

No. 140

AN ACT

HB 1311

Establishing in the Department of Health a program for the care of persons suffering from chronic renal diseases, providing for an advisory committee in connection therewith, designating powers and duties in relation thereto, and making an appropriation therefor.

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

Section 1. As used in this act:

(1) "Department" means the Department of Health of the Commonwealth of Pennsylvania.

(2) "Secretary" means the Secretary of Health of the Commonwealth of Pennsylvania.

Section 2. The department shall establish a program for the care and treatment of persons suffering from chronic renal diseases. This program shall assist persons suffering from chronic renal diseases who require lifesaving care and treatment for such renal disease, but who are unable to pay for such services on a continuing basis.

Section 3. (a) The department may:

(1) Use department funds to provide dialysis services to patients. Funds may be provided for developing home dialysis treatment services and the necessary specialized personnel and equipment.

(2) Develop and utilize newer methods of dialysis designed to make the process more efficient and economical and shall take into account other applications of the procedure such as home dialysis.

(3) Seek the active participation and consultation from industry in order to streamline equipment and procedures for greater efficiency.

(4) Provide training by the department or by others for medical and nursing personnel who will carry out dialysis services in communities in the State.

(5) With the advice of the advisory committee, shall develop standards for determining eligibility for care and treatment under this program.

(6) Cooperate with medical specialists who are seeking ways to develop successful means of kidney transplantation. Dialysis services are necessary as an adjunct to this type of medical investigation.

(7) Receive and make use of any outside source of funds which may become available from Federal, voluntary, philanthropic, or other sources in order to augment State funds. Outside sources of funds shall be used before any State funds are expended.

(8) Make grants-in-aid for research into the causes and treatment of renal diseases.

Section 4. The Governor shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint a

Renal Disease Advisory Committee, hereafter referred to as the committee, to consult with the department in the administration of this act. The committee shall be composed of eleven persons representing hospitals and medical schools which establish dialysis centers, voluntary agencies interested in kidney diseases, local public health agencies, physicians licensed to practice medicine in all of its branches, and the general public. The members of the committee shall serve for a two year period and may be reappointed. The committee shall serve without compensation, but shall receive necessary travel expenses. The chairman of the committee shall be elected by the committee. The committee, with the approval of the secretary, shall establish standards for the expenditure of State funds which are provided for the support of persons suffering from renal diseases to assure the availability of specialized personnel, resources, and equipment necessary to enable such persons to function and to care for patients with severe uremia. The secretary shall choose from a list provided by the advisory committee, the institutions which qualify under the standards established to receive grants of State funds to provide care for renal disease patients.

Section 5. (a) The standards established for the expenditure of State funds under this act shall be in accordance with the requirements of this section.

(b) The secretary shall devise a formula for determining the patients' financial ability to pay costs of treatment, hereinafter designated PFA. He shall consider (i) the aggregate taxable incomes subject to Federal tax on individual incomes of all persons responsible for support of the patient and (ii) the available capital assets, both tangible and intangible, of the patient including any in which he possesses a vested beneficial interest, including but not limited to, insurance, trusts, estates, bank accounts, stocks, evidences of indebtedness and real property. The secretary is authorized to require such proof of the financial status of each patient as he may reasonably deem necessary in the circumstances before he shall approve an application for a grant of State funds.

(c) The department may provide funds in the amounts indicated in subsection (d) for persons whose income, or, the income of the person responsible for his support, is less than the standard budget allowance determined as follows:

(1) Standard Budget Allowance	Number of Persons in Family
\$4,300	1
6,300	2
8,300	3
9,100	4
9,900	5
10,500	6

(2) For each additional person in a family of more than six persons, one thousand dollars (\$1,000) shall be added to the standard budget allowance for each additional member.

(3) The number of persons in the family are those dependent on the standard budget allowance for support.

(d) The department may pay on behalf of a patient eligible for assistance under subsection (c) an amount equal to the excess of the actual cost of treatment over the amount required to be paid by the patient as determined by the excess of his financial ability over his standard budget allowance as follows:

Excess of PFA Over Standard Budget Allowance	Annual Patient Share of Cost
\$ 0 - 00	\$ 00.00
100 - 199	20.00
200 - 299	40.00
300 - 399	60.00
400 - 499	80.00
500 - 599	105.00
600 - 699	130.00
700 - 799	160.00
800 - 899	190.00
900 - 999	220.00
1000 - 1099	250.00
1100 - 1199	290.00
1200 - 1299	325.00
1300 - 1399	365.00
1400 - 1499	410.00
1500 - 1599	450.00
1600 - 1699	495.00
1700 - 1799	530.00
1800 - 1899	595.00
1900 - 1999	645.00
2000 - 2099	700.00
2100 - 2199	755.00
2200 - 2299	810.00
2300 - 2399	870.00
2400 - 2499	935.00
2500 - 2599	995.00
2600 - 2699	1060.00
2700 - 2799	1130.00
2800 - 2899	1200.00
2900 - 2999	1270.00
3000 - 3099	1345.00
3100 - 3199	1420.00
3200 - 3299	1495.00
3300 - 3399	1575.00
3400 - 3499	1660.00
3500 - 3600	1740.00

For each one thousand dollars (\$1,000) by which the financial ability of the patient exceeds three thousand six hundred dollars (\$3,600), the annual patient share of cost shall be increased one hundred dollars (\$100).

(e) All equipment shall be purchased or leased by the Commonwealth and leased or subleased to the patient who shall pay a fee listed in subsection (d) as the patient share of cost.

(f) Counseling and guidance services shall be provided without regard to income or resources.

(g) The patient's annual share of the cost shall, if the patient so elects, be paid in twelve substantially equal monthly payments or may be paid as the patient and secretary may agree.

Section 6. No resident of this State shall be denied treatment because of his place of residence.

Section 7. No resident of this State shall be denied treatment because he is unable to pay for such services.

Section 8. The funds which are provided by the State shall only be expended for the care and treatment of persons suffering from renal diseases including home dialysis care; training of personnel and other expenses incident to providing proper care and treatment; extend financial assistance to persons suffering from renal diseases in obtaining the medical, nursing, pharmaceutical, and technical services necessary in caring for such diseases including the renting of home dialysis equipment; and treatment of complications which may result from dialysis. These funds shall not be utilized to pay for general medical care services which should come from private, local, other State or Federal sources.

Section 9. The sum of one million dollars (\$1,000,000) or as much thereof as may be necessary, is appropriated to the State Department of Health for the purpose of administering the provisions of this act.

Section 10. This act shall take effect immediately.

APPROVED—The 23rd day of June, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 140.



Secretary of the Commonwealth.