
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2695 Session of
2020

INTRODUCED BY MURT, SOLOMON, MALAGARI, KINSEY, SAMUELSON, BURNS,
T. DAVIS, YOUNGBLOOD, POLINCHOCK, FREEMAN, STAATS, ULLMAN,
SCHLEGEL CULVER, CONKLIN, READSHAW, HILL-EVANS, GAINNEY,
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MIZGORSKI, O'MARA, JAMES, BROOKS, D. MILLER, SANCHEZ, THOMAS,
SCHMITT, HOHENSTEIN, TOOHIL, DONATUCCI, JOZWIAK, HICKERNELL,
ISAACSON, DAY AND BRADFORD, JULY 14, 2020

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JULY 14, 2020

AN ACT

1 Providing for the establishment of an education program to
2 assist physicians, physician assistants, clinical nurse
3 specialists and certified nurse practitioners in recognizing
4 and understanding cognitive impairments, including
5 Alzheimer's disease or other dementia, for continuing medical
6 education for physicians and physician assistants, for
7 continuing nursing education for clinical nurse specialists
8 and certified nurse practitioners and for report of diagnosis
9 by physicians.

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

12 Section 1. Short title.

13 This act shall be known and may be cited as the Early
14 Detection of Alzheimer's Disease or Other Dementia Act.

15 Section 2. Definitions.

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

19 "Alzheimer's disease or other dementia." An irreversible and

1 progressive neurological disorder diagnosed by a physician that
2 has all of the following characteristics:

3 (1) The disorder causes cognitive and memory impairment,
4 behavioral and psychiatric problems and loss of the ability
5 to care for oneself or a related disorder, including vascular
6 dementia, dementia with lewy bodies, frontotemporal lobar
7 degeneration or mixed dementia.

8 (2) The disorder is severe enough to interfere with work
9 or social activities and requires continuous care or
10 supervision.

11 "Certified registered nurse practitioner." A registered
12 nurse licensed in this Commonwealth who is certified by the
13 State Board of Nursing in a particular clinical specialty area.

14 "Clinical nurse specialist." A registered nurse licensed in
15 this Commonwealth who is certified by the State Board of Nursing
16 as a clinical nurse specialist.

17 "Department." The Department of Health of the Commonwealth.

18 "Physician." A medical doctor or doctor of osteopathy.

19 "Physician assistant." An individual who is licensed as a
20 physician assistant by the State Board of Medicine.

21 "State plan." The Pennsylvania State Plan for Alzheimer's
22 Disease and Related Disorders established by the Pennsylvania
23 Alzheimer's Disease Planning Committee in accordance with
24 Executive Order 2013-01.

25 "Task force." Pennsylvania's Alzheimer's State Plan Task
26 Force established by the Department of Aging to implement the
27 objectives and recommendations specified in the State plan.

28 "Toolkit." A collection of best practices, cognitive
29 assessment tools and other information and resources to assist
30 in the detection, diagnosis, treatment and care planning of

1 Alzheimer's disease or other dementia.

2 Section 3. Establishment of education program.

3 (a) Establishment.--The department, in conjunction with the
4 task force, shall establish an education program to assist
5 physicians, physician assistants, clinical nurse specialists and
6 certified nurse practitioners with the detection, diagnosis,
7 treatment of Alzheimer's disease or other dementia and the care
8 planning for individuals with Alzheimer's disease or other
9 dementia.

10 (b) Curriculum content.--The curriculum for the education
11 program under this section shall include all of the following
12 topics:

13 (1) The diagnosis of Alzheimer's disease or other
14 dementia, including recognizing the signs and symptoms of
15 cognitive impairment and every type of dementia.

16 (2) Individual-centered care.

17 (3) Assessment and care planning.

18 (4) Cultural competency.

19 (c) Toolkit.--The department, in conjunction with the
20 Department of Aging and the task force, shall develop a toolkit
21 to assist physicians, physician assistants, clinical nurse
22 specialists and certified nurse practitioners in the detection,
23 diagnosis, treatment and care planning for individuals with
24 Alzheimer's disease or other dementia.

25 Section 4. Continuing medical education for physicians and
26 physician assistants.

27 (a) Requirement.--The State Board of Medicine shall require
28 a physician or physician assistant to complete the education
29 program under section 3 as part of the continuing medical
30 education requirements under 49 Pa. Code § 16.19 (relating to

1 continuing medical education) or 18.145 (relating to biennial
2 registration requirements; renewal of physician assistant
3 license). The State Board of Medicine shall require a physician
4 or physician assistant to complete the education program under
5 section 3 within four years of the effective date of this
6 subsection.

7 (b) Applicability.--The requirement under subsection (a)
8 shall not apply to a physician or physician assistant who does
9 not provide health care services to adult patients.

10 (c) Regulations.--The State Board of Medicine shall
11 promulgate regulations necessary to administer the requirement
12 under subsection (a).

13 (d) Penalties.--A physician or physician assistant who fails
14 to comply with the continuing medical education requirement
15 under subsection (a) shall be subject to disciplinary
16 proceedings under section 41 of the act of December 20, 1985
17 (P.L.457, No.112), known as the Medical Practice Act of 1985.
18 Section 5. Continuing nursing education for clinical nurse
19 specialists and certified registered nurse
20 practitioners.

21 (a) Requirement.--The State Board of Nursing shall require a
22 clinical nurse specialist or certified registered nurse
23 practitioner to complete the education program under section 3
24 as a part of the continuing nursing education requirements under
25 section 12.1 of the act of May 22, 1951 (P.L.317, No.69), known
26 as The Professional Nursing Law. The State Board of Nursing
27 shall require a clinical nurse specialist or certified
28 registered nurse practitioner to complete the education program
29 under section 3 within four years of the effective date of this
30 subsection.

1 (b) Applicability.--The requirement under subsection (a)
2 shall not apply to a clinical nurse specialist or certified
3 registered nurse practitioner who does not provide health care
4 services to adult patients.

5 (c) Regulations.--The State Board of Nursing shall
6 promulgate regulations necessary to administer the requirement
7 under subsection (a).

8 (d) Penalties.--A clinical nurse specialist or certified
9 registered nurse practitioner who fails to comply with the
10 continuing medical education requirement under subsection (a)
11 shall be subject to section 13(b) or 14(a) (3) of The
12 Professional Nursing Law.

13 Section 6. Report of diagnosis by physicians.

14 (a) Report.--Except as provided under subsection (b), a
15 physician shall, upon an initial diagnosis of a patient with
16 Alzheimer's disease or a related disorder, report the diagnosis
17 to a family member or legal personal representative of the
18 patient and provide to the family member or legal personal
19 representative information regarding the diagnosis and treatment
20 of Alzheimer's disease or other dementia and care planning
21 resources.

22 (b) Exception.--A physician may not report an initial
23 diagnosis of a patient with Alzheimer's disease or a related
24 disorder unless any of the following apply:

25 (1) The physician has first obtained the consent of the
26 patient.

27 (2) In accordance with Federal and State law, in the
28 reasonable judgment of the physician, the patient is
29 incapacitated or unable to provide consent.

30 (c) Liability.--A physician shall not be subject to civil or

1 criminal liability or a disciplinary action by the State Board
2 of Medicine based on a decision to communicate with or to not
3 communicate with a family member or legal personal
4 representative of a patient diagnosed with Alzheimer's disease
5 or a related disorder.

6 Section 7. Effective date.

7 This act shall take effect in 60 days.