

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 661 Session of
1989

INTRODUCED BY SHAFFER, WILLIAMS, PETERSON, CORMAN, JONES,
REIBMAN, MADIGAN, STOUT, O'PAKE AND SALVATORE, MARCH 13, 1989

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 13, 1989

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," further providing for the Health
10 Care Policy Board.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 301 of the act of July 19, 1979 (P.L.130,
14 No.48), known as the Health Care Facilities Act, is amended to
15 read:

16 Section 301. Health Care Policy Board.

17 In the interest of providing for broad consumer and
18 professional representation in the regulatory development under
19 this act, there is hereby created a Health Care Policy Board
20 within the Department of Health and as an integral part thereof.
21 The Department of Health shall act as the single State agency to
22 administer the certificate of need provisions of this act. The

1 policy board shall consist of [13] 14 members, [12] 13 of whom
2 shall be appointed by the Governor and confirmed by a majority
3 vote of the Senate. Of the members first appointed, three shall
4 be appointed for a term of one year, three for a term of two
5 years, three for a term of three years, and three for a term of
6 four years. Thereafter, appointments shall be made by the
7 Governor for four year terms. A vacancy occurring during a term
8 shall be filled for the unexpired term in the same manner his
9 predecessor was appointed. The Secretary of Health or his
10 designee shall serve ex officio, and act as chairman. Members of
11 the policy board chosen by the Governor shall be seven consumers
12 (including at least one representative of organized labor and
13 one representative of industry), one hospital representative,
14 one home health care representative, one skilled nursing or
15 intermediate care representative, one physician and two
16 representatives of third party payors. Members shall be chosen
17 for their familiarity and experience with health care facilities
18 or for relevant training and experience which will assist the
19 board to perform its functions. Six members shall constitute a
20 quorum. No member shall participate in any action or decision or
21 discussions thereof concerning any matter in which the member
22 has a conflict of interest.

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