

Senate News Brief

from Senate Republicans

“For more than 20 years Pennsylvania has been a leader in ensuring low-income seniors have prescription drug coverage. This legislation ensures the same important benefits PACE/PACENET recipients have come to know will continue for years to come in conjunction with the new federal plan.”

– **Sen. Pat Vance (R-Cumberland)**, announcing legislation April 4 that would update Pennsylvania’s prescription drug assistance program to work with the federal Medicare prescription drug program.

Preview

SENATE IN VOTING SESSION APRIL 18

THE SENATE WILL RETURN TO VOTING session on Tuesday, April 18. During the intervening week, work will continue on reaching a consensus plan for property tax reform. Upon reconvening, the effort to pass legislation to repeal the double-tax on cell phones in Pennsylvania will be resumed.

Review

SEN. VANCE INTRODUCES BILL TO INTEGRATE STATE AND FEDERAL PRESCRIPTION PLANS

LEGISLATION THAT WOULD UPDATE Pennsylvania’s prescription drug assistance program to work with the federal Medicare prescription drug program was introduced April 4 by **Sen. Pat Vance (R-Cumberland)**.

Senate Aging and Youth Committee Chair Jane Orié (R-Allegheny) and **Sen. Pat Browne (R-Lehigh)** joined Sen. Vance in announcing Senate Bill 1188, which would restructure PACE and PACENET so that they work seamlessly with the new Medicare Part D program.

For details on Senate Bill 1188, please see *In the Spotlight* and *Fast Facts*, below.

SENATE VOTES TO REIN IN EMINENT DOMAIN, STRENGTHEN PROPERTY RIGHTS

LEGISLATION TO PROTECT PENNSYLVANIA PROPERTY OWNERS from eminent domain abuse was approved by the Senate on April 5.

House Bill 2054, which would update and codify procedures for the use of eminent domain, is a companion bill to Senate Bill 881, sponsored by **Senate Majority Whip Jeffery Piccola (R-Dauphin)** and **Senate Majority Leader David Brightbill (R-Lebanon)**.

Senate Bill 881 prohibits eminent domain for private business purposes. “Public use” can include redevelopment projects in legitimately blighted areas where properties are abandoned, uninhabitable, condemned or constitute public nuisances due to dangerous conditions. The bill is a response to a U.S. Supreme Court decision that expanded the rights of governments to take private property for economic purposes. Senate Bill 881 is pending in the House of Representatives. House Bill 2054 was returned to the House for consideration of Senate changes.

SENATE MOVES TO IMPLEMENT PATIENT SAFETY STANDARDS FOR ABORTION CLINICS

THE SENATE APPROVED LEGISLATION APRIL 5 TO amend the Medical Care Availability and Reduction Error (MCARE) Act of 2002 to extend the patient safety standards to abortion facilities.

Currently, hospitals, ambulatory surgery facilities and birthing centers are subject to the MCARE safety requirements. Under House Bill 1591, abortion clinics that perform more than 100 abortions per year would be required to have a patient safety committee, submit a patient safety plan and report serious events, incidents and infrastructure failures upon submission of the patient safety plan. Abortion clinics also would be assessed a fee to pay their share of the \$5 million operational budget of the Patient Safety Authority. The amended bill was returned to the House of Representatives.

COMMITTEE VOTES TO PROTECT RIGHTS OF GRIEVING MILITARY FAMILIES

LEGISLATION DESIGNED TO PROTECT THE RIGHTS OF GRIEVING MILITARY FAMILIES by limiting the scope of protests at funerals and memorial services was approved April 4 by the Senate Judiciary Committee, chaired by **Sen. Stewart Greenleaf (R-Montgomery)**.

Senate Bill 1150, sponsored by **Sen. John Pippy (R-Allegheny)** and **Sen. Bob Regola (R-Westmoreland)**, was introduced following news reports of protestors at military funerals in Pennsylvania and around the country. The pickets target grieving family members and friends with vulgar language and other harassment to protest social and political issues.

The bill would require protesters to remain 500 feet from any funeral, memorial service or memorial procession beginning one hour before and ending one hour after the event. Violators would be charged with a third-degree misdemeanor. Senate Bill 1150 is now before the full Senate.

COMMITTEE ACTS TO IMPROVE ACCESS FOR THOSE WITH DISABILITIES

THE SENATE LOCAL GOVERNMENT COMMITTEE, chaired by **Sen. Ted Erickson (R-Delaware)**, approved legislation April 4 that would provide local taxing authorities with the option to offer special tax credits to residential owners that adopt visitability design features on their properties.

Senate Bill 1158, sponsored by **Sen. James Rhoades (R-Schuylkill)**, is known as the Residential Visitability Design Tax Credit Act. The legislation would also establish minimum, uniform design standards that will enhance both access and usability for visitors and residents with significant mobility impairment. It would not mandate any provisions on local municipalities. Senate Bill 1158 was sent to the full Senate for consideration.

SEN. ROBBINS: RESTORE TAX EXEMPTION FOR MOTORCOACH COMPANIES

LEGISLATION THAT WOULD PROVIDE RELIEF TO MOTORCOACH COMPANIES whose tax exemption for fuel purchases was ended by the federal government was introduced April 3 by **Sen. Bob Robbins (R-Mercer)**.

Beginning last year, the federal government no longer allows motorcoach companies to purchase diesel fuel tax-free. As a result of the change at the federal level, motorcoach companies are now subject to Pennsylvania fuel taxes as well. Motorcoach companies are now paying a significant increase in taxes due to the changes at the federal level.

Senate Bill 1171 would eliminate the oil franchise and excise tax for motorcoach companies registered in Pennsylvania and bring them back to where they were prior to changes made by the federal government.

In the Spotlight

SEN. VANCE'S LEGISLATION IS DESIGNED to ensure that Pennsylvania's PACE and PACENET prescription drug programs work with the federal Medicare prescription drug program in a manner that enhances available coverage for our seniors.

Among other provisions, Senate Bill 1188 would pay Medicare Part D premiums for PACE enrollees, eliminate the PACENET deductible, and provide coverage for Part D copayments in excess of the current PACE/PACENET amount. It would also provide assistance to PACE/PACENET recipients in determining if they are eligible for the Medicare subsidy, and in determining which plan to choose.

Medicare Part D enrollment will help lower copayments for participants and provide other drug-related benefits, while saving money for the Lottery Fund. As chair of the Senate Aging and Youth Committee, Sen. Orié said she will begin work immediately to prepare the bill for consideration by the committee.

Fast Facts

SENATE BILL 1188: INTEGRATING STATE AND FEDERAL PRESCRIPTION ASSISTANCE

- Authorizes the Commonwealth to assist PACE/PACENET recipients in signing up for the most appropriate Medicare prescription drug plan.
- Assists PACE/PACENET recipients in identifying if they are eligible for the Medicare low income subsidy.
- Creates real-time online coordination of benefits between PACE and appropriate Medicare plans so enrollees in PACE/PACENET and Medicare continue to fill their prescriptions at pharmacies without additional cost, delay or paperwork.
- Shifts to the federal program some costs that have typically been incurred by the state program.
- Pays Part D premiums for PACE enrollees.
- Eliminates the PACENET deductible.
- Provides coverage for Part D copayments in excess of the current PACE/PACENET amount.

Question or comments? Contact the Senate Republican Communications Office at senaterepublicancommunicationsoffice@pasen.gov or call 717-787-6725. Current and archived News Briefs are also available online at www.pasenategov.com.