

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2332 Session of 2015

INTRODUCED BY SANTARSIERO, DEAN, SCHLOSSBERG, BRIGGS, FRANKEL,  
KINSEY, COOK-ARTIS, BOYLE, O'BRIEN AND M. DALEY,  
SEPTEMBER 14, 2016

REFERRED TO COMMITTEE ON HEALTH, SEPTEMBER 14, 2016

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 licensure.

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

13 Section 1. Section 806(h) (1), (2), (3) and (4) of the act of  
14 July 19, 1979 (P.L.130, No.48), known as the Health Care  
15 Facilities Act, added December 22, 2011 (P.L.563, No.122), are  
16 repealed:

17 Section 806. Licensure.

18 \* \* \*

19 (h) Abortion facilities.--

20 [(1) The department shall apply the same regulations  
21 promulgated under subsection (f) to abortion facilities that

1 are applied to ambulatory surgical facilities. These  
2 regulations include classification of the facilities in the  
3 same manner as ambulatory surgical facilities.

4 (2) The department shall apply to abortion facilities  
5 any other provision of this chapter governing health care  
6 facilities insofar as they are applicable to ambulatory  
7 surgical facilities.

8 (3) For the purpose of applying the rules applicable to  
9 ambulatory surgical facilities, all of the following apply:

10 (i) The department shall allow the abortion facility  
11 to request an exception.

12 (ii) The request must identify with specificity the  
13 reasons for which the exception is sought.

14 (iii) In considering a petition under this  
15 paragraph, the department shall apply the same procedures  
16 and criteria that are applicable to other health care  
17 facilities.

18 (iv) The department shall issue a written  
19 determination stating the reasons for a decision under  
20 this paragraph.

21 (4) None of the following shall apply to an abortion  
22 facility:

23 (i) The definition of "ambulatory surgical facility"  
24 in section 802.1.

25 (ii) The definition of "ASF--Ambulatory Surgical  
26 Facility" in 28 Pa. Code § 551.3 (relating to  
27 definitions).]

28 \* \* \*

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