

AMENDMENTS TO HOUSE BILL NO. 975

Sponsor: SENATOR SANTARSIERO

Printer's No. 3318

1 Amend Bill, page 1, line 2, by inserting after "Statutes,"
2 in assault, further providing for definitions; and,
3 Amend Bill, page 1, lines 8 through 10, by striking out all
4 of said lines and inserting

5 Section 1. The definitions of "caretaker" and "private care
6 residence" in section 2713(f) of Title 18 of the Pennsylvania
7 Consolidated Statutes are amended to read:
8 § 2713. Neglect of care-dependent person.

9 * * *

10 (f) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection:

13 * * *

14 "Caretaker." Any person who:

15 (1) is an owner, operator, manager or employee of any of
16 the following licensed or unlicensed entities:

17 (i) A nursing home, personal care home, assisted
18 living facility[, or private care residence [or
19 domiciliary care home].

20 (ii) A community residential facility or
21 intermediate care facility for a person with mental
22 disabilities.

23 (iii) An adult daily living center.

24 (iv) A home health service provider.

25 (v) A health care facility as defined in section
26 802.1 of the act of July 19, 1979 (P.L.130, No.48), known
27 as the Health Care Facilities Act;

28 (2) provides care to a care-dependent person in the
29 settings described under paragraph (1);

30 (3) has an obligation to care for a care-dependent
31 person for monetary consideration in the settings described
32 under paragraph (1);

33 (4) is an adult who resides with a care-dependent person
34 and who has a legal duty to provide care or who has
35 voluntarily assumed an obligation to provide care because of
36 a familial relationship, contract or court order; or

37 (5) is an adult who does not reside with a care-

1 dependent person but who has a legal duty to provide care or
2 who has affirmatively assumed a responsibility for care, or
3 who has responsibility by contract or court order.

4 * * *

5 "Private care residence." A private residence, including a
6 domiciliary care home:

7 (1) in which the owner of the residence or the legal
8 entity responsible for the operation of the residence, for
9 monetary consideration, provides or assists with or arranges
10 for the provision of food, room, shelter, clothing, personal
11 care or health care in the residence, for a period exceeding
12 24 hours, to fewer than four care-dependent persons who are
13 not relatives of the owner; and

14 (2) (i) that is not required to be licensed as a long-
15 term care nursing facility, as defined in section 802.1
16 of the Health Care Facilities Act; and

17 (ii) that is not identified in paragraph (1) of the
18 definition of "caretaker."

19 Section 2. Section 3124.2(a.5) of Title 18 is amended and
20 the section is amended by adding a subsection to read:

21 Amend Bill, page 4, line 2, by striking out "2" and inserting

22 3