

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1990 Session of
1999

INTRODUCED BY E. Z. TAYLOR, SCHULER, VANCE, GEORGE, ADOLPH,
ARGALL, BELARDI, BELFANTI, BLAUM, BUNT, L. I. COHEN,
CORRIGAN, DeLUCA, DEMPSEY, FAIRCHILD, FRANKEL, HALUSKA,
HARHAI, HENNESSEY, HERMAN, LEDERER, LYNCH, MARSICO, McCALL,
MUNDY, ORIE, PESCI, PISTELLA, RUBLEY, SAYLOR, SEYFERT,
STABACK, TRUE, WILLIAMS, WILT, YOUNGBLOOD AND ROSS,
OCTOBER 25, 1999

REFERRED TO COMMITTEE ON AGING AND YOUTH, OCTOBER 25, 1999

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," further defining "facility"; and further
8 providing for applicability.

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

11 Section 1. The definition of "facility" in section 103 of
12 the act of November 6, 1987 (P.L.381, No.79), known as the Older
13 Adults Protective Services Act, added December 18, 1996
14 (P.L.1125, No.169), is amended to read:

15 Section 103. Definitions.

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

* * *

"Facility." Any of the following:

(1) A domiciliary care home as defined in section 2202-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(2) A home health care agency.

(3) A long-term care nursing facility as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(4) An older adult daily living center as defined in section 2 of the act of July 11, 1990 (P.L.499, No.118), known as the Older Adult Daily Living Centers Licensing Act.

(5) [A personal care home] An assisted living residence as defined in section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

* * *

Section 2. Section 508 of the act, amended June 9, 1997 (P.L.160, No.13), is amended to read:

Section 508. Applicability.

(a) General rule.--This chapter shall apply as follows:

(1) An individual who, on the effective date of this chapter, has continuously for a period of one year been an employee of the same facility shall be exempt from section 502 as a condition of continued employment.

(2) If an employee of a facility is not exempt under paragraph (1), the employee and the facility shall comply with section 502 within one year of the effective date of this chapter.

(3) If an employee of a facility who is exempt under paragraph (1) seeks employment with a different facility, the

employee and the facility shall comply with section 502.

(4) An employee of a facility who has obtained the information required under section 502 may transfer to another facility established and supervised by the same owner and is not required to obtain additional reports before making the transfer.

(b) Assisted living residences.--This chapter shall apply to an individual who, on or after the effective date of this subsection:

(1) applies for employment at an assisted living residence; or

(2) is an administrator or operator of an assisted living residence and who has or may have direct contact with a recipient.

(c) Definition.--As used in this section, the term "facility" shall not include an assisted living residence.

Section 3. This act shall take effect June 1, 2000, or immediately, whichever occurs later.