
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1292 Session of
2015

INTRODUCED BY FRANKEL, ROZZI, V. BROWN, THOMAS, TRUITT, FREEMAN,
McNEILL, O'BRIEN, PASHINSKI, MURT, BRIGGS, MULLERY, BROWNLEE,
COHEN, DEAN, ROEBUCK, SANTARSIERO, M. DALEY, D. COSTA, VITALI
AND BRADFORD, JUNE 5, 2015

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 5, 2015

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated
2 Statutes, in development, further providing for hydraulic
3 fracturing chemical disclosure requirements.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3222.1(b)(10) and (11) of Title 58 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3222.1. Hydraulic fracturing chemical disclosure
9 requirements.

10 * * *

11 (b) Required disclosures.--

12 * * *

13 (10) A vendor, service company or operator shall
14 identify the specific identity and amount of any chemicals
15 claimed to be a trade secret or confidential proprietary
16 information to any health professional who requests the
17 information in [writing if the health professional executes a

1 confidentiality agreement and provides a written statement of
2 need for the information indicating all] any of the following
3 instances:

4 (i) The information is needed for the purpose of
5 diagnosis or treatment of an individual.

6 (ii) The individual being diagnosed or treated may
7 have been exposed to a hazardous chemical.

8 (iii) Knowledge of information will assist in the
9 diagnosis or treatment of an individual.

10 (11) [If a health professional determines that a medical
11 emergency exists and the specific identity and amount of any
12 chemicals claimed to be a trade secret or confidential
13 proprietary information are necessary for emergency
14 treatment, the vendor, service provider or operator shall
15 immediately disclose the information to the health
16 professional upon a verbal acknowledgment by the health
17 professional that the information may not be used for
18 purposes other than the health needs asserted and that the
19 health professional shall maintain the information as
20 confidential. The vendor, service provider or operator may
21 request, and the health professional shall provide upon
22 request, a written statement of need and a confidentiality
23 agreement from the health professional as soon as
24 circumstances permit, in conformance with regulations
25 promulgated under this chapter.] A health professional may
26 not disseminate the trade secret or confidential proprietary
27 information disclosed under paragraph (10), except in the
28 following instances:

29 (i) The disclosure relates to the diagnosis or
30 treatment of a patient and the disclosure is provided to

1 another health professional, the patient, designee of the
2 patient or any other person whose knowledge the health
3 professional deems important to the diagnosis or
4 treatment of the patient or the prevention of future
5 health issues.

6 (ii) The disclosure occurs during procurement of
7 payment for services rendered or planned.

8 (iii) The disclosure is provided to a public health
9 official or is intended to further public health.

10 (iv) The disclosure is used for the study of any
11 chemical involved.

12 * * *

13 Section 2. This act shall take effect in 60 days.