

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 278

Session of  
1977

INTRODUCED BY POLITE, DiCARLO, McLANE, OLIVER, FEE, MILLER AND  
POTT, FEBRUARY 9, 1977

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 9, 1977

AN ACT

1 Encouraging all restaurants, cafeterias and eating  
2 establishments to post on their premises information that  
3 describes techniques approved by the Department of Health for  
4 removing food lodged in a person's throat, to have on their  
5 premises an approved device to assist in the removal of such  
6 food, and encouraging all school districts to provide  
7 instruction in the techniques and use of the devices,  
8 imposing powers and duties on the Department of Health.

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

11 Section 1. The General Assembly takes note of the fact that  
12 many persons die each year as a result of having food lodged in  
13 their throat and hereby declares its concern by encouraging all  
14 restaurants, cafeterias and eating establishments to post, in a  
15 conspicuous place on their premises, a sign describing certain  
16 techniques, approved by the Department of Health, in the removal  
17 of food lodged in a person's throat. In addition, they are  
18 encouraged to have on their premises an approved device to  
19 assist in the removal of such food and to provide instructions  
20 on its use to all their employees.

21 Section 2. All school districts are encouraged to provide

1 instructions on the techniques and use of the devices to all  
2 students enrolled in grades 7 through 12.

3 Section 3. The Department of Health shall have the power and  
4 the duty to adopt regulations listing all such approved  
5 techniques and devices that it determines may be used  
6 effectively to remove food lodged in a person's throat. The  
7 department shall provide a copy of such regulations including a  
8 list of approved devices to all restaurants, cafeterias, eating  
9 establishments and school districts requesting same.

10 Section 4. No person, who acts in good faith in attempting  
11 to render emergency care to a person with food lodged in their  
12 throat, shall be liable for civil damages as a result of any  
13 acts or omissions, unless their conduct constitutes gross  
14 negligence.

15 Section 5. This act shall take effect immediately.