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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 88

Session of  
2005

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INTRODUCED BY LOGAN, COSTA, KITCHEN, LAVALLE, MUSTO, TARTAGLIONE  
AND STACK, JANUARY 31, 2005

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REFERRED TO PUBLIC HEALTH AND WELFARE, JANUARY 31, 2005

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AN ACT

1 Requiring certain staffing levels at health care facilities  
2 providing renal dialysis services; and providing for powers  
3 and duties of the Department of Health.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Dialysis  
8 Services Staffing Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Department." The Department of Health of the Commonwealth.

14 "Dialysis." A process by which dissolved substances are  
15 removed from a patient's body by diffusion from one fluid  
16 compartment to another across a semipermeable membrane.

17 "End-stage renal disease" or "ESRD." That stage of renal  
18 impairment that appears irreversible and permanent, and requires

1 a regular course of dialysis or kidney transplantation to  
2 maintain life.

3 "ESRD facility." A health care facility which is approved to  
4 furnish a type of end-stage renal disease service.

5 "Health care facility." As defined in section 802.1 of the  
6 act of July 19, 1979 (P.L.130, No.48), known as the Health Care  
7 Facilities Act.

8 Section 3. Staffing requirements.

9 (a) General rule.--An ESRD facility must have properly  
10 trained personnel present in adequate number to meet the medical  
11 and nonmedical needs of patients receiving dialysis.

12 (b) Staff.--Whenever a patient is receiving dialysis, the  
13 ESRD facility shall provide the following staff:

14 (1) Two licensed health care professionals, including  
15 one full-time registered nurse licensed in Pennsylvania and  
16 one health care professional experienced in rendering care  
17 for renal dialysis patient care.

18 (2) An adequate number of personnel such that  
19 patient/staff ratio is appropriate to the level of dialysis  
20 care being given to meet the needs of the patient.

21 (3) A licensed physician who is onsite or on call.

22 Section 4. Administration and enforcement.

23 (a) Administration.--The department shall develop and  
24 implement procedures as may be necessary and appropriate in  
25 order to obtain compliance with this act. The procedures shall  
26 include, but not be limited to, monitoring and inspection  
27 procedures.

28 (b) Enforcement.--The department may suspend or revoke the  
29 license of a health care facility for a violation of this act in  
30 accordance with the act of July 19, 1979 (P.L.130, No.48), known

1 as the Health Care Facilities Act.

2 Section 5. Effective date.

3 This act shall take effect in 60 days.