

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2154 Session of
2003

INTRODUCED BY PAYNE, BELFANTI, BROWNE, BUXTON, CRAHALLA, CRUZ,
DAILEY, DeLUCA, DENLINGER, EGOLF, GINGRICH, GOOD, GOODMAN,
HARHART, HENNESSEY, HORSEY, KELLER, S. MILLER, O'NEILL,
PISTELLA, REICHLEY, ROEBUCK, SCAVELLO, SOLOBAY, THOMAS,
TRAVAGLIO, WALKO, WASHINGTON, WATSON, WOJNAROSKI, YOUNGBLOOD
AND MCGEEHAN, NOVEMBER 18, 2003

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,
NOVEMBER 18, 2003

AN ACT

1 Requiring procedures for the administration of medications to
2 certain residents of long-term care facilities; imposing
3 additional powers and duties on the Department of Aging, the
4 Department of Health and the Department of Public Welfare;
5 and further providing for licensing.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Long-Term
10 Care Facility Medication Safety Act.

11 Section 2. Definitions.

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

15 "Chronic dementia." An irreversible global loss of cognitive
16 function:

17 (1) Causing evident intellectual impairment, including

1 memory loss, without alteration of state of consciousness as
2 diagnosed by a physician.

3 (2) Severe enough to interfere with work or social
4 activities, or both.

5 (3) Requiring continuous care or supervision.

6 The term includes, but is not limited to, Alzheimer's disease.

7 "Facility." Any of the following:

8 (1) A home that provides domiciliary care as defined in
9 section 2202-A of the act of April 9, 1929 (P.L.177, No.175),
10 known as The Administrative Code of 1929.

11 (2) A long-term care nursing facility as defined in
12 section 802.1 of the act of July 19, 1979 (P.L.130, No.48),
13 known as the Health Care Facilities Act.

14 (3) An older adult daily living center as defined in
15 section 2 of the act of July 11, 1990 (P.L.499, No.118),
16 known as the Older Adult Daily Living Centers Licensing Act.

17 (4) A personal care home as defined in section 1001 of
18 the act of June 13, 1967 (P.L.31, No.21), known as the Public
19 Welfare Code.

20 "Licensing agency." In the case of:

21 (1) A domiciliary care home, the Department of Aging.

22 (2) A long-term care nursing facility, the Department of
23 Health.

24 (3) An older adult daily living center, the Department
25 of Aging.

26 (4) A personal care home, the Department of Public
27 Welfare.

28 "Resident." A person who receives services in a facility.

29 Section 3. Administration of medications to residents with
30 chronic dementia.

1 (a) General rule.--A facility that advertises that it offers
2 specialized support services to residents with chronic dementia
3 shall adopt and implement procedures to assist those residents
4 with the administration of medications prescribed for self-
5 administration.

6 (b) Supplement to existing law.--The procedures required by
7 subsection (a) shall be in addition to any rules, regulations or
8 standards that exist on the effective date of this act relating
9 to the administration of medications.

10 Section 4. Enforcement.

11 The appropriate licensing agency shall ensure that a facility
12 complies with the provisions of this act as a condition of
13 licensure.

14 Section 5. Effective date.

15 This act shall take effect in 90 days.