

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 391 Session of 2019

INTRODUCED BY D. MILLER, KINSEY, CALTAGIRONE, HILL-EVANS,
 T. DAVIS, SCHLOSSBERG, BOBACK, KIRKLAND, RABB, McNEILL, MURT,
 YOUNGBLOOD, DeLUCA, McCLINTON, SIMMONS, DEASY, CIRESI,
 READSHAW, NEILSON AND SIMS, FEBRUARY 6, 2019

REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 6, 2019

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, repeals
 10 and effective date, providing for acute care mental health
 11 bed registry and referrals.

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

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

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

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

1 meet the criteria for inpatient examination and treatment under
2 Article II or III of the act of July 9, 1976 (P.L.817, No.143),
3 known as the "Mental Health Procedures Act."

4 (b) The department shall make the bed registry accessible to
5 health care professionals and their designees who are treating
6 patients in need of mental health inpatient examination and
7 treatment and to participating facilities.

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

10 (d) The bed registry shall include all of the following
11 information:

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

16 (2) Information on the number of acute care mental
17 health beds available at each participating facility, which
18 information shall be updated every eight hours.

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

22 (4) The level of security provided at each participating
23 facility.

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

28 (e) The department shall design the bed registry to allow
29 health care professionals and their designees to search the bed
30 registry for an appropriate acute care mental health bed for an

1 individual in need of inpatient examination or treatment.

2 (f) To be eligible to access the bed registry, a facility
3 must:

4 (1) submit information specified under subsection (d) to
5 the department for inclusion in the bed registry; and

6 (2) permit the facility's contact information to be
7 monitored and accessed at any time in accordance with the
8 department's regulations promulgated under subsection (h).

9 (g) The department may contract with a third party to
10 develop and administer the bed registry.

11 (h) The department shall promulgate regulations necessary to
12 implement this section.

13 (i) As used in this section, the following words and phrases
14 shall have the meanings given to them in this subsection unless
15 the context clearly indicates otherwise:

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

18 "Bed registry." The acute care mental health bed registry
19 established under this section.

20 "Facility." A mental health facility.

21 "Health care professional." An individual licensed as a
22 physician, osteopath, physician assistant or certified
23 registered nurse practitioner.

24 "Mental health facility." A distinct part of a general
25 hospital licensed by the department under this act or a facility
26 that exclusively cares for the mentally ill and is licensed by
27 the Department of Human Services under the "Mental Health
28 Procedures Act" or Article X of the act of June 13, 1967
29 (P.L.31, No.21), known as the "Human Services Code," that
30 provides inpatient mental health examination and treatment. The

1 term shall not include the emergency department of a general
2 hospital.

3 "Participating facility." A facility that satisfies the
4 conditions under subsection (f).

5 Section 2. Within 10 days of the development of the bed
6 registry under section 901.1 of the act, the department shall
7 provide notice of the development of the bed registry to the
8 Legislative Reference Bureau, which shall publish notice in the
9 Pennsylvania Bulletin.

10 Section 3. This act shall take effect as follows:

11 (1) The following shall take effect immediately:

12 (i) This section.

13 (ii) The addition of section 901.1(h) of the act.

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 2 of this act.