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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1637 Session of  
2021

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INTRODUCED BY BURNS, McNEILL, N. NELSON, CIRESI, FREEMAN,  
MILLARD, DeLUCA AND ZIMMERMAN, JUNE 15, 2021

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REFERRED TO COMMITTEE ON HEALTH, JUNE 15, 2021

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AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in departmental powers and  
4 duties as to licensing, providing for reports to coroners.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Article X of the act of June 13, 1967 (P.L.31,  
8 No.21), known as the Human Services Code, is amended by adding a  
9 subarticle to read:

10 (e) Reports to Coroners

11 Section 1091. Reporting Required.--Notwithstanding section  
12 1218-B of the act of August 9, 1955 (P.L.323, No.130), known as  
13 "The County Code," an assisted living residence or personal care  
14 home shall report each death of a patient of the assisted living  
15 residence or personal care home which occurs in the building or  
16 on the grounds of the assisted living residence or personal care  
17 home to the coroner of the county in which the assisted living  
18 residence or personal care home is located regardless of the  
19 presumed cause of death. The following shall apply:

1 (1) The report shall be made as soon as practicable after  
2 the discovery of the death of the patient.

3 (2) The body of the patient shall not be moved from the  
4 location where it was discovered or released to a funeral home  
5 or crematorium prior to the authorization of the coroner.

6 Section 1092. Request for Information.--The coroner under  
7 section 1091 may request that the assisted living residence or  
8 personal care home provide information on the deceased patient,  
9 including, but not limited to, the following:

10 (1) The presumed cause of death of the patient as stated by  
11 the treating physician.

12 (2) All medical records of the patient.

13 (3) All incident reports involving the patient.

14 (4) Any known trauma experienced by the patient, regardless  
15 of whether the trauma occurred before admittance into the  
16 assisted living residence or personal care home.

17 Section 1093. Investigation.--Upon receiving the information  
18 under section 1091, if the coroner believes that anything seems  
19 unusual about the circumstances surrounding the death of the  
20 patient, the coroner may examine the body of the patient, review  
21 the medical records of the patient or conduct a full  
22 investigation as provided in Article XII-B of the act of August  
23 9, 1955 (P.L.323, No.130), known as "The County Code."  
24 Additionally, the coroner may request reports filed with any  
25 government agency concerning incidents or complaints involving  
26 the deceased patient, including the name of any individual who  
27 filed the complaint or report.

28 Section 1094. Contact.--An assisted living facility or  
29 personal care home shall collect and maintain the name and  
30 contact information for each patient's next of kin, which shall

1 be updated annually, and shall make that information available  
2 upon request of the coroner.

3 Section 1095. Procedures.--An assisted living residence or  
4 personal care home may develop procedures for the reporting of  
5 deaths which are not inconsistent with this subarticle.

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