TOBACCO SETTLEMENT ACT - SPINAL CORD INJURY RESEARCH PROGRAM, SPINAL CORD RESEARCH ADVISORY COMMITTEE, DEPARTMENT RESPONSIBILITIES, USE OF FUNDS AND SPINAL CORD INJURY RESEARCH PROGRAM FUNDS

Act of Oct. 24, 2018, P.L. 783, No. 126  Cl. 35
Session of 2018
No. 2018-126

SB 31

AN ACT

Amending the act of June 26, 2001 (P.L.755, No.77), entitled "An act establishing a special fund and account for money received by the Commonwealth from the Master Settlement Agreement with tobacco manufacturers; providing for home and community-based care, for tobacco use prevention and cessation efforts, for Commonwealth universal research enhancement, for hospital uncompensated care, for health investment insurance, for medical assistance for workers with disabilities, for regional biotechnology research centers, for the HealthLink Program, for community-based health care assistance programs, for PACE reinstatement and PACENET expansion, for medical education loan assistance and for percentage allocation and appropriation of moneys," in Commonwealth universal research enhancement, establishing the Spinal Cord Injury Research Program and Spinal Cord Research Advisory Committee, further providing for department responsibilities and for use of funds and providing for spinal cord injury research programs funding.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, is amended by adding a section to read:

(a) Program establishment.--
   (1) In addition to section 903, there is established in the department a research program that shall be known as the Spinal Cord Injury Research Program. Appropriations from the fund to the department shall be used for research projects regarding spinal cord injuries and related infrastructure by eligible applicants.
   (2) Funds appropriated to the department for the program may be used to conduct peer reviews and performance reviews.
(b) Advisory committee.--

(1) The Spinal Cord Research Advisory Committee is established in the department.

(2) The secretary shall appoint nine members to the advisory committee, which shall consist of the following:

(i) One member representing a Pennsylvania medical college or university.
(ii) Two members who are neurosurgeons.
(iii) Two members who are physicians who specialize in physical medicine and rehabilitation.
(iv) One member who is a physician specializing in the treatment of spinal cord injuries.
(v) One member who has a spinal cord injury.
(vi) One member who is a family member of a person with a spinal cord injury.
(vii) One member who is a veteran who has a spinal cord injury.

(3) Terms are as follows:

(i) The secretary shall appoint members to a term of two years.
(ii) An appointment to fill a vacancy shall be for the period of the unexpired term or until a successor is appointed.

(4) The committee shall meet as needed, but at least twice a year, to fulfill the purposes provided for in this chapter. A majority of the members of the committee constitutes a quorum. A majority of the members of the committee has authority to act upon any matter properly before it. The committee may establish rules for its operation and shall hold public hearings, as necessary, to obtain public input and make recommendations to the department regarding research priorities, evaluation and accountability procedures and related issues. Meetings of the committee shall be subject to 65 Pa.C.S. Ch. 7 (relating to open meetings).

(5) Members shall receive no payment for their services. Members who are not employees of State government shall be reimbursed for necessary and reasonable expenses incurred in the course of their official duties.

Section 2. Sections 904(1) and (2) and 906 of the act are amended to read:

Section 904. Department responsibilities.

The department has the following powers and duties:

(1) Administer the [health] research [program] programs established under this chapter.

(2) Establish, in conjunction with the Health Research Advisory Committee and the Spinal Cord Research Advisory
Committee, the research priorities of the Commonwealth. In developing these research priorities, the national health promotion and disease prevention objectives established by the United States Department of Health and Human Services, as applied to this Commonwealth, shall be considered. The priorities shall include the identification of critical research areas, disparities in health status among various Commonwealth populations, expected research outcomes and benefits and disease prevention and treatment methodologies. The priorities shall be reviewed annually and revised as necessary.

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Section 906. Use of funds.
Research projects conducted under this section shall be consistent with the priorities established under section 904(2). Funds under this section shall be allocated for the following purposes:

1. Seventy percent of the funds appropriated under this section shall be used to fund research pursuant to section 908.
2. Fifteen percent of the funds appropriated under this section shall be used to fund clinical and health services research projects by eligible applicants.
3. Fifteen percent of the funds appropriated under this section shall be used to fund other research projects by eligible applicants.

allocated in the following manner:

(i) Not less than $1,000,000 shall be used for research under section 909.1.
(ii) The balance shall be used for other research projects by eligible participants.

Section 3. The act is amended by adding a section to read:

Section 909.1. Spinal cord injury research programs funding.
(a) Eligible institutions.--An institution that conducts research on spinal cord injuries in this Commonwealth shall be eligible to receive a grant under section 906(3).
(b) Eligible research.--Grants shall be awarded to conduct research into new and innovative treatments and rehabilitative efforts for the functional improvement of people with spinal cord injuries, which may include, but are not limited to:

1. pharmaceuticals;
2. medical devices;
3. brain stimulus; and
4. rehabilitative approaches and techniques.
(c) Additional funds.--The department may solicit funds to supplement grants awarded for spinal cord injury research under section 906(3).

Section 4. This act shall take effect in 60 days.
APPROVED--The 24th day of October, A.D. 2018.

TOM WOLF