
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2341 Session of
2022

INTRODUCED BY MATZIE, PISCIOTTANO, SNYDER, A. DAVIS, DELLOSO,
MERSKI, PENNYCUICK, T. DAVIS, SCHLOSSBERG, McNEILL, DeLUCA,
BROOKS, MERCURI, WELBY, CIRESI, GILLEN, HEFFLEY, DEASY AND
MARSHALL, MARCH 8, 2022

REFERRED TO COMMITTEE ON HEALTH, MARCH 8, 2022

AN ACT

1 Imposing duties on certain care facilities relating to residents
2 and applicants who are registered sexual offenders; and
3 providing for duties of Department of Health.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Care Facility
8 Resident Protection from Registered Sexual Offenders Act.

9 Section 2. Definitions.

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

13 "Applicant." An individual who applies to become a resident.

14 "Care facility." A long-term care facility licensed by the
15 Commonwealth.

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

17 "Registered sexual offender." An individual whose name

1 appears in one of the registries.

2 "Registries." The Statewide Registry of Sexual Offenders
3 established by 42 Pa.C.S. § 9799.16(a) (relating to registry)
4 and the Dru Sjodin National Sex Offender Public Website
5 established by section 120 of the Adam Walsh Child Protection
6 and Safety Act of 2006 (Public Law 109-248, 120 Stat. 587).

7 "Resident." An individual who resides in or receives
8 services from a care facility.

9 Section 3. Care facility duties.

10 (a) Development of plan.--A care facility shall develop a
11 plan, in accordance with this act, to determine whether a
12 current resident or applicant is a registered sexual offender
13 and to protect residents from potential abuse by the current
14 resident or applicant.

15 (b) Registry searches.--

16 (1) Within 30 days of the effective date of this
17 section, a care facility shall search the registries to
18 determine whether a current resident at the care facility is
19 a registered sexual offender.

20 (2) Prior to accepting or admitting an applicant, a care
21 facility shall search the registries to determine whether the
22 applicant is a registered sexual offender.

23 (c) Notifications.--

24 (1) If the care facility determines that a current
25 resident or applicant is a registered sexual offender, the
26 care facility shall:

27 (i) Notify the care facility's staff and a family
28 member, legal guardian or contact person for each
29 resident within 120 feet of a registered sexual offender
30 that a registered sexual offender is, or is being

1 admitted as, a resident and provide a description of the
2 plan developed under subsection (a).

3 (ii) Direct the current resident or applicant to
4 update the current resident's or applicant's information
5 in the registries. If the current resident or applicant
6 is unable to update the information without assistance,
7 the care facility shall provide appropriate assistance.

8 (iii) Report to the department that the current
9 resident or applicant is a registered sexual offender and
10 provide relevant information in a manner required by the
11 department.

12 (2) A care facility shall provide current and incoming
13 residents with instruction on how to access the registries.

14 (3) A care facility that has determined a resident is a
15 registered sexual offender shall notify the department of a
16 change in the resident's address.

17 Section 4. Departmental duty.

18 The department shall establish, periodically update and
19 maintain on the department's publicly accessible Internet
20 website a searchable database containing the names of current
21 residents and applicants reported to the department under
22 section 3(c)(3).

23 Section 5. Regulations.

24 The department shall promulgate rules and regulations
25 necessary to administer this act.

26 Section 6. Effective date.

27 This act shall take effect as follows:

28 (1) Section 4 shall take effect in 90 days.

29 (2) The remainder of this act shall take effect
30 immediately.