

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 732 Session of
2007

INTRODUCED BY WONDERLING, WASHINGTON, TARTAGLIONE, PUNT, STOUT,
ORIE, RAFFERTY, O'PAKE, WAUGH, ERICKSON, MUSTO, PILEGGI,
BOSCOLA, VANCE, RHOADES, EARLL AND C. WILLIAMS, APRIL 2, 2007

REFERRED TO JUDICIARY, APRIL 2, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for neglect of a
3 care-dependent person.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. The definition of "caretaker" in section 2713(f)
7 of Title 18 of the Pennsylvania Consolidated Statutes is amended
8 to read:

9 § 2713. Neglect of care-dependent person.

10 * * *

11 (f) Definitions.--As used in this section, the following
12 words and phrases shall have the meanings given to them in this
13 subsection:

14 * * *

15 "Caretaker." [Any person who:

16 (1) is an owner, operator, manager or employee of a
17 nursing home, personal care home, domiciliary care home,
18 community residential facility, intermediate care facility

1 for the mentally retarded, adult daily living center, home
2 health agency or home health service provider whether
3 licensed or unlicensed;

4 (2) provides care to a care-dependent person in the
5 setting described in paragraph (1); or

6 (3) has an obligation to care for a care-dependent
7 person for monetary consideration in the settings described
8 in paragraph (1) or in the care-dependent person's home.] A
9 person that meets any of the following:

10 (1) Is an owner, operator, manager or employee of any of
11 the following:

12 (i) A nursing home, personal care home or
13 domiciliary care home.

14 (ii) A community residential facility or
15 intermediate care facility for a person with mental
16 disabilities.

17 (iii) An adult daily living center.

18 (iv) A home health agency or home health service
19 provider whether licensed or unlicensed.

20 (v) An entity licensed under the act of July 19,
21 1979 (P.L.130, No.48), known as the Health Care
22 Facilities Act.

23 (2) Provides care to a care-dependent person in the
24 settings described under paragraph (1).

25 (3) Has an obligation to care for a care-dependent
26 person for monetary consideration in the settings described
27 under paragraph (1) or in the care-dependent person's home.

28 (4) Is an adult who resides with a care-dependent
29 person, unless there is another responsible adult in the
30 residence which has a superior obligation to provide care

1 because of familial relationship, contract or court order.

2 (5) Is an adult who does not reside with a care-
3 dependent person but who has assumed responsibility for care
4 or who has responsibility by contract or court order.

5 * * *

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