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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1366 Session of  
2019

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INTRODUCED BY BIZZARRO, KENYATTA, SCHLOSSBERG, HILL-EVANS,  
A. DAVIS, KORTZ, YOUNGBLOOD, READSHAW, NEILSON, FREEMAN,  
KIRKLAND, MILLARD, DeLUCA, McCLINTON, GALLOWAY, SCHLEGEL  
CULVER, DRISCOLL AND McNEILL, MAY 6, 2019

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REFERRED TO COMMITTEE ON HEALTH, MAY 6, 2019

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AN ACT

1 Amending the act of March 20, 2002 (P.L.154, No.13), entitled  
2 "An act reforming the law on medical professional liability;  
3 providing for patient safety and reporting; establishing the  
4 Patient Safety Authority and the Patient Safety Trust Fund;  
5 abrogating regulations; providing for medical professional  
6 liability informed consent, damages, expert qualifications,  
7 limitations of actions and medical records; establishing the  
8 Interbranch Commission on Venue; providing for medical  
9 professional liability insurance; establishing the Medical  
10 Care Availability and Reduction of Error Fund; providing for  
11 medical professional liability claims; establishing the Joint  
12 Underwriting Association; regulating medical professional  
13 liability insurance; providing for medical licensure  
14 regulation; providing for administration; imposing penalties;  
15 and making repeals," in medical professional liability,  
16 providing for reporting by certain licensees.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. The act of March 20, 2002 (P.L.154, No.13), known  
20 as the Medical Care Availability and Reduction of Error (Mcare)  
21 Act, is amended by adding a section to read:

22 Section 517. Reporting by certain licensees.

23 A personal care home or an assisted living community licensed  
24 by the Department of Human Services under the act of June 13,

1 1967 (P.L.31, No.21), known as the Human Services Code, shall  
2 report to the department and the department shall post on the  
3 department's publicly accessible Internet website the following  
4 information:

5 (1) Findings of negligence in any civil actions that  
6 involved the care of patients or residents.

7 (2) If the facility is part of a business entity that  
8 has facilities located outside of this Commonwealth, it shall  
9 report all out-of-State violations of Federal law or  
10 regulation as well as any state law or regulation in a state  
11 where the entity does business.

12 (3) All information concerning an officer, employee or  
13 agent that involves arrest or prosecution for any of the  
14 following:

15 (i) An offense under 18 Pa.C.S. Ch. 25 (relating to  
16 criminal homicide).

17 (ii) An offense under 18 Pa.C.S. § 2702 (relating to  
18 aggravated assault).

19 (iii) An offense under 18 Pa.C.S. Ch. 31 (relating  
20 to sexual offenses).

21 (iv) A violation of the act of April 14, 1972  
22 (P.L.233, No.64), known as The Controlled Substance,  
23 Drug, Device and Cosmetic Act.

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