

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 155 Session of 2023

INTRODUCED BY SANCHEZ, MADDEN, GUENST, HANBIDGE, STURLA, FRANKEL, HILL-EVANS, DELLOSO, HOWARD, BURGOS, D. WILLIAMS, CERRATO, VENKAT, SCHLOSSBERG, McNEILL, MULLINS, BENHAM, T. DAVIS, WEBSTER, SOLOMON, RADER, BRENNAN, ROZZI, HARKINS, N. NELSON, SHUSTERMAN AND OTTEN, MARCH 8, 2023

REFERRED TO COMMITTEE ON HEALTH, MARCH 8, 2023

AN ACT

1 Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An
 2 act relating to health care; prescribing the powers and
 3 duties of the Department of Health; establishing and
 4 providing the powers and duties of the State Health
 5 Coordinating Council, health systems agencies and Health Care
 6 Policy Board in the Department of Health, and State Health
 7 Facility Hearing Board in the Department of Justice;
 8 providing for certification of need of health care providers
 9 and prescribing penalties," in licensing of health care
 10 facilities, further providing for consumer protections; and
 11 abrogating a regulation.

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

14 Section 1. Section 806.3(b)(7) of the act of July 19, 1979
 15 (P.L.130, No.48), known as the Health Care Facilities Act, is
 16 amended to read:

17 Section 806.3. Consumer protections.

18 * * *

19 (b) Information to be provided.--Each consumer or the
 20 consumer's legal representative or responsible family member
 21 shall receive an information packet from the home care agency or

1 home care registry prior to the commencement of services which
2 includes the following in a form that is able to be easily
3 understood and read:

4 * * *

5 (7) Documentation from the home care agency or a home
6 care registry that demonstrates personal face-to-face
7 interviews with all employees from a home care agency or
8 independent contractors referred by the home care registry
9 and documentation of at least two satisfactory reference
10 checks prior to referral to the consumer. The face-to-face
11 requirement of this paragraph may be fulfilled through the
12 use of two-way video or other remote technology.

13 * * *

14 Section 2. The provisions of 28 Pa. Code § 611.51(a)(1) are
15 abrogated to the extent of any inconsistency with this act.

16 Section 3. This act shall take effect immediately.