

The LBFC PERFORMANCE REPORT

THE OFFICIAL NEWSLETTER OF THE
PENNSYLVANIA LEGISLATIVE BUDGET & FINANCE COMMITTEE



Due to COVID-19 work restrictions, and for the safety of the public and LBFC staff, committee staff are working remotely and the release of reports has been postponed. Please stay safe.

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THE "VENUE" REPORT

The LBFC released its report "A Study of the Impact of Venue for Medical Professional Liability Actions" on February 3, 2020. Senate Resolution 2019-20 directed the LBFC to determine the impact of venue, or the geographic location where a legal dispute can be adjudicated, for medical professional liability actions as it pertains to several issues. These include: access to medical care; how the 2003 changes impacted availability of services and professional liability insurance; how the 2003 changes impacted compensation for medical negligence injuries and deaths; as well as how the current proposed amendment might impact these areas. The Pennsylvania Supreme Court agreed to delay review of the proposed amendment pending the release of the LBFC's report.

As directed by SR20, the LBFC staff held public hearings last June to accept testimony from affected parties including representatives of the health care industry, the insurance industry, the legal community, as well as other relevant stakeholders. Staff reviewed thousands of pages of documents and concluded it was not possible to measure the specific effects of tort reform, let alone venue, on issues such as physician and hospital availability, hospital services, the number of medical malpractice filings, the value of medical malpractice payments, or case duration.

The study did find that a change in venue, coupled with regionalization of hospital services, would likely create a less predictable market in the near term, which may result in rate destabilization in adjusting to the new rule. The report in its entirety, as well as Deputy Executive Director Christopher Latta's testimony may be found on the LBFC website. See <http://lbfc.legis.state.pa.us/>

FROM THE EXECUTIVE DIRECTOR...

PATRICIA A. BERGER, ESQ.

Greetings and welcome to the first LBFC newsletter. You have likely seen an LBFC report - the blue bound ones. If you are unfamiliar with who we are or what we do, let me explain. The LBFC is a statutorily-created bipartisan, bicameral service agency of the General Assembly. We conduct performance audits, program evaluations, and evaluative studies of state agencies and programs. And we provide unbiased information and recommendations to improve the operations of those agencies and programs. The LBFC's goal is to carry out studies and make recommendations aimed at eliminating unnecessary government expenditures, promoting economy in the government of the Commonwealth, and assuring that state funds are being spent in accordance with prudent practice, legislative intent, and the law. We have 13 staff (pictured above) with degrees in business administration, public administration, public-budgeting and financial management, public health, and law, among others. Please contact us if you have any questions about our work or have a request for a future project. More to come in the next newsletter.

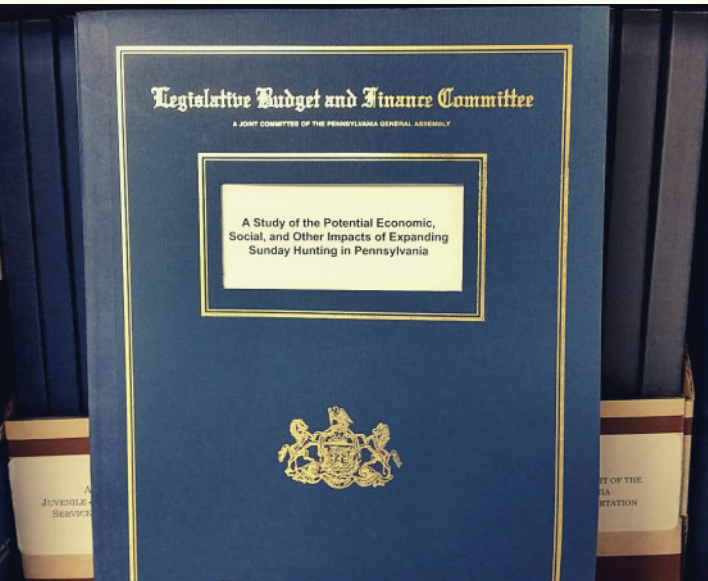


FAQs...

HOW DOES AN LBFC PROJECT START?

The LBFC is authorized by law to conduct a wide range of research activities pertaining to the operation and performance of state-funded programs and agencies.

Projects come to the LBFC in one of three ways: the requirement of an LBFC study may be included in statute, or it may be requested through a House or Senate resolution, or in some circumstances an issue may be examined by staff at the discretion of the LBFC officers.



WHAT'S NEW...

- ★ SR 48 - Compliance of telecommunication carriers with broadband universal service deployment mandates.
- ★ HR 507 - Pennsylvania Department of Health and Human Services hotlines cost study.
- ★ HR 619 - Indigent criminal defense study.
- ★ HR 515 - Study of changes in access to county-managed community health services.

UPCOMING--Spring and early summer releases are expected for several reports, including the Local Options Small Games of Chance update study, the HR 507 study addressing costs of HHS hotlines, the SR 105 examination of the State Police complement, and the Act 20 study of single use plastic containers.



Report releases have been postponed due to COVID-19 restrictions.



YESTERYEAR...2005

It was the year that we saw Steve Fossett fly solo non-stop around the world, Hurricane Katrina, and the founding of YouTube. That year, the LBFC issued a report entitled "The Potential Economic, Social, and Other Impacts of Expanding Sunday Hunting in Pennsylvania." In 2005, state hunters reported that they would hunt an average of 4.7 additional days a year if Sunday hunting was allowed during all seasons, which was an estimated economic impact, at that time, of \$629 million. In 2020, Pennsylvania hunters will be able to hunt on three Sundays due to the recently enacted Act 2019-107.

REPORTS FROM STAFF HQ...

On October 28 & 29, 2019, the LBFC professional staff attended training on performance auditing presented by the Government Accountability Office's Center for Audit Excellence. Mr. John Needham, of the GAO, came to Harrisburg and led the LBFC staff through lessons and activities on the life cycle of a performance audit, including:

- GAO Yellow Book standards and phases of an audit
- Questions to ask in designing audit issues and objectives
- Utilizing different design tools, such as a design matrix and audit plan
- Data collection, analysis, and documenting evidence
- Developing, reaching agreement on, and communicating the report message.

Mr. Needham is experienced with government auditing and review from past experience as Assistant Inspector General for Auditing at the Small Business Administration, Director in the GAO's Acquisition and Sourcing Management Team, as well as head of management audits at the Tennessee Valley Authority's Office of Inspector General. He led reviews of acquisition and contracting practices at the Departments of Homeland Security, Defense, and the General Services Administration, including the government's response to Hurricane Katrina. The Center for Audit Excellence promotes good governance and the building of the institutional capacity of accountability organizations, such as LBFC, by providing high quality training. They offer fee-based courses in the areas of performance audits, institutional capacity, financial audits, leadership, and supervision.



THE GREAT BEYOND...

2020 NLPES PROFESSIONAL DEVELOPMENT SEMINAR

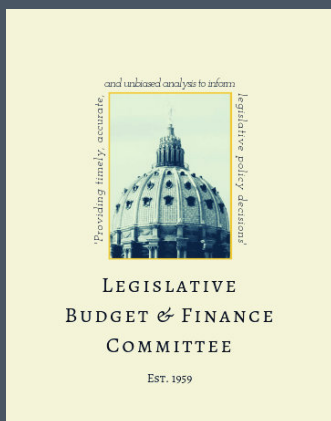
The National Legislative Program Evaluation Society (NLPES) hosts the only national training event designed exclusively for state legislative staff who work in program evaluation and performance auditing. The LBFC has received an NLPES impact award each of the last four years!

NLPES will hold its 2020 Professional Development Seminar in Atlanta, Georgia, October 7-9, 2020. This PDS will include training for staff sections of the National Conference of State Legislatures and is being referred to as Staff Hub ATL 2020.

The seminar agenda will include a great mix of plenary speakers and concurrent sessions with ample opportunity for panel presentations and discussions about contemporary issues in legislative program evaluation and performance auditing.



The mission of the Pennsylvania Legislative Budget & Finance Committee is to provide members of the Pennsylvania General Assembly timely, accurate, and unbiased information, analysis, and performance evaluation to inform their policy decisions.



ONGOING PROJECTS...

Act 2018-90: Requires a study and evaluation of grants by the Pennsylvania Department of Health under the state's Organ Donor Trust Fund

SR 105: A study of the statutory cap on the State Police enlisted complement

SR 48: A review of the compliance of telecommunication carriers with PUC and high-speed broadband universal service deployment mandates

Act 2019-20: Requires the LBFC to study the environmental impact and any impact upon residents of this Commonwealth from any regulation impacting single-use plastics, reusable plastics, auxiliary containers, wrappings or polystyrene

HR 507: A study analyzing the current Pennsylvania health and human services hotlines and their cost to the Commonwealth

Act 2013-90: An annual report analyzing the impact of Chapter 9, which relates to tavern gaming, on the State Lottery

Act 1995-1/17: A study of the adequacy of fees charged in the PA Instant Check system for firearms purchases

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