

THE GOVERNOR

GOVERNOR'S OFFICE

[EXECUTIVE ORDER NO. 2014-04]

Transition Period for the Pennsylvania Health Care Cost Containment Council

July 1, 2014

Whereas, the act of July 8, 1986 (P. L. 480, No. 89), as re-enacted and amended by the act of June 10, 2009 (P. L. 10, No. 3), known as the Health Care Cost Containment Act (the "Act"), expired on June 30, 2014, because the Act was not reenacted by that date. See Act § 19, 35 P. S. § 449.19 ("This act shall expire June 30, 2014, unless reenacted prior to that date."); and

Whereas, the sunset of the Act caused the Pennsylvania Health Care Cost Containment Council ("PHC4") to cease its existence under statute effective July 1, 2014; and

Whereas, PHC4 and its employees (the "Staff") collect and analyze data for the production of hundreds of public reports that help inform consumers and purchasers about the quality and cost of health care in the Commonwealth; and

Whereas, the Act lacked provision for a transition period or mechanics for winding up the affairs of PHC4.

Now, Therefore, I, Tom Corbett, 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 declare the following:

1. The members of PHC4 shall continue to comprise PHC4 and shall hold their offices as members of PHC4 in the same manner as provided in the Act.
2. Those individuals employed by PHC4 on the date the Act sunset shall continue to be employed by PHC4.
3. PHC4 members and its Staff shall work to prepare the agency for reauthorization or for permanent dissolution, as appropriate.
4. All permissions granted by hospitals for PHC4 to view hospital specific data reported to the National Healthcare Safety Network pursuant to chapter 4 of the act of March 20, 2002 (P. L. 154, No. 13), known as the Medical Care Availability and Reduction of Error (Mcare) Act ("Act 13"), are hereby vested in PHC4 and the Staff during the term of this Executive Order. PHC4 and the Staff shall use such data in accordance with Act 13 and solely for the purpose of analysis and reporting on hospital acquired infections.
5. PHC4 as established under this Executive Order shall be deemed a continuation of the PHC4 as established under the Act. PHC4 members and Staff shall continue to operate under, and shall continue to possess all of the authority and duties provided in, the Act, associated regulations, contractual obligations and PHC4 internal policies and protocols, including the confidentiality provisions governing the data and material in possession of PHC4.
6. The Office of Administration shall provide administrative and technical support to PHC4. The Office of the Budget shall provide accounting services to PHC4.

7. This Executive Order shall take effect immediately and shall expire on the date upon which the PHC4 is reauthorized by the General Assembly.

A handwritten signature in black ink, appearing to read "Tom Corbett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Governor

Fiscal Note: 2014-04. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-1554. Filed for public inspection July 25, 2014, 9:00 a.m.]
