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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 721 Session of  
2021

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INTRODUCED BY D. MILLER, HILL-EVANS, MADDEN, McNEILL, SANCHEZ,  
NEILSON, GALLOWAY, DELLOSO, WARREN, HOHENSTEIN, THOMAS,  
CIRESI, O'MARA AND DEASY, MARCH 17, 2021

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REFERRED TO COMMITTEE ON HEALTH, MARCH 17, 2021

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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 general provisions, repeals  
10 and effective date, providing for acute care mental health  
11 bed registry and referrals.

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 901.1. Acute care mental health bed registry and  
18 referrals.

19 (a) The department shall develop and administer an Internet  
20 web-based acute care mental health bed registry to facilitate  
21 the temporary hospitalization and treatment of individuals who  
22 meet the criteria for inpatient examination and treatment under

1 Article II or III of the act of July 9, 1976 (P.L.817, No.143),  
2 known as the "Mental Health Procedures Act."

3 (b) The department shall make the bed registry accessible to  
4 health care professionals and their designees who are treating  
5 patients in need of mental health inpatient examination and  
6 treatment and to participating facilities.

7 (c) The department shall design the bed registry to collect,  
8 aggregate and display the information under subsection (d).

9 (d) The bed registry shall include all of the following  
10 information:

11 (1) General descriptive information for each  
12 participating facility, including contact information and the  
13 type of treatment and services available at each  
14 participating facility.

15 (2) Information on the number of acute care mental  
16 health beds available at each participating facility, which  
17 information shall be updated every eight hours.

18 (3) For each available acute care mental health bed at a  
19 participating facility, the type of patient that may be  
20 admitted.

21 (4) The level of security provided at each participating  
22 facility.

23 (5) Any other information that may assist a health care  
24 professional in identifying an appropriate acute care mental  
25 health bed for an individual in need of inpatient examination  
26 and treatment.

27 (e) The department shall design the bed registry to allow  
28 health care professionals and their designees to search the bed  
29 registry for an appropriate acute care mental health bed for an  
30 individual in need of inpatient examination or treatment.

1 (f) To be eligible to access the bed registry, a facility  
2 must:

3 (1) submit information specified under subsection (d) to  
4 the department for inclusion in the bed registry; and

5 (2) permit the facility's contact information to be  
6 monitored and accessed at any time in accordance with the  
7 department's regulations promulgated under subsection (h).

8 (g) The department may contract with a third party to  
9 develop and administer the bed registry.

10 (h) The department shall make information regarding the bed  
11 registry accessible to the public but with a limited view for  
12 the purpose of protecting confidential personal or medical  
13 information. The information regarding the bed registry that is  
14 available on a publicly accessible Internet website shall  
15 include:

16 (1) Descriptive information relating to the location and  
17 contact information for each participating facility.

18 (2) The number of available beds and types of services  
19 available at each participating facility.

20 (3) The number of individuals on a waiting list to  
21 receive services.

22 (4) The estimated days until the next bed is available.

23 (5) The time and date that the bed registry was last  
24 updated.

25 (i) The department shall promulgate regulations necessary to  
26 implement this section.

27 (j) As used in this section, the following words and phrases  
28 shall have the meanings given to them in this subsection unless  
29 the context clearly indicates otherwise:

30 "Acute care mental health bed." A bed located at a mental

1 health facility that provides acute care mental health services.

2 "Bed registry." The acute care mental health bed registry  
3 established under this section.

4 "Facility." A mental health facility.

5 "Health care professional." An individual licensed as a  
6 physician, osteopath, physician assistant or certified  
7 registered nurse practitioner.

8 "Mental health facility." A distinct part of a general  
9 hospital licensed by the department under this act or a facility  
10 that exclusively cares for the mentally ill and is licensed by  
11 the Department of Human Services under the "Mental Health  
12 Procedures Act" or Article X of the act of June 13, 1967  
13 (P.L.31, No.21), known as the "Human Services Code," that  
14 provides inpatient mental health examination and treatment. The  
15 term does not include the emergency department of a general  
16 hospital.

17 "Participating facility." A facility that satisfies the  
18 conditions under subsection (f).

19 Section 2. Within 10 days of the development of the bed  
20 registry under section 901.1 of the act, the department shall  
21 provide notice of the development of the bed registry to the  
22 Legislative Reference Bureau, which shall publish notice in the  
23 Pennsylvania Bulletin.

24 Section 3. This act shall take effect as follows:

25 (1) The following shall take effect immediately:

26 (i) This section.

27 (ii) The addition of section 901.1(h) of the act.

28 (2) The remainder of this act shall take effect 60 days  
29 after the date of the publication of the notice under section  
30 2 of this act.