

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1208 Session of
2009

INTRODUCED BY MARSICO, BOBACK, D. COSTA, CREIGHTON, CUTLER,
DENLINGER, GINGRICH, GOODMAN, GRUCELA, HELM, HENNESSEY, HESS,
HORNAMAN, KAUFFMAN, M. KELLER, KULA, LONGIETTI, MENSCH, MOUL,
MURT, M. O'BRIEN, PICKETT, PYLE, QUINN, RAPP, REICHLEY, ROCK,
SIPTROTH, STABACK, STEVENSON, SWANGER, J. TAYLOR, VULAKOVICH,
WALKO, WATSON AND GEIST, APRIL 3, 2009

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES, APRIL
3, 2009

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," in licensing of health care
10 facilities, further providing for definitions and for
11 licensure.

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

14 Section 1. Section 802.1 of act of July 19, 1979 (P.L.130,
15 No.48), known as the Health Care Facilities Act, is amended by
16 adding a definition to read:

17 Section 802.1. Definitions.

18 The following words and phrases when used in this chapter
19 shall have, unless the context clearly indicates otherwise, the
20 meanings given them in this section:

1 * * *

2 "Dementia." An irreversible global loss of cognitive
3 function causing evident intellectual impairment which always
4 includes memory loss, without alteration of state of
5 consciousness, as diagnosed by a physician and which is severe
6 enough to interfere with work or social activities, or both, and
7 to require continuous care or supervision.

8 * * *

9 Section 2. Section 806 of the act is amended by adding a
10 subsection to read:

11 Section 806. Licensure.

12 * * *

13 (h) Long-term care nursing facility consumer disclosures.--A
14 long-term care nursing facility that provides care for consumers
15 diagnosed with dementia shall disclose to consumers and their
16 legal representatives and provide a written statement of:

17 (1) The facility's philosophy and mission which reflects
18 the needs of consumers with dementia.

19 (2) A description of the facility's physical environment
20 and design features to support the functioning of consumers
21 with dementia.

22 (3) A description of the frequency and types of
23 individual and group activities designed specifically to meet
24 the needs of consumers with dementia.

25 (4) A description of security measures provided by the
26 facility.

27 (5) A description of training provided to staff
28 regarding provision of care to consumers with dementia.

29 (6) A description of availability of family support
30 programs and family involvement.

1 (7) The process used for assessment and establishment of
2 a plan of services for the consumer, including methods by
3 which the plan of services will remain responsive to changes
4 in the consumer's condition.

5 (8) The process used to address emergency situations
6 that may occur as a result of an aggressive or
7 uncharacteristic manifestation of the dementia that would
8 pose a threat to the health and safety of the consumer, other
9 consumers or staff, thereby prompting a need for immediate
10 discharge or transfer of the consumer.

11 Section 3. This act shall apply to consumers admitted on or
12 after the effective date of this section.

13 Section 4. This act shall take effect in six months.