

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1611 Session of  
2021

---

INTRODUCED BY DAY, BOBACK, CIRESI, HELM, LEWIS DELROSSO AND  
RADER, JUNE 11, 2021

---

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
JUNE 11, 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 nursing care hours during disaster  
11 emergency.

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

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

17 Section 822. Nursing care hours during disaster emergency.

18 Notwithstanding any other provision of law to the contrary,  
19 during a declaration by the Governor of disaster emergency under  
20 35 Pa.C.S. § 7301(c) (relating to general authority of  
21 Governor), the total number of hours of general nursing care  
22 provided in each 24-hour period at a health care facility shall,

1 when totaled for the entire health care facility, be a minimum  
2 of two and seven tenths hours of direct resident care for each  
3 resident. If a health care facility cannot meet the requirements  
4 of this section:

5 (1) The health care facility shall report its inability  
6 to meet the requirements to the department.

7 (2) The Governor shall deploy the Pennsylvania National  
8 Guard to aid the health care facility, implement infectious  
9 disease protocols and educate and train staff on appropriate  
10 protocols.

11 Section 2. This act shall take effect immediately.