

## 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," in licensing of health care  
10 facilities, further providing for provider violations.

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

13 Section 1. Section 814 of the act of July 19, 1979 (P.L.130,  
14 No.48), known as the Health Care Facilities Act, is amended by  
15 adding a subsection to read:

16 Section 814. Provider violations.

17 \* \* \*

18 (c) Licensure and certification surveys, inspections and  
19 investigations.--

20 (1) Notwithstanding any other provision of law and  
21 except as ordered by the court in a civil proceeding, the

1 results of a licensing survey, certification survey,  
2 inspection report or investigation on a long-term care  
3 nursing facility licensed under this act which is conducted  
4 by a State agency, including a plan of correction generated  
5 by the facility in response to the agency's action, shall be  
6 used solely to determine and achieve compliance with  
7 applicable licensure or certification requirements under  
8 Federal or State law.

9 (2) Nothing in this subsection shall prohibit the use of  
10 materials in paragraph (1) in a criminal proceeding.

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