

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1189 Session of 2020

INTRODUCED BY K. WARD, KILLION, ARNOLD, MENSCH, VOGEL, TOMLINSON, BARTOLOTTA, MARTIN, YAW, PITTMAN, HUTCHINSON, BAKER, STEFANO AND SCAVELLO, JUNE 9, 2020

SENATOR BROOKS, HEALTH AND HUMAN SERVICES, AS AMENDED, JULY 15, 2020

AN ACT

1 Amending the act of April 23, 1956 (1955 P.L.1510, No.500),
2 entitled "An act providing for the prevention and control of
3 communicable and non-communicable diseases including venereal
4 diseases, fixing responsibility for disease prevention and
5 control, requiring reports of diseases, and authorizing
6 treatment of venereal diseases, and providing for premarital
7 and prenatal blood tests; amending, revising and
8 consolidating the laws relating thereto; and repealing
9 certain acts," further providing for definitions and for
10 control measures.

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

13 Section 1. Section 2 of the act of April 23, 1956 (1955
14 P.L.1510, No.500), known as the Disease Prevention and Control
15 Law of 1955, is amended by adding a subsection to read:

16 Section 2. Definitions.--

17 The following terms, whenever used in this act, have the
18 meanings indicated in this section, except where the context
19 indicates a clearly different meaning:

20 * * *

21 (d.2) Facility. Any of the following:

1 (1) An assisted living residence as defined under section
2 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the
3 "Human Services Code."

4 (2) A personal care home as defined under section 1001 of
5 the "Human Services Code."

6 (3) A long-term care nursing facility as defined under
7 section 802.1 of the act of Act of July 19, 1979 (P.L. 130, No. <--
8 48) known at the "Health Care Facilities Act." ACT OF JULY 19, <--
9 1979 (P.L.130, NO.48), KNOWN AS THE "HEALTH CARE FACILITIES
10 ACT."

11 * * *

12 Section 2. Section 5 of the act is amended to read:

13 Section 5. Control Measures.--

14 (a) Upon the receipt by a local board or department of
15 health or by the department, as the case may be, of a report of
16 a disease which is subject to isolation, quarantine, or any
17 other control measure, the local board or department of health
18 or the department shall carry out the appropriate control
19 measures in such manner and in such place as is provided by rule
20 or regulation.

21 (b) ~~The secretary must:~~ UPON A PROCLAMATION OF DISASTER <--
22 EMERGENCY ISSUED BY THE GOVERNOR DUE TO A COMMUNICABLE DISEASE,
23 AND CONTINUING UNTIL SIXTY DAYS AFTER THE EXPIRATION OR
24 TERMINATION OF THE PROCLAMATION OF DISASTER EMERGENCY BY
25 EXECUTIVE ORDER, PROCLAMATION OR OPERATION OF LAW, THE SECRETARY
26 MUST:

27 (1) Ensure no individual who is less than thirty days from
28 testing positive for a communicable disease or who is less than
29 thirty days from being asymptomatic of a communicable disease
30 shall be admitted to a facility without being placed in

1 isolation within the facility with dedicated personnel assigned
2 only to the area of isolation during the period of time in which
3 the personnel is working.

4 (2) Ensure facilities are adequately equipped to follow and
5 implement all recommendations and guidelines issued by the
6 Centers for Disease Control and Prevention and the Centers for
7 Medicare and Medicaid Services for the prevention and control of
8 a communicable disease within facilities.

9 Section 3. This act shall take effect immediately.