

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2386

Session of  
1990

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INTRODUCED BY VEON, BELFANTI, TRICH, PRESSMANN, KOSINSKI, MELIO, GODSHALL, GIGLIOTTI, HERMAN, BELARDI, BLAUM, LAUGHLIN, DALEY, MICHLOVIC, KASUNIC, TANGRETTI, McHALE, TELEK, D. R. WRIGHT, TRELLO, COLAFELLA, BUNT, J. TAYLOR, PISTELLA, HESS, COHEN, HASAY AND PESCI, MARCH 26, 1990

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AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 13, 1990

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## AN ACT

1 Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An  
2 act relating to health care; prescribing the powers and  
3 duties of the Department of Health; establishing and  
4 providing the powers and duties of the State Health  
5 Coordinating Council, health systems agencies and Health Care  
6 Policy Board in the Department of Health, and State Health  
7 Facility Hearing Board in the Department of Justice;  
8 providing for certification of need of health care providers  
9 and prescribing penalties," authorizing the certification of  
10 certain nurse aides.

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

13 Section 1. The act of July 19, 1979 (P.L.130, No.48), known  
14 as the Health Care Facilities Act, is amended by adding a  
15 section to read:

16 Section 901.1. Certification of nurse aides without  
17 examination.

18 (a) A nurse aide shall be considered to satisfy the  
19 requirements of sections 1819(b)(5)(A) and 1919(b)(5)(A) of the  
20 Social Security Act (Public Law 74-271, 42 U.S.C. §§ 1395i-

1 3(b)(5), 1396r(b)(5)) (of having completed a training and  
2 competency evaluation program approved by a state under section  
3 1819(e)(1)(A) or 1919(e)(1)(A) of that act), if the aide would  
4 have satisfied such requirements as of July 1, 1989, if a number  
5 of hours (not less than 60 hours) were substituted for 75 hours  
6 in sections 1819(f)(2) and 1919(f)(2) of such act, respectively,  
7 and if the aide had received, before July 1, 1989, at least the  
8 difference in the number of hours in supervised practical nurse  
9 aide training or in regular in-service nurse aide education.

10 (b) A nurse aide shall be considered to satisfy the  
11 requirements of sections 1819(b)(5)(A) and 1919(b)(5)(A) of the  
12 Social Security Act (of having completed a training and  
13 competency evaluation program approved by a state under section  
14 1819(e)(1)(A) or 1919(e)(1)(A) of that act), if the aide was  
15 found competent (whether or not by the State), before July 1,  
16 1989, after the completion of a course of nurse aide training of <—  
17 at least 100 hours duration AS PROVIDED FOR IN FEDERAL LAW AND <—  
18 REGULATIONS.

19 (c) With respect to the nurse aide competency evaluation  
20 requirements described in sections 1819(b)(5)(A) and  
21 1919(b)(5)(A) of the Social Security Act, the Commonwealth may  
22 waive these requirements with respect to an individual who can  
23 demonstrate to the satisfaction of the Commonwealth that the  
24 individual has served as a nurse aide at one or more facilities  
25 of the same employer in the Commonwealth for at least 24  
26 consecutive months prior to December 19, 1989.

27 Section 2. This act shall take effect immediately.