

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 308 Session of  
2001

INTRODUCED BY KASUNIC, MELLOW, O'PAKE, WAGNER, MUSTO, FUMO,  
STOUT, HUGHES, BODACK, BOSCOLA, COSTA, KITCHEN, KUKOVICH,  
LAVALLE, LOGAN, SCHWARTZ, STACK, TARTAGLIONE, WILLIAMS AND  
WOZNIAK, FEBRUARY 6, 2001

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 6, 2001

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," requiring the department to  
10 establish a toll-free telephone number for receiving  
11 complaints and licensed facilities to post certain telephone  
12 numbers.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Section 804 of the act of July 19, 1979 (P.L.130,  
16 No.48), known as the Health Care Facilities Act, amended  
17 December 18, 1992 (P.L.1602, No.179), is amended to read:

18 Section 804. Administration.

19 (a) Discrimination prohibited.--Except as otherwise provided  
20 by law, no provider shall discriminate in the operation of a  
21 health care facility on the basis of race, creed, sex or  
22 national origin.

1 (b) Prevention of duplication.--In carrying out the  
2 provisions of this chapter and other statutes of this  
3 Commonwealth relating to health care facilities, the department  
4 and other departments and agencies of the State and local  
5 governments shall make every reasonable effort to prevent  
6 duplication of inspections and examinations. The department may  
7 make the dates of licensure expiration coincide with medical  
8 assistance and Medicare certification or applicable nationally  
9 recognized accrediting agencies accreditation and shall combine  
10 these surveys and inspections where practical.

11 (c) Health care innovation.--The department shall administer  
12 this chapter so as to encourage innovation and experimentation  
13 in health care and health care facilities consistent with the  
14 provisions of this chapter and shall encourage contributions of  
15 private funds and services to health care facilities.

16 (d) Reports.--The department shall report annually to the  
17 General Assembly on the effectiveness of the licensing and  
18 enforcement of this chapter. Such report shall include  
19 appropriate data according to nature of facility relating to  
20 provisional licenses issued, nature of violations of regulations  
21 and number of facilities against which sanctions had to be  
22 taken.

23 (e) Toll-free telephone number.--The department shall  
24 establish and maintain a 24-hour-a-day toll-free telephone  
25 number for receiving complaints regarding a facility that the  
26 department licenses. The toll-free telephone number shall be  
27 manned by live operators 24 hours a day, 365 days a year.

28 (f) Facilities to post certain telephone numbers.--All  
29 facilities licensed by the department under this chapter shall  
30 post in conspicuous public places throughout the facility and in

1 a manner clearly visible to the residents and visitors:

2 (1) the department's 24-hour-a-day toll-free telephone  
3 number for receiving complaints established under subsection  
4 (e); and

5 (2) the telephone number of the long-term-care ombudsman  
6 located within the local area agency on aging as established  
7 by the Department of Aging.

8 Section 2. This act shall take effect immediately.