
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1117 Session of
2024

INTRODUCED BY J. WARD, LAUGHLIN AND BAKER, APRIL 2, 2024

REFERRED TO HEALTH AND HUMAN SERVICES, APRIL 2, 2024

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 temporary health care services
10 agencies, further providing for definitions, for registration
11 generally and for conditions of registration.

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

14 Section 1. The definitions of "health care facility" and
15 "temporary health care services agency" in section 801-B of the
16 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
17 Facilities Act, added November 3, 2022 (P.L.1938, No.128), are
18 amended to read:

19 Section 801-B. Definitions.

20 The following words and phrases when used in this chapter
21 shall have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 * * *

1 "Health care facility." [Any of the following:

2 (1) A long-term care nursing facility as defined in
3 section 802.1.

4 (2) A personal care home or an assisted living
5 residence, licensed by the Department of Human Services under
6 the act of June 13, 1967 (P.L.31, No.21), known as the Human
7 Services Code.] As defined in section 103.

8 * * *

9 "Temporary health care services agency." As follows:

10 (1) A person engaged for hire in the business of
11 providing or procuring temporary employment in health care
12 facilities for health care personnel[.], including an entity
13 that utilizes applications or other technology-based
14 solutions to provide or procure temporary employment of
15 health care personnel in health care facilities.

16 (2) The term does not include an individual who only
17 engages on the individual's own to provide services on a
18 temporary basis to health care facilities or a home health
19 care agency licensed under 28 Pa. Code Ch. 601 (relating to
20 home health care agencies).

21 Section 2. Section 802-B(b)(1) of the act, added November 3,
22 2022 (P.L.1938, No.128), is amended to read:

23 Section 802-B. Registration generally.

24 * * *

25 (b) Forms.--The department shall establish forms and
26 procedures for processing each application under subsection (a).
27 The following apply:

28 (1) The application shall include at least the
29 following:

30 (i) The names and addresses of each person having an

1 ownership interest in the temporary health care services
2 agency.

3 (ii) If the owner is a corporation, copies of the
4 articles of incorporation or articles of association and
5 current bylaws, together with the names and addresses of
6 officers and directors.

7 [(iii) Any other relevant information that the
8 department determines necessary to properly evaluate the
9 application.]

10 (iii) Proof of insurance coverage for workers'
11 compensation for all health care personnel provided or
12 procured by the temporary health care services agency.

13 (iv) Proof of a dishonesty bond for each employee in
14 the amount of \$10,000.

15 (v) Proof of medical malpractice insurance of not
16 less than \$500,000.

17 (vi) Any other relevant information that the
18 department determines necessary to properly evaluate the
19 application.

20 * * *

21 Section 3. Section 803-B(a) of the act is amended by adding
22 a paragraph to read:

23 Section 803-B. Conditions of registration.

24 (a) Requirements generally.--A temporary health care
25 services agency:

26 * * *

27 (10) Shall only utilize employees of the temporary
28 health care services agency when placing health care
29 personnel in health care facilities. The temporary health
30 care services agency shall be responsible for providing all

1 employee benefits to its health care personnel.

2 * * *

3 Section 4. This act shall take effect in 60 days.