

## **LEG REG REVIEW 2007, Thirty-Fifth Issue**

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### **HEALTH CONSOLIDATION EFFORT EXPANDS**

In addition to the PA House's Education Committee activity regarding state consolidation of school district health insurance benefits (House Bill 1841), there is interest in consolidation from other quarters as well. Senate Resolution 46 by Senate Majority Whip Jane Orié (R-Allegheny) requires that a study be done on consolidating health benefits for local employees into a state-run system. She joins Rep. Eugene DePasquale (D-York) in pushing the study that would be done by the Legislative Budget and Finance Committee (LBFC). LBFC's study done by the Hay Group set the stage for current House school district benefit consolidation consideration. Noted in last week's Leg-Reg Review was the introduction of a bill similar to HB 1841 to study the feasibility of consolidating school district health insurance benefits into a state-run plan. SB 1140 was put forward by Sen. Raphael Musto (D-Luzerne).

### **OPEN RECORDS RAISES INSURANCE ACCESS CONCERNS**

Passage by the Senate of SB 1 (Pileggi-R-Delaware) November 28 shifts public attention on what government records are open to the public to the House which is considering its own version in House Bill 2072 (Mahoney-D-Fayette). Of interest to insurance interests is whether the legislation will exempt certain information disclosure from state files that the insurance industry needs. The question is whether or not either of the two bills will impede insurer or financial institution access to personal information such as motor vehicle reports (MVRs). Both the Insurance Federation and agents (IA&B) have suggested that an amendment is needed to ensure continued access to this information.

### **MORTGAGE REFORMS TAKE COMMITTEE STAGE**

On December 4, the Senate Banking & Insurance Committee is poised to take up a package of four mortgage lending reform bills advanced by Senator Pat Browne (R-Lehigh). SB 483, 484, 487, 488 are supposed to be voted on. Three of the four are opposed by the PA Financial Services Association (PFSA) that maintains that mortgage legislation at the state level is premature given Federal interest in passing national legislation. PFSA also says that the package does not attack problems of extension of credit to those with an inability to repay but instead adds bureaucratic requirements on the consumer discount companies.

Secretary of Banking Steve Kaplan issued a statement November 29 endorsing legislation that "gives the Banking Department the tools it needs to bring transparency back to the mortgage business." Specific areas noted by the Secretary were continuing education for mortgage lenders and brokers, quicker notification to the public about fines, foreclosure notification to the state, etc. The Banking Department is also pushing regulatory reforms re mortgage lending on which PFSA is more favorably disposed. Those wishing to study the legislation may do so at the Electronic Bill Room [www.legis.state.pa.us](http://www.legis.state.pa.us) or by accessing the Banking Department's web site, [www.banking.state.pa.us](http://www.banking.state.pa.us).

## **UPCOMING: LEGISLATIVE COMMITTEE WORK**

- December 4, the House Labor Relations Committee intends to vote on two bills proposed by Rep. John Galloway (D-Bucks). House Bill 1756 strengthens employee guarantees of rest periods of 15 minutes per four hours worked and HB 1757 strengthens employee safeguards for meal breaks, requiring a 30-minute meal break per 7 ½ hours worked.
- December 4 the House Professional Licensure Committee convenes to consider HB 1257 (Pashinsky-D-Luzerne) re dental hygienists
- Senate Public Health & Welfare Committee meets December 5 to consider SR 194 (Greenleaf-R-Montgomery) which would direct the State Government Commission to review, codify, and update PA's public health law. The second bill before the committee is SB 387 (certificate of stillbirth).
- Senate Environmental Resources & Energy Committee meets Dec. 4 to look at SB 497 (Robbins-R-Mercer) granting property owners the ability to get their attorney fees reimbursed to them if a civil lawsuit filed against them re use of their land for picnicking, nature study, motorized vehicle riding, etc. is dismissed or found to be "without merit".

## **USTIF GAS TAX HIKE REVERSED**

On November 28 Governor Ed Rendell overruled a decision by the Underground Storage Tank Indemnification Fund (USTIF) Board increasing gasoline taxes by one cent per gallon to anticipate and address a future USTIF deficit. USTIF is a self-sustaining insurance fund run by the PA Insurance Department that pays for damages from petroleum storage tank leaks and spills. It also funds problems caused by tank installers and subsidizes a special grant program to homeowners' damages from in-home oil tank spills and leaks. House Republican leader Sam Smith used the Governor's decision to chide what he termed as the Administration's insufficient repayment of a loan to the General Fund from the USTIF surplus, a loan taken out during the Ridge Administration.

## **UPCOMING: REGULATORY & AGENCIES**

- On December 6, the Independent Regulatory Review Commission (IRRC) meets to consider Insurance Department regulation 11-239 re Fees and Collection Procedures. (Details: Peter Salvatore 717/787-4429)
- Dec. 7 the Children Health Advisory Council, a body charged with overseeing outreach for the CHIP, will meet. (Details: 717/214-4781)
- December 11, the Patient Safety Authority Board (medical malpractice) meets. (Details: 717/346-0469)

## **HEALTH STUDIES RELEASED**

Two studies were released last week of interest to the health insurance community. Issued November 29 was a report by **Families USA**, a left-leaning group seeking more government dominance in health issues. It concluded that more than 2.2 million Pennsylvanians under age 65 will pay more than ten percent of their income on health care.

A second study was released November 30 by the **PA Health Cost Care Containment Council (PHC4)** on ambulatory outpatient treatment centers. According to PHC4, their number grew to 232 in 2006. The study documents a significant increase in the number of outpatient diagnostic and surgical procedures by 40.2% between 2000 and 2006 with two-thirds of that growth occurring in ambulatory surgery centers. The figures also show a shift away from the hospital setting with 27.5% of these procedures done at the ambulatory centers in 2006 versus 10.2% in 2000.