
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2028 Session of
2015

INTRODUCED BY PICKETT, BAKER, D. COSTA, DeLUCA, EVERETT, MAJOR,
MILNE, MURT, ROZZI, THOMAS, WATSON AND YOUNGBLOOD,
MAY 4, 2016

REFERRED TO COMMITTEE ON HEALTH, MAY 4, 2016

AN ACT

1 Providing for outpatient psychiatric oversight.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Outpatient
6 Psychiatric Oversight Act.

7 Section 2. Definitions.

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

11 "Department." The Department of Human Services of the
12 Commonwealth.

13 "Full-time equivalent." Thirty-seven and one-half hours per
14 week.

15 "Outpatient psychiatric clinic." A nonresidential treatment
16 setting in which psychiatric, psychological, social, educational
17 and other related services are provided under medical

1 supervision. It is designed for the evaluation and treatment of
2 individuals of any age with mental illness or emotional
3 distress. Outpatient services are provided on a planned and
4 regularly scheduled basis.

5 "Psychiatrist." A physician who has completed at least three
6 years of a residency in psychiatry and is licensed to practice
7 psychiatry in this Commonwealth.

8 Section 3. Requirements.

9 The following shall apply:

10 (1) Except as provided for in paragraph (2), an
11 outpatient psychiatric clinic is required to have a
12 psychiatrist on site for two hours of psychiatric time per
13 week for each full-time equivalent treatment staff member
14 employed by the outpatient psychiatric clinic. Telepsychiatry
15 provided by a psychiatrist that is not on site with
16 prescriptive authority in this Commonwealth may be utilized
17 with a service description approved by the department but
18 shall not be included in the required psychiatric time
19 required under this paragraph.

20 (2) Fifty percent of the required on-site psychiatric
21 time under paragraph (1) may be provided by other advanced
22 practice professionals specializing in behavioral health with
23 prescriptive authority in this Commonwealth.

24 Section 4. Regulations.

25 The department shall promulgate regulations as necessary to
26 carry out the provisions of this act.

27 Section 5. Effective date.

28 This act shall take effect in 60 days.