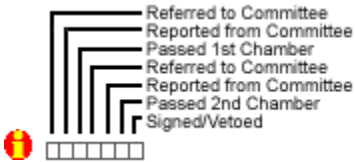


Bill Research Report

PACAH – August 2011



[HB 1](#) | [Schroder](#)

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(PN 217) Amends Title 42 (Judiciary and Judicial Procedure) repealing previous provisions for comparative negligence and adding new language for (1) Apportionment of responsibility among certain nonparties and effect; (2) Recovery against joint defendant; contribution; (3) Off-road vehicle riding; and (4) Downhill skiing.

Printer Number(s): [P0217](#)

Track Name(s): PACAH, Insurance

Bill History: 04-11-11 H Final Passage (Vote: Y:112/N: 88)
 04-13-11 S Received in the Senate and referred to Senate Judiciary
 06-22-11 S Discussed in Committee, House Judiciary

[HB 92](#) | [Murphy](#)

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(PN 48) Amends the Older Adults Protective Services Act to further define "exploitation" as an act or course of conduct by a caretaker or other person, *including an individual who is acting under a power of attorney*, against an older adult or an older adult's resources, without the informed consent of the older adult or with consent obtained through misrepresentation that results in monetary, personal or other benefit, gain or profit for the perpetrator or monetary or personal loss to the older adult.

Printer Number(s): [P0048](#)

Track Name(s): MH MR(Neutral), PACAH(Support)

Bill History: 04-12-11 H Removed from the table
 04-12-11 H Laid on the table
 09-26-11 H Set on the Tabled Calendar

[HB 104](#) | [Gergely](#)

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(PN 529) Amends Whistleblower Law amending the definition of "public body" to include the General Assembly and its agencies. Penalty for violation of this section under the color an employer's authority is a \$10,000 fine. (Prior Printer Number: 57, 309)

Printer Number(s): [P0057](#) [P0309](#) [P0529](#)

Track Name(s): PACAH(Neutral)

Bill History: 02-08-11 H Third consideration
 02-08-11 H Final Passage (Vote: Y:197/N: 0)
 02-09-11 S Received in the Senate and referred to Senate Judiciary

[HB 105](#) | [Ellis](#)

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(PN 73) Amends the Whistleblower Law to expand the scope of the law by adding a public body or an individual, partnership, association, for profit or non-profit corporation, to the definition of

"employer." The bill extends whistleblower protection to an employee who makes a good faith report or is about to report waste stemming from a public body or any other employer. The penalty for violation is increased to \$10,000 and a maximum seven years suspension from public service.

Printer Number(s): [P0073](#)

Track Name(s): PACAH(Neutral)

Bill History: 02-08-11 H Third consideration
02-08-11 H Final Passage (Vote: Y:197/N: 0)
02-09-11 S Received in the Senate and referred to Senate Labor and Industry

[HB 182](#) [Godshall](#)

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(PN 124) Amends Medical Care Availability and Reduction of Error (Mcare) Act providing for hospital care or assistance necessitated by traumatic injury immunity by adding that a hospital that in good faith renders care or assistance necessitated by a traumatic injury demanding immediate medical attention, for which the patient enters the hospital through its emergency room or trauma center, may not be held liable for noneconomic and punitive damages to or for the benefit of any claimant arising out of any act or omission in rendering that care or assistance if the care or assistance is rendered in good faith and in a manner not amounting to gross negligence or reckless, willful or wanton conduct. The bills provides for certain exceptions and definitions.

Printer Number(s): [P0124](#)

Track Name(s): PACAH(Neutral)

Bill History: 01-21-11 H Filed
01-24-11 H Introduced and referred to committee on House Insurance

[HB 188](#) [DePasquale](#)

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(PN 130) Amends Title 18 (Crimes & Offenses), in assault, adding that the offense of neglect of care-dependent person includes actions that result in death; or intentionally or knowingly endangering the welfare of a care-dependent person for whom the offender is responsible to provide care by failing to provide treatment, care, goods or services necessary to preserve the health, safety or welfare of the care-dependent person. Additionally, an offense of abuse of a care-dependent person is added and defined. The bill provides for definitions and penalties.

Printer Number(s): [P0130](#)

Track Name(s): MH MR, PACAH(Oppose)

Bill History: 01-24-11 H Filed
01-24-11 H Introduced and referred to committee on House Judiciary

[HB 210](#) [Baker, M](#)

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(PN 533) Amends the Pennsylvania Caregiver Support Act increasing certain maximum reimbursements to primary caregivers. Further provides for a primary caregiver support program by adding after all eligibility criteria have been met, priority shall be given in awarding assistance paid for by the state lottery fund to primary caregivers who provide care for a functionally dependent older adult and an adult 60 years of age or older with chronic dementia. Further specifies the caregiver must be the primary caregiver. (Prior Printer Number: 161)

Printer Number(s): [P0161](#) [P0533](#)

Track Name(s): MH MR(Neutral), PACAH(Neutral)

Bill History: 06-07-11 H Set on the Tabled Calendar
06-07-11 H Discussed in Press Conference
09-26-11 H Set on the Tabled Calendar

[HB 224](#) [Mundy](#)

(PN 170) Amends the Family Caregiver Support Act removing the definitions of "adult", "chronic dementia" and "relative"; adding definitions of "adult with chronic dementia" and "care recipient"; and expanding the definition of "primary caregiver". The bill also increases the maximum amount available to a qualified primary caregiver whose care receivers' household incomes exceeds 200% of the federal poverty guideline for out-of-pocket expenses from \$200 per month to \$500 per month and for the entire duration of the case, for expenses for home modifications or assistive devices from \$2,000 to \$6,000.

Printer Number(s): [P0170](#)

Track Name(s): PACAH(Neutral)

Bill History: 01-25-11 H Filed
01-25-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 225](#) [Mundy](#)

(PN 171) Amends Health Care Facilities Act reenacting and amending provisions relating to definitions, powers and duties of Department of Health and state health services plan; changing "state health services plan" to "state health improvement plan"; reenacting provisions relating to regulations; reenacting and amending provisions relating to certificates of need and issuance of license; adding CON review board to the scope of the act and providing for its duties; prohibiting certain referrals and claims of payment; increasing certain penalties; and repealing the sunset provisions. The Department of Health shall develop qualitative and quantitative standards and criteria for the review and approval of certificate of need applications; develop a certificate of need exceptions process that permits exceptions to be granted to the standards and criteria in order to reflect local experience or ensure access or to respond to circumstances that pose a threat to public health and safety; and establish and publish in the *Pennsylvania Bulletin* a detailed schedule of the review process for each certificate of need application submitted to the department.

Printer Number(s): [P0171](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-09-11 H Voted from committee with request to re-refer to House, House Aging and Older Adult Services
Health
02-09-11 H Reported with request to re-refer to House Health, House Aging and Older Adult Services
02-09-11 H Rereferred to House Health

[HB 228](#) [Mundy](#)

(PN 180) The Quality Management in Health Care Act declares legislative purpose and findings and provides definitions. The Act provides a 20-percent discount on the health care provider's assessment if the health care provider implements a quality management system to the satisfaction and approval of the Department of Health. Application to the department for approval of the plan is provided and the Act states the department shall provide the provider with a certificate of implementation once approved. The department is given powers and duties and is required to submit a report on the success of the program. Penalties for noncompliance are provided.

Printer Number(s): [P0180](#)

Track Name(s): PACAH(Oppose)
Bill History: 01-25-11 H Filed
01-26-11 H Introduced and referred to committee on House Health

[HB 229](#) [Mundy](#)

(PN 181) Amends The Insurance Company Law, in long-term care, to provide a long-term care insurance policy shall not be issued if the increase in premium rates is dependent solely upon the duration of the policy. Also, a long-term care policy shall not be delivered or issued for delivery unless the policy or certificate holder has been offered the option to purchase a policy or certificate, including a non-forfeiture benefit. When long-term care insurance is issued, such an offer shall be made to the group, with exception. The commissioner is given the power to promulgate rules and regulations. Also, any premium increases shall not result in payment that exceeds what a new policyholder pays in premiums. How the rate is determined is provided and a definition of "group long-term care insurance" is provided.

Printer Number(s): [P0181](#)

Track Name(s): PACAH(Neutral), Health Care Reform(Neutral)

Bill History: 01-25-11 H Filed
01-26-11 H Introduced and referred to committee on House Insurance

[HB 238](#) [Cohen](#)

(PN 190) Amends the Public Welfare Code further providing for Medical Assistance payments by adding that rates established by the department for telemedicine services delivered to a Medicaid beneficiary must be the same as if those services were provided in person to a Medicaid beneficiary.

Printer Number(s): [P0190](#)

Track Name(s): PACAH(Support), JDCAP(Neutral)

Bill History: 01-25-11 H Filed
01-26-11 H Introduced and referred to committee on House Health

[HB 299](#) [Godshall](#)

(PN 252) Amends the Medical Care Availability and Reduction of Error (Mcare) Act providing in any medical professional liability action against a health care provider based on professional negligence, the injured patient shall be entitled to recover non-economic losses to compensate for pain, suffering, inconvenience, physical impairment, disfigurement and other non-pecuniary damage. In no medical professional liability action may the amount of damages for non-economic losses exceed \$250,000. The legislation shall not apply to a health care provider if the act or omission to act in the rendering of professional services was not in good faith and in a manner amounting to gross negligence or reckless, willful or wanton conduct.

Printer Number(s): [P0252](#)

Track Name(s): PACAH(Support)

Bill History: 01-26-11 H Filed
01-27-11 H Introduced and referred to committee on House Judiciary

[HB 302](#) [Godshall](#)

(PN 254) The Continuing Care Retirement Community Act states a licensed nursing facility operated by a licensed continuing care retirement community (CCRC) shall be exempt from the requirements under 55 Pa. Code 1187.21(2) (relating to nursing facility participation requirements) and 1187.21a (relating to nursing facility participation review process and guidelines -

statement of policy) if: (1) The CCRC has admitted residents under a continuing care agreement; and (2) The nursing facility is part of the CCRC campus. The bill provides for certified and noncertified nursing facilities on CCRC campus by stating if a licensed nursing facility is part of the continuum of care of a CCRC, the nursing facility shall have a limited number of beds certified by Medical Assistance through an application to the Department of Public Welfare, pursuant to requirements outlined in the bill.

Printer Number(s): [P0254](#)

Track Name(s): PACAH(Oppose)

Bill History: 01-26-11 H Filed
01-27-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 341](#) | [Baker, M](#)

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(PN 296) "Act providing for electronic prescriptions and for duties of the Department of Health; establishing the Medical Assistance Health Information Technology Incentive Payment Program in the Department of Public Welfare; and imposing penalties" requiring health care facilities to comply with e-prescription requirements. The State Board of Medicine shall promulgate. A Medical Assistance Health Information Technology Incentive Payment Program is established in the Department of Public Welfare to help acute care and critical access hospitals that are using electronic medical records. Penalties are provided.

Printer Number(s): [P0296](#)

Track Name(s): PACAH(Oppose)

Bill History: 01-28-11 H Filed
01-31-11 H Introduced and referred to committee on House Health

[HB 420](#) | [O'Neill](#)

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(PN 386) The Medical Assistance Bed Transfer Act establishes the Medical Assistance Bed Transfer Program that would be administered by the Department of Public Welfare. Under the bill, a facility may request that the department transfer a certified bed to it. When such a request is made, the department would determine a fair and reasonable price, not in excess of \$10,000, for the transfer of each certified bed. The department would also be required to advertise to facilities that the department is looking for unused or unwanted certified beds for the requested transfer, indicating the price that will be paid for surrendering those certified beds. A facility which receives a certified bed under the program may not be required to place the certified bed in service for the exclusive use of Medical Assistance-eligible residents.

Printer Number(s): [P0386](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-02-11 H Filed
02-03-11 H Introduced and referred to committee on House Health

[HB 426](#) | [Godshall](#)

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(PN 392) Amends the Health Care Facilities Act by adding that an applicant for a license cannot be convicted of a crime of the Commonwealth, or a felony, or other crime of substantial comparability either of the United States or another state within the last 10 years. The bill also requires applicants to disclose any crime that was disposed of in any manner other than dismissal within the last 10 years, otherwise it is a material omission.

Printer Number(s): [P0392](#)

Track Name(s): PACAH(Neutral)

Bill History: 02-02-11 H Filed
02-03-11 H Introduced and referred to committee on House Health

[HB 444](#) [Petri](#)

(PN 415) Amends The Administrative Code, in Department of Aging, further providing for the allocation of resources by removing the hold harmless clause.

Printer Number(s): [P0415](#)

Track Name(s): PACAH(Neutral)

Bill History: 02-03-11 H Filed
02-04-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 463](#) [Brooks](#)

(PN 2226) Amends the State Lottery Law, in pharmaceutical assistance for the elderly, updating certain dates providing for determination of eligibility in PACE and PACENET. Eligibility in PACE or PACENET shall expire on December 31, 2013. Further provides the reenactment shall apply retroactively to December 30, 2010. (Prior Printer Number: 434 1522)

Printer Number(s): [P0434](#) [P1522](#) [P2226](#)

Track Name(s): PACAH(Neutral)

Bill History: 06-30-11 G In the hands of the Governor
07-10-11 G Last day for Governor's action
06-30-11 G Approved by the Governor (Act: 21)

[HB 486](#) [Cohen](#)

(PN 441) The Public Welfare Redesignation Act renames the Department of Public Welfare as the Department of Human Services. The bill provides for a two-year transition period.

Printer Number(s): [P0441](#)

Track Name(s): MH MR(Neutral), PACAH(Support)

Bill History: 02-04-11 H Introduced and referred to committee on House Human Services
03-08-11 H Meeting set for 10:00 a.m., Room B31 Main Capitol, House Human Services
03-08-11 H Passed over in committee House Human Services

[HB 494](#) [Gillespie](#)

(PN 449) Amends State Lottery Law further providing for the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier by adding that the minimum and maximum income levels shall be adjusted annually to reflect the maximum annual Social Security cost-of-living adjustment. Each year's adjustment shall be based on the prior year's minimum and maximum income levels. The bill shall apply retroactively to January 1, 2007.

Printer Number(s): [P0449](#)

Track Name(s): PACAH(Neutral)

Bill History: 02-03-11 H Filed
02-04-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 495](#) [Gillespie](#)

(PN 450) Amends Title 42 (Judiciary & Judicial Procedure) adding that a benevolent gesture or admission by health care provider or assisted living residence or personal care home prior to the commencement of a medical professional liability action shall be inadmissible as evidence of liability or as evidence of an admission against interest.

Printer Number(s): [P0450](#)

Track Name(s): PACAH(Support)

Bill History: 03-01-11 H Third consideration
03-01-11 H Final Passage (Vote: Y:171/N: 27)
03-02-11 S Received in the Senate and referred to Senate Judiciary

[HB 500](#) [DeLuca](#)

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(PN 455) The Continuation of adultBasic Act authorizes the Insurance Commissioner to transfer sufficient funds from the Catastrophic Loss Benefits Continuation Fund, or another fund under his administration and management which may be appropriate, as is necessary to continue the adultBasic program through June 30, 2011. The transfer shall be repaid with interest. Beginning July 1, 2011, surcharges levied and collected under 75 Pa.C.S. 6506(a) by a division of the unified judicial system shall be remitted to the Commonwealth, and shall be used to repay loans made from the fund. The bill provides for related repeals.

Printer Number(s): [P0455](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-04-11 H Introduced and referred to committee on House Insurance
02-10-11 H Discussed in conference call by PA Budget & Policy Center
03-03-11 H Discussed in public hearing, House Democratic Policy Committee

[HB 510](#) [Hennessey](#)

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(PN 465) Amends the State Lottery Law, in State Lottery, to allow funds in the State Lottery Fund to be appropriated to pharmaceutical assistance for the elderly pursuant to this act under the PACE and PACENET programs, for funding for local areas on aging, and long-term care nursing facility services and home and community-based services for individuals age 65 and older. Restrictions are placed on the use of the money.

Printer Number(s): [P0465](#)

Track Name(s): PACAH(Support)

Bill History: 02-04-11 H Filed
02-04-11 H Introduced and referred to committee on House Aging and Older Adult Services
06-07-11 H Discussed in Press Conference

[HB 511](#) [Hennessey](#)

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(PN 466) Amends The Insurance Company Law, in health and accident insurance, requiring health insurance companies to allow coverage for community pharmacies so long as the community pharmacy is in a provider network. Information from pharmacies in a provider network cannot be used to promote people to use a mail order pharmacy. A report regarding how much is given to pharmacy's in a provider network must be compiled by the insurance companies and delivered to the Insurance Department. The Insurance Department is given the authority to audit the companies to determine the accuracy of the reports. A pharmacy licensed and in good standing with the State Board of Pharmacy, and not disqualified from participation in the Medicaid or Medicare program for cause, shall have a right to participate in a pharmacy provider network. Duties are placed upon the department and definitions provided.

Printer Number(s): [P0466](#)

Track Name(s): PACAH(Neutral), Insurance(Neutral)

Bill History: 06-07-11 H Discussed in Press Conference
06-17-11 H Set on the Tabled Calendar
06-17-11 H Rereferred to House Appropriations

[HB 528](#) [Boback](#)

(PN 495) The Long-Term Care Consumer Relocation Coordination Act requires certain long-term care facilities to coordinate with licensing agencies and local area agencies on aging to provide assistance to consumers in circumstances involving relocation of consumers.

Printer Number(s): [P0495](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-07-11 H Filed
02-08-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 636](#) [Davis](#)

(PN 637) Amends Title 35 (Health and Safety) adding a chapter on health care programs providing for oversight of the integrity of health care programs; and imposing penalties. The Department of Public Welfare and Insurance Department shall operate their respective programs to oversee the activities of the Commonwealth's health care programs for the benefit of the programs' recipients, providers and their representatives to ensure that fraudulent and abusive behavior and neglect of recipients occur to the minimum extent possible and to recover overpayments and impose sanctions as appropriate. The Department of Public Welfare shall annually submit a report to the General Assembly documenting the effectiveness of the Commonwealth's efforts to control Medicaid and health care program costs and abuse and to recover Medicaid and health care program overpayments during the previous year. The Department of Public Welfare shall conduct reviews, investigations, analyses, audits or any combination thereof, to determine possible fraud, abuse, overpayment or recipient neglect in the Medicaid program and shall report the findings of any overpayments in audit reports. At least 5% of all audits shall be conducted on a random basis. The departments shall immediately terminate participation of a health care program provider in the Medicaid or health care program and may seek civil remedies or impose other administrative sanctions if the provider or any principal, officer, director, agent, managing employee or affiliated person of the provider, or any partner or shareholder having an ownership interest in the provider equal to at least 5%, has been convicted of certain offenses. The bill provides for penalties for certain convictions or fraudulent activity; for duties of the Office of Attorney General; license suspension or revocation of home health care agencies; and antifraud plans.

Printer Number(s): [P0637](#)

Track Name(s): PACAH(Neutral)

Bill History: 02-11-11 H Filed
02-14-11 H Introduced and referred to committee on House Human Services

[HB 638](#) [DePasquale](#)

(PN 639) Amends Tax Reform Code defining "long-term care policy" and providing for a personal income tax credit for long-term care premiums paid by individuals, up to \$1,000; and imposing duties on the Secretary of the Commonwealth and the Legislative Reference Bureau. If a constitutional amendment authorizing a personal income tax credit for long-term care premiums is ratified, the Secretary of the Commonwealth shall, immediately after tabulating and computing the returns of the ratification election, certify the result to the Legislative Reference Bureau for publication as a notice

in the Pennsylvania Bulletin.

Printer Number(s): [P0639](#)

Track Name(s): PACAH(Support)

Bill History: 02-11-11 H Filed
02-14-11 H Introduced and referred to committee on House Finance

[HB 711](#) [Godshall](#)

(PN 725) Amends the Medical Care Availability & Reduction of Error (Mcare) further providing for medical professional liability insurance, for basic coverage limits by decreasing by 50% the required coverage for certain policies and deleting language relating to a lack of basic insurance capacity; for Medical Care Availability and Reduction of Error Fund liability limits by adding that for calendar year 2011 and each year thereafter the limit of liability of the fund shall be zero; and for extended claims by adding that the limit of liability of the fund for an occurrence or claim that arose on or after January 1, 2011, shall be zero.

Printer Number(s): [P0725](#)

Track Name(s): PACAH(Oppose), Health Care Reform(Neutral)

Bill History: 02-15-11 H Filed
02-16-11 H Introduced and referred to committee on House Insurance

[HB 859](#) [Kula](#)

(PN 897) Amends the Tobacco Settlement Act adding language providing an eligible adult shall not be deemed ineligible when, following a determination that he is eligible for the adult basic insurance coverage program but has been placed on the waiting list for coverage, he has purchased an individual policy or a limited benefit plan. Further provides when funding does become available to offer enrollment to the person, and if enrolled in an individual policy or limited benefit plan, the person may immediately enroll in the adult basic insurance program and the initial date of coverage will coincide with the end date of the previously purchased individual policy or limited benefit plan.

Printer Number(s): [P0897](#)

Track Name(s): PACAH(Neutral), PACDAA(Neutral)

Bill History: 02-28-11 H Filed
03-01-11 H Introduced and referred to committee on House Insurance

[HB 913](#) [Micozzie](#)

(PN 976) Amends the Medical Care Availability and Reduction of Error (Mcare) Act, in insurance, further providing for the Medical Care Availability and Reduction of Error Fund by adding that for 2012 onward, the fund shall be funded by an annual assessment on each participating health care provider. Assessments shall be levied by the department after December 31. The bill provides for calculation of the assessment.

Printer Number(s): [P0976](#)

Track Name(s): PACAH(Oppose), Insurance(Neutral)

Bill History: 03-02-11 H Filed
03-03-11 H Introduced and referred to committee on House Insurance

[HB 914](#) [Micozzie](#)

(PN 977) Amends the Medical Care Availability and Reduction of Error (Mcare) Act, in insurance, further providing for the Medical Care Availability and Reduction of Error Fund by adding that the

basic insurance coverage insurer shall bill and collect the assessment. The bill outlines the deadlines for collection.

Printer Number(s): [P0977](#)

Track Name(s): PACAH(Neutral), Insurance(Neutral)

Bill History: 03-02-11 H Filed
03-03-11 H Introduced and referred to committee on House Insurance

[HB 960](#) | [Gingrich](#)

(PN 2258) Amends the Public Welfare Code authorizing the Department of Public Welfare to establish rules, regulations and standards as to the administration of programs providing assistance that establish, among other things, eligibility standards and extent of assistance, and authorize providers to condition the delivery of care or services on the payment of applicable copayments. The bill provides for child care subsidies, and requires the department, within six months, to develop uniform procedures for the detection of fraud, including eligibility reviews for those receiving public benefits. Provisions detailing the creation of a Verification System are provided. Resolving discrepancies between income and the database is provided for and benefits may not be terminated or modified until the person receiving benefits has been notified of the discrepancy and provided an opportunity for a hearing. A report is required to be prepared by the department and provided to the governor. Definitions are provided. Adds an article relating to inmate medical costs, which provides that no medical facility providing inpatient or outpatient care to an inmate shall charge the state or county correctional facility for the cost of the care. (Prior Printer Number: 1028, 2048)

Printer Number(s): [P1028](#) [P2048](#) [P2258](#)

Track Name(s): MH MR(Neutral), PACAH(Neutral), PACDAA(Neutral), PACHSA(Neutral), JDCAP(Neutral), CCAP Priorities(Support)

Bill History: 06-30-11 G In the hands of the Governor
07-10-11 G Last day for Governor's action
06-30-11 G Approved by the Governor (Act: 22)

[HB 1007](#) | [Bishop](#)

(PN 1097) Amends the Nursing Home Administrators License Act further providing for functions and duties of the board by adding that the right of appeal from decisions of the board shall be in accordance with 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action) (changed from the Administrative Agency Law). Additionally, the legislation stipulates that the rules, regulations and actions authorized shall address at least: (1) Treatment of nursing home occupants; (2) Possession of occupants' possessions and removal of belongings by theft or otherwise; (3) Personal bank accounts of occupants; (4) Accounting of occupants' retirement and Social Security payments; (5) Burial expenses; (6) Exercise of occupants, especially where needed for health purposes; and (7) Proper attention to bed-ridden occupants to avoid bedsores.

Printer Number(s): [P1097](#)

Track Name(s): PACAH(Oppose)

Bill History: 03-09-11 H Filed
03-14-11 H Introduced and referred to committee on House Professional Licensure

[HB 1019](#) | [Williams, J](#)

(PN 1108) Amends the Older Adults Protective Services Act outlining reporting requirements for hospital personnel who suspect

a patient is a victim of abuse.

Printer Number(s): [P1108](#)

Track Name(s): PACAH(Neutral)

Bill History: 03-09-11 H Filed
03-14-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1044](#) [Grove](#)

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(PN 1131) Amends State Lottery Law, in pharmaceutical assistance for the elderly, adding that any increase in eligibility for PACE or PACENET shall be funded with savings realized as a direct result of the PACE Plus Medicare program as provided under Subchapter C. Additionally, PACENET eligibility thresholds are increased to \$30,000 for a single person and \$40,000 for married persons combined.

Printer Number(s): [P1131](#)

Track Name(s): PACAH(Neutral)

Bill History: 03-14-11 H Filed
03-14-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1052](#) [Gingrich](#)

(PN 1138) The Long-Term Care Nursing Facility Independent Informal Dispute Act establishes an informal review process for long-term care nursing facilities to dispute Department of Health survey findings using an independent agent. Requires the department to establish an informal dispute resolution process to determine whether a cited deficiency contained in a statement of deficiencies against a facility should be upheld. Also requires the department to contract with a Pennsylvania-based federally designated Medicare quality improvement organization to serve as the independent agent.

Printer Number(s): [P1138](#)

Track Name(s): PACAH(Oppose)

Bill History: 06-22-11 H Meeting set for 9:30 a.m., Room G-50, Irvis Office Building, House Aging and Older Adult Services
06-20-11 H Meeting cancelled for 06/22/11, House Aging and Older Adult Services
08-04-11 H Discussed in informational meeting, House Aging and Older Adult Services

[HB 1053](#) [Gingrich](#)

(PN 1850) Amends Title 18 (Crimes and Offenses) further providing for the offense of neglect of a care-dependent person and providing for the offense of abuse of a care-dependent person. Neglect of a care-dependent person shall include intentionally or knowingly endangering the welfare of a care-dependent person by failing to provide treatment, care, goods or services necessary to preserve the health, safety or welfare of the care-dependent person. Also provides for the offense of abuse of care-dependent persons. (Prior Printer Number: 1139, 1626)

Printer Number(s): [P1139](#) [P1626](#) [P1850](#)

Track Name(s): MH MR(Neutral), PACAH(Neutral)

Bill History: 05-23-11 H Third consideration
05-23-11 H Final Passage (Vote: Y:198/N: 0)
06-03-11 S Received in the Senate and referred to Senate Judiciary

[HB 1065](#) [Cutler](#)

(PN 1156) The Medical Safety Automation Fund Act provides for the establishment of the Medical safety automation program to provide

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Printer Number(s): [P1156](#)

Track Name(s): PACAH(Support)

Bill History: 03-15-11 H Filed
03-15-11 H Introduced and referred to committee on House Health

[HB 1107](#) [Watson](#)
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(PN 1203) The Care Facility Carbon Monoxide Alarm Act requires carbon monoxide alarms in facilities serving care-dependent persons, and imposes powers and duties on the Departments of Aging, Health and Public Welfare to administer this requirement. The bill also provides for the imposition of an administrative penalty of \$300 for each day a facility is in operation and in violation of the Act.

Printer Number(s): [P1203](#)

Track Name(s): MH MR(Neutral), PACAH(Oppose)

Bill History: 03-17-11 H Filed
03-17-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1144](#) [Waters](#)
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(PN 1246) The Electronic Monitoring in Nursing Homes Act states that a nursing home, personal care home or assisted living facility should make reasonable physical accommodation for electronic monitoring by providing a reasonably secure place to mount the electronic monitoring device and access to power sources. The bill states that a nursing home, personal care home or assisted living facility would inform a resident of the nursing home, personal care home or assisted living facility or the legal representative of the resident of the resident's right to electronic monitoring. A tape created through the use of electronic monitoring would be admissible in either a civil or criminal action brought in a court of this Commonwealth.

Printer Number(s): [P1246](#)

Track Name(s): PACAH(Oppose)

Bill History: 03-18-11 H Filed
03-22-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1196](#) [Watson](#)
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(PN 1308) The Adult Day Resource and Referral Act states the department would arrange for the availability of adult day resource and referral services in defined geographic areas across PA through contractual agreements with public or private entities that can fulfill the responsibilities of an adult day resource and referral agency. The department would provide for the establishment and maintenance of a central adult day services database, would

compile all information from adult day resource and referral agencies with which it has a contractual agreement and would establish a comprehensive, accurate and up-to-date reference base on adult day services in PA. The bill states that an adult day resource and referral agency would provide certain services. The bill also provides for standard operating procedures for adult day resource and referral agencies.

Printer Number(s): [P1308](#)

Track Name(s): PACAH(Support)

Bill History: 03-25-11 H Filed
03-28-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1225](#) [Buxton](#)

(PN 1824) The Public Employees Occupational Safety and Health Act requires each employer to furnish to each of its employees, a place of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees and which will provide reasonable and adequate protection to the lives, safety or health of its employees. Each employer shall comply with the occupational safety and health standards promulgated by the Secretary of Labor and Industry. The secretary shall by rule adopt all occupational safety and health standards, amendments or changes adopted or recognized by the US Secretary of Labor. The legislation also creates the Pennsylvania Occupational Safety and Health Review Board to have and exercise the powers, duties and prerogatives provided by the provisions of the act.

Printer Number(s): [P1824](#)

Track Name(s): PACAH(Oppose), Insurance(Neutral)

Bill History: 05-09-11 H Filed
05-10-11 H Introduced and referred to committee on House Labor and Industry

[HB 1317](#) [Cutler](#)

(PN 1770) Amends the Public Welfare Code requiring the Medical Assistance Fee for Service Program to have an electronic prior approval process in place within 60 days for use by physicians to secure approval of all preferred and nonpreferred drugs. Nonpreferred drugs prescribed by Pennsylvania licensed physicians specializing in the field of psychiatry shall be exempt from prior authorization requirements. The department shall draft guidelines to update lists and processes on a regular basis in order to best meet the needs of the citizens of this Commonwealth.

Printer Number(s): [P1770](#)

Track Name(s): PACAH, PACDAA

Bill History: 06-23-11 H Reported as committed from House Health
06-23-11 H First consideration
06-23-11 H Rereferred to House Rules

[HB 1358](#) [Micozzie](#)

(PN 1587) Amends the Medical Care Availability and Reduction of Error (Mcare) Act, in insurance, to provide deadlines for the payment of basic insurance provided for under the Act. The deadlines are applicable unless the department grants an extension with notice provided in the *Pennsylvania Bulletin*.

Printer Number(s): [P1587](#)

Track Name(s): PACAH(Support)

Bill History: 04-13-11 H Filed

04-20-11 H Introduced and referred to committee on House Insurance

[HB 1361](#) [Killion](#)

(PN 1602) Amends the Public Welfare Code repealing certain provisions relating to county liability for nursing home care for persons at county-owned facilities, including language regarding the computation for each month the amount expended as medical assistance for public nursing home care on behalf of persons at each public medical institution operated by a county, county institution district or municipality and the amount expended in each county for aid to families with dependent children on behalf of children in foster family homes or child-caring institutions, plus the cost of administering such assistance.

Printer Number(s): [P1602](#)

Track Name(s): PACAH(Support)

Bill History: 04-20-11 H Filed
04-25-11 H Introduced and referred to committee on House Health

[HB 1420](#) [Marsico](#)

(PN 1694) Amends Health Care Facilities Act, in licensing of health care facilities, to require nursing homes that treat persons with dementia to make certain disclosures to the consumer and their legal representative.

Printer Number(s): [P1694](#)

Track Name(s): PACAH(Oppose)

Bill History: 04-29-11 H Filed
04-28-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1500](#) [Bear](#)

(PN 2108) Amends Title 51 (Military Affairs) consolidating the Long-Term Care Patient Access to Pharmaceuticals Act as an additional chapter. Updates language clarifying the bill pertains to the United States Department of Veterans Affairs. (Prior Printer Number: 1802)

Printer Number(s): [P1802](#) [P2108](#)

Track Name(s): PACAH(Support)

Bill History: 06-24-11 H Third consideration
06-24-11 H Final Passage (Vote: Y:195/N: 0)
06-30-11 S Received in the Senate and referred to Senate Veterans Affairs & Emergency Prepared.

[HB 1513](#) [Murt](#)

(PN 1835) The Long-Term Care Consumer Financial Interest Prohibition Act prohibits employees of long-term care providers from serving as guardian, agent under a power of attorney, insurance or annuity beneficiary or estate executor of individuals who receive services from a long-term care provider.

Printer Number(s): [P1835](#)

Track Name(s): MH MR(Neutral), PACAH(Oppose)

Bill History: 05-09-11 H Filed
05-10-11 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1570](#) [Reichley](#)

(PN 1932) Amends the Health Care Facilities Act, in licensing of health care facilities, to further provide for definitions and to disallow a person from holding himself out as a health care facility or provider of specialized services without a license from the Department of Health. Requirements for licensure are provided along with the requirements to be able to perform ambulatory

surgery on pediatric patients. The Department of Health shall annually determine the specialized practices requiring licensure. The criteria for determining which practices require licensure are provided. Considerations for the adoption of rules and regulations are also provided for along with the terms and content of licenses.

Printer Number(s): [P1932](#)

Track Name(s): PACAH(Amend-Monitor)

Bill History: 05-19-11 H Filed
05-23-11 H Introduced and referred to committee on House Health

[HB 1579](#) | [DeLuca](#)

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(PN 1940) The Protection of Patients and Medical Personnel from Health Care Facility Retaliation Act prohibits a health care facility from discriminating or retaliating against health care providers, staff at medical facilities or any individual who submits a grievance or complaint to the facility or agency responsible for evaluating or accrediting the facility. The prohibition also applies to individuals who initiate, participate or cooperate in an administrative proceeding relating to quality of care, services or conditions at a facility. Provides for civil and criminal penalties including assessment of a fine and restitution for lost wages, work benefits and the legal cost of having to pursue the claim of retaliation or discrimination. Also provides the act shall not apply to an inmate of a correctional facility or juvenile facility owned and operated by the State or local government or an inmate housed in a local detention facility including a county jail or a juvenile hall, juvenile camp or other juvenile detention facility.

Printer Number(s): [P1940](#)

Track Name(s): PACAH(Oppose)

Bill History: 05-20-11 H Filed
05-23-11 H Introduced and referred to committee on House Health

[HB 1725](#) | [Gerber](#)

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(PN 2208) The False Claims Act adopts the intent of Congress in enacting the Federal False Claims Act on September 13, 1982, including the amendments enacted October 27, 1986. A person who commits certain prohibited acts shall be liable to the Commonwealth for three times the amount of damages which the Commonwealth sustains because of the act. Prohibited acts include knowingly presenting a false or fraudulent claim for payment or approval, making a false record or statement material to a false or fraudulent claim, and buying or receiving as a pledge of an obligation or debt, public property from any person who lawfully may not sell or pledge the property. The bill provides for Attorney General investigations and prosecutions; powers of prosecuting authority; civil actions by individuals as qui tam plaintiff as a private citizen and for jurisdiction of courts.

Printer Number(s): [P2208](#)

Track Name(s): PACAH(Oppose)

Bill History: 06-23-11 H Filed
06-24-11 H Introduced and referred to committee on House Judiciary

[HR 106](#) | [Causer](#)

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(PN 930) Resolution directing the Legislative Budget and Finance Committee to conduct a study of the Pennsylvania Lottery relating to its ability to continue to support programs and services for older Pennsylvanians.

Printer Number(s): [P0930](#)

Track Name(s): PACAH(Support)

Bill History: 06-14-11 H Laid out for discussion
06-14-11 H Adopted (Vote: Y:202/N: 0)
08-12-11 H Discussed in meeting, Joint Legislative Budget & Finance Committee

[HR 160](#) | [Hennessey](#)

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(PN 1453) Resolution designating the month of June 2011 as "Foster Grandparent Program Month" in Pennsylvania and congratulating the National Association of Foster Grandparent Program Directors, and the program volunteers, on the occasion of the program's 45th anniversary.

Printer Number(s): [P1348](#)

Track Name(s): PACAH(Support)

Bill History: 03-30-11 H Filed
03-31-11 H Introduced as noncontroversial resolution
04-27-11 H Adopted (Vote: Y:189/N: 0)

[HR 280](#) | [Donatucci](#)

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(PN 1821) Resolution designating May 8 through 14, 2011, as "National Nursing Home Week" in Pennsylvania.

Printer Number(s): [P1821](#)

Track Name(s): PACAH(Support)

Bill History: 05-09-11 H Filed
05-10-11 H Introduced as noncontroversial resolution
05-11-11 H Adopted (Vote: Y:190/N: 0)

[SB 43](#) | [Greenleaf](#)

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(PN 28) The Medical Assistance Bed Transfer Act establishes the Medical Assistance Bed Transfer Program, which would be administered by the Department of Public Welfare. Under the bill, a facility may request that the department transfer a certified bed to it. When such a request is made, the department would determine a fair and reasonable price, not in excess of \$10,000, for the transfer of each certified bed. The department would also be required to advertise to facilities that the department is looking for unused or unwanted certified beds for the requested transfer, indicating the price that will be paid for surrendering those certified beds. A facility which receives a certified bed under the program may not be required to place the certified bed in service for the exclusive use of Medical Assistance-eligible residents.

Printer Number(s): [P0028](#)

Track Name(s): PACAH(Support)

Bill History: 01-12-11 S Filed
01-12-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 125](#) | [Williams, A.](#)

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(PN 101) The False Claims Act provides for liability for false claims, for adoption of Congressional intent of the Federal False Claims Act, for treble damages, costs and civil penalties, for powers of the Attorney General and for qui tam actions.

Printer Number(s): [P0101](#)

Track Name(s): PACAH(Oppose)

Bill History: 01-12-11 S Filed
01-12-11 S Introduced and referred to committee on Senate Judiciary

[SB 136](#) | [Greenleaf](#)

(PN 110) The Continuing Care Retirement Community Act exempts

-----| licensed nursing facilities operated by a licensed CCRC from the requirements under 55 Pa. Code Sec. 1187.21(2) (relating to nursing facility participation requirements) and 1187.21a (relating to nursing facility exception requests-statement of policy) under the following conditions: (1) the CCRC has admitted over 400 residents under a continuing care agreement; and (2) the nursing facility is part of the CCRC campus. The bill provides for certified and noncertified nursing facilities on CCRC campus.

Printer Number(s): [P0110](#)

Track Name(s): PACAH(Oppose)

Bill History: 01-12-11 S Filed
01-12-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 144](#) [Greenleaf](#)

-----| (PN 118) Amends the Administrative Code to require the Department of Health to develop a program to provide respite service programs to persons suffering from Alzheimer's disease or related disorders of aging. The department would administer the programs, contract with other public or private organizations, or make grants to provide services for respite and related services.

Printer Number(s): [P0118](#)

Track Name(s): PACAH(Support)

Bill History: 01-12-11 S Filed
01-12-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 219](#) [Folmer](#)

-----| (PN 187) Amends the Medical Care Availability and Reduction of Error (Mcare) Act to provide for the basic insurance coverage for plans renewed in 2011-2014. A different basic insurance coverage applies to plans renewed in 2015. The bill further provides that for 2015 and all following calendar years all assessments shall cease and the fund be funded according to the Health Care Provider Rate Stabilization Fund, which is established in the bill. The fund is to be used to fund Mcare and other enumerated missions. Certain responsibilities are given to the Insurance Commissioner to manage the fund and money in the Tobacco Settlement Fund is to be transferred to the Health Care Provider Rate Stabilization Fund effective January 1, 2012.

Printer Number(s): [P0187](#)

Track Name(s): PACAH(Oppose), Health Care Reform(Neutral)

Bill History: 01-21-11 S Filed
01-21-11 S Introduced and referred to committee on Senate Banking and Insurance

[SB 234](#) [Tartaglione](#)

-----| (PN 204) The Office for People with Disabilities Act establishes the Office of People with Disabilities within the Office of the Governor. The bill provides for the powers and duties of the office, which shall be administered by the Office of the Governor. Also establishes the Advisory Committee for People with Disabilities within the Office of People with Disabilities and provides for its membership and its powers and duties. Further provides for the funding of the office and the advisory committee.

Printer Number(s): [P0204](#)

Track Name(s): MH MR(Neutral), PACAH(Neutral)

Bill History: 01-24-11 S Filed

01-24-11 S Introduced and referred to committee on Senate State Government

[SB 259](#) [Erickson](#)

(PN 236) The Disability Savings Account Act allows PA residents to deposit contributions into a disability savings account. For tax years beginning after December 31, 2006, an employer may offer a disability savings account program to employees. An employer that offers a disability savings account program would inform all employees in writing of the availability of the program and the Federal and State tax status of contributions made before making contributions. The legislation provides for the distribution of account funds. The bill also provides the Secretary of Public Welfare shall promulgate regulations, apply for waivers or seek other approvals from one or more Federal agencies as are necessary.

Printer Number(s): [P0236](#)

Track Name(s): PACAH(Neutral)

Bill History: 01-26-11 S Filed
01-26-11 S Introduced and referred to committee on Senate Finance

[SB 313](#) [Tomlinson](#)

(PN 290) Amends the act entitled, "An act relating to confidentiality of Social Security numbers; and making a related repeal," extending privacy provisions to certain confidential individual information including Social Security number, date of birth, driver's license number and financial institution account number of an individual.

Printer Number(s): [P0290](#)

Track Name(s): PACAH(Neutral)

Bill History: 01-28-11 S Filed
01-28-11 S Introduced and referred to committee on Senate Communications and Technology

[SB 351](#) [Baker, L](#)

(PN 745) Amends Title 42 (Judiciary and Judicial Procedure) further providing for Good Samaritan civil immunity relating to automated external defibrillators. Also provides for non-medical Good Samaritan immunity from civil liability to any person who in good faith renders emergency care, treatment, first aid or rescue at the scene of or during the course of an emergency event or to a victim of a crime, or who moves the person receiving such care, first aid or rescue to a hospital or other place of medical care except when such harm is intentional.

Printer Number(s): [P0745](#)

Track Name(s): PACAH(Support)

Bill History: 03-04-11 S Filed
03-04-11 S Introduced and referred to committee on Senate Judiciary
05-03-11 S Discussed in AHA/ASA press conference

[SB 424](#) [Leach](#)

(PN 412) Amends Title 20 (Decedents, Estates and Fiduciaries), in health care, defining "Department" as the Department of Health, further providing for legislative findings and intent, for when living will operative, for revocation and for authority of health care agent; requiring the department to establish a living will and other advance health care directives registry; and making editorial changes. An attending physician shall make a reasonable effort to determine if a patient has executed a living will and other advance health care directives; contacting the registry established in the legislation would be presumed to be a reasonable effort.

Printer Number(s): [P0412](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-07-11 S Filed
02-07-11 S Introduced and referred to committee on Senate Judiciary

[SB 463](#) [Browne](#)

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(PN 452) Amends the Professional Nursing Law establishing the Nurses Health Program, a statewide peer assistance program. This program would identify, assist and monitor nurses experiencing mental health, alcohol and drug problems which may impair their ability to practice, so that they may return or continue to practice safe nursing. This would be administered by an independent contractor.

Printer Number(s): [P0452](#)

Track Name(s): PACAH(Support)

Bill History: 02-09-11 S Filed
02-09-11 S Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure

[SB 491](#) [Kasunic](#)

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(PN 492) Amends the Health Care Facilities Act further providing for term and content of licenses. Whenever practicable, the department would prepare and maintain an inspection report for every long-term care nursing facility visited. The inspection report would contain: 1) the date the inspection was completed; 2) the number, nature and scope of violations found, if any; 3) the nature of the sanctions assessed against the long-term care nursing facility, if any; 4) the date(s) the long-term care nursing facility is to be brought into compliance with the law or regulation; and 5) any other information the department deems pertinent. The department would, within 30 days of completion of each long-term care nursing facility inspection, publish in a newspaper of general circulation within the county where the long-term care nursing facility is located a summary of the inspection report of the facility.

Printer Number(s): [P0492](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-11-11 S Filed
02-11-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 492](#) [Kasunic](#)

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(PN 493) Amends the Health Care Facilities Act further providing for administration by the Department of Health by adding that the department would establish and maintain a 24-hour-a-day, toll-free telephone number for receiving complaints regarding a health care facility that the department licenses. The toll-free telephone number would be staffed by live operators 24 hours a day, 365 days a year. Health care facilities licensed by the department would be required to post the department's 24-hour-a-day toll-free telephone number for receiving complaints and the telephone number of the long-term-care ombudsman located within the local area agency on aging as established by the Department of Aging in conspicuous public places throughout their facilities and in a manner clearly visible to the residents and visitors

Printer Number(s): [P0493](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-11-11 S Filed
02-11-11 S Introduced and referred to committee on Senate Public

Health and Welfare

[SB 493](#) | [Kasunic](#)

(PN 494) Amends the Health Care Facilities Act by providing for quality assurance inspections. The department would annually conduct random, unannounced inspections of 25 percent of the licensed health care facilities within PA. The purpose of the inspection would be to ensure that health care facilities and services continue to meet high quality standards and that all citizens receive the humane, courteous and dignified treatment and the quality care and services to which they are entitled.

Printer Number(s): [P0494](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-11-11 S Filed
02-11-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 494](#) | [Kasunic](#)

(PN 495) Amends the Health Care Facilities Act requiring the annual report issued by the Department of Health to the General Assembly to include the total number of facilities licensed in Pennsylvania; the total number of facilities inspected and given new licenses during the year; the number of residents occupying the facilities; the number of facilities cited and sanctioned for violations; the total number of violations found by the department with a numerical breakdown of violations according to type, scope, and nature; an overview of the department's complaint resolution system; and any other information the department feels is pertinent.

Printer Number(s): [P0495](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-11-11 S Filed
02-11-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 495](#) | [Kasunic](#)

(PN 496) The Nursing Home Performance Information Act requires the Department of Health to publish in electronic and paper media on an annual basis a consumer guide on nursing home performance. The initial guide shall contain information from calendar year 2006 and the second consumer guide shall contain information from calendar year 2006 and calendar year 2007. The third consumer guide shall contain information about calendar year 2006, calendar year 2007 and calendar year 2008. All subsequent consumer guides shall contain information from the last three calendar years. The legislation provides for the contents and formatting of the guide.

Printer Number(s): [P0496](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-11-11 S Filed
02-11-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 565](#) | [Vance](#)

(PN 574) Amends the Medical Care Availability and Reduction of Error (Mcare) Act adding a new section providing that in any liability action, any benevolent gesture or admission made prior to the commencement of a medical professional liability action by a health care provider or assisted living residence or an officer, employee or agent of the provider or residence to a patient or resident or the patient's or resident's relative or representative regarding the patient's or resident's discomfort, pain, suffering, injury or death, regardless of the cause shall be inadmissible as evidence of liability

or evidence of an admission against interest.

Printer Number(s): [P0574](#)

Track Name(s): PACAH(Support), Health Care Reform(Neutral), Insurance(Neutral)

Bill History: 02-17-11 S Filed
02-17-11 S Introduced and referred to committee on Senate Judiciary

[SB 636](#) | [Vance](#)

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(PN 644) The Long-Term Care Consumer Protection Act requires certain care facilities to publicly display various documents demonstrating the facility is licensed and inspected. Additionally, a facility shall maintain certain records for each resident. Whenever a facility receives from the applicable department a notice of enforcement action, the notice shall also be transmitted by the facility to the representative for each resident of the facility within ten days and the facility shall post the notification on each entrance to the physical location of the facility. The bill provides for the method of notification and posting and penalties.

Printer Number(s): [P0644](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-24-11 S Filed
02-24-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 655](#) | [Vance](#)

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(PN 669) Amends Older Adults Protective Service Act to state it is the declared policy of the General Assembly that the conviction of any offense that involves serious physical harm, a threat of serious physical harm or conduct which evidences a reckless disregard for the vulnerability of care-dependent populations may legitimately warrant a lifetime ban on employment in certain facilities. Allows an agency to petition a court of common pleas for an emergency order to provide protective services to an older adult who is at imminent risk of financial exploitation, death or serious physical harm. Also allows the Department of Aging to participate in electronic fingerprinting. The Department of Public Welfare or the State Police may require the applicant to submit additional information from a court or other authority if the criminal history record does not provide the disposition of a criminal charge or the information needed to compare a Federal or out-of-State criminal offense to Pennsylvania criminal offenses. The bill extensively outlines offenses that would trigger the lifetime ban on employment and provisions for such a ban.

Printer Number(s): [P0669](#)

Track Name(s): PACAH(Oppose)

Bill History: 02-25-11 S Filed
02-25-11 S Introduced and referred to committee on Senate Aging and Youth

[SB 660](#) | [Hughes](#)

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(PN 718) Amends the Medical Care Availability and Reduction of Error (Mcare) Act to require the Insurance Department to investigate any reported serious event at a medical facility within five days of the report and refer the results of the investigation to the proper law enforcement authority and the Bureau of Professional and Occupational Affairs. Also requires the department, within ten days of any report of the occurrence of a serious event, to conduct an onsite inspection of the medical facility to ensure compliance with all applicable laws.

Printer Number(s): [P0718](#)

Track Name(s): PACAH(Oppose), Insurance(Neutral)

Bill History: 03-01-11 S Filed
03-01-11 S Introduced and referred to committee on Senate Public Health and Welfare
04-13-11 S Public hearing held in committee Senate Public Health and Welfare

[SB 662](#) | [Hughes](#)

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(PN 720) Amends The Administrative Code allowing the Department of Health to conduct annual onsite inspections of medical facilities to ensure compliance with all laws under the department's jurisdiction. All inspections shall be conducted in a manner that does not significantly impact patient care. The department, by regulation, may provide for an abbreviated annual inspection when a medical facility has established a history of exemplary compliance. Requires the department to establish a toll-free phone-line patients can call to report violations. Also requires the department to refer a complaint to the appropriate law enforcement entity if the complaint constitutes a criminal act if true.

Printer Number(s): [P0720](#)

Track Name(s): PACAH(Oppose)

Bill History: 03-01-11 S Filed
03-01-11 S Introduced and referred to committee on Senate Public Health and Welfare
04-13-11 S Public hearing held in committee Senate Public Health and Welfare

[SB 739](#) | [Rafferty](#)

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(PN 752) Amends the Medical Care Availability & Reduction of Error (Mcare) Act establishing the Mcare Commission. The bill lays out the composition of the commission, and authorizes it to review all funding which emanates from the Medical Care Availability and Reduction of Error (Mcare) Fund. No funding shall emanate from the fund unless approved by a majority of the commission.

Printer Number(s): [P0752](#)

Track Name(s): PACAH(Neutral)

Bill History: 03-04-11 S Filed
03-04-11 S Introduced and referred to committee on Senate Banking and Insurance

[SB 811](#) | [Rafferty](#)

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(PN 817) Amends the Medical Care Availability and Reduction of Error (Mcare) Act further providing for medical professional liability insurance by extending coverage requirements indefinitely and providing for coverage after 2016, for Medical Care Availability and Reduction of Error Fund and for actuarial data; and providing for conflict. Beginning in calendar year 2011, the fund shall be funded by an assessment on each participating health care provider. Assessments shall be levied by the department on or after January 1 of each year and based on the prevailing primary premium for each participating health care provider and shall, in the aggregate, produce an amount equal to the sum of the following amounts: the reported claims which became final during the preceding claims period, The expenses of the fund incurred during the preceding claims period, and the outstanding principal and interest on moneys transferred into the fund in accordance with section 713(c).

Printer Number(s): [P0817](#)

Track Name(s): PACAH(Neutral)

Bill History: 03-08-11 S Filed
03-08-11 S Introduced and referred to committee on Senate

Banking and Insurance

[SB 819](#) | [Robbins](#)

(PN 1115) Amends Title 51 (Military Affairs) providing for employees of State veterans' homes by adding that individuals employed to provide medical, nursing, therapeutic, recreational or other care or services for residents at a State veterans' home operated by the department shall not be considered members of the classified service for purposes of the Civil Service Act regardless of the nature of their positions. This addition shall not abrogate, annul or modify a collective bargaining agreement entered into prior to the effective date of this act. Veteran's preference status is maintained.

Printer Number(s): [P1115](#)

Track Name(s): PACAH(Support)

Bill History: 04-28-11 S Filed
04-28-11 S Introduced and referred to committee on Senate Veterans Affairs & Emergency Prepared.

[SB 901](#) | [Ward](#)

(PN 941) Amends the Public Welfare Code to eliminate estate recovery by regulation.

Printer Number(s): [P0941](#)

Track Name(s): PACAH(Support)

Bill History: 03-28-11 S Filed
03-28-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 1095](#) | [Scarnati](#)

(PN 1281) The Long-Term Care Nursing Facility Independent Informal Dispute Resolution Act requires the Department of Health to develop an independent informal dispute resolution process, the minimum requirements of which are detailed. The department shall collect data enumerated.

Printer Number(s): [P1281](#)

Track Name(s): PACAH(Oppose)

Bill History: 06-08-11 S First consideration
06-20-11 S Set on the Senate Calendar
06-20-11 S Rereferred to Senate Appropriations

[SB 1131](#) | [\(Withdrawn\)](#)

(PN 1389) Amends Title 42 (Judiciary and Judicial Procedure), in general provisions relating to civil actions and proceedings, to provide (with exception) for proportional liability. Exceptions include intentional misrepresentation, an intentional tort, where a defendant is at least 60 percent liable, a violation of section 702 of the Hazardous Sites Cleanup Act, and a violation of section 497 of the Liquor Code. Defendants found jointly and severally liable may seek contributions from defendants not paying their fair share and pursuant to a contractual agreement. Proportion of liability shall be determined by the trier of fact and shall not be admissible in any other proceeding or action for any purpose. Makes related repeals, further provides for definitions, and provides for a savings clause. (Prior Printer Number: 1322)

Printer Number(s): [P1322](#) [P1389](#)

Track Name(s): PACAH, Insurance

Bill History: 06-28-11 G In the hands of the Governor
07-08-11 G Last day for Governor's action
06-28-11 G Approved by the Governor (Act: 17)

[SB 1166](#) [Blake](#)

(PN 1462) Amends The Tobacco Settlement Act further providing for the Tobacco Settlement Investment Board by requiring one member to be the State Treasurer and decreasing the number of appointments by the Senate President Pro Tempore and Speaker of the House to one. Allows the State Treasurer to make an appointment to the board.

Printer Number(s): [P1462](#)

Track Name(s): PACAH(Neutral), PACDAA(Neutral)

Bill History: 06-30-11 S Filed
06-30-11 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 1195](#) [Boscola](#)

(PN 1489) The Assisted Living Residence, Nursing Home and Personal Care Home Siting Restriction Act provides for definitions and requires municipalities to adopt ordinances and restrictions necessary to prohibit the siting of assisted living residences, nursing homes, and personal care homes in areas zoned for industrial use.

Printer Number(s): [P1489](#)

Track Name(s): PACAH(Neutral)

Bill History: 08-02-11 S Filed
08-02-11 S Introduced and referred to committee on Senate Local Government

[SR 115](#) [Tartaglione](#)

(PN 1210) Resolution recognizing the month of May 2011 as "Older Americans Month" in Pennsylvania.

Printer Number(s): [P1210](#)

Track Name(s): PACAH(Support)

Bill History: 05-10-11 S Filed
05-10-11 S Introduced and adopted

	All	Track
Total Bills:	85	0

- End of Report -