

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 814 Session of 2023

INTRODUCED BY D. MILLER, KAZEEM, GIRAL, MADDEN, SCHLOSSBERG, KINSEY, CIRESI, GALLOWAY, RABB, SANCHEZ, D. WILLIAMS, VENKAT, FIEDLER, HOHENSTEIN, HILL-EVANS, FLEMING, NEILSON, DEASY, OTTEN, BRENNAN AND O'MARA, APRIL 3, 2023

REFERRED TO COMMITTEE ON HEALTH, APRIL 3, 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 an Internet
 20 web-based acute care mental health bed registry to facilitate
 21 the temporary hospitalization and treatment of individuals who

1 meet the criteria for inpatient examination and treatment under
2 Article II or III of the act of July 9, 1976 (P.L.817, No.143),
3 known as the "Mental Health Procedures Act."

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

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

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

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

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

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

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

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

28 (e) The department shall design the bed registry to allow
29 health care professionals and their designees to search the bed
30 registry for an appropriate acute care mental health bed for an

1 individual in need of inpatient examination or treatment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 "Facility." A mental health facility.

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

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

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

20 Section 2. Within 10 days of the development of the bed
21 registry under section 901.1 of the act, the Department of
22 Health shall provide notice of the development of the bed
23 registry to the Legislative Reference Bureau, which shall
24 publish the notice in the next available issue of the
25 Pennsylvania Bulletin.

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

27 (1) The following shall take effect immediately:

28 (i) The addition of section 901.1(h) of the act.

29 (ii) This section.

30 (2) The remainder of this act shall take effect 60 days

1 after the date of the publication of the notice under section
2 2 of this act.