

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 244 Session of  
1991

INTRODUCED BY BELFANTI, LUCYK, McCALL, GEORGE, ALLEN, TIGUE,  
BELARDI, STUBAN, HANNA, STISH, MUNDY, KRUSZEWSKI, CARONE,  
JAROLIN, RUDY, RITTER, BATTISTO, CALTAGIRONE, ARGALL, HERMAN,  
PHILLIPS, DAVIES, CAWLEY AND FREEMAN, FEBRUARY 4, 1991

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 4, 1991

## AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," requiring notice and  
4 public hearings prior to the closure, sale, lease or transfer  
5 of any State general hospital.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known  
9 as the Public Welfare Code, is amended by adding sections to  
10 read:

11 Section 318. Notice and Public Hearing.--At least thirty  
12 days prior to the department making a decision to close, sell,  
13 lease or otherwise transfer the ownership or operational control  
14 of any hospital or affiliated school of nursing, State mental  
15 hospital, mental retardation center or other similar institution  
16 funded by the General Assembly or allows the material reduction  
17 of bed complement, services or staff at an institution, the  
18 department shall hold a public hearing in the affected area.

1     Section 319. Maintenance of Services.--The department may  
2 not close, sell, lease or otherwise transfer the ownership or  
3 operational control of any State general hospital or affiliated  
4 school of nursing, State mental hospital, mental retardation  
5 center or other similar institution funded by the General  
6 Assembly, nor may the department materially reduce services such  
7 as chaplaincy services at State facilities, or materially reduce  
8 staff levels without presenting their proposal to the General  
9 Assembly. Material reductions shall mean a reduction in the bed  
10 complement of an institution of five percent; and a material  
11 staff reduction shall mean a five percent reduction of the staff  
12 complement within an institution. The proposed reduction in  
13 services, staff or facilities shall be placed on the calendar of  
14 the House of Representatives and of the Senate. If either  
15 legislative body disapproves of said action within five  
16 legislative or thirty calendar days, whichever is later, then  
17 such action may not take effect.

18     Section 2. This act shall take effect immediately.