

## AMENDMENTS TO HOUSE BILL NO. 975

Sponsor: SENATOR SANTARSIERO

Printer's No. 3318

1 Amend Bill, page 1, line 2, by inserting after "Statutes,"  
2 in assault, further providing for definitions; and,  
3 Amend Bill, page 1, lines 8 through 10, by striking out all  
4 of said lines and inserting

5 Section 1. The definitions of "caretaker" and "private care  
6 residence" in section 2713(f) of Title 18 of the Pennsylvania  
7 Consolidated Statutes are amended to read:  
8 § 2713. Neglect of care-dependent person.

9 \* \* \*

10 (f) Definitions.--As used in this section, the following  
11 words and phrases shall have the meanings given to them in this  
12 subsection:

13 \* \* \*

14 "Caretaker." Any person who:

15 (1) is an owner, operator, manager or employee of any of  
16 the following licensed or unlicensed entities:

17 (i) A nursing home, personal care home, assisted  
18 living facility[, or private care residence [or  
19 domiciliary care home].

20 (ii) A community residential facility or  
21 intermediate care facility for a person with mental  
22 disabilities.

23 (iii) An adult daily living center.

24 (iv) A home health service provider.

25 (v) A health care facility as defined in section  
26 802.1 of the act of July 19, 1979 (P.L.130, No.48), known  
27 as the Health Care Facilities Act;

28 (2) provides care to a care-dependent person in the  
29 settings described under paragraph (1);

30 (3) has an obligation to care for a care-dependent  
31 person for monetary consideration in the settings described  
32 under paragraph (1);

33 (4) is an adult who resides with a care-dependent person  
34 and who has a legal duty to provide care or who has  
35 voluntarily assumed an obligation to provide care because of  
36 a familial relationship, contract or court order; or

37 (5) is an adult who does not reside with a care-

1 dependent person but who has a legal duty to provide care or  
2 who has affirmatively assumed a responsibility for care, or  
3 who has responsibility by contract or court order.

4 \* \* \*

5 "Private care residence." A private residence, including a  
6 domiciliary care home:

7 (1) in which the owner of the residence or the legal  
8 entity responsible for the operation of the residence, for  
9 monetary consideration, provides or assists with or arranges  
10 for the provision of food, room, shelter, clothing, personal  
11 care or health care in the residence, for a period exceeding  
12 24 hours, to fewer than four care-dependent persons who are  
13 not relatives of the owner; and

14 (2) (i) that is not required to be licensed as a long-  
15 term care nursing facility, as defined in section 802.1  
16 of the Health Care Facilities Act; and

17 (ii) that is not identified in paragraph (1) of the  
18 definition of "caretaker."

19 Section 2. Section 3124.2(a.5) of Title 18 is amended and  
20 the section is amended by adding a subsection to read:

21 Amend Bill, page 4, line 2, by striking out "2" and inserting

22 3