

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2574 Session of
2020

INTRODUCED BY ZIMMERMAN, HILL-EVANS, MILLARD, NEILSON, GLEIM,
BENNINGHOFF, RADER, GILLEN AND COOK, JUNE 8, 2020

REFERRED TO COMMITTEE ON HEALTH, JUNE 8, 2020

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 duties of long-term care nursing
11 facilities and personal care homes during public health
12 emergency.

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

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

18 Section 822. Duties of long-term care nursing facilities and
19 personal care homes during public health emergency.

20 (a) Quarantine.--

21 (1) During a public health emergency declared as a
22 result of a communicable disease, a long-term care nursing
23 facility or personal care home shall quarantine the employees

1 and residents of the long-term care nursing facility or
2 personal care home who have been exposed to the communicable
3 disease.

4 (2) The long-term care nursing facility or personal care
5 home shall quarantine the employees and residents of the
6 long-term care nursing facility or personal care home under
7 paragraph (1) at no cost to the employees and residents.

8 (b) Monitor.--During a public health emergency declared as a
9 result of a communicable disease, a long-term care nursing
10 facility or personal care home shall monitor the employees and
11 residents of the long-term care nursing facility or personal
12 care home for the duration of the known incubation period of the
13 communicable disease.

14 (c) Duties of department.--During a public health emergency
15 declared as a result of a communicable disease, the department
16 shall have the following duties:

17 (1) Conduct a review of a health care facility that has
18 an increased rate of infection of the communicable disease
19 from the community.

20 (2) Implement guidelines to protect the employees and
21 residents of a health care facility specified under paragraph
22 (1) to prevent an increase in community spread of the
23 communicable disease.

24 (d) Employment services.--An employee subject to quarantine
25 under subsection (a) may continue to provide employment services
26 for the long-term care nursing facility or personal care home if
27 the employee has no symptoms of the communicable disease. A
28 long-term care nursing facility or personal care home may not
29 require an employee subject to quarantine under subsection (a)
30 to provide employment services for the long-term care nursing

1 facility or personal care home as a condition of receiving food,
2 water, shelter or other necessities of living.

3 (e) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection:

6 "Communicable disease." As defined in section 2(c) of the
7 act of April 23, 1956 (1955 P.L.1510, No.500), known as the
8 Disease Prevention and Control Law of 1955.

9 "Personal care home." As defined in section 1001 of the act
10 of June 13, 1967 (P.L.31, No.21), known as the Human Services
11 Code.

12 "Public health emergency." A declaration by the Governor of
13 disaster emergency under 35 Pa.C.S. § 7301(c) (relating to
14 general authority of Governor).

15 Section 2. This act shall take effect immediately.