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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 237 Session of  
2023

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INTRODUCED BY SCHWANK, CAPPELLETTI, HAYWOOD, COLLETT, FONTANA,  
HUGHES, SANTARSIERO, COMITTA, COSTA, KEARNEY AND SAVAL,  
JANUARY 31, 2023

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REFERRED TO HEALTH AND HUMAN SERVICES, JANUARY 31, 2023

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AN ACT

1 Providing for Commonwealth funding safety and transparency.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Commonwealth  
6 Funding Safety and Transparency Act.

7 Section 2. Transparency.

8 (a) General rule.--Notwithstanding any provision of law to  
9 the contrary, no nonprofit agency or nonprofit agency's  
10 subcontractors and service providers that receive funding from  
11 the Commonwealth to promote childbirth and provide alternatives  
12 to abortion shall provide false or misleading information in the  
13 provision of or advertisement of services. Any advertising that  
14 uses funds provided by the Commonwealth shall comply with the  
15 act of December 20, 2015 (P.L.497, No.90), known as the  
16 Taxpayer-Funded Advertising Transparency Act, and may not  
17 provide false or misleading information. The nonprofit agency

1 shall ensure that subcontractors and service providers that  
2 administer health care services, including pregnancy tests,  
3 counseling and postdelivery support, meet the requirements of  
4 the patient safety provisions of section 315 of the act of March  
5 20, 2002 (P.L.154, No.13), known as the Medical Care  
6 Availability and Reduction of Error (Mcare) Act, comply with the  
7 same regulations as apply to a health care facility subject to  
8 section 806(h) of the act of July 19, 1979 (P.L.130, No.48),  
9 known as the Health Care Facilities Act, and do not provide  
10 false or misleading information in the provision of or  
11 advertisement of services. Any health care services, including  
12 pregnancy tests, counseling and postdelivery support, provided  
13 by the nonprofit agency and its subcontractors and service  
14 providers, shall comply with the nationally recognized standards  
15 published by the American Medical Association and the American  
16 College of Obstetricians and Gynecologists. Any program training  
17 and materials from the nonprofit agency and its subcontractors  
18 and service providers shall include the full range of  
19 contraceptive options approved by the United States Food and  
20 Drug Administration.

21 (b) Violations.--A nonprofit agency that fails to comply  
22 with this section may not be eligible to receive State funding  
23 or State tax incentives.

24 Section 3. Effective date.

25 This act shall take effect in 60 days.