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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1580 Session of  
2017

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INTRODUCED BY DAVIS, THOMAS, ROTHMAN, MILLARD, DRISCOLL,  
SCHLOSSBERG, READSHAW, D. COSTA, PASHINSKI, O'NEILL, ROEBUCK,  
FRANKEL, DAY, V. BROWN AND WATSON, JUNE 19, 2017

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
JUNE 19, 2017

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AN ACT

1 Amending the act of October 7, 2010 (P.L.484, No.70), entitled  
2 "An act providing for protection of abused, neglected,  
3 exploited or abandoned adults; establishing a uniform  
4 Statewide reporting and investigative system for suspected  
5 abuse, neglect, exploitation or abandonment of adults;  
6 providing for protective services; and prescribing  
7 penalties," in preliminary provisions, further providing for  
8 definitions.

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

11 Section 1. The definitions of "employee" and "facility" in  
12 section 103 of the act of October 7, 2010 (P.L.484, No.70),  
13 known as the Adult Protective Services Act, are amended to read:

14 Section 103. Definitions.

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

18 \* \* \*

19 "Employee." An individual who is employed by a facility. The  
20 term includes:

1 (1) A contract employee who has direct contact with  
2 residents or unsupervised access to their personal living  
3 quarters.

4 (2) A person who is employed or who enters into a  
5 contractual relationship to provide care to an adult for  
6 monetary consideration in the adult's place of residence.

7 (3) A person who is employed by a public, private or  
8 parochial school.

9 \* \* \*

10 "Facility." The term includes, but is not limited to:

11 (1) An assisted living residence as defined in section  
12 1001 of the act of June 13, 1967 (P.L.31, No.21), known as  
13 the [Public Welfare] Human Services Code.

14 (2) A domiciliary care home as defined in section  
15 2202-A of the act of April 9, 1929 (P.L.177, No.175), known  
16 as The Administrative Code of 1929.

17 (3) A home health care agency as defined in section  
18 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as  
19 the Health Care Facilities Act.

20 (4) An intermediate care facility for people with mental  
21 retardation.

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

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

28 (7) A personal care home as defined in section 1001 of  
29 the act of June 13, 1967 (P.L.31, No.21), known as the  
30 [Public Welfare] Human Services Code.

1           (8) An organization or group of people that uses public  
2 funds and is paid, in part, to provide care [and] or support  
3 to adults in a licensed or unlicensed setting, including a  
4 public, private or parochial school.

5           (9) A residential treatment facility.

6           \* \* \*

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