

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2419 Session of
1982

INTRODUCED BY GRUPPO, KLINGAMAN, MANDERINO, PETERSON, HAYES,
CIMINI, CLARK, LEVI, GLADECK, BELFANTI, DAIKELER, FRYER,
SNYDER, VROON, CESSAR, TRELLO, SAURMAN, WOGAN, FISCHER,
L. E. SMITH, STAIRS, ARTY, BOWSER, CORNELL, HAGARTY, WASS,
E. Z. TAYLOR, MADIGAN, WESTON, TADDONIO, McVERRY, WACHOB,
OLIVER, SIEMINSKI, RASCO, MARMION, FRAZIER, PETRONE,
CALTAGIRONE, ROCKS, OLASZ, MICHLOVIC, ITKIN, PISTELLA,
COWELL, GAMBLE, MORRIS, A. K. HUTCHINSON, O'DONNELL, MERRY,
REBER, GALLEN, TELEK, BOYES, DEAL, WOZNIAK, WAMBACH,
KOWALYSHYN, RYBAK, DAVIES, DeWEESE, COLE, BLAUM, HOEFFEL,
CAPPABIANCA, GEORGE, DeMEDIO, GANNON AND RYAN, APRIL 20, 1982

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, APRIL 20, 1982

AN ACT

1 Amending the act of May 23, 1945 (P.L.926, No.369), entitled "An
2 act for the protection of the public health by regulating the
3 conduct and operation of public eating and drinking places
4 within this Commonwealth; requiring their licensing; imposing
5 certain duties on the Department of Health of this
6 Commonwealth and on the local health authorities; and
7 providing penalties," providing for the display of a placard
8 and for legal duties and liability relating to choking
9 emergencies.

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

12 Section 1. The act of May 23, 1945 (P.L.926, No.369),
13 entitled "An act for the protection of the public health by
14 regulating the conduct and operation of public eating and
15 drinking places within this Commonwealth; requiring their
16 licensing; imposing certain duties on the Department of Health
17 of this Commonwealth and on the local health authorities; and

1 providing penalties," is amended by adding sections to read:

2 Section 9.1. In every public eating or drinking place there
3 shall be conspicuously displayed a placard describing first aid
4 techniques which should be administered to a person who has food
5 particles lodged in his throat and is choking.

6 Section 9.2. Nothing contained in section 9.1 or otherwise
7 shall impose any duty or obligation of any proprietor, employe
8 or other person to remove, assist in removing or attempt to
9 remove food from the throat of the victim of a choking
10 emergency.

11 Section 9.3. A proprietor, employe or other person who
12 voluntarily and without expectation of monetary compensation
13 removes, assists in removing or attempts to remove food from the
14 throat of the victim of a choking emergency shall not be liable
15 for damages for injuries alleged to have been sustained by such
16 victim unless it is established that such injuries were, or such
17 death was, caused by gross negligence on the part of such
18 proprietor, employe or person.

19 Section 2. This act shall take effect in 120 days.