

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 737 Session of 2017

INTRODUCED BY VOGEL, McGARRIGLE, YAW, BARTOLOTTA, COSTA,
VULAKOVICH, MARTIN, MENSCH, RAFFERTY, BAKER, WARD AND
YUDICHAK, JUNE 2, 2017

REFERRED TO AGING AND YOUTH, JUNE 2, 2017

AN ACT

1 Amending the act of November 6, 1987 (P.L.381, No.79), entitled
2 "An act relating to the protection of the abused, neglected,
3 exploited or abandoned elderly; establishing a uniform
4 Statewide reporting and investigative system for suspected
5 abuse, neglect, exploitation or abandonment of the elderly;
6 providing protective services; providing for funding; and
7 making repeals," in criminal history for employees, further
8 providing for provisional employees for limited periods.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 506 of the act of November 6, 1987
12 (P.L.381, No.79), known as the Older Adults Protective Services
13 Act, is amended to read:

14 Section 506. Provisional employees for limited periods.

15 Notwithstanding section 502, [administrators] an
16 administrator may employ [applicants] an applicant, other than
17 an applicant who is a direct care worker referred by a home care
18 registry to provide home care services to a consumer, on a
19 provisional basis for a single period not to exceed 30 days or,
20 for [applicants] an applicant under section 502(a)(2), a period

1 of 90 days, if all of the following conditions are met:

2 (1) The applicant has applied for the information
3 required under section 502 and the applicant provides a copy
4 of the appropriate completed request forms to the
5 administrator.

6 (2) The administrator has no knowledge of information
7 pertaining to the applicant which would disqualify him from
8 employment pursuant to section 503, subject to 18 Pa.C.S. §
9 4911 (relating to tampering with public records or
10 information).

11 (3) The applicant swears or affirms in writing that he
12 is not disqualified from employment under section 503.

13 (4) If the information obtained under section 502
14 reveals that the applicant is disqualified from employment
15 under section 503, the applicant shall be immediately
16 dismissed by the administrator.

17 (5) The department shall develop guidelines regarding
18 the supervision of applicants. For a home health care agency,
19 supervision shall include random direct supervision by an
20 employee who has been employed by the facility for a period
21 of one year.

22 Section 2. This act shall take effect in 60 days.