

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1981 Session of
2007

INTRODUCED BY BOYD, BAKER, BELFANTI, CLYMER, CUTLER, DeLUCA,
FRANKEL, GEIST, GRELL, HENNESSEY, HICKERNELL, HUTCHINSON,
LONGIETTI, MICOZZIE, MUSTIO, NICKOL, RAPP, READSHAW,
REICHLEY, SAYLOR, VULAKOVICH, WANSACZ, WATSON AND YOUNGBLOOD,
OCTOBER 26, 2007

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 26, 2007

AN ACT

1 Amending the act of March 20, 2002 (P.L.154, No.13), entitled
2 "An act reforming the law on medical professional liability;
3 providing for patient safety and reporting; establishing the
4 Patient Safety Authority and the Patient Safety Trust Fund;
5 abrogating regulations; providing for medical professional
6 liability informed consent, damages, expert qualifications,
7 limitations of actions and medical records; establishing the
8 Interbranch Commission on Venue; providing for medical
9 professional liability insurance; establishing the Medical
10 Care Availability and Reduction of Error Fund; providing for
11 medical professional liability claims; establishing the Joint
12 Underwriting Association; regulating medical professional
13 liability insurance; providing for medical licensure
14 regulation; providing for administration; imposing penalties;
15 and making repeals," providing for Machinery and Equipment
16 Loan Fund eligibility; and making an appropriation.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The act of March 20, 2002 (P.L.154, No.13), known
20 as the Medical Care Availability and Reduction of Error (Mcare)
21 Act, is amended by adding a section to read:

22 Section 410.1. Machinery and Equipment Loan Fund eligibility.

23 (a) Funds available.--Up to \$25,000,000 of the funds

1 appropriated by the General Assembly for the Machinery and
2 Equipment Loan Fund for the purposes of this section shall be
3 made available for loans to health care facilities to assist in
4 acquiring technology systems that reduce health care-associated
5 infections. Loan and interest payments made by health care
6 facilities to the Machinery and Equipment Loan Fund as a result
7 of loans issued under this section shall be applied and
8 reapplied to the purposes of this section.

9 (b) Reservation.--Of the amount available under subsection
10 (a), \$10,000,000 shall be reserved exclusively for loans for
11 qualifying electronic surveillance systems that will reduce
12 health care-associated infections.

13 (c) Limit.--Loans awarded under this section shall not
14 exceed 50% of a health care facility's costs of acquisition and
15 must be approved by the Department of Community and Economic
16 Development and the department.

17 (d) Criteria.--The Department of Community and Economic
18 Development and the department shall jointly develop criteria
19 for evaluating applications for loans under this section that
20 consider the fiscal condition of the health care facility, the
21 ability of the health care facility to implement the technology
22 and the potential savings through avoided costs. The criteria
23 shall be forwarded by the department to the Legislative
24 Reference Bureau for publication as a notice in the Pennsylvania
25 Bulletin.

26 (e) Governing law.--The provisions of 12 Pa.C.S. Ch. 29
27 (relating to machinery and equipment loans) insofar as they are
28 consistent with the provisions of this section shall apply to
29 loans made under this section.

30 Section 2. The sum of \$25,000,000 is hereby appropriated to

1 the Machinery and Equipment Loan Fund for the fiscal year July
2 1, 2007, to June 30, 2008, to carry out the provisions of
3 section 410.1 of the act.

4 Section 3. This act shall take effect in 60 days.