

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2741 Session of
1998

INTRODUCED BY DeLUCA, WALKO, MELIO, MANDERINO, BOSCOLA,
READSHAW, WOJNAROSKI, TIGUE, HARHAI, MUNDY, ROSS, HALUSKA,
LAUGHLIN, JOSEPHS, BLAUM, YOUNGBLOOD, STEELMAN, CURRY,
STABACK, COLAIZZO, COLAFELLA, EVANS AND SEYFERT,
JUNE 22, 1998

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 22, 1998

AN ACT

1 Amending the act of December 12, 1986 (P.L.1559, No.169),
2 entitled "An act providing protection for employees who
3 report a violation or suspected violation of State, local or
4 Federal law; providing protection for employees who
5 participate in hearings, investigations, legislative
6 inquiries or court actions; and prescribing remedies and
7 penalties," extending the scope of the act to nursing home
8 employees.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definitions of "employee," "employer" and
12 "waste" in section 2 of the act of December 12, 1986 (P.L.1559,
13 No.169), known as the Whistleblower Law, are amended and the
14 section is amended by adding a definition to read:

15 Section 2. Definitions.

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

19 * * *

1 "Employee." A person who performs a service for wages or
2 other remuneration under a contract of hire, written or oral,
3 express or implied, for a public body or a nursing home.

4 "Employer." A person supervising one or more employees,
5 including the employee in question; a superior of that
6 supervisor; or an agent of a public body or a nursing home.

7 * * *

8 "Nursing home." A facility for profit or not-for-profit that
9 provides either skilled or intermediate nursing care or both
10 levels of such care to two or more elderly persons, who are
11 unrelated to the licensee, for a period exceeding 24 hours.

12 * * *

13 "Waste." An employer's conduct or omissions which result in
14 substantial abuse, misuse, destruction or loss of funds or
15 resources belonging to or derived from Commonwealth or political
16 subdivision sources or accounts of nursing homes.

17 * * *

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