

THOMAS J. SCRIMENTI
STATE REPRESENTATIVE

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

February 9, 1993

COMMITTEES

PROFESSIONAL LICENSURE
SECRETARY
AGING & YOUTH
INSURANCE
POLICY

Ms. Karen E. Armstrong

[REDACTED]
Corry, PA 16407

Dear Ms. Armstrong:

Thank you for your letter concerning abortion. President Clinton recently lifted the Gag Order which prohibited federally-funded clinics from providing information to women about abortion choices.

I am saddened that in 1993, we are still a nation divided on the abortion issue. In the fall of 1989, Pennsylvania became a leader in the pro-life movement by passing the Abortion Control Act. I am proud of the role I played during the debate and am prouder that the United States Supreme Court upheld most of the provisions of our state's law. We have laid the groundwork for other states to follow.

Throughout my service as a state legislator for the 4th District, I have consistently taken into account the opinions of my constituents. Fortunately, I am blessed with a constituency in which the majority also share my belief in the sacredness of the child. I am thankful for the letters and phone calls I receive from people like you. It reassures my faith in our people and our system of government.

The recent lifting of the Gag Order means that women can still be counseled regarding all reproductive choices, including the option of abortion. I have always opposed abortion and will continue to fight for life. However, since the Gag Order affected federal funding, my fellow pro-life colleagues and I are powerless at the state level to stop this funding. However, we can continue to fight for an end to all unnecessary abortions.

I appreciate and share your concerns and hope that you will continue to express your views in support of life. Please do not hesitate to contact me if I may be of assistance to you on any other issues.

Sincerely,

A handwritten signature in cursive script that reads "Thomas J. Scrimenti".

Thomas J. Scrimenti
State Representative

/js

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

December 20, 1993

COMMITTEES

PROFESSIONAL LICENSURE
AGING AND YOUTH
INSURANCE
FEDERAL-STATE RELATIONS

Miss Colleen Doyle
Miss Michelle Dyer
Miss Megan Nolan
[REDACTED]
North East, PA 16428

Dear Colleen, Michelle and Megan:

I thank you for your letter and I am inspired that you three young ladies think about and discuss such a mature and controversial subject as abortion. As you know, this issue is one which has caused much debate from religious, moral, ethical and legal points of view. The House of Representatives has discussed the issue of abortion in great detail. Ultimately our discussions resulted in the passage of the legislation which is known as the Abortion Control Act.

The Abortion Control Act was signed into law by Governor Casey in 1988 and 1989. This law provides for certain prohibitions and restrictions to abortions, but unfortunately this law has been challenged by Planned Parenthood and is currently under appeal in the U.S. Third Circuit Court of Appeals. I expect that the court will make a public statement as to its ruling in the very near future and we will know if our restrictions will go into effect.

I encourage you to continue to spread your pro-life views. I admire your thoughtfulness and insight: the fight for pro-life will continue and your voices should be heard. Thank you for sharing your thoughts with me. It is great to know that young people in my district are concerned with this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Tom Scrimenti".

Thomas J. Scrimenti
State Representative

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE
AGING AND YOUTH
INSURANCE
FEDERAL-STATE RELATIONS

May 8, 1995

Lois A. Heise

██████████
Harborcreek, PA 16421

Dear Ms. Heise:

I received and read your recent correspondence regarding tax money used to fund abortions. As an elected official, I welcome the opportunity to address the concerns of our community. Input such as yours helps me to act and vote in a truly representative manner.

Unwanted pregnancy, especially among young people, is a serious problem that needs to be addressed, not only by the legislature, but by the community as well. Although I believe that women deserve the necessary support to help face an unfortunate and very difficult situation, I share your concern of tax dollars being used for abortion. My personal and professional opinion is that it is not fair, nor beneficial to our community as a whole, to use tax revenue to fund abortion. Whenever possible, I will oppose any legislative attempts that allow the use of tax money to support abortion.

As you know, abortion is a very controversial issue that is likely to be addressed in the future by the General Assembly. If and when this happens, please know that your comments will be remembered and respected throughout my review of any related legislation.

Thank you for your insight on this issue. Please feel free to continue your valuable input on this or any other matter of concern to you and our community. It is important to me to hear from you.

Sincerely,

A handwritten signature in cursive script that reads "Tom Scrimenti".

Thomas J. Scrimenti
State Representative

TJS/lb

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND OLDER ADULT SERVICES
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS
DEMOCRATIC VICE CHAIRMAN

October 21, 2003

Calvin B. Johnson, Secretary
Pennsylvania Department of Health
P.O. Box 90
Health and Welfare Building
Harrisburg, PA 17108

Dear Secretary Johnson:

I am writing to request your assistance regarding American Women's Services' license to perform abortion services in Erie, Pennsylvania.

As you may know, American Women's Services was granted an exception to regulatory requirements defined in Pennsylvania Code Title 28 Chapter 29 Subsection 29.33 (10). Specifically, the Department of Health waived the requirement that American Women's Services secure a transfer agreement with a local hospital to accept patients in the event of a complication during a procedure.

Given that American Women's Services did not meet all of the regulatory requirements necessary for obtaining a license, I respectfully request that your Department re-examine American Women's Services license to perform abortion services.

Thank you in advance for your consideration of this request and for your time. Please do not hesitate to contact my office if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Thomas J. Scrimenti".

Thomas J. Scrimenti
State Representative

bc: Bishop Donald W. Trautman, S.T.D., S.S.L.

Commonwealth of Pennsylvania

NOV 6 2003



DEPARTMENT OF HEALTH
P. O. BOX 90
HARRISBURG 17120

November 5, 2003

DEPUTY SECRETARY FOR
QUALITY ASSURANCE

(717) 783-1078

The Honorable Thomas J. Scrimenti
House of Representatives
25B East Wing
House Box 202020
Harrisburg, Pennsylvania 17120-2020

Dear Representative Scrimenti:

Your letter to Secretary of Health Calvin B. Johnson, M.D., M.P.H. concerning the registration of American Women's Services (AWS) in Erie as a provider of abortion services has been referred to me for a response. As Deputy Secretary for Quality Assurance, I am responsible for ensuring that regulatory standards are applied to abortion facilities in Pennsylvania.

On March 5, 2003, representatives from the Department of Health (Department) conducted an onsite pre-registration inspection of AWS. At the time of the inspection AWS lacked a transfer agreement with a hospital that met the regulations governing abortions facilities, 28Pa. Code §29.33(10). Following completion of the survey AWS requested the Department grant an exception to this regulation. Department of Health regulation 28 Pa Code §29.42 allows the Department, for good cause shown, to grant an exception to any of the requirements, except statutory requirements. The Abortion Control Act does not require a freestanding abortion facility to have a transfer agreement with a hospital.

In making the exception request AWS provided documentation showing three hospitals located within 30 minutes of the abortion facility that have the ability to provide "routine emergency services" as defined in 29 Pa. Code § 29.33(10). Department staff contacted each of the hospitals and has confirmed that they meet the requirements of 29 Pa. Code §29.33(10) and are located within 30 minutes of the abortion facility. AWS also documented they were unsuccessful in entering into a transfer agreement with any of these hospitals.

The Department is also aware that the three hospitals are Medicare participating hospitals with emergency departments. The Federal Emergency Medical Treatment and Active Labor Act (EMTALA) (42 U.S.C. §1395dd) requires that a Medicare participating hospital must accept any

individual who comes to its emergency department for whom a request is made for examination and treatment and if the patient has an emergency condition, the hospital must treat the patient to stabilize the condition.

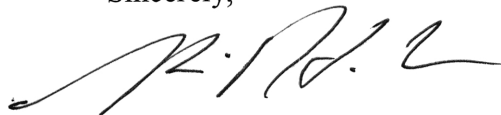
Department regulations governing hospitals, 28 Pa. Code §117.12 requires a hospital to have procedures to assess an ill or injured person and treat that person, refer to an appropriate facility or discharge the person as the person's condition dictates.

Based on the hospital emergency department requirements, AWS's unsuccessful attempts to secure a transfer agreement from any hospital and the Department's acceptance of AWS's emergency transfer protocols, an exception was granted.

Although the Department has granted the exception to 28 Pa. Code § 29.33 (10) there are mechanisms in place to ensure that if a woman experiences a medical emergency during or shortly after an abortion is performed, or if the fetus is prematurely aborted alive at the facility, there is a hospital nearby capable of providing and mandated by law to provide emergency services reasonably anticipated to be needed to stabilize the woman or child.

If you should require additional information, please contact Dawn Jackson, Director of the Office of Policy and Legislative Affairs, at (717) 787-4525.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. H. Lee', with a stylized flourish at the end.

Richard H. Lee
Deputy Secretary for Quality Assurance

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STATE REPRESENTATIVE

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

September 7, 1995

Ellen Gool, Manager
Government Affairs
Manufacturer's Association
of Northwest Pennsylvania
3537 W. 12th Street
Erie, PA 16505-3650

Cam

Dear Ms. Gool:

I want to thank you for your recent letter in which you wrote concerning my support of House Bill 1305 and House Bill 1306.

As you are probably aware, the above bills were referred to the House Labor Relations Committee March 22, 1995. You may be sure that I will take your views into consideration when these bills come before the House for a vote.

I thank you for your interest in this matter. If I can be of any further assistance to you, please do not hesitate to contact my office.

Sincerely,

Thomas J. Scrimenti
Thomas J. Scrimenti
State Representative

/dj

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

October 20, 1997

COMMITTEES

AGING AND YOUTH
DEMOCRATIC CHAIRMAN OF THE
SUBCOMMITTEE ON AGING
PROFESSIONAL LICENSURE
AGRICULTURE AND RURAL AFFAIRS

Mr. Richard Hartley

North East, PA 16428

Dear Mr. Hartley:

Thank you for your petition which was forwarded to me through Mrs. Susan Straub, President of Pennsylvanians for Right to Work, Inc.

As you may know, Senate Bills 9, 291 and 939 were referred to the Senate Labor & Industry Committee on May 12, 1997. As of the composition of this letter, all three Senate bills remain in the Senate Labor & Industry Committee. The status of House Bill 1057 has also remained the same, in the House Labor Relations Committee, as during the spring session. I am unaware of any attempts to remove any of the aforementioned bills from their respective committees and introduce them on the floor of either the House of Representatives or the Senate.

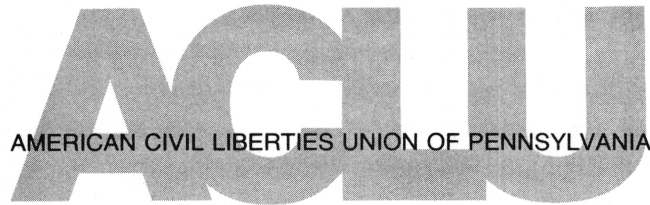
I greatly appreciate hearing my constituents' opinions on legislative issues important to them or their families. Again, thank you for sharing your support of House Bill 1057 and Senate Bills 9, 291 and 939 with me. Please be assured that your concern has been duly noted and will be remembered when the "agency shop" issue is brought before the House of Representatives. If I can be of further assistance, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Tom Scrimenti".

Thomas J. Scrimenti
State Representative

/dje



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717-233-4208

James D. Crawford
PRESIDENT

Barry Steinhardt
EXECUTIVE DIRECTOR

Susan Frietsche
DEPUTY DIRECTOR

June 9, 1989

The Honorable Thomas J. Scrimenti
House of Representatives
Harrisburg, PA 17120

Dear Representative Scrimenti:

Representative Babette Josephs is sponsoring the Confidentiality of HIV-Related Information Act, an essential public health bill designed to slow the spread of AIDS. It is a state-of-the-art proposal representing the best thinking of public health experts. We urge you to cosponsor this bill.

Everyone wants to know that his or her private medical information is going to be protected, and that one will not be subjected to a medical test without permission. Unfortunately, those reasonable expectations are not guaranteed by Pennsylvania law. This is particularly bad in the case of AIDS, which cannot be stopped unless people come forward voluntarily for testing, counseling and treatment. Representative Josephs' bill guarantees that AIDS-related medical information will not be passed on to anyone who does not have a valid need to know. It requires informed consent for most AIDS testing, and requires those administering the test to provide basic counseling about AIDS and how not to spread it.

The bill follows the approach recommended by public health experts, the President's Commission on the HIV Epidemic, and the National Academy of Sciences. This approach has been successfully adopted by legislators in the most affected states, including New York, California and Florida.

We hope you will join the effort to stop AIDS by supporting this vital bill. To become a sponsor, please call Marianne Falcone at 787-8529.

Yours sincerely,

Sue Frietsche
Deputy Director

Scott Burriss
Staff Attorney

JUN 12 1989

A ■ A ■ C ■ O

file AIDS

AIDS ACTIVITIES COORDINATING OFFICE

MAURICE C. CLIFFORD, M.D.
Health Commissioner

DAVID R. FAIR, *Executive Assistant*
to the Commissioner for AIDS Programs

June 16, 1989

The Honorable Thomas J. Scrimenti
Member, House of Representatives
House Post Office
Harrisburg, PA 17120

Dear Representative Scrimenti:

I am writing to express the strong support of the AIDS Activities Coordinating Office of the Philadelphia Department of Public Health for the "Confidentiality of HIV-Related Information" Act about to be introduced by Representative Babette Josephs. This Bill represents a critical step forward in recognizing the sensitive nature of information concerning infection with Human Immunodeficiency Virus (HIV), the causative agent of Acquired Immune Deficiency Syndrome (AIDS).

Our ability to fight the AIDS epidemic is critically linked to the confidence which people place in efforts of public health authorities to provide counseling, testing and treatment services. People who think that their test results are likely to be disclosed will simply refuse to participate in such services. As promising therapies continue to be developed which both improve the quality of and extend the lives of persons with HIV-related illness, measures to restore the confidence of target populations in the public health system must be among our most urgent priorities. This Bill addresses those concerns in a way that still makes it possible for health care practitioners to provide needed care.

Portions of the Bill relating to informed consent, pre- and post-test counseling, and protection of information are the result of extensive research, including a review of statutes in other jurisdictions. The language of the legislation is the result of broad input and a substantial commitment of time by a variety of interested parties.

Representative Scrimenti

June 16, 1989

Page 2

I strongly encourage your support of the "Confidentiality of HIV-Related Information" Act; it is through such legislation, and enhanced activities in the areas of prevention and treatment, that we all can make an enormous contribution to fighting the AIDS epidemic.

Please feel free to contact our Director of Legislative Affairs Renee Brody at 215-686-5070 with any concerns you may have regarding this legislation.

Sincerely,



M. Louis van de Beek, M.D.
Director, Medical Affairs,
Policy and Planning

MLVDB:db

[Sample]

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE,
SECRETARY
AGING & YOUTH
INSURANCE
POLICY

April 5, 1993

Mr. Charles Kosmatine

Erie, PA 16511

Dear Mr. Kosmatine:

I want to thank you for including me in your efforts on behalf of the Ryan White Fund and other AIDS allocations. Please know that I share your concerns and call for quick consideration of the necessary legislation to free up Federal dollars you describe in your postcard to me. Throughout this process, I hope you continue this communication with my office. I need to hear from you and your opinions and comments about AIDS funding or any other issue of importance to you.

Attached is a copy of a letter I sent to Representative Dwight Evans, Chairman of the House Appropriations Committee. In it I attempt to echo your sentiments and to strongly urge his fast work on the RAFF's. The Department of Health sent the requests to his committee during the last week of February. I hope that my letter proves helpful to your cause.

In preparing the attached letter, I found out good news that you may already know. I was told about President Clinton's plans to add a \$200 million supplement to the Ryan White Fund. Pennsylvania will get a piece of the that national increase. Also, the Clinton Administration has impressive and needed plans to make bold investments into the fund up to 1997.

Again, I appreciate your letter and this opportunity to be of service to you. I thank you again for contacting my office and for sharing your opinions with me.

Sincerely,

A handwritten signature in cursive script that reads "Thomas J. Scrimenti".

Thomas J. Scrimenti
State Representative

/js

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE,
SECRETARY
AGING & YOUTH
INSURANCE
POLICY

March 4, 1993

Honorable Dwight Evans
Chairman
House Appropriations Committee
512-E Main Capitol
Harrisburg, PA 17120

Dear Chairman Evans:

I must write to you about a situation of the utmost importance and urgency to me, to my constituency, and to the residents of my region. The Department of Health recently sent to your committee a request for Federal Funds concerning the Ryan White monies now available to Pennsylvania. I know I do not have to elaborate on the importance of these dollars or need for steady support from our state AIDS programs and research. As I am sure you know, our state now has 13 counties in Northwestern Pennsylvania without sufficient funding. This crisis can be averted with quick consideration and approval of the appropriate RAFF legislation.

My reason in writing to you is to respectfully urge your committee to act as soon as possible on this matter and to bring it to the entire House of Representatives for its due attention and passage. My office is receiving cards and letters from scores of rightfully concerned individuals petitioning for action. By this letter, I join their efforts.

Please let me know if I can do anything to assist you in this deliberation. As always, I look forward to working with you to meet the budgetary challenges facing our Commonwealth.

Thank you for your attention and effort on this matter.

Best regards.

Sincerely,

A handwritten signature in cursive script that reads "Tom Scrimenti".

Thomas J. Scrimenti
State Representative

/js



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James D. Crawford
PRESIDENT

Deborah Leavy
EXECUTIVE DIRECTOR

Larry Frankel
LEGISLATIVE DIRECTOR

MAY 11 1993

May 3, 1993

The Honorable Thomas J. Scrimenti
House of Representatives
P.O. Box 96
Harrisburg, PA 17120-0028

RE: PROPOSED PREMARITAL TESTING FOR HIV

Dear Representative Scrimenti:

I read with interest your April 17, 1993, column in the Corry Journal in which you discussed the above-referenced proposal. I am encouraged by your understanding of some of the criticism of the legislation introduced by Representative DeLuca. I would like to convey to you the reasons why the ACLU believes that this kind of legislation is an inappropriate response to the AIDS epidemic.

Experience has shown that such testing is ineffective. Illinois and Louisiana, two states that enacted statutes mandating premarital HIV tests, repealed them shortly after they were passed. The Illinois law was in effect for a little more than one year. The Louisiana law was repealed 11 days after it was enacted. In Texas, the state legislature enacted legislation that would have required testing if the rate of seroprevalence among the general population reached 0.83%. That law was repealed in 1991.

The Illinois experience demonstrates the futility of mandatory premarital testing. The number of individuals seeking marriage licenses dropped dramatically following the enactment of the law mandating HIV tests. Couples went to other states to obtain their marriage license (resulting in a loss of revenue for Illinois) or decided not to get married. During the first six months the law was in effect, only 8 HIV positive individuals were identified out of 70,846 persons tested. The expenses associated with administering the testing program were enormous in contrast with the number of positive test results obtained. The cost of identifying HIV positive individuals through mandatory premarital testing was many times greater than through voluntary counseling and testing programs.

The Honorable Thomas J. Scrimenti
May 3, 1993
Page 2

Even if we ignore the lessons of Illinois' experiment in this area, I think that there are several compelling arguments against this legislation. First, it presumes that couples have not engaged in sexual relations prior to marriage. Census data and studies show that many, if not most, couples have sexual relations prior to marriage. Forcing them to undergo premarital HIV testing is pointless as the testing will not prevent exposure to infection when that exposure has already occurred.

The reliability of test results is questionable because of a significant incidence of false positives. In addition, due to the duration of the latency period, a person may have been exposed to the HIV virus and still test negative for up to six months.

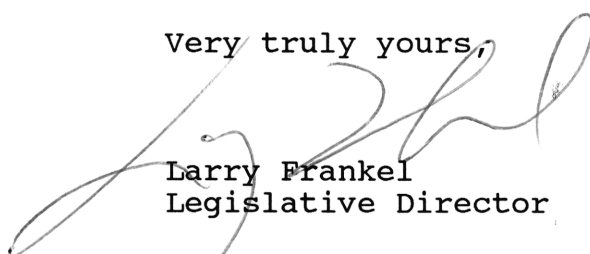
There is also a constitutional question as to whether a state can prohibit marriage for an individual who is HIV positive. The right to marry has been accorded heightened constitutional protection. Loving v. Virginia, 338 U.S. 1 (1967). Although a state can impose reasonable regulations on marriage, the limitations contemplated in this bill represent an undue interference with an individual's right to marry.

In light of your interest in this area, I am enclosing copies of several bills which we believe are more sound public policy measures. This state can more effectively respond to this epidemic by providing more services to persons with AIDS, promoting voluntary and confidential testing and counseling, and improving educational efforts in high-risk communities. These efforts are advocated by public health officials and professionals who have been working with the affected populations over the least ten years. I look forward to your support for these reasonable measures.

I am also enclosing a copy of an editorial from the Pittsburgh Post-Gazette which discusses Representative DeLuca's legislation.

Please feel free to contact me if you have any questions with regard to legislation related to AIDS.

Very truly yours,



Larry Frankel
Legislative Director

Enclosures