

No. 2014-83

AN ACT

SB 177

Establishing a task force on Lyme disease and related maladies; and providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission to execute surveillance, prevention and education strategies.

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

Section 1. Short title.

This act shall be known and may be cited as the Lyme and Related Tick-Borne Disease Surveillance, Education, Prevention and Treatment Act.

Section 2. Findings.

The General Assembly finds that:

(1) Lyme disease and other tick-borne diseases are carried primarily by ticks and pose a serious threat to the health and quality of life of many citizens of this Commonwealth.

(2) The most common way to acquire Lyme disease is to be bitten by a tick that carries the spirochete.

(3) In 2009 and 2011, this Commonwealth ranked highest in the country in the number of confirmed cases of Lyme disease. From 2002 through 2011, this Commonwealth has reported a total of 42,032 confirmed cases of Lyme Disease.

(4) The World Health Organization (WHO) states that Lyme disease will increasingly become a public health threat in the United States.

(5) In August 2013, the Centers for Disease Control and Prevention (CDC) released a report that preliminary estimates indicate approximately 300,000 Americans are diagnosed with Lyme disease each year. This is approximately 10 times higher than the number of cases previously reported to the CDC every year.

(6) Lyme disease is most prevalent in Southeastern Pennsylvania, but it is found and is increasing across this Commonwealth.

(7) With proper precautions taken while engaged in outdoor activities, people can greatly reduce their chances of tick pathogen transmission by making sure that frequent tick checks are made and ticks are removed and disposed of promptly and properly.

(8) The early clinical diagnosis and appropriate treatment of these tick-borne disorders and diseases can greatly reduce the risks of continued symptoms which can affect every system and organ of the human body and often every aspect of life.

(9) Left untreated, Lyme disease can cause a number of signs and symptoms which can become quite severe.

Section 3. Legislative intent.

It is the intent of the General Assembly:

(1) To provide the public with information and education to create greater public awareness of the dangers of and measures available to prevent, diagnose and treat Lyme disease and related maladies.

(2) To ensure that:

(i) Health care professionals, insurers, patients and governmental agencies are educated about the broad spectrum of scientific and treatment options regarding all stages of Lyme disease and related tick-borne illnesses.

(ii) Health care professionals provide patients with information about the broad spectrum of scientific and treatment options regarding all stages of Lyme disease and related tick-borne illnesses to enable patients to make an informed choice as part of informed consent and to respect the autonomy of that choice.

(iii) Government agencies in this Commonwealth provide information regarding the broad spectrum of scientific and treatment options regarding all stages of Lyme disease and related tick-borne illnesses.

(iv) A system is established for tick surveillance.

Section 4. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department." The Department of Health of the Commonwealth.

"Health care professional." A licensed physician, a physician's assistant, a certified registered nurse practitioner or other licensed health care professional.

"Lyme disease." The clinical diagnosis of a patient by a licensed physician, physician's assistant or certified registered nurse practitioner of the presence of signs or symptoms compatible with acute, late-stage, persistent infection with *Borrelia burgdorferi* or complications related to such infection or with such other strains of *Borrelia* that are recognized by the Centers for Disease Control and Prevention as a cause of Lyme disease. The term includes infection that meets the surveillance criteria established by the Centers for Disease Control and Prevention and other acute and persistent manifestations of such an infection as determined by a physician.

"Related tick-borne illness." A case of Bartonella, babesiosis/piroplasmiasis, anaplasmosis, ehrlichiosis or other tick-transmissible illness. The term does not include Lyme disease.

"Secretary." The Secretary of Health of the Commonwealth.

"State officials." The term includes the Secretary of Environmental Protection of the Commonwealth.

"Task force." The task force established by this act.

Section 5. Task force.

(a) Establishment.—The department shall establish a task force on Lyme disease and related tick-borne diseases.

(b) Purpose.—The task force shall investigate and make recommendations to the department regarding:

(1) The surveillance and prevention of Lyme disease and related tick-borne illnesses in this Commonwealth.

(2) Raising awareness about the long-term effects of the misdiagnosis of Lyme disease.

(3) Development of a program of general public and health care professional information and education regarding Lyme disease which shall include the broad spectrum of scientific and treatment options regarding all stages of Lyme disease and related tick-borne illnesses.

(4) Cooperation with the Pennsylvania Game Commission to disseminate the information required under paragraph (3) to licensees of the commission and the general public.

(5) Cooperation with the Department of Conservation and Natural Resources to disseminate the information required under paragraph (3) to the general public and visitors of State parks and lands.

(6) Cooperation with the Department of Education to:

(i) Disseminate the information required under paragraph (3) to school administrators, faculty and staff, parents, guardians and students.

(ii) Determine what role schools may play in the prevention of Lyme disease, including, but not limited to, integrated pest management strategies, prompt removal and reporting of tick removals to parents, guardians and State officials.

(iii) Update policies to recognize signs or symptoms of Lyme disease and related tick-borne illnesses as health conditions potentially requiring accommodations.

(7) An active tick collection, testing, surveillance and communication program as provided under subsection (f)(2).

(c) Composition.—The task force shall be composed of the following individuals:

(1) The secretary or a designee.

(2) The Secretary of the Commonwealth or a designee.

(3) The Secretary of Education or a designee.

(4) The Deputy Secretary for Parks and Forestry in the Department of Conservation and Natural Resources or a designee.

(5) The Director of the Bureau of Information and Education of the Pennsylvania Game Commission or a designee.

(6) Two physicians licensed in this Commonwealth who are knowledgeable concerning treatment of Lyme disease and related tick-borne illness and who are members of the International Lyme and Associated Diseases Society.

(7) Two physicians licensed in this Commonwealth who are knowledgeable concerning treatment of Lyme disease and related tick-borne illness and who are members of the Infectious Diseases Society of America.

(8) An epidemiologist licensed in this Commonwealth who has expertise in spirochetes and related infectious diseases.

(9) Two individuals who represent Lyme disease patient groups and who may be a Lyme disease patient or a family member of a Lyme disease patient.

(10) One individual who is a Lyme disease patient or family member of a Lyme disease patient.

(11) Two registered nurses licensed in this Commonwealth, one of whom is a certified registered nurse practitioner and both of whom are knowledgeable concerning Lyme disease and related tick-borne illness.

(12) The Director of Vector Management of the Department of Environmental Protection.

(13) An entomologist with the Department of Entomology of The Pennsylvania State University who has experience in tick identification and tick-borne diseases.

(14) A registered school nurse licensed in this Commonwealth who is knowledgeable concerning Lyme disease and related tick-borne illness.

(15) Two veterinarians licensed in this Commonwealth, at least one of whom is a veterinary epidemiologist and both of whom are knowledgeable concerning Lyme disease and related tick-borne illness.

(16) A representative from the Northeast DNA Laboratory of East Stroudsburg University who is knowledgeable about vector-borne diseases.

(d) Meetings.—

(1) Within 45 days of the effective date of this section, the secretary shall appoint the members of the task force. The secretary shall appoint a chairman of the task force.

(2) The task force shall convene within 90 days of the effective date of this section and shall meet at least quarterly. The task force may convene meetings via teleconference.

(3) The task force shall issue a report with recommendations to the secretary within one year of its first meeting. The report shall also be transmitted to the Public Health and Welfare Committee of the Senate, the Health Committee of the House of Representatives and the Human Services Committee of the House of Representatives.

(4) Nothing in this act shall be construed to prohibit the task force from making interim reports or taking interim actions.

(e) Compensation and expenses.—The members of the task force shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in performance of their duties. Reimbursement shall be provided by the department.

(f) Duties of department.—The department shall:

(1) Develop a program of general public and health care professional information and education regarding Lyme disease which shall include the broad spectrum of scientific and treatment options regarding all stages of Lyme disease and related tick-borne illnesses.

(2) Develop an active tick collection, testing, surveillance and communication program, subject to the availability of funds, in cooperation with the Department of Environmental Protection, to provide a better understanding of, including, but not limited to, the full range of tick-borne diseases, geographic hot spots and levels of infectivity to be used in targeting prevention, information and education efforts. This effort may include the exploration of and recommendations regarding the use of veterinary data on tick-borne disease prevention, specifically dogs and horses and perhaps other animals, as the Centers for Disease Control and Prevention has recommended. The surveillance data shall be

communicated to health care professionals via public health alerts and shall be published on the department's publicly accessible Internet website. The department may enter into a contract, memorandum of understanding or other agreement with another governmental or nongovernmental entity to develop an active tick collection, testing, surveillance and communication program.

(3) Cooperate with the Pennsylvania Game Commission to disseminate the information required under paragraph (1) to licensees of the Pennsylvania Game Commission and the general public.

(4) Cooperate with the Department of Conservation and Natural Resources to disseminate the information required under paragraph (1) to the general public and visitors of State parks and lands.

(5) Cooperate with the Department of Education to:

(i) Disseminate the information required under paragraph (1) to school administrators, school nurses, faculty and staff, parents, guardians and students.

(ii) Determine what role schools may play in the prevention of Lyme disease, including, but not limited to, integrated pest management strategies and prompt removal and reporting of tick removals to parents, guardians and State officials.

(iii) Update policies to recognize signs or symptoms of Lyme disease and related tick-borne illnesses as health conditions potentially requiring accommodations.

(6) Cooperate with professional associations of health care professionals to provide the education program for professionals required under paragraph (1).

(7) Cooperate with The Pennsylvania State University, Department of Entomology, cooperative extension program for integrated pest management, to disseminate educational resources about ticks, related diseases and integrated pest management for disease prevention as required under paragraph (1) to health care professionals and the general public.

(8) Identify and apply for public and private grants and funding in order to carry out the provisions of this act.

(9) Within 45 days of the effective date of this section, make available current data on tick surveillance programs in this Commonwealth conducted by other entities, including the Northeast DNA Laboratory of East Stroudsburg University and the Department of Entomology of The Pennsylvania State University, until such time as the department publishes the results of the active tick collection, testing, surveillance and communication program as provided for in paragraph (2). The data shall be communicated via public health alerts to health care professionals and made available on the department's publicly accessible Internet website.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 29th day of June, A.D. 2014

TOM CORBETT