

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 179 Session of 2017

INTRODUCED BY BARTOLOTTA, VOGEL, YAW, BREWSTER, RESCHENTHALER, YUDICHAK, HAYWOOD, VULAKOVICH, SCHWANK, RAFFERTY, COSTA, SCARNATI, WARD, BROWNE AND SABATINA, JANUARY 25, 2017

SENATOR BAKER, HEALTH AND HUMAN SERVICES, AS AMENDED, OCTOBER 17, 2017

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 general provisions, providing
10 for acute care mental health bed registry and referrals.

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

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

16 Section 901.1. Acute care mental health bed registry and
17 referrals.

18 (a) The department shall develop and administer an A
19 VOLUNTARY Internet web-based acute care mental health bed
20 registry to facilitate the temporary hospitalization and
21 treatment of individuals who meet the criteria for inpatient

<--

1 examination and treatment under Article II or III of the act of
2 July 9, 1976 (P.L.817, No.143), known as the "Mental Health
3 Procedures Act." THE DEPARTMENT SHALL ENCOURAGE FACILITIES TO <--
4 VOLUNTARILY SUBMIT THE INFORMATION SPECIFIED IN SUBSECTION (C).
5 The department shall make the registry available ACCESSIBLE to <--
6 health care professionals and their designees who are treating
7 patients in need of mental health inpatient examination and
8 treatment AND TO PARTICIPATING FACILITIES. <--

9 (b) The department shall design the registry to collect,
10 aggregate and display the information under subsection (c).

11 (c) The registry shall include all of the following
12 information:

13 (1) General descriptive information for each
14 participating facility, including contact information and the
15 type of treatment and services available at each
16 participating facility.

17 (2) ~~Real time information, updated at least daily,~~ <--
18 INFORMATION on the number of acute care mental health beds <--
19 available at the EACH participating facility, WHICH <--
20 INFORMATION SHALL BE UPDATED EVERY EIGHT HOURS.

21 (3) For each available acute care mental health bed at a
22 participating facility, the type of patient that may be
23 admitted.

24 (4) The level of security provided at each participating
25 facility.

26 (5) Any other information that may assist a health care
27 professional in identifying an appropriate acute care mental
28 health bed for an individual in need of inpatient examination
29 and treatment.

30 (d) The department shall design the registry to allow

1 health care professionals and their designees to search the
2 registry for an appropriate acute care mental health bed for an
3 individual in need of inpatient examination or treatment.

4 (e) In order to be eligible to access the registry, a
5 facility must:

6 (1) submit information specified under subsection (c) to
7 the department for inclusion in the registry, including <--
8 providing daily real time information under subsection (c);
9 and

10 (2) ~~arrange for~~ PERMIT the facility's contact <--
11 information to be monitored and accessed at any time in
12 accordance with the department's regulations promulgated
13 under subsection (h).

14 (f) The department may contract with a third party to
15 develop and administer the registry.

16 (g) The department shall publish a notice in the
17 Pennsylvania Bulletin providing for the date when the department
18 completed the development of the registry.

19 (h) The department shall promulgate regulations necessary to
20 implement this section.

21 (i) As used in this section, the following words and phrases
22 shall have the meanings given to them in this subsection:

23 "Acute care mental health bed." A bed located at a mental
24 health facility that provides acute care mental health services.

25 "Facility." A mental health facility.

26 "Health care professional." An individual licensed as a
27 physician, osteopath, physician assistant or certified
28 registered nurse practitioner.

29 "Mental health facility." A distinct part unit of a general
30 hospital licensed by the department under this act or a facility

1 that exclusively cares for the mentally ill and is licensed by
2 the Department of Human Services under the "Mental Health
3 Procedures Act" and Article X of the act of June 13, 1967
4 (P.L.31, No.21), known as the "Human Services Code," that
5 provides inpatient mental health examination and treatment. The
6 term shall not include the emergency department of a general
7 hospital.

8 "PARTICIPATING FACILITY." A FACILITY THAT SATISFIES THE <--
9 CONDITIONS UNDER SUBSECTION (E).

10 Section 2. This act shall take effect as follows:

11 (1) The following shall take effect immediately:

12 (i) The addition of section 901.1(g) of the act.

13 (ii) This section.

14 (2) The remainder of this act shall take effect 60 days
15 after the date of the publication of the notice under section
16 901.1(g) of the act.