

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 178 Session of 2023

INTRODUCED BY BARTOLOTTA, STEFANO, COSTA, ROBINSON, SCHWANK, FLYNN, COMITTA, HAYWOOD, COLLETT, TARTAGLIONE AND BREWSTER, JANUARY 19, 2023

REFERRED TO HEALTH AND HUMAN SERVICES, JANUARY 19, 2023

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 a voluntary  
 20 Internet web-based acute care mental health bed registry to  
 21 facilitate the temporary hospitalization and treatment of  
 22 individuals who meet the criteria for inpatient examination and

1 treatment under Article II or III of the act of July 9, 1976  
2 (P.L.817, No.143), known as the "Mental Health Procedures Act."  
3 The department shall encourage facilities to voluntarily submit  
4 the information specified in subsection (c). The department  
5 shall make the registry accessible to health care professionals  
6 and their designees who are treating patients in need of mental  
7 health inpatient examination and treatment and to participating  
8 facilities.

9 (b) The department shall design the registry to collect,  
10 aggregate and display the information under subsection (c).

11 (c) The registry shall include all of the following  
12 information:

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

17 (2) Information on the number of acute care mental  
18 health beds available at each participating facility. The  
19 information shall be updated every eight hours.

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

23 (4) The level of security provided at each participating  
24 facility.

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

29 (d) The department shall design the registry to allow  
30 health care professionals and their designees to search the

1 registry for an appropriate acute care mental health bed for an  
2 individual in need of inpatient examination or treatment.

3 (e) In order to be eligible to access the registry, a  
4 facility must:

5 (1) submit information specified under subsection (c) to  
6 the department for inclusion in the registry; and

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

10 (f) The department may contract with a third party to  
11 develop and administer the registry.

12 (g) The department shall transmit notice of the date when  
13 the department completed the development of the registry to the  
14 Legislative Reference Bureau for publication in the Pennsylvania  
15 Bulletin.

16 (h) The department shall promulgate regulations necessary to  
17 implement this section.

18 (i) As used in this section, the following words and phrases  
19 shall have the meanings given to them in this subsection:

20 "Acute care mental health bed." A bed located at a mental  
21 health facility that provides acute care mental health services.

22 "Facility." A mental health facility.

23 "Health care professional." An individual licensed as a  
24 physician, osteopath, physician assistant or certified  
25 registered nurse practitioner.

26 "Mental health facility." A distinct part or unit of a  
27 general hospital licensed by the department under this act or a  
28 facility that exclusively cares for the mentally ill and is  
29 licensed by the Department of Human Services under the "Mental  
30 Health Procedures Act" and Article X of the act of June 13, 1967

1 (P.L.31, No.21), known as the "Human Services Code," that  
2 provides inpatient mental health examination and treatment. The  
3 term shall not include the emergency department of a general  
4 hospital.

5 "Participating facility." A facility that satisfies the  
6 conditions under subsection (e).

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