

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1636 Session of 2021

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

REFERRED TO COMMITTEE ON HEALTH, JUNE 15, 2021

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, providing for reports to coroners.

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

13 Section 1. The act of July 19, 1979 (P.L.130, No.48), known
14 as the Health Care Facilities Act, is amended by adding a
15 section to read:

16 Section 822. Reports to coroners.

17 (a) Reporting required.--Notwithstanding section 1218-B of
18 the act of August 9, 1955 (P.L.323, No.130), known as "The
19 County Code," a long-term care nursing facility shall report
20 each death of a patient of the long-term care nursing facility
21 which occurs in the building or on the grounds of the long-term
22 care nursing facility to the coroner of the county in which the

1 long-term care nursing facility is located regardless of the
2 presumed cause of death. The following shall apply:

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

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

9 (b) Request for information.--The coroner may request that
10 the long-term care nursing facility provide information on the
11 deceased patient, including, but not limited to, the following:

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

14 (2) All medical records of the patient.

15 (3) All incident reports involving the patient.

16 (4) Any known trauma experienced by the patient,
17 regardless of whether the trauma occurred before admittance
18 into the long-term care nursing facility.

19 (c) Investigation.--Upon receiving the information under
20 subsection (b), if the coroner believes that anything seems
21 unusual about the circumstances surrounding the death of the
22 patient, the coroner may examine the body of the patient, review
23 the medical records of the patient or conduct a full
24 investigation as provided in Article XII-B of "The County Code."
25 Additionally, the coroner may request reports filed with any
26 government agency concerning incidents or complaints involving
27 the deceased patient, including the name of any individual who
28 filed the complaint or report.

29 (d) Contact.--An assisted living facility or personal care
30 home shall collect and maintain the name and contact information

1 for each patient's next of kin, which shall be updated annually,
2 and shall make that information available upon request of the
3 coroner.

4 (e) Procedures.--A long-term care nursing facility may
5 develop procedures for the reporting of deaths which are not
6 inconsistent with this section.

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