
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1856

Session of
1987

INTRODUCED BY DAWIDA, TIGUE, KUKOVICH, LINTON, PISTELLA,
CALTAGIRONE, LEVDANSKY, SEVENTY, MAIALE, HOWLETT, FISCHER,
TRELLO, FARGO, NAHILL, DeLUCA, McHALE, MELIO, JOSEPHS,
E. Z. TAYLOR, KOSINSKI, RITTER, FREEMAN, WIGGINS AND VEON,
OCTOBER 19, 1987

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
OCTOBER 19, 1987

AN ACT

1 Limiting the working hours of resident physicians.

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

4 Section 1. Short title.

5 This act shall be known and may be cited as the Medical
6 Residency Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Board." The State Board of Medicine.

12 "Graduate medical training." Training approved or recognized
13 by the board which is either of the following:

14 (1) Accredited as graduate medical education by any
15 accrediting body recognized by the board for the purpose of

1 accrediting graduate medical education. Any accrediting body
2 recognized by the board on the effective date of this act
3 shall continue to serve in that capacity unless and until the
4 board recognizes a successor.

5 (2) Provided by a hospital accredited by any accrediting
6 body recognized by the board and acceptable to an American
7 specialty board towards the training it requires for the
8 certification it issues in a medical specialty or
9 subspecialty. Any accrediting body recognized by the board on
10 the effective date of this act shall continue to serve in
11 that capacity unless and until the board recognizes a
12 successor.

13 "Hospital." An institution licensed or regulated as a
14 hospital by the Department of Health or the Department of Public
15 Welfare or a facility owned or operated by the Federal
16 Government and accredited by the Joint Commission on
17 Accreditation of Hospitals as a hospital.

18 "Medical doctor." An individual who has acquired one of the
19 following licenses to practice medicine and surgery issued by
20 the board:

21 (1) License without restriction.

22 (2) Interim limited license.

23 (3) Graduate license.

24 (4) Institutional license.

25 (5) Temporary license.

26 (6) Extraterritorial license.

27 "Medical service." Activity which lies within the scope of
28 the practice of medicine and surgery.

29 "Medical training facility." A medical college, hospital or
30 other institution which provides courses in the art and science

1 of medicine and surgery and related subjects for the purpose of
2 enabling a matriculant to qualify for a license to practice
3 medicine and surgery, for graduate medical training, or for
4 midwife certificate or physician assistant certificate.

5 "Medicine and surgery." The art and science of which the
6 objectives are the cure of diseases and the preservation of the
7 health of man, including the practice of the healing art with or
8 without drugs, except healing by spiritual means or prayer.

9 "Resident." A medical doctor who is participating in
10 graduate training.

11 Section 3. Emergency service.

12 A medical training facility shall not require or authorize a
13 resident to work in emergency medical service for more than 12
14 consecutive hours and shall provide at least eight hours of
15 nonworking time between shifts of eight hours or more. Working
16 shifts of less than eight hours shall be separated by a
17 nonworking period at least as long as the working shift.

18 Section 4. Nonemergency service.

19 A medical training facility shall not require or authorize a
20 resident to work in nonemergency medical service for more than
21 16 consecutive hours and shall provide at least eight hours of
22 nonworking time between shifts of 12 hours or more. Working
23 shifts of less than 12 hours shall be separated by a nonworking
24 period at least two-thirds as long as the working shift.

25 Section 5. Prohibition.

26 A resident shall not work more hours than authorized by
27 section 2 or 3, whether at one or more medical training
28 facilities.

29 Section 6. Penalties.

30 (a) Medical training facilities.--A medical training

1 facility that violates any provision of this act commits a
2 summary offense and shall, upon conviction, be sentenced to pay
3 a fine of \$1,000.

4 (b) Residents.--A resident who violates any provision of
5 this act commits a summary offense and shall, upon conviction,
6 be sentenced to pay a fine of \$200.

7 Section 7. Effective date.

8 This act shall take effect in 60 days.