

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1497 Session of  
2005

INTRODUCED BY KENNEY, VEON, BAKER, CORNELL, M. KELLER, BASTIAN,  
BOYD, BROWNE, CALTAGIRONE, CAWLEY, CURRY, DeWEESE, FRANKEL,  
GEORGE, GINGRICH, GOOD, HENNESSEY, JAMES, JOSEPHS, MANDERINO,  
NAILOR, SCHRODER, SHANER, SURRA, TANGRETTI, E. Z. TAYLOR,  
TIGUE, WALKO AND YOUNGBLOOD, MAY 3, 2005

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, MAY 3, 2005

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," further providing for  
4 eligibility for the Health Care Provider Retention Program.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 1303-A of the act of June 13, 1967  
8 (P.L.31, No.21), known as the Public Welfare Code, added  
9 December 23, 2003 (P.L.237, No.44), is amended to read:

10 Section 1303-A. Eligibility.

11 A health care provider shall not be eligible for assessment  
12 abatement under the program if any of the following apply:

13 (1) The health care provider's license has been revoked  
14 in any state within the ten most recent years.

15 (2) The health care provider's ability, if any, to  
16 dispense or prescribe drugs or medication has been revoked in  
17 this Commonwealth or any other state within the ten most

1 recent years.

2 (3) The health care provider has had three or more  
3 medical liability claims in the past five most recent years  
4 in which a judgment was entered against the health care  
5 provider or a settlement was paid on behalf of the health  
6 care provider, in an amount equal to or exceeding \$500,000  
7 per claim.

8 (4) The health care provider has been convicted of or  
9 has entered a plea of guilty or no contest to an offense  
10 which is required to be reported under section 903(3) or (4)  
11 of the Mcare Act within the ten most recent years.

12 (5) The health care provider has an unpaid surcharge  
13 under the Mcare Act.

14 (6) The health care provider is not enrolled as a  
15 medical assistance provider.

16 Section 2. This act shall take effect in 60 days.