



Madison Brame

From: Alisa Hoffman <fairydust109@gmail.com>
Sent: Wednesday, September 16, 2026 9:29 AM
To: RA-DHCHAPTR27PROPREG@pa.gov; IRRRC
Subject: PUBLIC COMMENT — Rulemaking #10-242 Communicable and Noncommunicable Diseases / IRRRC #3490 (56 Pa.B. 5131)

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Re: Promulgating Agency: Department of Health
 Title of Regulation: Communicable and Non-communicable Diseases
 Identification Number: 10-242
 IRRRC Number: 3490
 Proposed Rulemaking Published in Pennsylvania Bulletin at 56 Pa.B. 5131 (August 8, 2026)

To Whom It May Concern:

I am a Pennsylvania resident writing to express my strong opposition to Proposed Rulemaking #10-242 in its current form and request that the Department of Health withdraw it completely or that the IRRRC reject it completely. The proposed regulations raise significant concerns about the potential for arbitrary and capricious actions by unelected Department of Health officials.

THE PROPOSED REGULATIONS ARE POLITICALLY MOTIVATED AND NOT BASED ON LEGITIMATE PUBLIC HEALTH CONCERNS

- The DOH is doing this in direct response to the Pennsylvania Supreme Court decision in *Corman v Acting Secretary*, which held that the mask mandate was not authorized by existing law or regulation.
- The main concern is clear: “limiting language” is restrictive for the DOH and the initiative here seems to be to add and increase their authority in the absence of any actual health crisis.
- The proposed regulations gives the DOH the authority to impose sweeping measures, yet specifics remain vague at best. There is no due process.

THE USE OF POLITICAL LANGUAGE DEMONSTRATES THAT THE PROPOSED REGULATIONS ARE POLITICALLY MOTIVATED, AND NOT A SERIOUS, SCIENTIFICALLY BASED ATTEMPT TO UPDATE THE EXISTING REGULATIONS

- The proposed regulations add terms like “birthing individual” and changes terms like “pregnant woman” to “pregnant individual.”
- The use of such nonsensical and unscientific terms cast significant doubt on the legitimacy of the entire 500-page proposal as a public health measure.

EXTREME MEASURES: TROUBLING AND OVERLOOKED WORDING. NEW DISEASE CONTROL MEASURE – AUTHORITY TO TAKE ACTION AGAINST A “CONDITION”

- The new measures would authorize the DOH to segregate or isolate a person with a “condition”, defined as a “noninfectious medical ailment or other health-related event.”
- A “condition” could be an ideology, or simply a different way of life that will empower the DOH to conduct surveillance and order the isolation and segregation of ordinary citizens.

UNREGULATED DISCRETION TO TAKE ACTION FOR “PREVENTION, CONTAINMENT OR MITIGATION” OF DISEASE

The proposed regulation authorizes the DOH to take measures for “prevention, containment or mitigation.” These terms are not defined.

WARRANTLESS ENTRY INTO PRIVATE SPACE FOR INVESTIGATION AND CONTACT TRACING IN CONTRAVENTION TO CONSTITUTIONAL PROTECTIONS

Authorizes the DOH to “enter an apartment, building, health care facility, school, college or university, or other location as necessary to conduct its investigation” (Section 27.60a(b)) and when “necessary to carry out contact tracing” (Section 27.60b(a)).

Warrantless entry based on the sole discretion of DOH bureaucrats is anathema to due process requirements of the US and Pennsylvania constitutions.

NON-INTERFERENCE WITH INVESTIGATION AND CONTACT TRACING

The proposed regulations state that a person may not obstruct or interfere with the DOH’s investigation or contact tracing.

There is no definition of what constitutes obstruction or interference, leaving it to arbitrary and capricious actions of DOH bureaucrats.

THE DOH CAN TALK TO STUDENTS WITHOUT SCHOOL OR PARENTAL CONSENT OR INVOLVEMENT

The proposed regulation requires a school to provide the DOH “with reasonable and timely access to a person for the purpose of contact tracing ..., including access when classes are in session or at any other time the person is present at school, on school premises or attending a school function.” (Section 27.60c)

The DOH can “meet and speak with a student or other person in private” and no school official can “obstruct or interfere with the [DOH] conducting contact tracing...”

For what purpose would a government official have to speak with a child outside the presence of a parent or school representative? Would these questions be about a “condition” at home – i.e., an “incorrect” ideology?

WARRANTLESS REVIEW OF CONFIDENTIAL MEDICAL RECORDS IN VIOLATION OF PRIVACY RIGHTS AND EXPECTATIONS

Authorizes the DOH to “have access to and may conduct a confidential review of patient medical records maintained by health care practitioners, hospitals and other health care facilities. Copies of medical records may be requested by” the DOH. (Section 27.60e)

“A person may not obstruct or interfere with the review of patient medical records...”

The ability to access confidential medical records on the basis of arbitrary and capricious standards of the DOH is wholly contrary to the trend of protecting privacy and should be rejected.

So breathtakingly extreme are these measures, it compels the most casual observer to ask: what on earth is motivating this administration and the DOH to crave such power and authority over people? I respectfully request that Regulation #10-242 be withdrawn or substantially revised to include clear statutory limitations, parental protections, medical-privacy protections, meaningful due process and appropriate legislative oversight. If the DOH does not immediately withdraw these proposed regulations, then the IRRC should strike down the entire proposal.

Thank you for considering my comments.

Sincerely,

Alisa Hoffman
Milford, Pike County, Pennsylvania