2037 (T) - An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for authority to administer injectable medications, biologicals and immunizations and for laboratory waiver.

Sponsor: Rep. Donna Bullock (D)

Summary: (PN 2612) Amends the Pharmacy Act to further provide for authority to administer injectable medications, biologicals and immunizations and for laboratory waiver, removing and adding certain language. Asserts that pharmacists shall be authorized to administer injectable medications, biologicals and immunizations to persons three years of age and older. Inserts language providing for a pharmacy technician. Provides for COVID-19 immunizations. Adds language to section 9.5 stating, "respiratory syncytial virus." Effective in 60 days.

HB2067 (T) - An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, establishing the Professional Nurse Grant Program; providing for duties of Department of Health; and making an appropriation.

Sponsor: Rep. Marla Brown (R)

Summary: (PN 2641) Amends the Fiscal Code establishing the Professional Nurse Grant Program within the Department of Health (DOH); providing for duties of DOH; and making an appropriation of \$15 million on a continuing basis from the General Fund to DOH for the program and payment of grant awards under this article, stipulating that money under this section shall not lapse into the General Fund at the end of a fiscal year. Specifies definitions and directs DOH to award grants under the program from money appropriated to the program by the General Assembly. Provides for applications for grant awards, detailing what shall apply to an application for a grant award, when the department shall receive and consider applications for grant awards and additional conditions. Specifies what an applicant shall certify in good faith to the department. Provides for the review of applications. Directs the department to determine compliance with the requirements of this article and outlines if a nurse fails to comply with the requirements of this article. Asserts that the department shall post a report on its publicly accessible website containing information no later than Dec. 31 of each year, outlining the contents of the report. Provides who the department shall submit the report to and establishes that the department shall post and submit a final report within six months from the specified period upon the disbursement of all money appropriated for the program, or Dec. 31, 2034, whichever is earlier. Stipulates that grants awarded under this article may not be considered taxable income to a nurse for the purposes of Article III of the Tax Reform Code. Effective in 60 days.

SB1052 (T) - A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for general appropriation bill.

Sponsor: Sen. Lisa Baker (R)

Summary: (PN 1361) Joint Resolution proposing an amendment to the Pennsylvania Constitution, providing for general appropriation bill. Establishes that if the general appropriation bill is not enacted by the constitutional deadline of June 30, the commonwealth maintains state appropriations at 80 percent of the amounts specified in the general appropriation act of the most recent fiscal year. A Joint Resolution proposing integrated amendments to the Constitution of Pennsylvania Constitutional amendments require approval in two consecutive legislative sessions and then approval by the voters through a referendum.

SB1080 (T) - An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, in death and fetal death registration, providing for pronouncement of death by a practical nurse.

Sponsor: Sen. Lynda Culver (R)

Summary: (PN 1396) Amends the Vital Statistics Law, in death and fetal death registration, providing for pronouncement of death by a practical nurse while the patient is in the care of a licensed hospice, the patient has a valid Do Not Resuscitate Order, or practical nurse is conducted a focused assessment to identify the cessation of circulator and respiratory functions. Provides a practical nurse to release the body of the deceased to a funeral director after notice to an attending physician or certified registered nurse practitioner and a family member. Provides for training requirements. Effective in 60 days.