

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1783

Session of
1977

INTRODUCED BY MESSRS. DiCARLO, LINCOLN, MILLER, SCHWEDER, REED,
JONES, NOYE, OLIVER, McLANE, KLINGAMAN, D. R. WRIGHT,
STEWART, SHUMAN, HALVERSON, RUGGIERO AND DOMBROWSKI,
OCTOBER 19, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 12, 1978

AN ACT

1 Relating to the inspection and visitation of hospitals and
2 hospital related health care facilities; providing that the
3 Department of Health coordinate a single inspection by all
4 State and municipal agencies; providing for ~~biennial or less~~ <—
5 frequent departmental inspections of ~~accredited~~ hospitals; <—
6 and repealing the annual inspection requirement by the
7 ~~department~~ DEPARTMENT OF PUBLIC WELFARE. <—

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

10 Section 1. Legislative purpose.

11 The purpose of this act is to effect savings in health care
12 costs through elimination of duplicate inspection procedures by
13 State and municipal agencies, by providing for single on-site
14 inspections of hospitals, and by providing no more than biennial
15 inspections for fully accredited hospitals.

16 Section 2. Definitions.

17 The following words and phrases when used in this act shall
18 have, unless the context clearly indicates otherwise, the
19 meanings given to them in this section:

1 "Hospitals." General and special hospitals which are
2 supervised or licensed by the act of June 13, 1967 (P.L.31,
3 No.21), known as the "Public Welfare Code," and which shall also
4 include all hospital related facilities operated by the
5 hospital, whether for health care, educational or other
6 services, including, but not limited to psychiatric units,
7 rehabilitation units, skilled nursing units, extended care
8 units, nursing schools, and outpatient facilities, whether
9 located on or off the premises.

10 "Inspections." All surveys, inspections, visitations,
11 investigations and other procedures necessary for a State agency
12 or a division or unit thereof, ~~or a municipality~~ to perform in <—
13 order to carry out various obligations imposed on such agencies
14 by applicable State and Federal ~~or local~~ law or regulations. The <—
15 term shall not include special investigations, upon specific
16 complaints, by such agencies with competent jurisdiction of the
17 subject matter of the complaint.

18 Section 3. Notification of department.

19 No State agency or any division or unit of such agency ~~nor~~ <—
20 ~~any municipality~~ shall inspect a hospital without notifying the
21 Department of Health and all on-site inspections shall ~~be~~ <—
22 ~~performed~~ COMMENCE at one time as coordinated by the Department <—
23 of Health provided that inspections required by law to be made
24 more frequently than annually may be made with permission of the
25 Department of Health, and such inspections shall be coordinated
26 by the department to the extent possible.

27 ~~Section 4. Inspections.~~ <—

28 ~~The Department of Health shall inspect accredited hospitals~~
29 ~~not more frequently than biennially and only in years other than~~
30 ~~those in which the Joint Commission for Accreditation of~~

1 ~~Hospitals or the American Osteopathic Association survey is~~
2 ~~conducted.~~

3 SECTION 4. INSPECTIONS. <—

4 THE DEPARTMENT OF HEALTH SHALL INSPECT ACCREDITED HOSPITALS
5 ANNUALLY, EXCEPT THAT HOSPITALS SURVEYED BY THE JOINT COMMISSION
6 FOR ACCREDITATION OF HOSPITALS OR THE AMERICAN OSTEOPATHIC
7 ASSOCIATION SHALL BE INSPECTED BIENNIALY PROVIDED THAT THE
8 HOSPITALS SO SURVEYED SHALL PROVIDE THE DEPARTMENT OF HEALTH
9 WITH COPIES OF THE SURVEY MADE BY THE JOINT COMMISSION FOR
10 ACCREDITATION OF HOSPITALS OR THE AMERICAN OSTEOPATHIC
11 ASSOCIATION. THE DEPARTMENT OF HEALTH SHALL INSPECT HOSPITALS IN
12 YEARS THAT THE JOINT COMMISSION FOR ACCREDITATION OF HOSPITALS
13 OR THE AMERICAN OSTEOPATHIC ASSOCIATION DO NOT CONDUCT THEIR
14 SURVEY. NOTHING HEREIN SHALL BE INTERPRETED TO PRECLUDE THE
15 DEPARTMENT OF HEALTH FROM INSPECTING A HOSPITAL AT LEAST ONCE
16 EVERY TWO YEARS. NOR SHALL IT PRECLUDE ANY FOLLOW-UP INSPECTIONS
17 OF THOSE PARTS OF HOSPITALS IN WHICH DEFICIENCIES WERE FOUND IN
18 THE ORIGINAL INSPECTION OR MORE FREQUENT INSPECTIONS OF
19 HOSPITALS THAT HAVE RECEIVED PROVISIONAL LICENSES.

20 Section 5. Repeals.

21 Section 911(a)(2) of the act of June 13, 1967 (P.L.31,
22 No.21), known as the "Public Welfare Code," is repealed insofar
23 as it requires annual visits and inspections of hospitals as
24 supervised institutions and all acts or parts of acts
25 inconsistent herewith are repealed.

26 Section 6. Applicability.

27 Nothing in this act shall be applicable to the State Auditor
28 General's Department.

29 Section 7. Effective date.

30 This act shall take effect immediately.