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"If you give a man a fish, you feed him for a day. If you teach a man to fish you feed him for a lifetime." – Lao Tsu

PASC PUBLIC POLICY REPORT

JANUARY 19, 2022

Since our past report and prior to the Holiday break, the Legislature and the Governor approved three pieces of legislation specifically important to seniors and senior centers.

[Act 2021-96](#) (HB2071) establishes the Broadband Development Authority to expand broadband digital communication capacity throughout the Commonwealth. Funds will be drawn from the \$65 billion national American Rescue Plan Act (ARPA) appropriation.

[Act 2021-92](#) extends the Social Security offset for PACE/PACENET through 2023 and [Act 2021-94](#) expanded the income limits by \$6000 each for individual and couple recipients.

Reports from the Independent Fiscal Office stating Commonwealth [revenue collections](#) are nearly \$1.8 billion ahead of last year, combined with nearly \$7 Billion of federal ARPA funds held back by the Legislature, have placed discussion of a systemic deficit of approximately \$2 billion on a back burner. Ironically, COVID has granted the Legislature a limited opportunity to address the issues driving annual structural deficits without having to make drastic budget cuts in 2022 or 2023. It is premature to forecast if the Legislature will take corrective action.

The Legislature will begin budget hearings in February. The Department of Aging will appear in the House at 3pm on February 15th. The session will be livestreamed and carried on PCNTV. The Senate is not requiring PDA to appear. Here are the hearing schedules for the [House](#) and [Senate](#).

At 10am on January 25th there will be a joint House-Senate hearing public hearing to review the Independent Fiscal Office's Department of Aging and Department of Human Services Performance - Based Budget reports. I expect that hearing will be live streamed and televised.

For the third session in a row, veteran groups are pushing to carve out of the Lottery Act a special fund exclusively for veterans of any age. [HB1691](#) proposes to establish an Instant Lottery Game dedicated to Veteran services and outreach. The Department of Revenue argues a carve-out from the present Lottery Fund will reduce revenue for existing Lottery funded programs. An alternative could be a legislative proposal being circulated by Rep. Gary Day (Chair of the House Aging and Older Adult Services Committee) to amend the Sports Raffles Charities Act (Act 56 of 2019) to redirect a portion of the raffle money to Fire Company grants and the Lottery Fund. Rather than directing these funds to the Lottery, Rep. Gary's proposal could direct them to a veteran's fund proposed in HB1691. This action would not require opening the Lottery Act and would not take funds from established lottery revenue streams. We need to closely monitor this situation and urge legislators to pursue the Day legislation alternative.

Other pieces of important legislation such as amendments to the Older Adult Protective Services Act remain stalled as Republican majorities in both chambers, at least for the present, remain focused upon voting laws, district reapportionment, and more constitutional amendments to restrict gubernatorial authority.

Having succeeded in restricting Gubernatorial emergency declarations, Senate and House Republicans are now seeking constitutional amendments to restrict Gubernatorial executive orders ([SB946](#)), actions on concurrent orders or resolutions ([SB947](#)), and the individual's right to refuse vaccinations without penalty ([HB2013](#)). If approved by the Legislature this year, these bills also would need to be approved in the 2023-24 legislative session before they could be posted on the ballot for public approval.

After stripping the Governor of the ability to enact emergency declarations beyond 21 days without Legislative approval, the Legislature discovered it is not easy to sort through the stack of regulations affected by such declarations. Hence, [SB1019](#) (Sen. Brooks) will require the administration to provide a list of temporarily suspended regulations it believe should be permanently rescinded. Expect to see the Legislature address temporary suspensions as a window to reduce regulations. Temporary extensions of regulatory waivers granted by [Act 2021-73](#) expire on March 31, 2022.

Also in the regulatory game, The Pennsylvania Health Care Association (PHCA) has proposed to the Governor and Legislative leaders a [Care Capacity Crisis Plan](#) to address COVID-19 challenges facing Pennsylvania's health care continuum now and into the future. PHCA represents nursing homes, assisted living and personal care facilities.

On other matters, [HB1082](#) establishing an education program to assist medical personnel in early detection and diagnosis of Alzheimer's disease or a related disorder continues to await action on the Senate floor calendar. The PA Long-Term Council supports the measure and their meeting schedule for 2022 is [here](#). Meetings will be held virtually and in person at the offices of the Department of Aging. A contact for more info is at this [link](#).

Although this may be a stretch for senior centers, a few may find it to be a grant opportunity. [FY 2022 AmeriCorps Seniors - American Rescue Plan Senior Demonstration Program | AmeriCorps](#). Clearfield County, Crawford County, Lawrence County, Lehigh County, Mercer County, and Northampton County are among the national priority areas for grants. Deadline for applications is February 3rd.

Finally, efforts by DHS to award MAXIMUS a contract for both enrollment and assessment functions for seniors and individuals with disabilities are on hold pending discussions among DHS, P4A, and MAXIMUS. A petition has been filed in Commonwealth Court by P4A asking the Court to void the DHS effort and to restrict MAXIMUS from rebidding because of its established poor performance in the Commonwealth and other states. By mutual agreement, that petition is on hold pending the outcome of the informal discussions. TAG has obtained *pro-bono* legal assistance to allow PASC to file an amicus brief, if that becomes necessary, supporting the P4A position.

We at TAG look forward to continuing our work with PASC in 2022 on behalf of Pennsylvania's senior population. This is one of the few areas in which we are all able to overcome political partisanship in an otherwise highly partisan atmosphere.

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