

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2008-06]

Office of Diversity Management

July 29, 2008

Whereas, the Commonwealth is committed to creating a culture of inclusion that values and promotes diversity and equal opportunity in all aspects of Commonwealth employment, business, and service;

Whereas, diversity and a culture of inclusion generally means to the Commonwealth the presence and participation of individuals from various races, religions, ethnic and national origins, socio-economic backgrounds, genders, abilities, and beliefs;

Whereas, Commonwealth offices under the Governor's jurisdiction invest significant resources to create and support diversity efforts;


Whereas, historically, the Commonwealth's efforts to recruit, retain, and contract with diverse individuals and businesses have been largely decentralized, lacking a comprehensive enterprise-wide strategic plan;

Whereas, an effective enterprise diversity management policy requires coordinated implementation of diversity policies, programs, initiatives, structures, and strategies related to all aspects of Commonwealth work, including employment, procurement, and communications;

Whereas, effective strategic diversity management practices will further enhance Commonwealth employee productivity and customer service, nurture the development of employees at all levels, and strengthen the State's economy by increasing the pool of diverse employees, citizens, and businesses; and

Whereas, although the Commonwealth has a Chief Diversity Officer, no central coordination of diversity efforts currently exists to govern, evaluate, encourage, and monitor agency diversity planning, investment, and effectiveness. Therefore, it is imperative to establish an Office of Diversity Management to facilitate an effective, coordinated diversity strategy that leverages best practices and resources across Commonwealth agencies.

Now, Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish the Office of Diversity Management, the Governor's Executive Diversity Council, and the Governor's Diversity Planning Council, all as hereinafter set forth, in order to ensure that diversity management strategies and best practices are considered, implemented, and evaluated across Commonwealth agencies.



Governor

Fiscal Note: 2008-6. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 1. AGENCY OPERATION AND ORGANIZATION
Subchapter RR. OFFICE OF DIVERSITY MANAGEMENT

Sec.	
1.521.	Office of Diversity Management.
1.522.	Governor's Executive Diversity Council.
1.523.	Governor's Diversity Planning Council.
1.524.	Relationship with other agencies.
1.525.	Effective date.

§ 1.521. Office of Diversity Management.

The Office of Diversity Management (Office) shall be managed by the Chief Diversity Officer, an executive-level position within the Office of Administration, who shall report directly to the Governor or the Governor's designee. The Chief Diversity Officer shall consult with the Governor's Executive Diversity Council on matters related to diversity strategies implementation; advise the Secretary of Administration on matters related to equal employment opportunity, recruitment, placement, retention, and other workforce and workplace-related issues; and advise agencies and offices on procurement and contracting issues, as they may relate to diversity management and planning.

(1) *Responsibilities.* The Office shall create a coordinated Commonwealth-wide, strategic approach to diversity management and:

(i) Develop, design and implement a strategic plan to accomplish the Commonwealth's diversity vision, mission and goals.

(ii) Identify acceptable measures, coordinate and guide diversity efforts, and establish clear direction and expectations for diversity management efforts in this Commonwealth.

(iii) Incorporate diversity management best practices into Commonwealth agency policies, practices, structures, goals and objectives.

(2) *Authority.* Existing policies and practices of agencies under the Governor's jurisdiction shall be subject to the advice, direction and guidance of the Chief Diversity Officer so that they comply with Commonwealth-wide diversity objectives promulgated by the Office. Agencies under the Governor's jurisdiction shall participate in diversity planning, policy development and implementation. The Chief Diversity Officer may appoint, from time to time, ad hoc advisory groups and committees to assist with matters related to diversity management and inclusion, to engage public discussion, or to accomplish the responsibilities of the Office.

§ 1.522. Governor's Executive Diversity Council.

(a) *Composition.* The Governor's Executive Diversity Council (Executive Council) consists of the following members, who serve *ex officio*:

- (1) Governor's Chief of Staff.
- (2) Secretary of Administration, who serves as Chairperson of the Council.
- (3) Secretary of Labor and Industry.
- (4) Secretary of Health.
- (5) Secretary of General Services.
- (6) Secretary of Community and Economic Development.
- (7) Director of the Office of Public Liaison.
- (8) Secretary of the Commonwealth.
- (9) Chief Diversity Officer.
- (10) Chairperson of the Board of Probation and Parole.
- (11) Commissioner of the Pennsylvania State Police.
- (12) Governor's General Counsel.

(13) Executive Director of the State Civil Service Commission.

(b) *Responsibilities.* The responsibilities of the Executive Council are to:

(1) Provide guidance, direction and approval to the Office of Diversity Management on enterprise-wide diversity priorities, and to guide the Commonwealth's diversity agenda and strategic plan implementation.

(2) Convene on a regular basis to discuss, approve and prioritize enterprise-wide diversity goals, objectives, strategies and recommendations provided by the Governor's Diversity Planning Council.

§ 1.523. Governor's Diversity Planning Council.

(a) *Composition.* The Governor's Diversity Planning Council (Planning Council) consists of the following members, who serve *ex officio*:

(1) Deputy Secretary for Human Resources and Management, Office of Administration.

(2) Deputy Secretary for Procurement, Department of General Services.

(3) Deputy Secretary for Minority and Women's Business Opportunities, Department of General Services.

(4) Executive Director for the Governor's Advisory Commission on African American Affairs.

(5) Executive Director for the Governor's Advisory Commission on Asian American Affairs.

(6) Executive Director for the Governor's Advisory Commission on Latino Affairs.

(7) Executive Director for the Governor's Cabinet for People with Disabilities.

(8) Executive Director for the Pennsylvania Commission for Women.

(9) Director of the Bureau of Equal Employment Opportunity, Office of Administration.

(10) A deputy secretary designated by the Chief Diversity Officer from an agency in each of four practice groups organized around the following: Public Safety; Health and Human Services; Environment; and Government Operations. Practice groups may be organized as presently structured under the Office of Information Technology Keystone Plan or differently as determined by the Chief Diversity Officer to meet agency functions, missions and practices.

(b) *Responsibilities.* The responsibilities of the Planning Council are to:

(1) Conduct meetings on a regular basis to identify critical diversity issues, including those that should be addressed in a comprehensive manner.

(2) Assist the Office of Diversity Management in the development of an enterprise-wide diversity strategic plan and make recommendations to the Chief Diversity Officer for implementation of the plan.

§ 1.524. Relationship with other agencies.

Agencies under the Governor's jurisdiction shall cooperate with, and provide assistance and support to, the Office of Diversity Management, the Executive Council and the Planning Council. The Office of Diversity Management may also be directed and appointed by the Governor to participate in certain other commissions, panels, cabinets, and initiatives as deemed appropriate.

§ 1.525. Effective date.

This subchapter shall take effect immediately, and remain in effect unless rescinded by the Governor.

[Pa.B. Doc. No. 08-1877. Filed for public inspection October 17, 2008, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2008-04]

Pennsylvania All-Hazard Incident Management (PA-IMT3)

May 13, 2008

Whereas, all-hazard incidents may overwhelm local resources, leaving citizens of the Commonwealth vulnerable; and

Whereas, all-hazard incidents may be caused by natural or manmade disasters as well as planned events; and

Whereas, the need to promote and protect the health, safety and welfare of emergency responders, public officials and the general public from actual, or potential, natural or manmade disasters exists in this Commonwealth; and

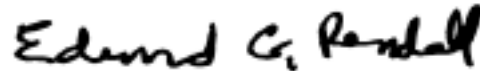
Whereas, every agency of government has the responsibility to protect the citizens of this Commonwealth; and

Whereas, the National Incident Management System (NIMS) was adopted in Pennsylvania by Governor's Proclamation on December 20, 2004, to provide a consistent nationwide approach for governments to work together effectively and efficiently to prevent, prepare for, respond to and recover from all-hazard incidents; and

Whereas, Pennsylvania Act 227 of 2002 authorizes the creation of specialized Statewide response teams; and

Whereas, Homeland Security Presidential Directives 5 and 8 require the Commonwealth of Pennsylvania to establish and maintain, at full readiness, an All-Hazard Incident Management Team(s);

Now, Therefore, be it resolved that I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish an All-Hazard Incident Management Team (PA-IMT3) and order and direct as follows:



Governor

Fiscal Note: GOV 08-04. (1) General Fund; (2) Implementing Year 2007-08 is \$210,608; (3) 1st Succeeding Year 2008-09 is \$186,500; 2nd Succeeding Year 2009-10 is \$186,500; 3rd Succeeding Year 2010-11 is \$186,500; 4th Succeeding Year 2011-12 is \$186,500; 5th Succeeding Year 2012-13 is \$186,500; (4) 2005-06 Program—\$0; 2004-05 Program—\$0; 2003-04 Program—\$0; (7) General Government Operations (PEMA); (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter BB. PENNSYLVANIA ALL-HAZARD INCIDENT MANAGEMENT TEAM (PA-IMT3)

- Sec.
6.351. Pennsylvania All-Hazard Incident Management Team (PA-IMT3).
6.352. PA-IMT3 Interagency Committee.
6.353. Effective date.

§ 6.351. Pennsylvania All-Hazard Incident Management Team (PA-IMT3).

(a) There is hereby established the PA-IMT3, an all-hazard incident management team consisting of personnel from different agencies, departments, boards and commissions within the Commonwealth who have trained together to function as a team to manage all-hazard incidents. The PA-IMT3 shall be coordinated by the Pennsylvania Emergency Management Agency and the Office of the State Fire Commissioner. PA-IMT3 members shall be approved by the State Fire Commissioner and the Director of the Pennsylvania Emergency Management Agency.

(b) The Pennsylvania Emergency Management Agency and the Office of the State Fire Commissioner shall be the lead agencies responsible for implementing this subchapter. The Pennsylvania Emergency Management Agency will provide administrative oversight. The Office of the State Fire Commissioner will coordinate operational issues related to the implementation of this subchapter.

(c) Agencies under the Governor's jurisdiction shall:

(1) Fully support the PA-IMT3.

(2) Cooperate with the Pennsylvania Emergency Management Agency and the Office of the State Fire Commissioner by providing personnel, equipment, and technical assistance and information, as necessary, to carry out the functions and responsibilities of the PA-IMT3.

(3) Accommodate their respective PA-IMT3 members' participation in training, drills, exercises, activations and deployments.

(4) Execute a Memorandum of Understanding with the Pennsylvania Emergency Management Agency, which provides the terms under which this subchapter will be implemented.

§ 6.352. PA-IMT3 Interagency Committee.

There is hereby established a PA-IMT3 Interagency Committee which shall be advisory in nature and recommend policy and procedures for the PA-IMT3. The Director of the Pennsylvania Emergency Management Agency and the State Fire Commissioner co-chair the PA-IMT3 Interagency Committee. The secretary or head of each of the following agencies or offices shall designate a representative from their agency or office to serve on the PA-IMT3 Interagency Committee:

(1) Governor's Office.

(2) Office of the Budget.

(3) Pennsylvania State Police.

(4) Department of Agriculture.

(5) Department of Conservation and Natural Resources.

(6) Department of Environmental Protection.

(7) Department of General Services.

(8) Department of Health.

(9) Department of Labor and Industry.

(10) Department of Public Welfare.

(11) Department of Transportation.

§ 6.353. Effective date.

This subchapter takes effect immediately.

[Pa.B. Doc. No. 08-1878. Filed for public inspection October 17, 2008, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2008-03]

Pennsylvania Health Information Exchange (PHIX) Governance Structure

March 26, 2008

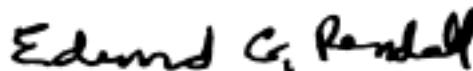
Whereas, providing the architecture to support the Statewide use of electronic medical records, electronic prescribing, and interoperable electronic health records will lead to a reduction in preventable medical errors and improved clinical outcomes; and

Whereas, the use of a secure Statewide information exchange will offer necessary electronic health information to health care practitioners providing services at the point of care for all patients, improve patient safety, reduce redundant tests and procedures, and lead to a reduction in overall healthcare costs; and

Whereas, the technology exists to implement a Statewide health information exchange, which will benefit all Pennsylvanians; and

Whereas, the privacy and security of all Pennsylvanian's health information is of paramount importance.

Now, Therefore, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish the Pennsylvania Health Information Exchange (PHIX) Governance Structure. By doing so I invest it with the powers to perform the duties and functions set forth herein and its primary purpose will be to advise and counsel me in the development and operation of a Statewide system for improving the access to electronic health information for all Pennsylvania's healthcare providers, payers and patients.



Governor

Fiscal Note: 2008-3. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter AA. PENNSYLVANIA HEALTH INFORMATION EXCHANGE (PHIX)

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| 6.341. | Purpose. |
| 6.342. | PHIX executive office. |
| 6.343. | PHIX Advisory Council. |
| 6.344. | Health technology advisory organization. |
| 6.345. | Executive agencies. |
| 6.345. | Effective date. |
| 6.347. | Termination date. |

§ 6.341. Purpose.

The purpose of the PHIX Governance Structure is to perform activities necessary to develop, implement and manage a Statewide health information exchange and other health information technology initiatives within the Governor's Prescription for Pennsylvania.

§ 6.342. PHIX Executive Office.

The PHIX Executive Office will be responsible to direct activities necessary to support the development, implementation and operations of the health information technology initiatives within the Governor's Prescription for Pennsylvania.

(1) *Executive Director.* The PHIX Executive Office shall be managed by an Executive Director who shall report to a Chief Information Officer in the Office of Administration, Office of Information Technology. The PHIX Executive Director, in consultation with the Office of Administration and the Governor's Office of Health Care Reform, shall determine the appropriate staffing levels and necessary infrastructure to develop and support the operation of the PHIX.

(2) *Governor's Office of Health Care Reform.* The Governor's Office of Health Care Reform will provide strategic vision, policy and planning guidance to the PHIX Executive Office with respect to the Statewide development, implementation and operations of a health information exchange and other health information technology initiatives within the Governor's Prescription for Pennsylvania.

§ 6.343. PHIX Advisory Council.

A PHIX Advisory Council (Council) shall be established to provide input on strategies, issues and recommendations to the PHIX Executive Director. The Council will initially be comprised of a high-level representative from each of the following agencies and entities, designated by the agency or entity head. Representatives from these and other agencies or entities may be added or removed as deemed necessary by the PHIX Executive Director in consultation with the Governor's Office of Health Care Reform.

(1) Governor's Office of Health Care Reform, who will be the Chairperson of the Council.

(2) Department of Health.

(3) Department of Public Welfare.

(4) Governor's Policy Office.

(5) Governor's Budget Office.

(6) Office of Administration.

(7) Department of Community and Economic Development.

(8) Pennsylvania Employee's Benefit Trust Fund.

(9) Two members appointed by the Pennsylvania State Senate, one appointed by the Majority Leader of the Senate and one appointed by the Minority Leader of the Senate.

(10) Two members appointed by the Pennsylvania House of Representatives, one appointed by the Majority Leader of the House of Representatives and one appointed by the Minority Leader of the House of Representatives.

(11) A representative from each of the following entities or organizations, to be recommended by the board of each organization:

(i) Blue Cross organizations.

(ii) Commercial health care insurer.

(iii) The Hospital and Healthsystem Association of Pennsylvania.

(iv) The Pennsylvania Medical Society.

(v) Pennsylvania PhARMA Task Force.

(vi) Pennsylvania Pharmacists Association.

(vii) Pennsylvania State Nurses Association.

(12) A representative of a consumer or patient advocate group to be appointed by the PHIX Executive Director.

§ 6.344. Health technology advisory organization.

The Pennsylvania eHealth Initiative (PAeHI) is recognized as an advisory organization to the PHIX Executive Office and may provide research, analysis and recommendations relative to this Commonwealth's unique needs to ensure the successful implementation of health information technology initiatives. Advisory organizations may be added or removed as deemed necessary by the PHIX Director in consultation with the Governor's Office of Health Care Reform.

§ 6.345. Executive agencies.

Agencies under the Governor's jurisdiction shall provide assistance to the PHIX Governance Structure as requested by the PHIX Executive Director or the PHIX Advisory Council.

§ 6.346. Effective date.

This subchapter shall take effect immediately.

§ 6.347. Termination date.

This subchapter shall remain in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 08-1879. Filed for public inspection October 17, 2008, 9:00 a.m.]
