



## PASC Public Policy Summary

January 27, 2021

Respectfully submitted by The Afflerbach Group, LLC

In my October report I stated, “COVID has overshadowed, and continues to overshadow, everything we try to do in our daily lives and in government, with no near end in sight”. That remains the case. The hope to return to a somewhat more “normal” life by summer or early Fall is vaccination. However, as the Federal government attempts to substantially increase production and distribution, Pennsylvania is stuck with receiving only 140,000 doses/week. At that rate, it will take twenty weeks to vaccinate only 1.4 million at two shots each of our more than 9 million adult population.

I have been in conversation with the Governor’s staff, the Department of Human Services, and the Department of Aging to include community senior center staff in priority groups and to utilize the centers as mass vaccination locations. The Administration is interested in this proposal but is not moving forward until it can establish a supply chain with greater volume, timely delivery, and adequate personnel to provide the injections.

Although only a handful of bills have been introduced in the Senate and House at the time of this writing, two identical bills are of considerable concern: [HB55](#) and [SB2](#). These bills propose an amendment to the Pennsylvania Constitution and, if passed by February 18<sup>th</sup> will send the question directly to the May 18<sup>th</sup> Primary election for voter approval.

HB55 and SB2 would restrict the Governor to declaring a disaster emergency to not more than 21 days without legislative approval. From the 22<sup>nd</sup> day onward the legislature would determine the length and parameters of an emergency declaration. It is difficult to imagine how a majority of 203 Representatives and 50 Senators could act with sufficient speed and detail to address an immediate and ever-changing emergency, such as COVID-19 continues to be. Without these emergency and disaster declarations, access to federal funds and both federal and state regulatory waivers could not occur. I strongly recommend PASC members contact their legislators and implore them to not act hastily by passing these bills. If there is a strong feeling to find a better way to address emergency declarations it should be done in a more thoughtful manner, not rushed through in the midst of a pandemic.

Recognizing we remain in a pandemic the Department of Health and Human Services has extended the COVID public health emergency declaration into mid-April. This is the fourth time HHS has extended the declaration that provides for more emphasis on tele-health and waiver flexibilities.

After returning from the November election recess, the Legislature completed the 20-21 budget with a patchwork of fund transfers, delayed booking of expenses into 21-22, and utilization of the \$1.3 billion of CARES Act funds held back from June. All those one-time machinations do not bode well for settling the 21-22 budget. This past week the [Pennsylvania Independent Fiscal Office \(IFO\) forecast a deficit of \\$2.6 billion](#) for next year and continuing multi-billion-dollar structural deficits for at least five years.

Frankly, if the Republicans in the United States Senate continue to block additional emergency federal funds for states and municipalities, it is extremely doubtful the state legislature will be able to pass a balanced 21-22 budget without significant reductions in social programs. That also means we need to be particularly protective of Lottery Fund monies. Unless the situation substantially changes by the fall, I fully expect to see PDA again allocate the center grant program equally among all qualified centers – providing we can retain the grant program during the budget deliberations.



Public policy issues of the past year have not significantly changed. The House Aging and Older Adult Services Committee reorganized yesterday with the same committee chairs as the past session but with a host of new members. The committee Chairs announced their priority goals of advocacy for seniors within the COVID situation and vaccine distribution and passing long awaited amendments to the Older Adult Protective Services Act (OAPSA).

In the Senate, President Pro Tempore Jake Corman is expected to reintroduce and push passage of his legislation to legalize so-called games of skill at truck stops and LCB licensed establishments, with a nod of some portion of revenue going to the Lottery Fund to offset any shift of players from those games to the new "skill" games. The Governor is expected to continue to oppose the Corman proposal.

Other important unresolved issues continue to merit our attention. These include the still unpublished regulations to implement the Community Adult Respite Services Act (CARS). Despite continual assurances by both the previous and present Secretaries of Aging there is no indication the regulations will be published soon. As COVID restrictions wane, It may require filing suit to force the publication in accordance with the long ignored statutory requirement...or to at least threaten to do so.

As Congress and the Biden Administration consider another COVID relief / economic stimulus package, our work with the Leadership Council of Aging Organizations and the National Association of Area Agencies on Aging (n4a) remains important.

An unfortunate bit of news is there will be special elections on May 18<sup>th</sup> for a Senator in the 48<sup>th</sup> District (Lebanon) and a Representative in the 59<sup>th</sup> District (Westmoreland). After winning election in November, Senator Dave Arnold passed from brain cancer and Rep. Mike Reese passed from a brain aneurysm. Both were young men.

As I wrote in October, even under the duress of COVID restrictions, PASC remains well positioned for the immense changes taking place in health care, Home and Community Based Services (HCBS), Long-Term Supports and Services (LTSS) and COVID adjustments. But, as I also wrote, positioning means nothing unless members educate and advocate for support at every opportunity among community leaders, local officials, state officials, and federal policy makers. Every time senior center staff and members have risen to the challenge, they have been successful. Now is the time to rise again!

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