AN ACT

Amending the act of April 23, 1956 (1955 P.L.1510, No.500), entitled "An act providing for the prevention and control of communicable and non-communicable diseases including venereal diseases, fixing responsibility for disease prevention and control, requiring reports of diseases, and authorizing treatment of venereal diseases, and providing for premarital and prenatal blood tests; amending, revising and consolidating the laws relating thereto; and repealing certain acts," further providing for definitions and for control measures.

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

Section 1. Section 2 of the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, is amended by adding a subsection to read:

SECTION 1. SECTION 2(E) OF THE ACT OF APRIL 23, 1956 (1955 P.L.1510, NO.500), KNOWN AS THE DISEASE PREVENTION AND CONTROL LAW OF 1955, IS AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

Section 2. Definitions.--

The following terms, whenever used in this act, have the
meanings indicated in this section, except where the context indicates a clearly different meaning:

* * *

(d.2) Facility. Any of the following:

(1) An assisted living residence as defined under section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the "Human Services Code."

(2) A personal care home as defined under section 1001 of the "Human Services Code."

(3) A long-term care nursing facility as defined under section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the "Health Care Facilities Act."

(E) ISOLATION. THE SEPARATION FOR THE PERIOD OF COMMUNICABILITY OF INFECTED PERSONS OR ANIMALS FROM OTHER PERSONS OR ANIMALS IN SUCH PLACES AND UNDER SUCH CONDITIONS AS WILL PREVENT THE DIRECT OR INDIRECT TRANSMISSION OF THE INFECTIOUS AGENT FROM INFECTED PERSONS OR ANIMALS TO OTHER PERSONS OR ANIMALS WHO ARE SUSCEPTIBLE OR WHO MAY SPREAD THE DISEASE TO OTHERS. THE TERM INCLUDES COHORTING ONLY INDIVIDUALS WHO HAVE BEEN CONFIRMED POSITIVE FOR THE SAME COMMUNICABLE DISEASE THROUGH A LABORATORY TEST.

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Section 2. Section 5 of the act is amended to read:

Section 5. Control Measures.--

(a) Upon the receipt by a local board or department of health or by the department, as the case may be, of a report of a disease which is subject to isolation, quarantine, or any other control measure, the local board or department of health or the department shall carry out the appropriate control measures in such manner and in such place as is provided by rule 20200SB1189PN2007 - 2 -
or regulation.

(b) Upon a proclamation of disaster emergency issued by the Governor due to a communicable disease, and continuing until sixty days after the expiration or termination of the proclamation of disaster emergency by executive order, proclamation or operation of law, the secretary must:

(1) Ensure no individual who is less than thirty days from testing positive for a communicable disease or who is less than thirty days from being asymptomatic of a communicable disease shall be admitted to a facility without being placed in isolation within the facility with dedicated personnel assigned only to the area of isolation during the period of time in which the personnel is working.

(2) Ensure facilities are adequately equipped to follow and implement all recommendations and guidelines issued by the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services for the prevention and control of a communicable disease within facilities.

(1) Ensure that no individual who is less than fourteen days from testing positive for the communicable disease subject to the disaster emergency or who is less than fourteen days from being asymptomatic of the communicable disease subject to the disaster emergency shall be admitted as a resident to a facility without being placed in isolation within the facility with dedicated personnel assigned only to the area of isolation during the period of time in which the personnel is working. The following shall apply:

(I) Nothing under this subsection shall be construed to allow the secretary to force the admission of an individual without the consideration of and in conflict with a facility's
ADMISSIONS POLICY AND THE ABILITY OF A FACILITY TO CARE FOR THE
INDIVIDUAL SEEKING ADMISSION.

(II) THE ADMISSIONS POLICY OF A FACILITY SHALL BE CONSISTENT
WITH ANY RELEVANT GUIDELINES FOR THE PREVENTION AND CONTROL OF A
COMMUNICABLE DISEASE SUBJECT TO THE DISASTER EMERGENCY ISSUED BY
THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND THE CENTERS
FOR MEDICARE AND MEDICAID SERVICES.

(2) ENSURE THAT FACILITIES ARE ADEQUATELY EQUIPPED TO FOLLOW
AND IMPLEMENT RECOMMENDATIONS AND GUIDELINES ISSUED BY THE
CENTERS FOR DISEASE CONTROL AND PREVENTION AND THE CENTERS FOR
MEDICARE AND MEDICAID SERVICES FOR THE PREVENTION AND CONTROL OF
THE COMMUNICABLE DISEASE SUBJECT TO THE DISASTER EMERGENCY
WITHIN FACILITIES, INCLUDING PERSONAL PROTECTIVE EQUIPMENT FOR
INDIVIDUALS ADMITTED TO OR WORKING WITHIN THE FACILITY,
LABORATORY TESTING AND STAFF ACCESSIBILITY.

Section 3. This act shall take effect immediately.