

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 779 Session of 2021

INTRODUCED BY BIZZARRO, GALLOWAY, RYAN, McNEILL, FREEMAN,
SCHLOSSBERG AND CIRESI, MARCH 4, 2021

REFERRED TO COMMITTEE ON HEALTH, MARCH 4, 2021

AN ACT

1 Amending the act of March 20, 2002 (P.L.154, No.13), entitled
2 "An act reforming the law on medical professional liability;
3 providing for patient safety and reporting; establishing the
4 Patient Safety Authority and the Patient Safety Trust Fund;
5 abrogating regulations; providing for medical professional
6 liability informed consent, damages, expert qualifications,
7 limitations of actions and medical records; establishing the
8 Interbranch Commission on Venue; providing for medical
9 professional liability insurance; establishing the Medical
10 Care Availability and Reduction of Error Fund; providing for
11 medical professional liability claims; establishing the Joint
12 Underwriting Association; regulating medical professional
13 liability insurance; providing for medical licensure
14 regulation; providing for administration; imposing penalties;
15 and making repeals," in medical professional liability,
16 providing for reporting by certain licensees.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The act of March 20, 2002 (P.L.154, No.13), known
20 as the Medical Care Availability and Reduction of Error (Mcare)
21 Act, is amended by adding a section to read:

22 Section 517. Reports.

23 (a) Required reports.--A personal care home or an assisted
24 living residences licensed by the Department of Human Services
25 under the act of June 13, 1967 (P.L.31, No.21), known as the

1 Human Services Code, shall report to the department and the
2 department shall post on the department's publicly accessible
3 Internet website the following information:

4 (1) Findings of negligence in any civil actions that
5 involved the care of patients or residents.

6 (2) Citations for any violation of State law or local
7 code.

8 (3) If the facility is part of a business entity that
9 has facilities located outside of this Commonwealth, it shall
10 report all out-of-State violations of Federal law or
11 regulation as well as any state law or regulation in a state
12 where the business entity does business.

13 (4) All information concerning an officer, employee or
14 agent that involves arrest or prosecution for any of the
15 following:

16 (i) An offense under 18 Pa.C.S. Ch. 25 (relating to
17 criminal homicide).

18 (ii) An offense under 18 Pa.C.S. § 2702 (relating to
19 aggravated assault).

20 (iii) An offense under 18 Pa.C.S. Ch. 31 (relating
21 to sexual offenses).

22 (iv) A violation of the act of April 14, 1972
23 (P.L.233, No.64), known as The Controlled Substance,
24 Drug, Device and Cosmetic Act.

25 (b) Definitions.--As used in this section, the following
26 words and phrases shall have the meanings given to them in this
27 subsection unless the context clearly indicates otherwise:

28 "Facility." A personal care home or an assisted living
29 residence licensed by the Department of Human Services under the
30 act of June 13, 1967 (P.L.31, No.21), known as the Human

1 Services Code.

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