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Senate of Pennsylvania

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September 21, 2026

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Pennsylvania Independent Regulatory Review Commission
555 Walnut Street, Suite 804
Harrisburg, PA 17101

Via Electronic Mail to: irrc@irrc.state.pa.us

Re: Regulation #10-242: Communicable and Noncommunicable Diseases (IRRC #3490)

Dear Members of the Independent Regulatory Review Commission:

As the elected state senator representing the hardworking families, small businesses, and taxpayers of southern York County, I write to express my resolute opposition to the Department of Health's proposed sweeping updates to 28 Pa. Code Chapter 27. While public health is a foundational responsibility of state government, it does not grant unelected bureaucrats the ability to bypass the General Assembly, trample on parental rights, and crush small businesses under a mountain of heavy-handed government mandates.

This proposal represents a textbook example of regulatory overreach and economic negligence, something we have already lived through under the unilateral actions of the previous administration and something we should never have to endure again.

The most egregious overreach hidden within the 502-page proposed regulation lies in the manipulation of language in section 27.60 in which the phrase "prevention, containment, or mitigation" was inserted in an apparent attempt to circumvent the Pennsylvania Supreme Court's landmark ruling in *Corman v. Acting Secretary of Pennsylvania Department of Health* (2021).

The state Supreme Court explicitly ruled that the executive branch did not have the authority to enforce sweeping mandates under existing law. The department is now weaponizing the regulatory process to grant itself the very broad, unchecked power the judiciary struck down. As a legislator, I will not stand by while an executive agency attempts to write its own laws and sidestep the checks and balances that protect our constitutional rights.

The department's proposed section 27.60a also grants blatantly unconstitutional power for bureaucrats to "enter an apartment, building, health care facility, school, college or university, or other location as necessary to carry out contact tracing or partner services" without the need for a warrant. The fact that the Department of Health wishes to treat law-abiding citizens with less dignity than alleged criminals is deeply concerning. To add insult to injury, the department also "proposes to require a person to not obstruct or interfere with, the Department or local health authority conducting contact tracing," punishing those who rightfully stand up for their constitutional rights.

Additionally, I am deeply troubled by proposed section 27.60c, which forces local schools to give department personnel "unobstructed and in private" access to children for contact tracing. Parental notification and parental rights cannot be avoided. Parents – not the government – have the ultimate authority over their children. By drastically expanding the arbitrary symptoms that force a child or staff member to be excluded from school, the department acknowledges the proposed regulation will "exacerbate operational challenges" and worsen existing staffing crises. York County families cannot afford a return to the days of arbitrary, disruptive classroom exclusions that upend a child's education. We have been through this once; we cannot do it again.

I also want to emphasize that, pursuant to Section 5.1(a) of the Regulatory Review Act (71 P.S. section 745.5a(a)), the Department of Health is strictly bound to review, consider, and respond to every comment received from private citizens and legislators. I expect full accountability, adherence to the Regulatory Review Act, and a thorough response to the objections I and countless other Pennsylvanians have formally placed on the record.

Government exists to serve the people, not to rule over them through a complex web of unvoted regulations. The department failed to balance public health with economic liberty, local governance, and basic fiscal accountability. This regulatory package must be rejected and withdrawn immediately.

Sincerely,



Kristin Phillips-Hill
Senator, 28th District