

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2386 Session of
1990

INTRODUCED BY VEON, BELFANTI, TRICH, PRESSMANN, KOSINSKI, MELIO,
GODSHALL, GIGLIOTTI, HERMAN, BELARDI, BLAUM, LAUGHLIN, DALEY,
MICHLOVIC, KASUNIC, TANGRETTI, McHALE, TELEK, D. R. WRIGHT,
TRELLO, COLAFELLA, BUNT, J. TAYLOR, PISTELLA, HESS, COHEN,
HASAY AND PESCI, MARCH 26, 1990

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, MARCH 26, 1990

AN ACT

1 Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An
2 act relating to health care; prescribing the powers and
3 duties of the Department of Health; establishing and
4 providing the powers and duties of the State Health
5 Coordinating Council, health systems agencies and Health Care
6 Policy Board in the Department of Health, and State Health
7 Facility Hearing Board in the Department of Justice;
8 providing for certification of need of health care providers
9 and prescribing penalties," authorizing the certification of
10 certain nurse aides.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The act of July 19, 1979 (P.L.130, No.48), known
14 as the Health Care Facilities Act, is amended by adding a
15 section to read:

16 Section 901.1. Certification of nurse aides without
17 examination.

18 (a) A nurse aide shall be considered to satisfy the
19 requirements of sections 1819(b)(5)(A) and 1919(b)(5)(A) of the
20 Social Security Act (Public Law 74-271, 42 U.S.C. §§ 1395i-

1 3(b)(5), 1396r(b)(5)) (of having completed a training and
2 competency evaluation program approved by a state under section
3 1819(e)(1)(A) or 1919(e)(1)(A) of that act), if the aide would
4 have satisfied such requirements as of July 1, 1989, if a number
5 of hours (not less than 60 hours) were substituted for 75 hours
6 in sections 1819(f)(2) and 1919(f)(2) of such act, respectively,
7 and if the aide had received, before July 1, 1989, at least the
8 difference in the number of hours in supervised practical nurse
9 aide training or in regular in-service nurse aide education.

10 (b) A nurse aide shall be considered to satisfy the
11 requirements of sections 1819(b)(5)(A) and 1919(b)(5)(A) of the
12 Social Security Act (of having completed a training and
13 competency evaluation program approved by a state under section
14 1819(e)(1)(A) or 1919(e)(1)(A) of that act), if the aide was
15 found competent (whether or not by the State), before July 1,
16 1989, after the completion of a course of nurse aide training of
17 at least 100 hours duration.

18 (c) With respect to the nurse aide competency evaluation
19 requirements described in sections 1819(b)(5)(A) and
20 1919(b)(5)(A) of the Social Security Act, the Commonwealth may
21 waive these requirements with respect to an individual who can
22 demonstrate to the satisfaction of the Commonwealth that the
23 individual has served as a nurse aide at one or more facilities
24 of the same employer in the Commonwealth for at least 24
25 consecutive months prior to December 19, 1989.

26 Section 2. This act shall take effect immediately.