

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 244 Session of
1991

INTRODUCED BY BELFANTI, LUCYK, McCALL, GEORGE, ALLEN, TIGUE,
BELARDI, STUBAN, HANNA, STISH, MUNDY, KRUSZEWSKI, CARONE,
JAROLIN, RUDY, RITTER, BATTISTO, CALTAGIRONE, ARGALL, HERMAN,
PHILLIPS, DAVIES, CAWLEY AND FREEMAN, FEBRUARY 4, 1991

AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF
REPRESENTATIVES, AS AMENDED, FEBRUARY 12, 1991

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," requiring notice and
4 public hearings prior to the closure, sale, lease or transfer
5 of any State general hospital.

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

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Public Welfare Code, is amended by adding sections to
10 read:

11 Section 318. Notice and Public Hearing.--At least thirty
12 days prior to the department making a decision to close, sell,
13 lease or otherwise transfer the ownership or operational control
14 of any hospital or affiliated school of nursing, State mental
15 hospital, mental retardation center or other similar institution
16 funded by the General Assembly or allows the material reduction
17 of bed complement, services or staff at an institution, the
18 department shall hold a public hearing in the affected area.

1 Section 319. Maintenance of Services.--The department may
2 not close, sell, lease or otherwise transfer the ownership or
3 operational control of any State general hospital or affiliated
4 school of nursing, State mental hospital, mental retardation
5 center or other similar institution funded by the General
6 Assembly, nor may the department materially reduce services such
7 as chaplaincy services at State facilities, or materially reduce
8 staff levels without presenting their proposal to the General
9 Assembly. Material reductions shall mean a reduction in the bed
10 complement of an institution of five percent; and a material
11 staff reduction shall mean a five percent reduction of the staff
12 complement within an institution. The proposed reduction in
13 services, staff or facilities shall be placed on the calendar of
14 the House of Representatives and of the Senate. If either
15 legislative body disapproves of said action within five
16 legislative or thirty calendar days, whichever is later DAYS, <—
17 then such action may not take effect. NO SUCH PROPOSED REDUCTION <—
18 SHALL BE TRANSMITTED TO THE GENERAL ASSEMBLY LESS THAN FIVE
19 LEGISLATIVE DAYS IMMEDIATELY PRIOR TO OR DURING ANY PERIOD OF
20 RECESS OR ADJOURNMENT OF EITHER HOUSE FOR A PERIOD OF ONE WEEK
21 OR MORE.

22 SECTION 2. THIS ACT SHALL BE RETROACTIVE TO JANUARY 1, 1991.

23 Section ~~2~~ 3. This act shall take effect immediately. <—