

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 194 Session of 2007

INTRODUCED BY KASUNIC, COSTA, KITCHEN, C. WILLIAMS, RAFFERTY,
TARTAGLIONE, FONTANA, WOZNIAK, LOGAN, BROWNE, STACK, BOSCOLA,
STOUT, MUSTO, M. WHITE AND FERLO, MARCH 7, 2007

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 7, 2007

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," further providing for
10 administration by Department of Health.

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

13 Section 1. Section 804 of the act of July 19, 1979 (P.L.130,
14 No.48), known as the Health Care Facilities Act, amended
15 December 18, 1992 (P.L.1602, No.179), is amended to read:
16 Section 804. Administration.

17 (a) Discrimination prohibited.--Except as otherwise provided
18 by law, no provider shall discriminate in the operation of a
19 health care facility on the basis of race, creed, sex or
20 national origin.

21 (b) Prevention of duplication.--In carrying out the

1 provisions of this chapter and other statutes of this
2 Commonwealth relating to health care facilities, the department
3 and other departments and agencies of the State and local
4 governments shall make every reasonable effort to prevent
5 duplication of inspections and examinations. The department may
6 make the dates of licensure expiration coincide with medical
7 assistance and Medicare certification or applicable nationally
8 recognized accrediting agencies accreditation and shall combine
9 these surveys and inspections where practical.

10 (c) Health care innovation.--The department shall administer
11 this chapter so as to encourage innovation and experimentation
12 in health care and health care facilities consistent with the
13 provisions of this chapter and shall encourage contributions of
14 private funds and services to health care facilities.

15 (d) Reports.--The department shall report annually to the
16 General Assembly on the effectiveness of the licensing and
17 enforcement of this chapter. Such report shall include
18 appropriate data according to nature of facility relating to
19 provisional licenses issued, nature of violations of regulations
20 and number of facilities against which sanctions had to be
21 taken.

22 (e) Toll-free telephone number.--The department shall
23 establish and maintain a 24-hour-a-day toll-free telephone
24 number for receiving complaints regarding a health care facility
25 that the department licenses. The toll-free telephone number
26 shall be staffed by live operators 24 hours a day, 365 days a
27 year.

28 (f) Facilities to post certain telephone numbers.--Health
29 care facilities licensed by the department under this chapter
30 shall post in conspicuous public places throughout their

1 facilities and in a manner clearly visible to the residents and
2 visitors:

3 (1) the department's 24-hour-a-day toll-free telephone
4 number for receiving complaints established under subsection
5 (e); and

6 (2) the telephone number of the long-term-care ombudsman
7 located within the local area agency on aging as established
8 by the Department of Aging.

9 Section 2. This act shall take effect immediately.