
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2978 Session of
1996

INTRODUCED BY BELFANTI, DeWEESE, VEON, M. COHEN, CAPPABIANCA,
STURLA, KUKOVICH, LAUGHLIN, LaGROTTA, BELARDI, YEWIC, RUDY,
ROBINSON, PRESTON, LUCYK, MERRY, MANDERINO, STABACK, TIGUE,
WALKO, GIGLIOTTI, MIHALICH, VAN HORNE, OLIVER, YOUNGBLOOD,
HALUSKA, PISTELLA AND SHANER, OCTOBER 10, 1996

REFERRED TO COMMITTEE ON AGING AND YOUTH, OCTOBER 10, 1996

AN ACT

1 Providing for certain records and other information to be
2 returned and made available by nursing homes; and providing
3 for additional duties of the Department of Public Welfare.

4 The General Assembly finds and declares as follows:

5 (1) That this Commonwealth has a large and growing
6 population of senior and disabled persons whose family
7 members and friends are increasingly dependent on nursing
8 home care.

9 (2) That significant resources are necessary for the
10 care of our senior and disabled citizens who reside in
11 nursing homes.

12 (3) That the nursing home industry is a growth industry
13 in this Commonwealth which requires immediate safeguards in
14 the public interest.

15 (4) That for-profit nursing homes and nursing home
16 chains that receive public money have the responsibility to
17 report to residents and their families on safety and health

1 matters, quality-of-care issues and situations which pose
2 imminent or potential hazards to nursing home residents and
3 the people who care for them.

4 (5) That family members and friends have the right to
5 know the quality of care provided to their loved ones.

6 (6) That the public has the right to know information
7 affecting the care of senior and disabled residents in the
8 nearly 700 nursing homes across this Commonwealth.

9 (7) That the Department of Health and the Department of
10 Public Welfare are responsible to ensure that such moneys
11 appropriated by the General Assembly for that purpose are
12 directed to nursing homes that provide quality care for our
13 senior and disabled citizens.

14 (8) That the Department of Public Welfare is responsible
15 to ensure that such funding is spent prudently in a manner
16 which promotes and advances resident care.

17 (9) That senior and disabled citizens who are residents
18 of nursing homes should not have patient care appropriations
19 used for payment of legal representation costs in defense of
20 unlawful conduct.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 Section 1. Maintenance of records.

24 Any nursing home corporation operating within this
25 Commonwealth shall maintain the following records for a 10-year
26 period:

27 (1) Safety and health inspections.

28 (2) Occupational Safety and Health Act complaints under
29 the Occupational Safety and Health Act of 1970 (Public Law
30 91-596, 29 U.S.C. § 651 et seq.).

1 (3) Wage and hour complaints before the United States
2 Department of Labor.

3 (4) Actions before the National Labor Relations Board.

4 (5) Actions before the Health Care Financing
5 Administration.

6 Section 2. Public right to information.

7 A nursing home corporation receiving public funding shall
8 notify the public of its right to the information set forth in
9 section 1. This notice shall be posted in a conspicuous manner
10 accessible and visible to the public at each facility. This
11 information must be made available for the current year and the
12 two years immediately prior to the current year.

13 Section 3. Nursing staff.

14 A nursing home corporation receiving public funding shall
15 post the number of nursing staff directly responsible for
16 resident care. This information shall be posted for each shift,
17 each day and each floor for each job classification. This
18 information must be posted in a location which is visible and
19 accessible to all residents, their families and caregivers in
20 each facility.

21 Section 4. Notification of hazard.

22 A nursing home corporation shall immediately notify the
23 family of every resident of those incidents in which residents
24 and workers are evacuated from the facility or in which the
25 incident poses an imminent hazard to residents or workers.

26 Section 5. Enforcement.

27 The Department of Public Welfare shall monitor nursing home
28 corporations for compliance with this act. Nursing home
29 corporations which use public funding for legal representation
30 in defense of unlawful activities shall have public funds

1 withheld in an amount equal to funds improperly used and the
2 cost of enforcement.

3 Section 6. Effective date.

4 This act shall take effect in 60 days.