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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1104 Session of  
2023

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INTRODUCED BY KHAN, PASHINSKI, CERRATO, FLEMING, BRENNAN,  
SHUSTERMAN, MADDEN, SANCHEZ, HOHENSTEIN, PROBST, McNEILL,  
ROZZI, T. DAVIS, WARREN, HILL-EVANS, KAZEEM, BOROWSKI,  
VENKAT, KINSEY, NEILSON, KRAJEWSKI, M. MACKENZIE, RABB,  
WAXMAN, HADDOCK, PARKER, MALAGARI, CEPEDA-FREYTIZ, SCHWEYER  
AND CONKLIN, MAY 5, 2023

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REFERRED TO COMMITTEE ON HUMAN SERVICES, MAY 5, 2023

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AN ACT

1 Prohibiting the charging of admission fees for events for  
2 personal care attendants of persons with disabilities; and  
3 imposing penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as Michael's Law -  
8 Admission Fairness for Personal Care Attendants Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Attendant care services." The following:

14 (1) Services that enable an eligible individual to live  
15 in the eligible individual's home and community and to carry  
16 out functions of daily living, self-care and mobility.

1 (2) Services under paragraph (1) shall include:

2 (i) Getting in and out of a bed, wheelchair or motor  
3 vehicle.

4 (ii) Assistance with routine bodily functions,  
5 including:

6 (A) Health maintenance activities.

7 (B) Bathing and personal hygiene.

8 (C) Dressing and grooming.

9 (D) Feeding, including preparation and cleanup.

10 (E) Critical cognitive tasks, particularly tasks  
11 required to participate in community events, such as  
12 managing transportation, handling tickets and  
13 communicating with others.

14 (3) The services provided to an individual who is  
15 eligible for a home and community-based services waiver  
16 program under 42 U.S.C. § 1396n(c) (relating to compliance  
17 with State plan and payment provisions).

18 "Eligible individual." An individual with a disability who  
19 requires assistance to complete activities of daily living,  
20 self-care and mobility, including attendant care services.

21 "Personal care attendant." An individual who provides  
22 attendant care services to an eligible individual.

23 "Venue." An entertainment, educational, sporting or other  
24 event open to the public that charges admission.

25 Section 3. Waiving of admission fees for a personal care  
26 attendant.

27 A venue shall provide free admission to a personal care  
28 attendant whose attendance is necessary to enable an eligible  
29 individual to attend an event at the venue. The personal care  
30 attendant is not required to be provided a seat and may be

1 directed to a location in close proximity to the eligible  
2 individual where the personal care attendant may be  
3 accommodated. The location where the personal care attendant is  
4 directed is not required to be in view of the event.

5 Section 4. Violations.

6 A manager or owner of a venue commits a summary offense if a  
7 venue denies a personal care attendant access to an event or  
8 charges a personal care attendant an admission fee. If a manager  
9 or owner of a venue has three violations of this act in a 12-  
10 month period, a subsequent violation shall be a misdemeanor of  
11 the third degree. Nothing in this act shall preclude the right  
12 of a person denied admission, or for the person with a  
13 disability for whom they work, under this act to pursue civil  
14 damages.

15 Section 5. Effective date.

16 This act shall take effect in 90 days.