

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1713 Session of 2019

INTRODUCED BY BURNS, McNEILL, HILL-EVANS, T. DAVIS, SCHLOSSBERG, A. DAVIS, CALTAGIRONE, KORTZ, YOUNGBLOOD, CIRESI, MILLARD, DeLUCA, McCLINTON, GALLOWAY, KIRKLAND, ZABEL, DALEY, RABB, RAVENSTAHL, MADDEN, MULLINS, BURGOS, KENYATTA, ULLMAN AND OTTEN, JULY 16, 2019

REFERRED TO COMMITTEE ON HEALTH, JULY 16, 2019

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," in licensing of health care
10 facilities, providing for reports to coroners.

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 822. Reports to coroners.

17 (a) Reporting required.--Notwithstanding section 1218-B of
18 the act of August 9, 1955 (P.L.323, No.130), known as "The
19 County Code," a long-term care nursing facility shall report
20 each death of a patient of the long-term care nursing facility

which occurs in the building or on the grounds of the long-term care nursing facility to the coroner of the county in which the long-term care nursing facility is located regardless of the presumed cause of death. The following shall apply:

(1) The report shall be made as soon as practicable after the discovery of the death of the patient.

(2) The body of the patient shall not be moved from the location where it was discovered or released to a funeral home or crematorium prior to the authorization of the coroner.

(b) Request for information.--The coroner may request that the long-term care nursing facility provide information on the deceased patient, including, but not limited to, the following:

(1) The presumed cause of death of the patient as stated by the treating physician.

(2) All medical records of the patient.

(3) All incident reports involving the patient.

(4) Any known trauma experienced by the patient, regardless of whether the trauma occurred before admittance into the long-term care nursing facility.

(c) Investigation.--Upon receiving the information under subsection (b), if the coroner believes that anything seems unusual about the circumstances surrounding the death of the patient, the coroner may examine the body of the patient, review the medical records of the patient or conduct a full investigation as provided in Article XII-B of "The County Code." Additionally, the coroner may request reports filed with any government agency concerning incidents or complaints involving the deceased patient, including the name of any individual who filed the complaint or report.

1 (d) Contact.--An assisted living facility or personal care
2 home shall collect and maintain the name and contact information
3 for each patient's next of kin, which shall be updated annually,
4 and shall make that information available upon request of the
5 coroner.

6 (e) Procedures.--A long-term care nursing facility may
7 develop procedures for the reporting of deaths which are not
8 inconsistent with this section.

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