

Bill Research Report

07-15-2010 - 13:21:13

[HB 84](#) [DeLuca](#)

(PN 1955) The Preventable Serious Adverse Events Act establishes a system for payment or reduction in payment for preventable serious adverse events within the Commonwealth. Provides a health care provider may not knowingly seek payment from a health payor or patient: (1) for a preventable serious adverse event; or (2) for any services required to correct or treat the problem created by a preventable serious adverse event when that event occurred under their control. The events shall be included on the list of reportable serious adverse events adopted by the National Quality Forum or in a bulletin as provided under the act. Also provides for duties of the Departments of Health and State and for reporting by health care providers. (Prior Printer Number: 76, 1381)

Printer Number(s): [P0076](#) [P1381](#) [P1955](#)

Bill History: 06-09-09 G In the hands of the Governor
06-19-09 G Last day for Governor's action
06-10-09 G Approved by the Governor (Act: 1)

[HB 158](#) [Solobay](#)

(PN 154) The Bloodborne Pathogen Standard Act requires the Department of Health to promulgate regulations adopting a bloodborne pathogen standard governing emergency services personnel and public employees. The standard would be at least as prescriptive as the standard promulgated by the Federal Occupational Safety and Health Review Commission and would include specific aspects. The bill also requires each employer to develop and implement compliance monitoring procedures and a complaint process. Lastly, the bill establishes the Bloodborne Pathogen Fund.

Printer Number(s): [P0154](#)

Bill History: 01-30-09 H Filed
01-30-09 H Introduced and referred to committee on House Health and Human Services

[HB 172](#) [Godshall](#)

(PN 172) Amends Title 42 (Judiciary) further providing for the unified judicial system by establishing an appellate division of Medical Professional Liability Court, consisting of the president judge and the other judges in regular active service. The bill outlines the powers of the appellate division, its jurisdiction, a process for appeals, review, and transitional provisions. The bill also establishes and outlines the duties of Medical Professional Liability Court Qualifications Commission, which it tasked with evaluating the qualifications of: 1) Applicants seeking election as a judge of the Medical Professional Liability Court who request evaluation of their qualifications; 2) Applicants seeking appointment by the Governor to a vacancy on the Medical Professional Liability Court; and 3) Judges of the Medical Professional Liability Court who seek retention in office. Further the bill establishes a Medical Professional Liability Court Fund, from which the operating and capital expenses of the Medical Professional Liability Court shall be solely paid.

Printer Number(s): [P0172](#)

Bill History: 01-30-09 H Filed
02-02-09 H Introduced and referred to committee on House Judiciary

[HB 199](#) [Godshall](#)

(PN 198) Joint Resolution proposing an amendment to the PA Constitution authorizing legislation to limit recovery of non-economic and punitive damages in medical malpractice actions by adding that the General Assembly may enact laws limiting the amount of recovery for non-economic damages and punitive damages in medical malpractice actions, but in no other cases may the General Assembly limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property.

Printer Number(s): [P0198](#)

Bill History: 02-02-09 H Filed
02-02-09 H Introduced and referred to committee on House State Government

[HB 203](#) [Godshall](#)

(PN 202) Act exempting continuing care retirement communities from the medical assistance bed approval process and allowing nursing facilities operated by continuing care retirement communities to obtain medical assistance certified beds under certain terms and conditions. The bill states that when a licensed nursing facility is part of the continuum of care of a continuing care retirement community (CCRC) regardless of whether the nursing facility currently has beds certified by the medical assistance program, the nursing facility would have a limited number of beds certified by medical assistance through an application to the department. The bill also states that a nursing facility of the CCRC would receive reimbursement under the medical assistance program as a participating provider effective on the date the medical assistance eligible resident meets medical assistance eligibility requirements.

Printer Number(s): [P0202](#)

Bill History: 02-02-09 H Filed
02-02-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 204](#) [Godshall](#)

(PN 203) 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 2009 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, 2009, shall be zero.

Printer Number(s): [P0203](#)

Bill History: 01-30-09 H Filed
02-02-09 H Introduced and referred to committee on House Insurance

[HB 245](#) [Mundy](#)

(PN 255) 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 exceed 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): [P0255](#)

Bill History: 04-28-10 S Discussed at Rep. Mundy's Family Caregiver Bill press conference
06-08-10 S Meeting set for 10:30 a.m., Room 8E-B East Wing, Senate Aging and Youth
06-04-10 S Meeting cancelled for 06/08/10, Senate Aging and Youth

[HB 246](#) [Mundy](#)

(PN 256) Amends Medical Care Availability & Reduction of Error (Mcare) Act further providing for declaration of policy, for the Medical Care Availability and Reduction of Error Fund by adding that a health care provider that implements a total quality management health care system shall be entitled to a 20% discount, for medical professional liability insurance by the joint underwriting association, for approval of medical professional liability insurers and for administrative definitions; and providing for functions of the Department of Health.

Printer Number(s): [P0256](#)

Bill History: 02-19-10 H Meeting cancelled for 03/11/10, House Insurance
03-23-10 H Meeting set for 9:30 a.m., Room 302, Irvis Office Building, House

Insurance
03-23-10 H Amended and failed, House Insurance

[HB 247](#) [Mundy](#)

(PN 257) Amends Health Care Facilities Act reenacting and amending provisions relating to definitions, powers and duties of Department of Health and State health services plan; reenacting provisions relating to regulations; reenacting and amending provisions relating to certificates of need and issuance of license; prohibiting certain referrals and claims of payment; and repealing sunset provisions.

Printer Number(s): [P0257](#)

Bill History: 02-19-10 H Meeting cancelled for 03/11/10, House Insurance
03-23-10 H Meeting set for 9:30 a.m., Room 302, Irvis Office Building, House Insurance
03-22-10 H Removed from agenda for 3/23/10 meeting, House Insurance

[HB 282](#) [Walko \(Resigned 1/3/10\)](#)

(PN 302) Amends Title 18 (Crimes and Offenses) adding that the offense of neglect of care-dependent person includes intentionally, knowingly or recklessly 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. The bill further provides for penalties and definitions.

Printer Number(s): [P0302](#)

Bill History: 03-16-09 H Third consideration
03-16-09 H Final Passage (Vote: Y:195/N: 0)
03-19-09 S Received in the Senate and referred to Senate Judiciary

[HB 288](#) [Murphy](#)

(PN 308) 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): [P0308](#)

Bill History: 03-30-09 H Final Passage (Vote: Y:193/N: 0)
04-02-09 S Received in the Senate and referred to Senate Aging and Youth
02-22-10 S Discussed at Budget Hearing - House Member Presentations, House Appropriations

[HB 309](#) [Johnson](#)

(PN 1195) Amends the Older Adults Protective Services Act further defining "facility" to include an assisted living residence and adding definitions for "chronic dementia" and "cognitive impairment". The legislation provides for disclosures to facility residents and prospective residents along with other appropriate parties in instances in which a physician holds a financial or ownership interest and is the attending or primary care physician for a resident or prospective resident of the facility. Also provides the facility resident or prospective resident or a family member or legal representative of the resident/prospective resident may choose the physician making the disclosure or an independent physician to be the primary care provider. (Prior Printer Number: 333)

Printer Number(s): [P0333](#) [P1195](#)

Bill History: 03-30-09 H Third consideration
03-30-09 H Final Passage (Vote: Y:193/N: 0)
04-02-09 S Received in the Senate and referred to Senate Aging and Youth

[HB 310](#) [Gingrich](#)

(PN 334) The Long-Term Care Quality Improvement Act establishes the Long-Term Care Quality Improvement Council and provides for its composition and duties. Among its powers, the council would conduct examinations, investigations and audits and to hear testimony and take proof under oath or affirmation at public or private hearings on any matter necessary to its duties. The council would contract with an independent, qualified, experienced and nationally recognized entity

qualified to develop, implement and continuously update and revise voluntary consensus standards for long-term care providers to do all of the following: (1) provide comprehensive comparative information regarding the characteristics of long-term care providers and services provided by them; (2) provide comprehensive comparative information regarding the quality of care services provided by long-term care providers; (3) identify, evaluate and promote the adoption of best practices for long-term care providers and provide comprehensive comparative information regarding the utilization of best practices by long-term care providers; (4) identify and validate performance measures for the evaluation of the quality of long-term care and provide comprehensive comparative information regarding the quality of long-term care offered by long-term care providers based upon such performance measures; (5) provide information for long-term care providers, which benchmarks combine information relating to the characteristics, services, compliance history, adoption of best practices and quality of care as determined by performance measures, for use in a rating system that will assist consumers and family members in making informed choices for obtaining long-term care; (6) provide a comprehensive comparative information system that is readily available to consumers, their family members and the general public without cost both through publications and Internet access regarding long-term care providers and that assists in the selection and utilization of long-term care and services; (7) provide recommendations to the quality improvement council for long-term care policies, practices and procedures that may be instituted for the purposes of enhancing and improving the quality of long-term care provided; and (8) establish annual quality improvement goals for long-term care facilities in PA. The council would report annually to the General Assembly.

Printer Number(s): [P0334](#)

Bill History: 02-09-09 H Filed
02-09-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 311](#) [Gingrich](#)

(PN 335) The Long-Term Care Assessor Training and Certification Act provides for the training and certification of qualified assessors of individuals needing long-term care services. The Department of Aging would develop a training and certification program for qualified assessors. Only those qualified assessors trained and certified by the department would be permitted to conduct assessments that identify the services a consumer requires. This program would be separate from the Options program, but nothing in this act would be construed to permit a qualified assessor, other than a local area agency on aging, to perform an Options program assessment. The department would make available to the public a listing of qualified assessors. Within one year of the effective date the department would report to the General Assembly on programs within PA and throughout the country that seek to maximize the effectiveness of charitable pharmaceutical programs and to provide recommendations for new laws and initiatives to enhance the ability of Pennsylvanians to take advantage of such programs.

Printer Number(s): [P0335](#)

Bill History: 02-09-09 H Filed
02-09-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 312](#) [Gingrich](#)

(PN 1196) The Long-Term Care Consumer Notification Act requires long-term care facilities and home and community-based providers to post certain information relating to licensure, notices of enforcement and where to find information relating to the licensing agency. Additionally, long-term care providers must maintain for each consumer a current record of the name, address and telephone number of the consumer's designated person, which must be provided upon request to the Commonwealth agency responsible for oversight of the provider. Whenever a long-term care provider receives a notice of enforcement action and a summary of such action from the Commonwealth, the summary would be transmitted to the consumer's designated person within seven days, where feasible. (Prior Printer Number: 336)

Printer Number(s): [P0336](#) [P1196](#)

Bill History: 03-30-09 H Third consideration
03-30-09 H Final Passage (Vote: Y:193/N: 0)
04-02-09 S Received in the Senate and referred to Senate Aging and Youth

[HB 313](#) [Gingrich](#)

(PN 337) The Home and Community-Based Services Accountability Act grants an area agency on aging providing services under a waiver the overall responsibility to ensure that care management of consumers is competently provided to consumers in accordance with department standards and the care plan. The area agency on aging would coordinate supportive services needed to promote and maintain consumer independence and monitor consumers by using consumer contact plans developed and administered through the area agency on aging. The legislation provides for care plan home visits, an annual review of care plans, criminal background checks, communicable disease screenings, recordkeeping, and consumer telephone access.

Printer Number(s): [P0337](#)

Bill History: 02-09-09 H Filed
02-09-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 371](#) [Staback](#)

(PN 2735) Amends the Public Welfare Code, in general powers and duties of Department of Public Welfare, providing for onsite complaint investigations and plans of correction and for determining whether applicants for cash, medical or energy assistance are veterans; in public assistance, further providing for establishment of county boards and expenses by requiring Senate confirmation of gubernatorial appointments and providing for reasonable limits on allowable income deductions for medical expenses when determining payment toward the cost of long term care expenses; and, in hospital assessment, further providing for definitions of "general acute care hospital" and "high volume Medicaid hospital," for authorization, for administration, for no hold harmless, for tax exemption and for cessation adding high volume Medicaid hospitals to the scope. In order to generate additional revenues for the purpose of assuring that medical assistance recipients have access to hospital services and that all citizens have access to emergency department services, and subject to conditions and requirements specified, a municipality may, by ordinance, (1) impose a monetary assessment on the net operating revenue reduced by all revenues received from Medicare of each general acute care hospital located in the municipality, and (2) beginning July 1, 2009, and subject to advance written approval by the secretary, impose a monetary assessment on the net operating revenues reduced by all revenues received from Medicare of each high volume Medicaid hospital located in the municipality. A municipality shall have the power to enact the assessment either prior to or during its fiscal year ending June 30, 2010. (Prior Printer Number: 389, 1275)

Printer Number(s): [P0389](#) [P1275](#) [P2735](#)

Bill History: 06-23-10 L Laid on the table
06-23-10 e Removed from the table
09-13-10 t Set on the House Calendar

[HB 372](#) [Staback](#)

(PN 390) Amends the Health Care Facilities Act, in licensing of health care facilities, further providing for definitions and requiring the department to initiate investigations of complaints at long-term care nursing facilities within 24 hours if the complaint is a priority complaint or within 48 hours if the complaint is a general complaint.

Printer Number(s): [P0390](#)

Bill History: 07-14-09 S Reported as committed from Senate Appropriations
08-03-09 S Set on the Senate Calendar
08-03-09 S Laid on the table

[HB 373](#) [Wansacz](#)

(PN 1792) Amends Title 18 (Crimes and Offenses) by adding that the offense of neglect of care-dependent person includes intentionally, knowingly or recklessly causing the death of the care-dependent person. A violation of neglect of a care dependent person would be a felony of the first degree if the victim dies and be punishable by a term of up to 30 years in prison, a fine of \$25,000, or both. (Prior

Printer Number(s): [P0391](#) [P1792](#)

Bill History: 06-03-09 H Sam Smith Ruling of the Chair Sustained
06-03-09 H Final Passage (Vote: Y:185/N: 0)
06-04-09 S Received in the Senate and referred to Senate Judiciary

[HB 454](#) [Bishop](#)

(PN 498) 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): [P0498](#)

Bill History: 02-11-09 H Filed
02-13-09 H Introduced and referred to committee on House Professional Licensure

[HB 494](#) [Costa, P](#)

(PN 546) The Nursing Home Staffing Level Act requires long-term care nursing homes to maintain nurse aid ratios of 8:1 for morning shifts, 10:1 for afternoon shifts and 15:1 for nighttime shifts; and licensed nurse ratios of 15:1 for morning shifts, 25:1 for afternoon shifts and 35:1 for nighttime shifts. No employee designated as a member of the nursing staff may provide food preparation, housekeeping, laundry or maintenance services. The bill provides for enforcement by the Department of Health and imposes civil penalties.

Printer Number(s): [P0546](#)

Bill History: 02-17-09 H Filed
02-18-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 513](#) [Harkins](#)

(PN 565) The Nursing Scholarship Act establishes the Pennsylvania Nurse Scholarship Program within the PA Higher Education Assistance Agency, which would consist of the Nursing Baccalaureate Degree Scholarship and the Nursing Program Scholarship. The legislation outlines the procedures for the issuance of grants by PHEAA, eligibility standards, and powers and duties of PHEAA, the State Board of Nursing and the Department of Labor and Industry. Additionally, PHEAA would annually report to the governor and legislature on the program.

Printer Number(s): [P0565](#)

Bill History: 02-17-09 H Filed
02-18-09 H Introduced and referred to committee on House Education

[HB 644](#) [DeLuca](#)

(PN 706) Amends the Older Adults Protective Services Act further providing for legislative policy; further defining "employee"; and further providing for involuntary intervention by emergency court order, for information relating to prospective facility personnel, for grounds for denying employment, and for applicability relating to criminal history for employees. The legislation authorizes 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 death or serious physical harm, including exploitation that may lead to imminent risk of death or serious physical harm. The court of common pleas would grant the agency's petition if it finds that if protective services are not provided, the older adult is at imminent risk of death or serious physical harm. Additionally, the legislation lists grounds for denying employment. Individuals convicted of offenses such as incest, homicide, stalking, and assault would be permanently banned from employment and individuals convicted of offenses such as theft, forgery and prostitution would be banned from employment

for a period of ten years after conviction. Applicants would have a right of review and current employees would have six months to comply with the legislation once enacted.

Printer Number(s): [P0706](#)

Bill History: 02-26-09 H Filed
02-27-09 H Introduced and referred to committee on House Aging and Older Adult Services
02-22-10 H Discussed at Budget Hearing - House Member Presentations, House Appropriations

[HB 721](#) [Solobay](#)

(PN 2546) The Correctional Facilities Drug Redistribution Act provides for drug redistribution within correctional facilities by stating that a drug that is issued to a correctional facility and has left the control of a pharmacist at a vendor pharmacy may be returned to its vendor pharmacy for the purpose of redispensing that drug to fill other prescriptions for other correctional facilities only if nine enumerated requirements are met. Additionally, the vendor pharmacy may redispense the drug only if eight enumerated requirements are met. The vendor pharmacy, to which drug products are returned, shall credit the correctional facility for the unused drugs that are permitted to be restocked for redispensing at a rate determined by the vendor pharmacy and the correctional facility. Returned drugs that do not meet all the requirements shall be deemed unacceptable for redispensing and processed for disposal. The bill provides for unprofessional conduct. (Prior Printer Number: 800)

Printer Number(s): [P0800](#) [P2546](#)

Bill History: 08-19-09 H Third consideration
08-19-09 H Final Passage (Vote: Y:189/N: 0)
09-17-09 S Received in the Senate and referred to Senate Public Health and Welfare

[HB 726](#) [Youngblood](#)

(PN 3797) Amends the Amber Alert System Law to add to the Amber Alert System the Missing Endangered Person Advisory System, to be operated by the Pennsylvania State Police, which assists in the recovery of missing people who are at special risk for danger. Duties are placed upon the Pennsylvania State Police. (Prior Printer Number: 812)

Printer Number(s): [P0812](#) [P3797](#)

Bill History: 06-14-10 H Third consideration
06-14-10 H Final Passage (Vote: Y:194/N: 0)
06-17-10 S Received in the Senate and referred to Senate Law and Justice

[HB 763](#) [Petri](#)

(PN 853) Amends the Tax Reform Code providing for a long-term care insurance tax credit in the amount of 20% of the long-term care insurance expenses incurred by the taxpayer during the taxable year. The total amount of tax credits approved by the department shall not exceed \$20,000,000 in any fiscal year. Of that amount, \$5,000,000 would be allocated exclusively for small businesses. The Secretary of Revenue shall submit an annual report to the General Assembly indicating the effectiveness of the credit no later than March 15 following the year in which the credits were approved. The credit shall expire December 31, 2018.

Printer Number(s): [P0853](#)

Bill History: 03-05-09 H Filed
03-06-09 H Introduced and referred to committee on House Finance

[HB 812](#) [Gingrich](#)

(PN 906) Amends the Public Welfare Code requiring the department to establish an income eligibility verification system and a fraud detection system.

Printer Number(s): [P0906](#)

Bill History: 03-09-09 H Filed
03-09-09 H Introduced and referred to committee on House Health and Human Services

[HB 821](#) [Boback](#)

(PN 1277) 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. Further provides for a long-term care ombudsman as an agent for the Department of Aging to investigate and seek to resolve complaints made by or on behalf of older individuals who are consumers of facilities, which complaints may relate to action, inaction or decisions of facilities, public agencies or of social agencies or their representatives and which may adversely affect the health, safety, welfare, interest, preferences or rights of consumers. Also provides for the ombudsman's duties. (Prior Printer Number: 928 1276)

Printer Number(s): [P0928](#) [P1276](#) [P1277](#)

Bill History: 04-20-09 H Third consideration
04-20-09 H Final Passage (Vote: Y:193/N: 0)
04-24-09 S Received in the Senate and referred to Senate Aging and Youth

[HB 825](#) [Baker, M](#)

(PN 2097) Act requiring health care facilities to develop full and complete implementation plans for e-prescribing with specific goals, key performance indicators, and timelines in order to meet the following requirements: (1) Commencing September 1, 2010, every health care facility shall provide easy and timely access to an e-prescribing system for use by all medical staff who have prescriptive authority; (2) The e-prescribing system chosen by the health care facility shall be able to monitor and notify the medical staff of potentially harmful drug interactions for each prescription filed; and (3) Thereafter, the health care facility shall certify to the department on its application for license or license renewal that it provides access for all medical staff that write prescriptions to an e-prescribing system and permits its use in the facility. The bill establishes the Medical Assistance Health Information Technology Incentive Payment Program in the Department of Public Welfare for eligible acute care hospitals and critical access hospitals that are meaningful electronic health record users as defined under section 4102 of the American Recovery and Reinvestment Act of 2009. The Department of Public Welfare will establish a payment incentive program consistent with the provisions of section 4102 of ARRA. (Prior Printer Number: 932)

Printer Number(s): [P0932](#) [P2097](#)

Bill History: 09-11-09 H Set on the Tabled Calendar
09-11-09 H Removed from the table
09-11-09 H Rereferred to House Appropriations

[HB 890](#) [Baker, M](#)

(PN 1009) The Nursing and Nursing Educator Loan Forgiveness and Scholarship Act shall provide an incentive to PA students wishing to pursue training in the fields of nursing and nursing education. The bill establishes the PA Nurse and Nursing Educator Loan Forgiveness Program, which will offer financing provided by the PA Higher Education Assistance Agency (PHEAA) to help individuals studying either field repay student loans. The bill stipulates that to be eligible, an applicant must have completed an approved course of study, have been licensed by the State Board of Nursing as a practical or a registered nurse, be employed full time as a nurse or nursing educator, and be a resident of PA. An eligible practical nurse is entitled to receive up to \$3,000 over the course of three years, while a registered nurse is entitled to up to \$20,000. A nursing educator is eligible for a maximum of \$30,000. In order to receive financial assistance, recipients must agree to work full-time in a licensed health care facility or educational institution for at least three years, and must agree to let PHEAA monitor compliance with the work requirement. This agreement is subject to yearly renewal, and also may be nullified if the recipient dies or suffers permanent disability. In the case of gross negligence or the suspension of certification, PHEAA may demand repayment of any financial assistance rendered. Recipients who do not fulfill their contractual obligations shall reimburse the state for the aid they have received as well as a rate of interest upon it. The legislation gives the PHEAA the authority to garnish wages in order to collect damages resulting from a breach of the contract. Any aid received by an eligible recipient is not to be considered taxable income. The act also creates the PA Nurse and Nursing Education Scholarship Program, consisting of the Nursing Post-baccalaureate Degree Scholarship, the Nursing Baccalaureate Degree Scholarship, and the Nursing Program Scholarship. These scholarships are to be conferred after the application of available Federal Pell Grants and State grants A student must also begin working in a health care facility within one year after the completion of study. The amount of money

that can be awarded to a student for a Nursing Post-baccalaureate Degree Scholarship is up to \$6,000 per academic year for a maximum of two years. The grant amount for the Nursing Baccalaureate Degree Scholarship is up to \$3,000 per academic year, for a maximum of four years. The grant amount for a Nursing Program Scholarship is \$1,500 per academic year for a maximum of two academic years, or a further year if the student enrolls in an approved course of study that the PHEAA has decided takes three years to complete. The bill specifies that no funds may be granted to anyone enrolled in a customized job training partnership program or continuing education course for which an employer is paying for more than half. Act establishing a nursing and nursing educator loan forgiveness and scholarship program.

Printer Number(s): [P1009](#)

Bill History: 03-11-09 H Filed
03-12-09 H Introduced and referred to committee on House Education

[HB 926](#)

[Seip](#)

(PN 1653) Amends the Workforce Development Act further providing for membership of the PA Workforce Investment Board, and establishing the PA Center for Health Careers for the purpose of providing a focused direction and purpose for the development of strategies to address the Commonwealth's short-term and long-term health care work force challenges to ensure the quality and supply of such work force. The bill also provides for the composition and duties of a related Leadership Council. (Prior Printer Number: 1050, 1279)

Printer Number(s): [P1050](#) [P1279](#) [P1653](#)

Bill History: 05-05-09 H Third consideration
05-05-09 H Final Passage (Vote: Y:160/N: 37)
05-11-09 S Received in the Senate and referred to Senate Labor and Industry

[HB 932](#)

[Killion](#)

(PN 1056) 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): [P1056](#)

Bill History: 03-13-09 H Filed
03-13-09 H Introduced and referred to committee on House Health and Human Services

[HB 987](#)

[Taylor, R](#)

(PN 1163) Amends the Social Workers, Marriage and Family Therapists and Professional Counselors Act to state the provisions regarding who may and may not use the title "social worker" would not apply to an individual employed in a long-term care facility licensed by the Department of Health who provides social work services under administrative supervision.

Printer Number(s): [P1163](#)

Bill History: 03-17-09 H Filed
03-19-09 H Introduced and referred to committee on House Professional Licensure
03-20-09 H Caption changed from Amending Title 65 re restricted activity

[HB 1001](#)

[Marsico](#)

(PN 1150) The Inspector General Act establishes the Office of Inspector General as an independent agency. The Inspector General would be appointed by the Governor with the consent of two-thirds of the members of the Senate. The term of office would be six years, eligible for reappointment. The office has the following powers: (1) The office would have access to the physical plant, documents, personnel and records necessary to carry out its duties; (2) The office may subpoena witnesses, administer oaths or affirmations, take testimony and compel the production of documents, as necessary to carry out its duties; (3) The office would have access to

the head of a Commonwealth agency when necessary to carry out its duties; and (4) The office may require Commonwealth employees to report to the office information regarding fraud, waste, corruption, illegal acts and abuse. The legislation outlines the 15 key duties of the office and provides for records disclosure and reporting office activities. The current Office of Inspector General is abolished.

Printer Number(s): [P1150](#)

Bill History: 03-18-09 H Filed
03-18-09 H Introduced and referred to committee on House State Government

[HB 1084](#) [Waters](#)

(PN 1266) 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): [P1266](#)

Bill History: 03-24-09 H Filed
03-24-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1087](#) [Waters](#)

(PN 1269) Amends the Public Welfare Code stating that a life insurance policy with a total face value of up to \$10,000 would not be included for the purpose of determining the person's eligibility for medical assistance.

Printer Number(s): [P1269](#)

Bill History: 03-24-09 H Filed
03-24-09 H Introduced and referred to committee on House Health and Human Services

[HB 1095](#) [White, J](#)

(PN 1292) Amends Title 42 (Judiciary and Judicial Procedure) providing for death action by adding that in awarding an amount of damages, the judge or jury would consider all the facts and circumstances and provide an award based on the facts and circumstances which would compensate for the injury resulting in the death. In determining the amount of the award the judge or jury would consider: (1) deprivation of expected pecuniary and nonpecuniary benefits to beneficiaries that would have resulted from the continued life of the deceased; (2) loss of contributions for support; (3) loss of parental, marital, familial and household services; (4) reasonable funeral expenses not to exceed \$15,000; and (5) mental anguish and grief resulting from the death of a deceased person.

Printer Number(s): [P1292](#)

Bill History: 01-27-10 H Set on the Tabled Calendar
01-27-10 H Removed from the table
01-27-10 H Rereferred to House Appropriations

[HB 1152](#) [Mundy](#)

(PN 2212) The Department of Aging and Long-Term Living Act establishes a cabinet-level State agency combining the Department of Aging and functions of the Office of Long-Term Living in the Department of Public Welfare and provides for the new department's powers and duties. Also makes related repeals. (Prior Printer Number: 1366, 2094)

Printer Number(s): [P1366](#) [P2094](#) [P2212](#)

Bill History: 06-30-09 H Final Passage (Vote: Y:110/N: 84)
07-01-09 S Received in the Senate and referred to Senate Aging and Youth
02-22-10 S Discussed at Budget Hearing - House Member Presentations, House Appropriations

[HB 1200](#) [Buxton](#)

(PN 1551) 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): [P1551](#)

Bill History: 04-20-09 H Filed
04-21-09 H Introduced and referred to committee on House Labor Relations
04-28-09 H Discussed at PA Fed. of Injured Workers press conference

[HB 1208](#) [Marsico](#)

(PN 1435) Amends the Health Care Facilities Act requiring that a long-term care nursing facility that provides care for consumers diagnosed with dementia shall disclose to consumers and their legal representatives and provide a written statement that includes certain information pertaining to the facility.

Printer Number(s): [P1435](#)

Bill History: 04-03-09 H Filed
04-03-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1228](#) [Schroder](#)

(PN 1455) Amends Title 42 (Judiciary) further providing for punitive damages by adding that in an action alleging damages for death, for injury to person or property or for economic loss, a plaintiff must establish a defendant's liability for punitive damages beyond a reasonable doubt. Following an award of punitive damages, 80% of the amount awarded shall be paid directly to the Medical Care Availability and Reduction of Error (Mcare) Fund. These limitations shall not apply to an action alleging damages for death, injury to person or property or economic loss where the action relates to an incident or occurrence for which an individual has been charged and convicted of a criminal act for which a period of incarceration is or may be a part of the sentence.

Printer Number(s): [P1455](#)

Bill History: 04-06-09 H Filed
04-07-09 H Introduced and referred to committee on House Insurance

[HB 1250](#) [Gergely](#)

(PN 3135) Amends the Social Workers, Marriage and Family Therapists and Professional Counselors Act further providing a new definition of "practice of clinical social work"; providing the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors shall have the power to allow individuals who are licensed or certified as a social worker, clinical social worker, marriage and family therapist or professional counselor in another state to practice in PA without licensure for no more than 60 days as part of a relief effort related to a state of emergency as declared by the Governor or Federal Government; and providing for penalties. License qualifications are also provided for. (Prior Printer Number: 1483)

Printer Number(s): [P1483](#) [P3135](#)

Bill History: 03-09-10 H Final Passage (Vote: Y:185/N: 11)
03-09-10 S Received in the Senate and referred to Senate Consumer Protection & Prof. Licensure
03-23-10 S Discussed in NASW press conference

[HB 1266](#) [Cohen](#)

(PN 1501) The Medical Safety Automation Fund (M-SAF) Act establishes the Medical Safety Automation Fund to provide grants to health care providers or to regional health information organizations to implement medical safety automation systems for the following: (1) Purchase of health information or telecommunications technology necessary to create an interoperable and integrated medical safety automation system; (2) Payment of costs and expenses associated with preparation

of plans, specifications, studies and surveys necessary to determine the scope of a medical safety automation system and the practicality and effectiveness of its use; and (3) Training of physicians and personnel in the use of a medical safety automation system. The amount of a grant to any specific health care provider or regional medical safety automation organization shall not exceed \$1,000,000 and no less than 60% of available funds shall be used for grants to health care providers in counties of the fourth, fifth, sixth, seventh or eighth class. An applicant for a grant shall provide matching funds in the amount of 100% of the amount of the grant; if the applicant is a community-based health care provider, the applicant shall provide matching funds in the amount of 50% of the amount of the grant. The bill provides for the duties of the Department of Health.

Printer Number(s): [P1501](#)

Bill History: 04-15-09 H Filed
04-16-09 H Introduced and referred to committee on House Health and Human Services

[HB 1351](#) [Evans, D](#)

(PN 1666) Amends the Public School Code further providing for lifetime limit, for payments to counties for services to children, for departmental administration of county child welfare services, for needs-based budgeting process, for review of county submissions and for limits on reimbursements to counties; further defining "exempt hospital"; further providing for administration; providing for managed care organization assessments; further providing for other prohibited acts, criminal penalties and civil remedies and for repayment from probate estates; providing for limit on claim reduction and for false claims; and providing for necessary action to qualify the Commonwealth for additional Medical Assistance funds under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115).

Printer Number(s): [P1666](#)

Bill History: 05-21-09 H Discussed in public hearing on FY 2009-10 budget, House Appropriations
06-18-09 H Discussed in Committee, House Health and Human Services
10-06-09 H Discussed at Press Conference

[HB 1373](#) [Murt](#)

(PN 1674) 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): [P1674](#)

Bill History: 04-27-09 H Filed
04-28-09 H Introduced and referred to committee on House Aging and Older Adult Services

[HB 1405](#) [DeLuca](#)

(PN 1727) The Patient Self-Referral Act prohibits certain referrals of patients of health care providers for health care services. The bills states that a health care provider may not refer a patient for the provision of designated health services to an entity in which the health care provider is an investor or has an investment interest. The legislation also establishes requirements for accepting outside referrals for diagnostic imaging. Lastly, the bill states that a violation by a health care provider would constitute grounds for disciplinary action by the applicable board, and a violation by a licensed hospital would be deemed a violation of the Health Care Facilities Act.

Printer Number(s): [P1727](#)

Bill History: 04-30-09 H Filed
05-04-09 H Introduced and referred to committee on House Health and Human Services

[HB 1410](#) [Payne](#)

(PN 1732) Act directing the Secretary of the Budget to reduce all State appropriations by 10% for fiscal year July 1, 2009, through June 30, 2010.

Printer Number(s): [P1732](#)

Bill History: 04-30-09 H Filed
05-04-09 H Introduced and referred to committee on House Appropriations

[HB 1429](#) [Dermody](#)

(PN 1759) The Joint Provider and Surveyor Training and Continuing Education Act provides for joint training and continuing education of nursing care providers and nursing facility surveyors, assisted living service providers and assisted living residence surveyors and for joint training and continuing education of personal care providers and personal care home surveyors. The bill provides for the establishment of the joint provider-surveyor program by the Department of Health, in which the department would semiannually in each region provide for joint training for nursing care providers and nursing facility surveyors. Additionally, the Department of Public Welfare would establish the personal care home joint provider-surveyor program and the assisted living joint provider-surveyor program to provide training.

Printer Number(s): [P1759](#)

Bill History: 07-02-10 H Reported as committed from House Health and Human Services
07-02-10 H First consideration
07-02-10 H Rereferred to House Rules

[HB 1444](#) [Bradford](#)

(PN 1773) Amends Title 42 (Judiciary) providing for permissible argument as to damages at trial by adding that in any civil action tried before a judge, jury or other tribunal, a party may make any of the following arguments during closing argument and after the judge, jury or other tribunal, has requested for the argument to be made: (1) specifically argue in lump sums or by mathematical formula the amount he deems to be an appropriate award for all past and future economic or noneconomic damages or both economic and noneconomic damages claimed to be recoverable; or (2) argue that an award of zero damages is appropriate, even if there is a finding of liability against the defendant. A party may not argue a specific sum unless the party first discloses to the court and opposing counsel that the party intends to argue the specific damages prior to the presentation of closing arguments. Arguments as to appropriate amount of economic damages may be made without notice to opposing counsel if evidence supporting economic damages has been introduced to trial.

Printer Number(s): [P1773](#)

Bill History: 01-27-10 H Set on the Tabled Calendar
01-27-10 H Removed from the table
01-27-10 H Rereferred to House Appropriations

[HB 1445](#) [Solobay](#)

(PN 3131) The Carbon Monoxide Alarm Standards Act establishes carbon monoxide alarm requirements and directs the Department of Labor and Industry to administer the provisions of the Act and develop regulations. (Prior Printer's Number: 1774)

Printer Number(s): [P1774](#) [P3131](#)

Bill History: 06-15-10 H Laid on the table
06-15-10 H Removed from the table
09-13-10 H Set on the House Calendar

[HB 1494](#) [Mirabito](#)

(PN 1858) Amends The Professional Nursing Law allowing for use of the title "nurse" if a person is licensed under the provisions of the Practical Nurse Law.

Printer Number(s): [P1858](#)

Bill History: 05-12-09 H Filed
05-13-09 H Introduced and referred to committee on House Professional Licensure

[HB 1495](#) [Mirabito](#)

(PN 1859) Amends the Practical Nurse Law further providing that it is a violation to use the word "nurse" in connection with a person's name, unless the person is licensed under the act or registered under the provisions of the Professional Nursing Law.

Printer Number(s): [P1859](#)

Bill History: 05-12-09 H Filed
05-13-09 H Introduced and referred to committee on House Professional Licensure

[HB 1553](#) [Cutler](#)

(PN 1928) The Medical Safety Automation Fund Act provides for the establishment of the Medical safety automation program to provide grants to health care providers or to regional health information organizations to implement medical safety automation systems. The amount of a grant to any specific health care provider or regional medical safety automation organization shall not exceed \$1 million and no less than 60% of available funds may be used for grants to health care providers in counties of the fourth, fifth, sixth, seventh or eighth class. An applicant must provide matching funds in the amount of 100% of the amount of the grant, unless the applicant is a community-based health care provider in which case matching funds must equal 50% of the amount of the grant. The bill outlines the eligibility standards and application procedure; provides for accountability; and for the duties of the Department of Health. The sum of \$25 million of Federal funds received under section 3013 of the Public Health Services Act is appropriated from the General Fund to the department for the program.

Printer Number(s): [P1928](#)

Bill History: 05-28-09 H Filed
05-29-09 H Introduced and referred to committee on House Health and Human Services

[HB 1566](#) [Gibbons](#)

(PN 1941) The Public Employee Occupational Safety and Health Act provides for public employee occupational health and safety, for the requirements of employers in standards and procedures and for other duties of the Department of Labor & Industry. The bill establishes the Public Employee Occupational Safety and Health Review Board, various advisory committees and outlines penalties for violations and noncompliance.

Printer Number(s): [P1941](#)

Bill History: 05-28-09 H Filed
05-29-09 H Introduced and referred to committee on House Labor Relations

[HB 1594](#) [Maher](#)

(PN 3883) The Governor's Cabinet for People with Disabilities Act establishes the Governor's Cabinet for People with Disabilities and the Governor's Advisory Committee for People with Disabilities. The cabinet shall be chaired by the Secretary of Public Welfare and shall consist of the Secretaries of Labor & Industry, Health, Education, Transportation, Budget, Aging and Policy & Planning. It shall also include the Adjutant General; the Chair of the Human Relations Commission; the Executive Director of the Pennsylvania Disabilities Council; the Executive Director of the Governor's Office for People with Disabilities; and the Executive Director of the Governor's Long Term Living Council. The executive director of the cabinet shall be appointed by the Governor. Further provides for the responsibilities of the cabinet. Further provides the advisory committee shall serve in an advisory capacity to the cabinet in matters regarding people with disabilities in the Commonwealth. Also provides the Governor shall appoint as members people with disabilities including individuals from existing stakeholder groups in such number as the Governor deems necessary with the chairperson to be designated by the Governor. At a minimum, 60% of the advisory committee shall be people with disabilities or family members of people with disabilities. Provides all members serve at the pleasure of the Governor. (Prior Printer Number: 1975)

Printer Number(s): [P1975](#) [P3883](#)

Bill History: 06-21-10 H Third consideration
06-21-10 H Final Passage (Vote: Y:196/N: 2)
06-28-10 S Received in the Senate and referred to Senate State Government

[HB 1611](#) [Hornaman](#)

(PN 2090) The Nurse Licensure Compact Act authorizes Pennsylvania to join the Nurse Licensure Compact, which seeks to facilitate the states' responsibility to protect the public's health and safety; ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation; facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions; promote compliance with laws governing the practice of nursing in each jurisdiction; and invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state

licenses. The bill provides for the form of the compact.

Printer Number(s): [P2009](#)

Bill History: 06-03-09 H Filed
06-05-09 H Introduced and referred to committee on House Professional Licensure

[HB 1640](#) [Gingrich](#)

(PN 2045) Amends the Public Welfare Code by mandating that the department utilize auditing software to detect abnormalities or patterns of misuse prior to any Medical Assistance payments being made. The bill authorizes the withholding of funds until the abnormality can be justified, and when justified, mandates the swift payment of funds.

Printer Number(s): [P2045](#)

Bill History: 06-08-09 H Filed
06-09-09 H Introduced and referred to committee on House Health and Human Services

[HB 1676](#) [Eachus](#)

(PN 2243) Amends State Lottery Law by adding new definitions and providing a new payment formula for PACE. The bill also requires providers to submit documentation of their acquisition costs and broadens PACENET eligibility. The bill requires repayment of funds when a provider does not submit invoices and documentation of acquisition costs upon request. Furthermore, the bill allows the department to set up a medication therapy management program and exempts certain documents submitted by providers from the Right-to-Know Law. The department shall develop and implement a medication therapy management program to assist and counsel claimants who receive prescription drugs in selected therapeutic classes from providers with whom the department has entered into medication management provider agreements. (Prior Printer Number: 2117)

Printer Number(s): [P2117](#) [P2243](#)

Bill History: 07-02-09 H Reported as committed from House Rules
07-02-09 H Rereferred to House Appropriations
11-09-09 H Set on the House Voting Schedule

[HB 1679](#) [Gerber](#)

(PN 3960) The False Claims Act is enacted to mirror the Federal False Claims Act. The Act provides certain definitions and allows for treble damages for a committing any one of the enumerated prohibited acts. The Act also provides for the requirements of when damages can be limited. The Act allows the Attorney General of Pennsylvania to investigate and prosecute violations, as well as provides rules for when and how qui tam plaintiffs may bring an action. Furthermore, the Act provides anti-retaliatory discharge provisions to protect qui tam plaintiffs. The Act also establishes a ten-year statute of limitations, the burden of proof, and provides for estoppel after plea agreements. (Prior Printer Number: 2120)

Printer Number(s): [P2120](#) [P3960](#)

Bill History: 06-23-10 H Voted favorably from committee on House Rules
06-23-10 H Reported as committed from House Rules
06-23-10 H Rereferred to House Appropriations

[HB 1738](#) [Godshall](#)

(PN 2202) 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): [P2202](#)

Bill History: 06-16-09 H Filed
06-17-09 H Introduced and referred to committee on House Health and Human Services

[HB 1778](#) [Boyd](#)

(PN 2288) Amends Long-Term Care Patient Access to Pharmaceuticals Act further providing for legislative intent, for definitions by deleting references to "drug source

facility" and defines "dispense," "drug," "drug source," and "long-term care pharmacy," and provides for third-party drugs in long-term care facilities by adding third-party drugs provided by federal or state program, insurance program or other provider or other entity.

Printer Number(s): [P2288](#)

Bill History: 06-23-09 H Filed
06-24-09 H Introduced and referred to committee on House Health and Human Services

[HB 1804](#) [Frankel](#)

(PN 2340) 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): [P2340](#)

Bill History: 06-30-09 H Filed
06-30-09 H Introduced and referred to committee on House Judiciary

[HB 1830](#) [Gergely](#)

(PN 2395) The Healthy Families, Healthy Workplaces Act provides that employers shall provide a minimum of one hour of paid sick leave for every 40 hours worked by an employee. Employers are not required to provide more than 52 hours of sick leave for an employee in a calendar year. Paid sick leave would accrue in hour unit increments. Employees shall be entitled to use accrued paid sick leave beginning 90 business days following the employee's date of hire. No more than 40 hours of paid sick leave of an employee may carry forward from one calendar year to the next. The bill provides for the use of paid sick leave. For leave of more than three consecutive days, an employer may require reasonable documentation that the paid leave is covered. Lastly, the bill states that an employer or small employer shall not take retaliatory personnel action or discriminate against an employee because the employee has requested paid sick leave under this act or taken paid sick leave guaranteed by this act or made a complaint or filed an action to enforce an employee's right to paid sick leave.

Printer Number(s): [P2395](#)

Bill History: 07-06-09 H Filed
07-06-09 H Introduced and referred to committee on House Labor Relations

[HB 1879](#) [Killion](#)

(PN 2496) The Health Care Practitioner Identification Badge Act requires health care practitioners at any health care facility or when engaged in face-to-face contact with the public in a professional capacity to wear an identification badge displaying the practitioner's name and photograph and the license, certification or registration held by the practitioner. The bill provides for badge requirement guidelines and exceptions.

Printer Number(s): [P2496](#)

Bill History: 07-22-09 H Introduced and referred to committee on House Professional Licensure
11-06-09 H Hearing set for 10:00 a.m., Randor Twp Mun. Bldg., Wayne, House Professional Licensure
11-06-09 H Public hearing held in committee House Professional Licensure

[HB 1893](#) [Watson](#)

(PN 2512) Amends Public Welfare Code providing for violation exceptions for personal care homes by stating no personal care home shall be cited with a violation for not evacuating a resident during a fire drill when: (1) the resident is being treated and cared for by a licensed hospice provider; (2) a licensed clinician has made a determination that the resident may suffer bodily injury as a result of participation in a fire drill or that participating in a fire drill may accelerate or hasten the death of the resident; and (3) the resident, or designee, has signed a written waiver directing that the resident is not to be evacuated during a fire drill. This provision does not relieve the personal care home of responsibility to provide necessary intervention for the evacuation of any resident in the event of an actual emergency.

		Printer Number(s): P2512
		Bill History: 07-23-09 H Filed 07-24-09 H Introduced and referred to committee on House Aging and Older Adult Services
HB 1913	Micozzie	(PN 2558) Amends Medical Care Availability and Reduction of Error (Mcare) Act making calendar adjustments; requiring the balance of the fund as of July 1, 2009, assessments levied for calendar years 2009 through 2012, supplemental funding, any appropriations to the fund and other fund revenue, shall be held in trust for the exclusive purpose of paying the fund's share of settlements and judgments, the fund's operating expenses and the fund's obligations. The bill provides for penalties.
		Printer Number(s): P2558
		Bill History: 08-05-09 H Filed 08-07-09 H Introduced and referred to committee on House Insurance
HB 1972	DePasquale	(PN 2653) Amends the Tax Reform Code to state that a resident taxpayer would be allowed a credit against the tax imposed by this article in an amount equal to the lesser of 50% of any premiums paid during the taxable year by the taxpayer for a long-term care policy for the taxpayer, the taxpayer's spouse, or both, or one thousand dollars \$1,000. The credit would not exceed the amount of the tax otherwise due. The legislation defines "long-term care policy."
		Printer Number(s): P2653
		Bill History: 09-11-09 H Filed 09-14-09 H Introduced and referred to committee on House Finance 02-08-10 H Press Conference held
HB 2062	Watson	(PN 2841) 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): P2841
		Bill History: 10-29-09 H Introduced and referred to committee on House Aging and Older Adult Services 12-08-09 H Meeting set for 9:00 a.m., Room G-50 Irvis Office Building, House Aging and Older Adult Services 12-08-09 H Passed over in committee House Aging and Older Adult Services
HB 2065	Gibbons	(PN 2844) Amends the Social Workers, Marriage and Family Therapists and Professional Counselors Act further providing for legislative intent, for the definitions of "licensed bachelor social worker" and "practice of bachelor social work," and providing for restrictions on use of the title "Licensed Bachelor Social Worker".
		Printer Number(s): P2844
		Bill History: 10-26-09 H Filed 10-29-09 H Introduced and referred to committee on House Professional Licensure 03-23-10 H Discussed in NASW press conference
HB 2106	Taylor, R	(PN 3957) The Health Information Technology Act establishes the Pennsylvania Health Information Exchange (PHIX) Authority and the Health Information Technology Fund to facilitate and assist in the development and operation of a statewide health information exchange; and provides for grants and loans for health information technology and for duties of the Department of Health. The authority shall:(1) Define the vision for a statewide health information exchange system to electronically exchange health care information among entities in the health care system; (2) Encourage, facilitate and assist in the development of the statewide health information exchange system and the ongoing operation of the statewide health information exchange system, including monitoring the performance, quality and security of the statewide health information exchange system; (3) Oversee a

collaborative statewide process using public and private expertise to develop common polices, clinical goals, technical requirements and architectural standards for this Commonwealth's health information exchange system consistent with emerging Federal requirements; and (4) Develop policies using a collaborative statewide process to ensure compliance with section 305. The board shall report annually to the General Assembly. Loans would be available to assist health care providers in funding for health technology information facilitating and assisting in the development and operation of a statewide health information exchange. Loans would be disbursed from the Health Information Technology Fund, which would be funded primarily by the General Assembly and grants and loans received under the American Recovery and Reinvestment Act. The bill provides for duties of the Department of Community and Economic Development. (Prior Printer Number: 2936)

Printer Number(s): [P2936](#) [P3957](#)

Bill History: 06-23-10 H Voted favorably from committee on House Rules
06-23-10 H Reported as committed from House Rules
06-23-10 H Rereferred to House Appropriations

[HB 2108](#) [Ellis](#)

(PN 3595) Amends the Whistleblower Law further providing for the definitions of "employee" and "employer," for enforcement and for penalties. "Employer" is defined as any of the following which receives money from a public body to perform work or provide services: (1) an individual; (2) a partnership; (3) an association; (4) a corporation for profit; or (5) a corporation not for profit. "Public body" is further amended to include the General Assembly and its agencies. Regarding enforcement, the bill states a court shall also award a prevailing complainant all or a portion of the costs of litigation, including reasonable attorney fees and witness fees. Penalties are increased to \$10,000 and suspension from public service for up to seven years. The bill protects employees who report wrongdoing or waste by a public body or waste by any employer. (Prior Printer's Numbers: 2937, 3386)

Printer Number(s): [P2937](#) [P3386](#) [P3595](#)

Bill History: 04-26-10 H Third consideration
04-26-10 H Final Passage (Vote: Y:187/N: 0)
05-19-10 S Received in the Senate and referred to Senate Rules and Executive Nominations

[HB 2123](#) [Drucker](#)

(PN 2960) Amends Title 42 (Judiciary) further providing for validity of agreement to arbitrate by adding that no binding alternative dispute resolution shall be enforceable against a patient of a licensed professional or other health care entity that was entered into prior to the harm forming the basis of a civil action in which a professional liability claim is asserted against a licensed professional.

Printer Number(s): [P2960](#)

Bill History: 01-27-10 H Set on the Tabled Calendar
01-27-10 H Removed from the table
01-27-10 H Rereferred to House Appropriations

[HB 2151](#) [Reichley](#)

(PN 2979) Amends the Health Care Facilities Act to change the definition of "health care facility" and provides additional definitions. The bill provides for deemed licensure as well as additional requirements for certain ambulatory surgical facilities. The bill also provides for inspection by the department and considerations the department shall take into account when determining licensure.

Printer Number(s): [P2979](#)

Bill History: 12-07-09 H Filed
12-08-09 H Introduced and referred to committee on House Health and Human Services

[HB 2159](#) [Stern](#)

(PN 2994) The Long-Term Care Nursing Facility Informal Dispute Resolution Act gives long-term care facilities the ability to refute deficiencies cited in a department survey. The Act provides for a panel, minimum process, scope of review, and data collection.

		Printer Number(s): P2994
		Bill History: 12-09-09 H Filed 12-09-09 H Introduced and referred to committee on House Aging and Older Adult Services
HB 2202	Gerber	(PN 3071) Amends Title 42 (Judiciary and Judicial Procedure) further providing for special damages for death actions by adding to the scope damages for the mental anguish and sorrow incurred by the surviving spouse, dependent children, parents or next of kin of the decedent.
		Printer Number(s): P3071
		Bill History: 01-27-10 H Set on the Tabled Calendar 01-27-10 H Removed from the table 01-27-10 H Rereferred to House Appropriations
HB 2206	DeLuca	(PN 3092) Amends Title 23 (Domestic Relations) repealing provisions relating to relatives' liability.
		Printer Number(s): P3092
		Bill History: 03-23-10 H Set on the Tabled Calendar 03-23-10 H Removed from the table 03-23-10 H Rereferred to House Appropriations
HB 2246	Tallman	(PN 3657) The Sgt. Michael C. Weingard Law amends Title 75 (Vehicles) to change the definitions of "emergency medical services personnel," "emergency services responder," and "serious bodily injury" as well as provides for the offense of aggravated assault and increased penalties if the victim is an emergency services responder. Permissible arguments as to the amount of damages are provided as well as additional penalties including license suspension and jail time. (Prior Printer Number: 3188, 3629)
		Printer Number(s): P3188 P3629 P3657 P4078
		Bill History: 07-01-10 S Reported as amended Senate Appropriations 07-03-10 S Set on the Senate Calendar 07-03-10 S Laid on the table
HB 2251	Solobay	(PN 3211) The Prescription Drug Donation Program Act provides certain definitions and provides eligibility requirements for the program. Repackaging, inspection, and dispensing of the prescription drugs are also provided for as well as the authority for the Department of Public Welfare to make regulations under the Act for the program.
		Printer Number(s): P3211
		Bill History: 02-09-10 H Filed 02-09-10 H Introduced and referred to committee on House Health and Human Services
HB 2380	Grove	(PN 3473) Amends the Social Workers, Marriage and Family Therapists and Professional Counselors Act further providing for qualifications for license by changing the base unit of certain minimum prerequisites from yearly to hourly amounts.
		Printer Number(s): P3473
		Bill History: 03-25-10 H Filed 03-29-10 H Introduced and referred to committee on House Professional Licensure
HB 2462	Shapiro	(PN 3747) The Pennsylvania Health Insurance Reform Implementation Authority Act establishes the Pennsylvania Health Insurance Reform Implementation Authority to implement the Patient Protection and Affordable Care Act. The bill provides for powers, duties and annual reporting requirements of the authority and establishes the Pennsylvania Health Insurance Reform Implementation Authority Fund.

Printer Number(s): [P3747](#)

Bill History: 06-29-10 H Reported as committed from House Insurance
06-29-10 H First consideration
06-29-10 H Rereferred to House Rules

[HB 2492](#) [Mcllvaine Smith](#)

(PN 4088) The Public Welfare Redesignation Act renames the Department of Public Welfare as the Department of Human Services and states all reference to the Department of Public Welfare shall be a reference to the Department of Human Services. An unspecified appropriation is made to the Department of Public Welfare in the 2010-2011 fiscal year for the implementation of this act. A two-year transition period is provided for the Department to effect the change. (Prior Printer Number: 3724)

Printer Number(s): [P3724](#) [P4088](#)

Bill History: 07-02-10 H Reported as amended House Health and Human Services
07-02-10 H First consideration
07-02-10 H Rereferred to House Rules

[HB 2516](#) [Bradford](#)

(PN 3748) Amends the Administrative Code further providing for domestic violence and rape victims services increasing certain fines charged to persons convicted of such crimes to \$15. Additionally, all health care practitioners and law enforcement officers are required to report incidents of domestic violence. Such incidents shall be tracked. The bill provides for definitions.

Printer Number(s): [P3748](#)

Bill History: 05-13-10 H Filed
05-19-10 H Introduced and referred to committee on House Health and Human Services
05-25-10 H Discussed in press conference

[HB 2522](#) [DeLuca](#)

(PN 3754) The Prohibition on Health Care Provider Self-referral Act prohibits health care provider self-referral and provides for penalties.

Printer Number(s): [P3754](#)

Bill History: 06-08-10 H Hearing set for 9:00 a.m., Room 205, Ryan Office Bldg., House Insurance
06-08-10 H Public hearing held in committee House Insurance
06-08-10 H Passed over in committee House Insurance

[HB 2544](#) [Sturla](#)

(PN 3823) Amends the Medical Care Availability and Reduction of Error (Mcare) Act to indefinitely extend the basic coverage to the level it was in 2005. The bill also removes several provisions of the act dealing with actuarial data and contingencies for basic insurance after 2005.

Printer Number(s): [P3823](#)

Bill History: 05-26-10 H Filed
05-27-10 H Introduced and referred to committee on House Insurance

[HR 107](#) [Hennessey](#)

(PN 740) Resolution directing the Legislative Budget and Finance Committee to study and issue a report to the General Assembly on the impact of expanding the powers and duties of the Department of Aging to include administration of certain programs currently administered by the Department of Public Welfare.

Printer Number(s): [P0740](#)

Bill History: 03-02-09 H Filed
03-03-09 H Introduced and referred to committee on House Aging and Older Adult Services
04-02-09 H Discussed in Committee, House Aging and Older Adult Services

[HR 236](#) [Bear](#)

(PN 1513) Resolution designating May 10 through 16, 2009, as "National Nursing Home Week" in Pennsylvania.

Printer Number(s): [P1513](#)

Bill History: 04-20-09 H Introduced as noncontroversial resolution
05-05-09 H Set on the House Calendar
05-05-09 H Adopted (Vote: Y:195/N: 0)

[HR 391](#)

[Cohen](#)

(PN 2351) Resolution establishing and directing a select committee to examine matters relating to the shortage of health care professionals in this Commonwealth.

Printer Number(s): [P2351](#)

Bill History: 06-30-09 H Filed
07-01-09 H Introduced and referred to committee on House Health and Human Services

[HR 732](#)

[Sturla](#)

(PN 3504) Resolution directing the Legislative Budget and Finance Committee to study and to issue a report comparing the impact and funding of health care as it is currently available in this Commonwealth and as proposed by certain pending legislation.

Printer Number(s): [P3504](#)

Bill History: 04-09-10 H Filed
04-12-10 H Introduced and referred to committee on House Health and Human Services

[HR 760](#)

[Hennessey](#)

(PN 3597) Resolution recognizing the month of May 2010 as "Older Pennsylvanians Month" in Pennsylvania.

Printer Number(s): [P3597](#)

Bill History: 04-22-10 H Introduced as noncontroversial resolution
05-03-10 H Set on the House Calendar
05-03-10 H Adopted (Vote: Y:189/N: 0)

[HR 763](#)

[Waters](#)

(PN 3600) Resolution designating the month of May 2010 as "Older Americans Month" in Pennsylvania.

Printer Number(s): [P3600](#)

Bill History: 04-22-10 H Introduced as noncontroversial resolution
04-27-10 H Set on the House Calendar
04-27-10 H Adopted (Vote: Y:194/N: 0)

[SB 8](#)

[Folmer](#)

(PN 1712) The Health Information Exchange Act provides definitions and establishes a system for the exchange of health information technology to establish eligibility for Federal funding. An RFP is provided and the requirements for fulfillment of the RFP are given in the Act.

Printer Number(s): [P1712](#)

Bill History: 03-01-10 S Filed
03-01-10 S Introduced and referred to committee on Senate Communications and Technology

[SB 32](#)

[Washington](#)

(PN 16) The Nursing Home Staffing Level Act provides for minimum staffing standards for nurse aides and licensed nursing personnel. Facilities that do not meet the standards outlined within two years shall not receive a license renewal. Facilities shall be required to post for each care unit of the facility and for each shift the current number of licensed nurses and nurse aides directly responsible for resident care and any other staff directly responsible for resident care and the current ratios of residents to staff, which show separately the number of residents to licensed nurses and the number of residents to nurse aides.

Printer Number(s): [P0016](#)

Bill History: 01-20-09 S Filed
01-20-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 41](#)

[Greenleaf](#)

(PN 26) Amends the Medical Care Availability and Reduction of Error (Mcare) Act, in

insurance, by providing that beginning in 2010, a health care provider, other than a hospital, that would otherwise be required to annually insure or self-insure its professional liability in the amount mandated by this section may elect to be insured or self-insured below the mandated amount. The bill requires that a health care provider who elects to be insured or self-insured below the mandated amount must provide annual written notice to the department, as well as to the health care provider's patients of the amount of medical professional liability coverage the health care provider maintains.

Printer Number(s): [P0026](#)

Bill History: 01-20-09 S Filed
01-20-09 S Introduced and referred to committee on Senate Banking and Insurance

[SB 42](#) [Greenleaf](#)

(PN 27) Amends the Medical Care Availability and Reduction of Error (Mcare) Act, in insurance, by stipulating that beginning in 2010, a health care provider may elect to pay the annual assessment in equal installments, not exceeding four, if the health care provider informs the primary carrier of the election to pay in installments.

Printer Number(s): [P0027](#)

Bill History: 01-20-09 S Filed
01-20-09 S Introduced and referred to committee on Senate Banking and Insurance

[SB 208](#) [Vance](#)

(PN 214) 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): [P0214](#)

Bill History: 02-19-09 S Filed
02-19-09 S Introduced and referred to committee on Senate Judiciary

[SB 255](#) [Tomlinson](#)

(PN 259) Amends the Social Workers, Marriage & Family Therapists and Professional Counselors Act further providing for unlawful practice by adding that the subsection relating to the usage of the title "social worker" would not apply to an individual employed in a long-term care facility licensed by the Department of Health who provides social work services under administrative supervision.

Printer Number(s): [P0259](#)

Bill History: 02-19-09 S Filed
02-19-09 S Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure

[SB 306](#) [Erickson](#)

(PN 305) The Health Care Practitioner Identification Badge Act provides for a uniform standard in health care settings by which patients can be apprised of the identity and licensure credentials of individuals who provide health care services to them. The bill requires each board to issue two identification badges required under this act to a practitioner upon the issuance of an original or renewed professional license, certificate or registration to a practitioner; providing exemptions. Violation of the act is grounds for disciplinary action against the health care practitioner by the practitioner's licensing board or other regulatory authority.

Printer Number(s): [P0305](#)

Bill History: 02-20-09 S Filed
02-20-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 311](#) [Browne](#)

(PN 310) 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): [P0310](#)

Bill History: 02-20-09 S Filed
02-20-09 S Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure

[SB 313](#) [Browne](#)

(PN 595) Amends the Mcare Act further providing meaningful whistleblower protection and a reporting system for medical errors which is responsive to legitimate concerns in order to enhance patient safety; requiring the Department of Health to respond to complaints within 10 business days; providing for a team that shall consider the appropriate use of patient care standards in the situation under investigation; requiring an administrative penalty of up to \$5,000 upon a health care facility for an act or omission which impairs patient safety or the quality of patient care.

Printer Number(s): [P0595](#)

Bill History: 03-05-09 S Filed
03-05-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 342](#) [Greenleaf](#)

(PN 340) 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): [P0340](#)

Bill History: 02-20-09 S Filed
02-20-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 349](#) [Greenleaf](#)

(PN 347) 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): [P0347](#)

Bill History: 02-20-09 S Filed
02-20-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 404](#) [Leach](#)

(PN 597) Amends Title 20 (Decedents, Estates & Fiduciaries) providing any adult resident who is capable and has been determined by the attending physician and consulting physician to be suffering from a terminal disease, and who has voluntarily expressed his or her wish to die, may make a written request for medication for the purpose of ending his or her life in a humane and dignified; prohibiting any person to write a request for medication solely because of age or disability; providing attending physician responsibilities; requiring consulting physician confirmation that the patient is capable, acting willingly, and has made an informed decision; requiring the patient to reiterate the oral request to his or her attending physician no less than 15 days after making the initial oral request; providing a patient may rescind his or her request at any time and in any manner without regard to his or her mental state; providing medical record documentation requirements; providing reporting requirements; providing the sale, procurement or issuance of life, health or accident insurance or an annuity policy or the rate charged for any policy shall not be

conditioned upon or affected by the making or rescinding of a request; providing health care provider participation, notification, and permissible sanctions; providing penalties and definitions.

Printer Number(s): [P0597](#)

Bill History: 03-05-09 S Filed
03-05-09 S Introduced and referred to committee on Senate Judiciary

[SB 443](#) [White, D](#)

(PN 749) The Preventable Serious Adverse Events Act establishes a system for payment or reduction in payment for preventable serious adverse events within this Commonwealth. Health care providers are prohibited from knowingly seeking payment for a preventable serious adverse event or services required to correct or treat the problem created by such an event when such an event occurred under their control. In the event of payment, a refund would be provided. The bill provides for duties of the Departments of Health and State, including investigating patient or health care payor complaints. The bill also outlines rules governing applicability, contracts and reporting, as well as Medicare payment. (Prior Printer Number: 447, 632)

Printer Number(s): [P0447](#) [P0632](#) [P0749](#)

Bill History: 03-25-09 S Third consideration
03-25-09 S Final Passage (Vote: Y: 50/N: 0)
03-26-09 H Received in the House and referred to House Insurance

[SB 464](#) [Browne](#)

(PN 1306) The Volunteer Continuing Medical Education Act provides that beginning with the licensure period commencing after the effective date of the act and following written notice by the appropriate licensure board, health care professionals shall be permitted to apply volunteer time served in a community-based health care clinic toward completion of no more than 20% of the mandatory continuing education required by the appropriate licensure board. Further provides acceptable documentation of volunteer hours shall be done in accordance with policies established by each board. (Prior Printer Number: 474, 781, 864)

Printer Number(s): [P0474](#) [P0781](#) [P0864](#) [P1306](#)

Bill History: 06-14-10 H Laid on the table
06-14-10 H Removed from the table
09-13-10 H Set on the House Calendar

[SB 473](#) [Kasunic](#)

(PN 483) 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 PA; 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): [P0483](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 474](#) [Kasunic](#)

(PN 484) 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): [P0484](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 475](#) [Kasunic](#)

(PN 485) Amends the Health Care Facilities Act by providing for quality assurance inspections. The department would annually conduct random, unannounced inspections of 25% 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): [P0485](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 476](#) [Kasunic](#)

(PN 486) 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): [P0486](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 477](#) [Kasunic](#)

(PN 487) 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): [P0487](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 509](#) [Folmer](#)

(PN 516) Amends the Medical Care Availability and Reduction of Error (Mcare) Act phasing out the Mcare Fund by using existing revenues from the cigarette tax and the CAT fund to pay down current Mcare liability and transition to the private market. It provides that after calendar year 2012 all assessments shall cease and the fund shall be funded by The Health Care Provider Rate Stabilization Fund. The money in the Health Care Provider Retention Program is transferred to the fund effective January 1, 2009. The liabilities and obligations of the Health Care Provider Retention Program are transferred to and assumed by the fund effective January 1, 2009.

Printer Number(s): [P0516](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Banking and Insurance

[SB 550](#) [Rafferty](#) (PN 558) Amends the Controlled Substance, Drug, Device and Cosmetic Act providing for administration of the act by requiring notification regarding theft or loss of controlled substances. The legislation requires that a nursing home, assisted living facility, pharmacy or hospital promptly notify local law enforcement agencies and the Office of Attorney General, Bureau of Narcotics Investigation and Drug Control in the event controlled substances are stolen or lost.

Printer Number(s): [P0558](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Judiciary

[SB 575](#) [Vance](#) (PN 604) The Long-Term Care Consumer Protection Act requires facilities to display all of the following in a public and conspicuous location where they may easily be observed and read: (1) the license permitting operation of the facility; (2) all reports of inspections issued during the preceding year; and (3) notices of any enforcement actions currently being undertaken against the facility. Facilities would also be required to maintain for each resident, where applicable, a current record of the name, address and telephone number of the resident's representative or representatives, which would be provided upon request to the applicable department.

Printer Number(s): [P0604](#)

Bill History: 03-05-09 S Filed
03-05-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 637](#) [Kasunic](#) (PN 692) The Public Employees Occupational Safety and Health Act provides for workplace health and safety standards for public employees; provides for powers and duties of the Secretary of Labor and Industry; establishes the Pennsylvania Occupational Safety and Health Review Board; provides for workplace inspections; and imposes penalties.

Printer Number(s): [P0692](#)

Bill History: 03-19-09 S Filed
03-19-09 S Introduced and referred to committee on Senate Labor and Industry

[SB 641](#) [Vance](#) (PN 696) Amends the Social Workers, Marriage and Family Therapists and Professional Counselors Act adding licensed human services professionals to its scope. The bill further provides for legislative intent, defines "licensed human services professional" and "practice of licensed human services", provides for licensure of human services professionals, increases the composition of the board to 15 members, provides for the licensing agency and its functions, for licensure qualifications and procedure, for exemptions, for reciprocity and for license reinstatement; provides for restrictions on use of title "Licensed Human Services Professional"; and further proscribes unlawful practice.

Printer Number(s): [P0696](#)

Bill History: 03-19-09 S Filed
03-19-09 S Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure

[SB 651](#) [Vance](#) (PN 1073) 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. (Prior Printer Number: 713)

Printer Number(s): [P0713](#) [P1073](#)

Bill History: 06-02-09 S First consideration
06-08-09 S Set on the Senate Calendar
06-08-09 S Rereferred to Senate Appropriations

[SB 657](#) [Logan](#)

(PN 721) The Dialysis Services Staffing Act states that an end-stage renal disease (ESRD) facility must have properly trained personnel present in an adequate number to meet the medical and non-medical needs of patients receiving dialysis. Whenever a patient is receiving dialysis, the ESRD facility must provide the following staff: (1) two licensed health care professionals, including one full-time registered nurse licensed in Pennsylvania and one health care professional experienced in rendering care for renal dialysis patient care; (2) an adequate number of personnel such that patient/staff ratio is appropriate to the level of dialysis care being given to meet the needs of the patient; and (3) a licensed physician who is onsite or on call.

Printer Number(s): [P0721](#)

Bill History: 03-20-09 S Filed
03-20-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 689](#) [Stout](#)

(PN 769) Amends the Health Care Facilities Act further providing for purposes, for definitions, for powers of the Department of Health, for administration and for licensure; providing for compliance with staffing plans and recordkeeping, for work assignment policies and for public disclosure of staffing requirements; further providing for license standards, for reliance on accrediting agencies and Federal Government, for medical assistance payments and for civil penalties; and providing for private right of action and for grants and loan programs for nurse recruitment.

Printer Number(s): [P0769](#)

Bill History: 03-27-09 S Filed
03-27-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SB 692](#) [Rafferty](#)

(PN 771) Amends the Medical Care Availability and Reduction of Error (Mcare) Act extending abatement programs and the act through 2010. The bill shall be retroactive to December 31, 2008.

Printer Number(s): [P0771](#)

Bill History: 03-27-09 S Filed
03-27-09 S Introduced and referred to committee on Senate Banking and Insurance

[SB 700](#) [Wonderling](#)

(PN 823) The Health Information Technology Act establishes the Health Information Technology Program to administer grants received under section 3014 of the American Recovery and Reinvestment Act of 2009 and from other sources to be used to provide loans to health care providers or health information technology regional extension centers to implement health information technology systems. The program shall provide loans for the following: (1)The purchase or enhancement of health information technology or telecommunications necessary to create an interoperable and integrated health information technology system; (2)The payment of costs and expenses associated with the preparation of plans, specifications, studies and surveys necessary to determine the scope and effectiveness of a health information technology system; (3)The training of physicians and personnel in the use of health information technology; (4)The improvement of security in the exchange of electronic health records; and (5)Clinical decision support systems. The amount of a loan to a health care provider or regional health information technology organization may not exceed \$1,000,000. No less than 50% of available funds shall be used for loans to health care providers in counties of the fourth, fifth, sixth, seventh or eighth class. In order to be eligible for a loan, a health care provider must provide medically necessary services to individuals regardless of the individual's

ability to pay for the services and must be a participating provider with the Department of Public Welfare of services to individuals eligible for medical assistance. The bill provides for the duties of the Department of Health, including to annually report to the chairmen of the House Health and Human Services Committee and to the chairmen of the Senate Public Health and Welfare Committee.

Printer Number(s): [P0823](#)

Bill History: 06-17-09 S First consideration
07-01-09 S Set on the Senate Calendar
07-01-09 S Rereferred to Senate Appropriations

[SB 847](#)

[Yaw](#)

(PN 992) Amends Title 42 (Judiciary) providing for permissible argument as to damages at trial by adding that in any civil action tried before a judge, jury or other tribunal, a party may make any of the following arguments during closing argument and after the judge, jury or other tribunal, has requested for the argument to be made: (1) specifically argue in lump sums or by mathematical formula the amount he deems to be an appropriate award for all past and future economic or noneconomic damages or both economic and noneconomic damages claimed to be recoverable; or (2) argue that an award of zero damages is appropriate, even if there is a finding of liability against the defendant. A party may not argue a specific sum unless the party first discloses to the court and opposing counsel that the party intends to argue the specific damages prior to the presentation of closing arguments. Arguments as to appropriate amount of economic damages may be made without notice to opposing counsel if evidence supporting economic damages has been introduced to trial.

Printer Number(s): [P0992](#)

Bill History: 05-05-09 S Filed
05-05-09 S Introduced and referred to committee on Senate Judiciary

[SB 922](#)

[Kitchen](#)

(PN 1480) Amends the Public Welfare Code further providing in general powers and duties of the Department of Public Welfare, providing for determining whether applicants are veterans by good faith effort; and, in public assistance for establishment of county boards and expenses by requiring each appointment by the governor to bear the endorsement of the senator of the district in which the nominee resides; providing for reasonable limits (changed from lifetime limit) on allowable income deductions for medical expenses when determining payment toward the cost of long-term care services; further defining "general acute care hospital"; defining "high volume Medicaid hospital"; and further providing for authorization by adding that beginning on or after July 1, 2009, and subject to advance written approval by the secretary, a municipality may impose a monetary assessment on the net operating revenues reduced by all revenues received from Medicare of each high volume Medicaid hospital located in the municipality; and further providing for administration, no hold harmless, and tax exemption. (Prior Printer Number: 1112, 1462)

Printer Number(s): [P1112](#) [P1462](#) [P1480](#)

Bill History: 10-08-09 H Over in House
10-08-09 H Rereferred to House Appropriations
07-02-10 H Amended in committee and held House Appropriations

[SB 927](#)

[Vance](#)

(PN 1117) The Department of Aging and Long-Term Living Act establishes the Department of Aging and Long-Term Living as a cabinet level State agency that combines the Department of Aging and selected functions of the Department of Public Welfare. Also provides for its powers and duties and makes related repeals.

Printer Number(s): [P1117](#)

Bill History: 06-05-09 S Filed
06-05-09 S Introduced and referred to committee on Senate Aging and Youth

[SB 1018](#)

[Erickson](#)

(PN 1288) Amends the Mcare Act extending the requirements for medical professional liability insurance through 2009, increasing the coverage requirements for 2010, 2011 and 2012, and increasing them further for 2013 onward; providing for Mcare Fund by decreasing to zero the liability limits during the same timeframes and

reducing assessments; providing for actuarial data; and making repeals.

Printer Number(s): [P1288](#)

Bill History: 07-10-09 S Filed
07-10-09 S Introduced and referred to committee on Senate Banking and Insurance

[SB 1041](#) [Stack](#)

(PN 1330) The Naturally Occurring Retirement Community Act establishes naturally occurring retirement communities and provides for powers and duties of the Department of Aging. The department shall develop criteria for the awarding of grants and shall report annually to the General Assembly.

Printer Number(s): [P1330](#)

Bill History: 07-17-09 S Filed
07-17-09 S Introduced and referred to committee on Senate Aging and Youth

[SB 1076](#) [Robbins](#)

(PN 1670) 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. (Prior Printer Number: 1388)

Printer Number(s): [P1388](#) [P1670](#)

Bill History: 03-16-10 S Set on the Senate Calendar
03-16-10 S Rereferred to Senate Appropriations
04-20-10 S Discussed in public hearing, Senate Veterans Affairs & Emergency Prepared.

[SB 1113](#) [Williams, A.](#)

(PN 1483) 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): [P1483](#)

Bill History: 10-08-09 S Filed
10-08-09 S Introduced and referred to committee on Senate Judiciary

[SB 1174](#) [Rafferty](#)

(PN 1583) 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): [P1583](#)

Bill History: 12-23-09 S Filed
12-23-09 S Introduced and referred to committee on Senate Banking and Insurance

[SB 1229](#) [Leach](#)

(PN 1685) Amends Title 20 (Decedents, Estates & 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): [P1685](#)

Bill History: 02-08-10 S Filed
02-08-10 S Introduced and referred to committee on Senate Judiciary

[SB 1280](#) [Rafferty](#)

(PN 1788) Amends the Medical Care Availability and Reduction of Error (Mcare) Act to make permanent the basic insurance coverage amounts determined in 2005 and

repealing sections dealing with unavailable capacity for basic insurance coverage. The liability limit is made permanent at \$500,000 for each incident and \$1.5 million per annual aggregate. The provision dealing with actuarial data is also repealed along with a section dealing with discounts on surcharges and assessments.

Printer Number(s): [P1788](#)

Bill History: 03-19-10 S Filed
03-19-10 S Introduced and referred to committee on Senate Banking and Insurance

[SB 1358](#) [Greenleaf](#)

(PN 1970) Amends Title 20 (Decedents, Estates, and Fiduciaries), in health care, to provide additional powers to health care agents and the place additional requirements and duties upon the durable power of attorney. The bill would also hold an agent personally liable for some gifts received due to actions of the agent. The bill further limits the ability of an agent to make gifts or change the estate plan of a principal. Requirements for authorized gifting are given and procedure for court proceedings needed regarding gifting is given. Also, the bill allows a copy of a power of attorney to have the same effect as the original. Operation of a business, and family maintenance by an agent, are detailed and certain disclosures must be made by the agent. Investigations into the financial handlings by the fiduciary due to mismanagement are also provided for.

Printer Number(s): [P1970](#)

Bill History: 05-07-10 S Filed
05-07-10 S Introduced and referred to committee on Senate Judiciary

[SR 33](#) [McIlhinney](#)

(PN 528) Resolution directing the Legislative Budget and Finance Committee to study the Pennsylvania Medicaid Estate Recovery Program to determine how much is recovered through the program and if further changes to the system are needed in order to return funding to the Commonwealth.

Printer Number(s): [P0528](#)

Bill History: 03-02-09 S Filed
03-02-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SR 158](#) [Dinniman](#)

(PN 1357) Resolution designating the week of September 13 through 19, 2009, as "Assisted Living Week" in Pennsylvania.

Printer Number(s): [P1357](#)

Bill History: 07-28-09 S Filed
07-28-09 S Introduced and adopted

[SR 213](#) [Ori](#)

(PN 1536) Resolution directing the Legislative Budget and Finance Committee to conduct a study of the feasibility and cost savings associated with transferring functions from the Department of Health to other departments or agencies as well as merging the Department of Health and the Department of Public Welfare.

Printer Number(s): [P1526](#)

Bill History: 11-25-09 S Filed
11-25-09 S Introduced and referred to committee on Senate Public Health and Welfare

[SR 222](#) [Stack](#)

(PN 1554) A Resolution designating the month of November 2009 as "Long-Term Care Awareness Month" in Pennsylvania and urging all Pennsylvanians to examine their long-term care needs.

Printer Number(s): [P1554](#)

Bill History: 12-15-09 S Filed
12-15-09 S Introduced and adopted

All

Track

Total Bills:	134	0
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