

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 118

Session of
1979

INTRODUCED BY MESSRS. J. L. WRIGHT, JR., WEIDNER, SWEET, BURNS,
R. R. FISCHER, ITKIN, PETERSON AND MRS. ARTY,
FEBRUARY 6, 1979

AS AMENDED, ON THIRD CONSIDERATION, IN SENATE, OCTOBER 30, 1979

AN ACT

1 ~~Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An~~ <—
2 ~~act providing for the administration of a statewide system of~~
3 ~~vital statistics; prescribing the functions of the State~~
4 ~~Department of Health, the State Advisory Health Board and~~
5 ~~local registrars; imposing duties upon coroners,~~
6 ~~prothonotaries, clerks of orphans' court, physicians,~~
7 ~~midwives and other persons; requiring reports and~~
8 ~~certificates for the registration of vital statistics;~~
9 ~~regulating the disposition of dead bodies; limiting the~~
10 ~~diselosure of records; prescribing the sufficiency of vital~~
11 ~~statistics records as evidence; prescribing fees and~~
12 ~~penalties; and revising and consolidating the laws relating~~
13 ~~thereto," requiring the issuance of certified birth~~
14 ~~certificates.~~

1 AMENDING THE ACT OF JULY 19, 1979 (NO.48), ENTITLED "AN ACT <—
2 RELATING TO HEALTH CARE; PRESCRIBING THE POWERS AND DUTIES OF
3 THE DEPARTMENT OF HEALTH; ESTABLISHING AND PROVIDING THE
4 POWERS AND DUTIES OF THE STATE HEALTH COORDINATING COUNCIL,
5 HEALTH SYSTEMS AGENCIES AND HEALTH CARE POLICY BOARD IN THE
6 DEPARTMENT OF HEALTH, AND STATE HEALTH FACILITY HEARING BOARD
7 IN THE DEPARTMENT OF JUSTICE; PROVIDING FOR CERTIFICATION OF
8 NEED OF HEALTH CARE PROVIDERS AND PRESCRIBING PENALTIES,"
9 CHANGING THE EFFECTIVE DATE OF THE IMPLEMENTATION OF CERTAIN
10 REVIEWS.

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

13 ~~Section 1. Section 401, act of June 29, 1953 (P.L.304,~~ <—
14 ~~No.66), known as the "Vital Statistics Law of 1953," is amended~~

1 ~~to read:~~

2 ~~Section 401. Birth Registration: General Provisions. A~~
3 ~~certificate of each birth occurring in this Commonwealth shall~~
4 ~~be filed with the local registrar of the district in which the~~
5 ~~birth occurs within a period prescribed by regulations of the~~
6 ~~Advisory Health Board. The certificate shall be prepared, signed~~
7 ~~and filed by the attending physician or licensed midwife, except~~
8 ~~that when there is no attending physician or licensed midwife~~
9 ~~the certificate shall be prepared, signed and filed (1) by the~~
10 ~~father, or (2) in the event of his death, disability or absence,~~
11 ~~by the mother, or (3) in the event of her death or disability,~~
12 ~~by the householder of the premises or superintendent of the~~
13 ~~institution in which the birth occurs, or (4) in the event of~~
14 ~~the absence or disability of all persons heretofore named, then~~
15 ~~by such person acquainted with the facts as the local registrar~~
16 ~~shall designate. On receipt of the certificate, the bureau shall~~
17 ~~issue a certified copy of the birth certificate to the parents~~
18 ~~or parent of the child.~~

19 ~~Section 2. This act shall take effect in 60 days.~~

20 SECTION 1. ~~SECTION~~ SECTIONS 901 AND 906, ACT OF JULY 19, <—
21 1979 (NO.48), KNOWN AS THE "HEALTH CARE FACILITIES ACT," IS ARE <—
22 AMENDED TO READ:

23 SECTION 901. CERTIFICATES FOR EXISTING FACILITIES <—
24 AND INSTITUTIONS.

25 ALL HEALTH CARE PROVIDERS OPERATING A HEALTH CARE FACILITY
26 SHALL BE ISSUED FORTHWITH A CERTIFICATE OF NEED BY THE
27 DEPARTMENT TO ALL BUILDINGS, REAL PROPERTY AND EQUIPMENT OWNED,
28 LEASED OR BEING OPERATED UNDER CONTRACT FOR CONSTRUCTION,
29 PURCHASE OR LEASE AND FOR ALL SERVICES BEING RENDERED BY THE
30 LICENSED, APPROVED OR CERTIFIED PROVIDERS [UPON THE EFFECTIVE

1 DATE OF THIS ACT.] ON APRIL 1, 1980: PROVIDED, THAT THIS SECTION
2 SHALL NOT APPLY TO A NEW INSTITUTIONAL HEALTH SERVICE OFFERED,
3 DEVELOPED, CONSTRUCTED OR OTHERWISE ESTABLISHED AFTER SEPTEMBER
4 30, 1979 AND BEFORE APRIL 1, 1980 IF THE NEW INSTITUTIONAL
5 HEALTH SERVICE IS COVERED BY SECTION 1122 OF THE FEDERAL SOCIAL
6 SECURITY ACT AND APPLICATION FOR APPROVAL IS NOT MADE TO OR THE
7 PROJECT IS DISAPPROVED BY THE SECRETARY OF HEALTH AND WELFARE.
8 SECTION 906. EFFECTIVE DATE.

9 THIS ACT SHALL TAKE EFFECT OCTOBER 1, 1979; PROVIDED THAT
10 IMPLEMENTATION OF REVIEWS PURSUANT TO THIS ACT SHALL NOT BEGIN
11 UNTIL APRIL 1, 1980.

12 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.