

REORGANIZATION PLAN NO. 3 OF 1975

Section 1. The functions, powers and duties of the Secretary and of the Department of Public Welfare with regard to supervision, approval and licensing of skilled nursing homes, intermediate care nursing homes; and personal care homes, homes for the aged and infirm, and convalescent homes, but only insofar as the homes provide nursing care; and the administrators thereof, as set forth in Articles II, IV, IX and X, act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code," are hereby transferred to the Department of Health.

Section 2. The functions, powers and duties of the Department of Public Welfare as set forth in Articles II, IV, IX and X, act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code," with regard to the Social Security Act, insofar as it applies to skilled nursing homes' and intermediate care nursing homes' provider agreement certification and issuance, except those powers necessary for the Department of Public Welfare to retain its status as the Single State Agency in compliance with the Social Security Act, are hereby transferred to the Department of Health.

Section 3. The functions, powers and duties of the Department of Public Welfare with regard to civil rights and human relations compliance in skilled nursing homes, intermediate care nursing homes; and personal care homes, homes for the aged and infirm, and convalescent homes, but only insofar as the homes provide nursing care, as set forth under Title VI of the Social Security Act, and Article IX, act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code," are hereby transferred to the Department of Health.

Section 4. The functions, powers and duties of the Department of Public Welfare with regard to the approval and issuance of certificates of authority to nonsectarian hospitals or nonsectarian charitable or eleemosynary skilled nursing facilities, intermediate care facilities; and personal care homes, homes for the aged and infirm, and convalescent homes, but only insofar as the homes provide nursing care, as set forth in Chapter 61 of Title 67, of the Pennsylvania Consolidated Statutes (relating to nonprofit charitable institutions), are hereby transferred to the Department of Health.

Section 5. The functions, powers and duties of the Secretary of Public Welfare as relates to the State Board of Examiners of Nursing Home Administrators as set forth in section 470, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," are hereby transferred to the Secretary of Health.

Section 6. There are hereby transferred to the Department of Health to be used, employed, and expended in connection with the functions, powers and duties transferred by sections 1 through 5 of this Reorganization Plan, contract obligations, if any, records, files, space, property, supplies, personnel and equipment now being used or held in connection with such functions, powers and duties, and the unexpended

balances of appropriations, allocations and other funds available or to be made available for use in connection with such functions, powers and duties.

Section 7. Articles II, IV, IX and X, act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code"; section 470, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929"; Chapter 61 of Title 67, of the Pennsylvania Consolidated Statutes (relating to nonprofit charitable institutions); Article XXIII, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," are hereby suspended insofar as they conflict with this Reorganization Plan.

Section 8. This Reorganization Plan shall take effect on September 1, 1975.

(Reorganization Plan No. 3 of 1975, transmitted to the General Assembly on June 23, 1975, became effective pursuant to law as a result of the failure of the General Assembly to either approve or disapprove the plan in the manner provided by law, the period for legislative action having expired July 24, 1975.)