

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 143 Session of 2023

INTRODUCED BY VENKAT, HARKINS, MADDEN, WAXMAN, KINSEY, HILL- EVANS, HANBIDGE, KHAN, SANCHEZ, PROBST, BRENNAN, CERRATO, HOWARD, SOLOMON, DIAMOND, SCOTT, CEPEDA-FREYTIZ, D. MILLER, MADSEN, GAYDOS, O'MARA AND GREEN, JUNE 6, 2023

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 27, 2023

A RESOLUTION

1 Directing the Joint State Government Commission to conduct a
2 study on the Commonwealth's ~~response to COVID-19~~ PREPAREDNESS <--
3 TO RESPOND TO PUBLIC HEALTH EMERGENCIES.

4 ~~WHEREAS, COVID-19 is an infectious disease caused by the~~ <--
5 ~~SARS CoV-2 virus and was first discovered in December 2019; and~~

6 ~~WHEREAS, Most people infected with COVID-19 will experience~~
7 ~~mild to moderate respiratory illness and recover without~~
8 ~~requiring special treatment, however, some will become seriously~~
9 ~~ill and require medical attention; and~~

10 ~~WHEREAS, Older people and those with underlying medical~~
11 ~~conditions like cardiovascular disease, diabetes, chronic~~
12 ~~respiratory disease or cancer are more likely to develop serious~~
13 ~~illness; and~~

14 ~~WHEREAS, Anyone can get sick with COVID-19 and become~~
15 ~~seriously ill or die at any age; and~~

16 ~~WHEREAS, Former Governor Tom Wolf reported this~~
17 ~~Commonwealth's first two confirmed cases in March 2020; and~~

1 ~~WHEREAS, Since the first two confirmed cases, this~~
2 ~~Commonwealth has experienced stay at home orders, mandatory~~
3 ~~masking, school closures, business closures and restrictions,~~
4 ~~hospitalizations, deaths of loved ones and financial hardships;~~
5 ~~and~~

6 ~~WHEREAS, As of May 3, 2023, this Commonwealth had nearly 3~~
7 ~~million confirmed cases of COVID 19 and just over 51,000 deaths;~~
8 ~~and~~

9 ~~WHEREAS, It is important that the Commonwealth learns from~~
10 ~~COVID 19 and makes improvements to the Commonwealth's ability to~~
11 ~~respond to future similar events; and~~

12 ~~WHEREAS, It is important for the Commonwealth to assess what~~
13 ~~changes need to be made relating to emergency preparedness,~~
14 ~~including the role of the Pennsylvania National Guard, public~~
15 ~~health, the public school system, students, businesses, workers~~
16 ~~and State and local government agencies in this Commonwealth;~~
17 ~~therefore be it~~

18 ~~RESOLVED, That the House of Representatives direct the Joint~~
19 ~~State Government Commission to conduct a study on the~~
20 ~~Commonwealth's response to COVID 19; and be it further~~

21 ~~RESOLVED, That the House of Representatives direct the Joint~~
22 ~~State Government Commission to establish an advisory committee~~
23 ~~consisting of, but not limited to, the following individuals to~~
24 ~~conduct the study on the Commonwealth's response to COVID 19:~~

25 ~~(1) The Secretary of Community and Economic Development~~
26 ~~or the secretary's designee.~~

27 ~~(2) The Secretary of Education or the secretary's~~
28 ~~designee.~~

29 ~~(3) The Secretary of Health or the secretary's designee.~~

30 ~~(4) The Secretary of Human Services or the secretary's~~

1 ~~designee.~~

2 ~~(5) The Secretary of Labor and Industry or the~~
3 ~~secretary's designee.~~

4 ~~(6) The Secretary of Military and Veterans Affairs or~~
5 ~~the secretary's designee.~~

6 ~~(7) The Director of the Pennsylvania Emergency~~
7 ~~Management Agency or the director's designee.~~

8 ~~(8) A representative of hospitals and public health~~
9 ~~systems.~~

10 ~~(9) A representative of long term care providers.~~

11 ~~(10) A representative of nursing home operators.~~

12 ~~(11) A representative of aging services.~~

13 ~~(12) A representative of physicians.~~

14 ~~(13) A representative of osteopathic physicians.~~

15 ~~(14) A representative of emergency physicians.~~

16 ~~(15) A representative of registered nurses.~~

17 ~~(16) A representative of a union for caregivers, nurses~~
18 ~~and health care professionals.~~

19 ~~(17) A representative of workers in the emergency and~~
20 ~~nonemergency ambulance and medical transportation industry.~~

21 ~~(18) A representative of businesses.~~

22 ~~(19) A representative of local and independent business~~
23 ~~owners.~~

24 ~~(20) A representative of labor councils.~~

25 ~~(21) A representative of public school boards.~~

26 ~~(22) A representative of public school teachers.~~

27 ~~(23) A representative of child care providers.~~

28 ~~(24) A representative of nursing home operators.~~

29 ~~(25) A representative of an organization advocating for~~
30 ~~individuals who have an intellectual disability or are on the~~

1 autism spectrum.

2 ~~(26) A representative of counties with a health~~
3 ~~department.~~

4 ~~(27) A representative of counties without a health~~
5 ~~department.~~

6 ~~(28) A representative of federally qualified health~~
7 ~~centers.~~

8 ~~(29) A representative of dentists.~~

9 ~~(30) A representative of municipal police departments.~~

10 ~~(31) Representatives from other Commonwealth agencies or~~
11 ~~other entities that the Joint State Government Commission~~
12 ~~deems appropriate in conducting the study on the~~
13 ~~Commonwealth's response to COVID-19.~~

14 ~~(32) Any other individuals with knowledge and expertise~~
15 ~~in matters involving the Commonwealth's response to COVID-19;~~
16 ~~and be it further~~

17 ~~RESOLVED, That the Joint State Government Commission, in~~
18 ~~collaboration with the advisory committee, compile a report~~
19 ~~that, at a minimum, includes all of the following:~~

20 ~~(1) A review and analysis of this Commonwealth's~~
21 ~~response to COVID-19 relating to emergency preparedness,~~
22 ~~including the role of the Pennsylvania National Guard, public~~
23 ~~health, the public school system, students, businesses,~~
24 ~~workers and State and local government agencies in this~~
25 ~~Commonwealth.~~

26 ~~(2) Policy recommendations and proposed legislation to~~
27 ~~implement necessary changes to the laws of this Commonwealth.~~

28 ~~(3) Any other matters deemed appropriate by the Joint~~
29 ~~State Government Commission;~~
30 ~~and be it further~~

1 WHEREAS, THE COVID-19 PANDEMIC EXPOSED BOTH THE STRENGTHS AND <--
2 THE WEAKNESSES OF STATE AND LOCAL LAWS IN THIS COMMONWEALTH
3 RELATING TO PREPARING FOR AND RESPONDING TO PUBLIC HEALTH
4 EMERGENCIES; AND

5 WHEREAS, THE COVID-19 PANDEMIC AND THE RESPONSE TO THE
6 PANDEMIC HAD MANY WIDESPREAD IMPACTS ON THIS COMMONWEALTH AND
7 ITS RESIDENTS; AND

8 WHEREAS, IT IS IMPORTANT THAT THE COMMONWEALTH LEARN FROM THE
9 EXPERIENCE OF THE COVID-19 PANDEMIC AND REVIEW THE IMPACT THAT
10 ITS LAWS AND REGULATIONS HAVE ON THE COMMONWEALTH'S ABILITY TO
11 RESPOND TO SIMILAR FUTURE EVENTS; AND

12 WHEREAS, IT IS IMPORTANT FOR THE COMMONWEALTH TO ASSESS WHAT
13 CHANGES NEED TO BE MADE TO ITS LAWS AND REGULATIONS RELATING TO
14 EMERGENCY PREPAREDNESS, INCLUDING THE ROLE OF THE PENNSYLVANIA
15 NATIONAL GUARD, PUBLIC AND PRIVATE HEALTH SYSTEMS, THE PUBLIC
16 SCHOOL SYSTEM AND STATE AND LOCAL GOVERNMENT AGENCIES IN THIS
17 COMMONWEALTH; AND

18 WHEREAS, SENATE RESOLUTION 194 OF 2007 DIRECTED THE JOINT
19 STATE GOVERNMENT COMMISSION TO ESTABLISH A TASK FORCE TO REVIEW,
20 UPDATE AND CODIFY PENNSYLVANIA'S PUBLIC HEALTH LAWS, BUT THE
21 STUDY WAS NOT COMPLETED; AND

22 WHEREAS, HOUSE RESOLUTION 88 OF 2021 DIRECTED THE JOINT STATE
23 GOVERNMENT COMMISSION TO REVIEW REGULATORY WAIVERS AND
24 SUSPENSIONS DURING THE COVID-19 PANDEMIC TO DETERMINE WHICH
25 REGULATORY WAIVERS AND SUSPENSIONS SHOULD PERMANENTLY REMAIN IN
26 PLACE; AND

27 WHEREAS, THE JOINT STATE GOVERNMENT COMMISSION SHOULD
28 CONTINUE THE WORK RELATED TO REVIEWING PUBLIC HEALTH LAWS AND
29 OTHER LEGAL STRUCTURES IMPACTING THE COMMONWEALTH'S ABILITY TO
30 RESPOND TO FUTURE PUBLIC HEALTH EMERGENCIES; THEREFORE BE IT

1 RESOLVED, THAT THE HOUSE OF REPRESENTATIVES DIRECT THE JOINT
2 STATE GOVERNMENT COMMISSION TO ESTABLISH AN ADVISORY COMMITTEE
3 CONSISTING OF, BUT NOT LIMITED TO, THE FOLLOWING INDIVIDUALS TO
4 CONDUCT THE STUDY ON THE COMMONWEALTH'S PREPAREDNESS TO RESPOND
5 TO PUBLIC HEALTH EMERGENCIES:

6 (1) THE SECRETARY OF AGING OR THE SECRETARY'S DESIGNEE.

7 (2) THE SECRETARY OF THE COMMONWEALTH OR THE SECRETARY'S
8 DESIGNEE.

9 (3) THE SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT
10 OR THE SECRETARY'S DESIGNEE.

11 (4) THE SECRETARY OF EDUCATION OR THE SECRETARY'S
12 DESIGNEE.

13 (5) THE SECRETARY OF HEALTH OR THE SECRETARY'S DESIGNEE.

14 (6) THE SECRETARY OF HUMAN SERVICES OR THE SECRETARY'S
15 DESIGNEE.

16 (7) THE SECRETARY OF LABOR AND INDUSTRY OR THE
17 SECRETARY'S DESIGNEE.

18 (8) THE SECRETARY OF MILITARY AND VETERANS AFFAIRS OR
19 THE SECRETARY'S DESIGNEE.

20 (9) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY
21 MANAGEMENT AGENCY OR THE DIRECTOR'S DESIGNEE.

22 (10) A REPRESENTATIVE OF HOSPITALS AND PUBLIC HEALTH
23 SYSTEMS.

24 (11) A REPRESENTATIVE OF LONG-TERM CARE PROVIDERS.

25 (12) A REPRESENTATIVE OF NURSING HOME OPERATORS.

26 (13) A REPRESENTATIVE OF AGING SERVICES.

27 (14) A REPRESENTATIVE OF PHYSICIANS.

28 (15) A REPRESENTATIVE OF OSTEOPATHIC PHYSICIANS.

29 (16) A REPRESENTATIVE OF EMERGENCY PHYSICIANS.

30 (17) A REPRESENTATIVE OF REGISTERED NURSES.

1 (18) A REPRESENTATIVE OF A UNION FOR CAREGIVERS, NURSES
2 AND HEALTH CARE PROFESSIONALS.

3 (19) A REPRESENTATIVE OF WORKERS IN THE EMERGENCY AND
4 NONEMERGENCY AMBULANCE AND MEDICAL TRANSPORTATION INDUSTRY.

5 (20) A REPRESENTATIVE OF BUSINESSES.

6 (21) A REPRESENTATIVE OF LOCAL AND INDEPENDENT BUSINESS
7 OWNERS.

8 (22) A REPRESENTATIVE OF LABOR COUNCILS.

9 (23) A REPRESENTATIVE OF PUBLIC SCHOOL BOARDS.

10 (24) A REPRESENTATIVE OF PUBLIC SCHOOL TEACHERS.

11 (25) A REPRESENTATIVE OF CHILD-CARE PROVIDERS.

12 (26) A REPRESENTATIVE OF AN ORGANIZATION ADVOCATING FOR
13 INDIVIDUALS WHO HAVE AN INTELLECTUAL DISABILITY OR ARE ON THE
14 AUTISM SPECTRUM.

15 (27) A REPRESENTATIVE OF COUNTIES WITH A HEALTH
16 DEPARTMENT.

17 (28) A REPRESENTATIVE OF COUNTIES WITHOUT A HEALTH
18 DEPARTMENT.

19 (29) A REPRESENTATIVE OF LOCAL GOVERNMENTS.

20 (30) A REPRESENTATIVE OF FEDERALLY QUALIFIED HEALTH
21 CENTERS.

22 (31) A REPRESENTATIVE OF DENTISTS.

23 (32) A REPRESENTATIVE OF MUNICIPAL POLICE DEPARTMENTS.

24 (33) A REPRESENTATIVE OF THE ADMINISTRATIVE OFFICE OF
25 PENNSYLVANIA COURTS.

26 (34) A REPRESENTATIVE OF RESTAURANTS AND LODGING
27 ESTABLISHMENTS.

28 (35) REPRESENTATIVES FROM OTHER COMMONWEALTH AGENCIES OR
29 OTHER ENTITIES THAT THE JOINT STATE GOVERNMENT COMMISSION
30 DEEMS APPROPRIATE IN REVIEWING THE COMMONWEALTH'S EXISTING

1 LEGAL STRUCTURE INFORMING PUBLIC HEALTH EFFORTS RELATED TO
2 COVID-19 AND FUTURE POTENTIAL PUBLIC HEALTH EMERGENCIES;
3 AND BE IT FURTHER

4 RESOLVED, THAT THE JOINT STATE GOVERNMENT COMMISSION, IN
5 COLLABORATION WITH THE ADVISORY COMMITTEE, COMPILE A REPORT
6 THAT, AT A MINIMUM, INCLUDES ALL OF THE FOLLOWING:

7 (1) A REVIEW AND ANALYSIS OF THIS COMMONWEALTH'S
8 EXISTING LEGAL INFRASTRUCTURE THAT COULD HELP OR HINDER THE
9 COMMONWEALTH'S ABILITY TO RESPOND TO PUBLIC HEALTH
10 EMERGENCIES SIMILAR TO COVID-19 AND OTHER FUTURE PUBLIC
11 HEALTH EMERGENCIES, INCLUDING:

12 (I) BALANCING COMPETING INTERESTS, SUCH AS DATA
13 PRIVACY INTERESTS, WITH THE NEED FOR INFORMATION AND THE
14 NEED FOR HEALTH PROTECTION WITH INDIVIDUAL LIBERTY;

15 (II) ENSURING ACCOUNTABILITY FOR EMERGENCY
16 DECISIONS;

17 (III) CREATING REQUIREMENTS FOR PUBLIC INPUT; AND

18 (IV) SERVING THE PROTECTION OF PUBLIC TRUST.

19 (2) POLICY RECOMMENDATIONS, PROPOSED LEGISLATION AND
20 PROPOSED REGULATIONS TO IMPLEMENT NECESSARY CHANGES TO THE
21 LAWS AND REGULATIONS OF THIS COMMONWEALTH TO ENSURE THAT THE
22 COMMONWEALTH HAS THE AUTHORITY AND FLEXIBILITY TO IMPLEMENT
23 LIFESAVING PUBLIC HEALTH INTERVENTIONS WHILE HONORING
24 PERSONAL LIBERTY AND DEMOCRATIC ACCOUNTABILITY.

25 (3) ANY OTHER MATTERS DEEMED APPROPRIATE BY THE JOINT
26 STATE GOVERNMENT COMMISSION;

27 AND BE IT FURTHER

28 RESOLVED, That the Joint State Government Commission
29 establish the advisory committee within three months of the
30 adoption of this resolution; and be it further

1 RESOLVED, That the Joint State Government Commission present
2 its report to the House of Representatives no later than
3 January 1, ~~2025~~ 2026.

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