

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1580

Session of  
2003

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INTRODUCED BY KENNEY AND OLIVER, JUNE 10, 2003

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AS REPORTED FROM COMMITTEE ON HEALTH AND HUMAN SERVICES, HOUSE  
OF REPRESENTATIVES, AS AMENDED, JUNE 16, 2003

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## AN ACT

1 Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An  
2 act relating to health care; prescribing the powers and  
3 duties of the Department of Health; establishing and  
4 providing the powers and duties of the State Health  
5 Coordinating Council, health systems agencies and Health Care  
6 Policy Board in the Department of Health, and State Health  
7 Facility Hearing Board in the Department of Justice;  
8 providing for certification of need of health care providers  
9 and prescribing penalties," providing for employment of  
10 health care practitioners.

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

13 Section 1. The act of July 19, 1979 (P.L.130, No.48), known  
14 as the Health Care Facilities Act, is amended by adding a  
15 section to read:

16 Section 817.1. Employment of health care practitioners.

17 A health care practitioner may practice the healing arts in  
18 any of the following manners: <—

19 (1) As an employee of another individual or person,  
20 regardless of the licensure or permit status of the employer  
21 or any person with a legal or an equitable interest in the

1 ~~employer.~~

2 ~~(2) As an independent contractor with another individual~~  
3 ~~or person, regardless of the licensure or permit status of~~  
4 ~~the other party to the contract or any person with a legal or~~  
5 ~~an equitable interest in the other party. A HEALTH CARE~~ <—  
6 FACILITY LICENSED PURSUANT TO THIS ACT AS AN EMPLOYEE OR  
7 INDEPENDENT CONTRACTOR. A HEALTH CARE FACILITY SHALL NOT  
8 INTERFERE WITH A HEALTH CARE PRACTITIONER'S PROFESSIONAL  
9 MEDICAL OR ETHICAL JUDGMENT.

10 Section 2. This act shall take effect in 60 days.