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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1630 Session of  
2001

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INTRODUCED BY SATHER, SCHULER, PISTELLA, ZIMMERMAN, ARMSTRONG,  
SAMUELSON, WATSON, B. SMITH, GRUCELA, PALLONE AND YUDICHAK,  
MAY 21, 2001

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
MAY 21, 2001

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AN ACT

1 Providing for the training and certification of qualified  
2 assessors of individuals needing long-term care services and  
3 for the powers and duties of the Department of Aging.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Long-Term  
8 Care Assessor Training and Certification Act.

9 Section 2. Definitions.

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

13 "Comprehensive assessment." A thorough review and analysis  
14 of a consumer's functional status. The term includes a personal  
15 history, assessment of physical and emotional health, ability to  
16 carry out activities of daily living, informal supports,  
17 environmental factors and cognitive functioning, including

1 immobility assessment.

2 "Comprehensive service plan." A plan developed to meet a  
3 consumer's individual needs, as determined by a comprehensive  
4 assessment and developed by an interdisciplinary team that  
5 includes the consumer, the consumer's legal representatives and  
6 the consumer's family member.

7 "Consumer." An individual needing long-term care services.

8 "Department." The Department of Aging of the Commonwealth.

9 "Long-term care services." Functionally necessary or  
10 medically necessary diagnostic, preventive, therapeutic,  
11 rehabilitative, maintenance or personal care services provided  
12 in a setting other than an acute care unit of a hospital.

13 "Options program." The Long-Term Care Preadmission  
14 Assessment Program and the Community Services for Nursing  
15 Facility Eligibility Program administered by the Department of  
16 Aging and operated by the local area agencies on aging.

17 "Qualified assessor." A person approved by the Department of  
18 Aging as qualified to conduct assessments of consumers and  
19 develop service plans based thereon. The term includes an  
20 employee of an area agency on aging, an employee of a licensed  
21 entity providing long-term care services or an independent  
22 entity. The term does not include a hospital discharge planner  
23 or other staff or employee of an insured's health or long-term  
24 care insurance company.

25 Section 3. Duties of department.

26 (a) Development of qualified assessor program.--The  
27 department shall develop a training and certification program  
28 for qualified assessors. Only those qualified assessors trained  
29 and certified by the department shall be permitted to conduct  
30 assessments that identify the services a consumer requires and

1 that serve as the basis for a comprehensive service plan. This  
2 program shall be separate from the Options program. However,  
3 nothing in this act shall preclude a qualified assessor from  
4 eligibility to perform an Options program assessment.

5 (b) List of qualified assessors.--The department shall  
6 develop and make available to the public a listing of qualified  
7 assessors. The listing shall be updated at least monthly and  
8 shall be available on the department's Internet World Wide Web  
9 site and through the local area agencies on aging.

#### 10 Section 4. Duties of qualified assessors.

11 (a) Certification required.--

12 (1) A qualified assessor shall certify that any  
13 assessment the qualified assessor conducts is true and  
14 correct to the best of that qualified assessor's knowledge  
15 and skill.

16 (2) The department shall revoke the certification of any  
17 qualified assessor who falsely certifies a need for services.

18 (b) Standardized screening instrument.--A qualified assessor  
19 shall utilize a standardized screening instrument. The  
20 instrument shall be developed by the Department of Public  
21 Welfare, in cooperation with the department, the Department of  
22 Health and the Intra-Governmental Council on Long-Term Care,  
23 within six months of the effective date of this act.

#### 24 Section 5. Rules and regulations.

25 The department shall work in cooperation with the Department  
26 of Public Welfare, the Department of Health and the Intra-  
27 Governmental Council on Long-Term Care to develop rules and  
28 regulations to implement this act. Within six months of the  
29 effective date of this act, the department shall promulgate  
30 regulations to implement this act.

1 Section 6. Effective date.

2 This act shall take effect in one year.