

or both, for the purpose of training and increasing the available supply of trained personnel for use in any program or activity undertaken pursuant to the act of March nineteen, one thousand nine hundred fifty-one (Pamphlet Laws 28), known as the "State Council of Civil Defense Act of 1951," as amended. The Superintendent of Public Instruction shall direct a course of study to be prepared to assist school districts in complying with the provisions of this section.

APPROVED—The 12th day day of April, A. D. 1956.

GEORGE M. LEADER

No. 479

AN ACT

Amending the act of June twelve, one thousand nine hundred thirty-one (Pamphlet Laws 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," extending the act to private convalescent homes conducted for profit; requiring licensing under the act for treatment, care or nursing by reason of pregnancy; changing license fees; requiring certain records to be kept by hospitals; regulating the refusal to grant, refuse or renew licenses; and changing penalties.

Department
of Welfare.

Title, act of June
12, 1931, P. L.
510, amended.

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

Section 1. The title of the act of June twelve, one thousand nine hundred thirty-one (Pamphlet Laws 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," is amended to read:

AN ACT

Title.

Providing for the licensure and regulation of certain private nursing homes, *private convalescent homes* and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties.

Section 1, act of
June 12, 1931,
P. L. 510,
amended June
13, 1941, P. L.
129, further
amended.

Section 2. Section one of the act, amended June thirteen, one thousand nine hundred forty-one (Pamphlet Laws 129), is amended to read:

Nonprofit private
hospitals and
nursing homes
excluded from
licensing require-
ments and regula-
tions of said
act.

Section 1. Be it enacted, &c., That after the effective date of this act, it shall be unlawful for any person, copartnership, association, or corporation to operate for profit, within this Commonwealth, a private nursing home, *private convalescent home* or private hospital, for persons requiring care, treatment, or nursing by reason

of sickness, injury, infirmity, *pregnancy*, or other disability, without a license as hereinafter required, but this act shall not be construed to apply to any State or State-aided institution or any institution licensed by the Department of Welfare under other statutes.

Section 3. Section two of the act amended June thirteen, one thousand nine hundred forty-one (Pamphlet Laws 129), is amended to read:

Section 2. Every person, copartnership, association, or corporation, desiring to operate for profit, such a private nursing home, *private convalescent home* or private hospital, shall file an application for a license with the Department of Welfare. The application shall be on a form prescribed, prepared, and furnished by the Department of Welfare, and, together with such other information as the department shall require, shall state:

(a) The name and address of the applicant and the person to be in charge of said home or hospital. If the applicant is a copartnership, association, or corporation, the application shall state the names and addresses of all the partners and officers, as the case may be;

(b) The location of the private nursing home, [or] *private convalescent home* or *private* hospital and, if the applicant is a corporation, association, or partnership, the state of incorporation or organization;

(c) The facilities of the private nursing home, [or] *private convalescent home* or *private* hospital for the care, treatment, or nursing of patients or inmates, including sanitary and fire protection facilities.

Section 4. Section four of the act, amended May twenty-six, one thousand nine hundred thirty-three (Pamphlet Laws 1075), is amended to read:

Section 4. The Department of Welfare shall, when satisfied that the applicant or applicants for such license are proper and responsible persons, that the place sought to be used as a private nursing home, [or] *private convalescent home* or *private* hospital is a suitable place for such purpose and is properly equipped therefor, and when all the requirements of this act and the rules and regulations of the department have been complied with, issue a license to the applicant upon the payment of a license fee [of fifteen dollars (\$15.00) which] *as follows: hospitals, one hundred dollars (\$100); nursing homes and convalescent homes under thirty beds, fifteen dollars (\$15); thirty beds to and including forty-nine beds, twenty-five dollars (\$25); fifty beds to and including ninety-nine beds, fifty dollars (\$50); one hundred beds and over, seventy-five dollars (\$75). The*

Section 2, act of June 12, 1931, P. L. 510, amended June 13, 1941, P. L. 129, further amended.

Application for license.

Form.

Contents.

Section 4, act of June 12, 1931, P. L. 510, amended May 26, 1933, P. L. 1075, further amended.

Issuance of license.

License fees and disposition thereof.

fee shall be paid into the State Treasury through the Department of Revenue.

All licenses issued by the department under this act shall expire one year next following the day on which issued, shall be on a form prescribed by the department, shall not be transferable, shall be issued only for the premises named in the application, shall *at all times* be posted in a conspicuous place on the applicant's premises, and may be renewed, from year to year, upon application, investigation, *qualification*, and payment of license fee as in the procurement of an original license.

Section 5, act of June 12, 1931, P. L. 510, amended.

Rules and regulations.

Section 5. Section five of the act is amended to read:

Section 5. The Department of Welfare may, with the approval of the State Welfare Commission, make and enforce [reasonable] rules and regulations for the issuance and renewal of such licenses, for the proper maintenance, operation, and conduct of such private nursing homes, *private convalescent homes* or private hospitals, and for the visitation, examination, and inspection of all such homes or hospitals. The [Department of Welfare or its] duly authorized [representative] *representatives of the Department of Welfare* shall have free and full access to the grounds, premises and buildings, and to the records of any home or hospital licensed under this act, and full opportunity to interrogate or interview any [patient or inmate] *patients* thereof [; and all].

Investigations.

Duties of persons in charge.

All persons connected with any such home or hospital as officers or charged with the management thereof [are hereby directed to] *must* give to the [Department of Welfare, or its] duly authorized representatives *of the Department of Welfare* such means, facilities, and opportunity for such visitation, examination, and interrogation as is hereby provided and required or as the department, by its [duly ordained] rules or regulations may require.

Section 5.1, act of June 12, 1931, P. L. 510, added January 14, 1952. P. L. 1935, amended.

Person refused license by department not to be connected with such institutions.

Section 6. Section 5.1 of the act, added January fourteen, one thousand nine hundred fifty-two (Pamphlet Laws 1935), is amended to read:

Section 5.1. No person who, because of inability to satisfy the character requirements deemed necessary by the department, has been refused a license shall thereafter be in any way connected with any private nursing home, *private convalescent home* or any private hospital licensed pursuant to the provisions of this act.

Section 7. The act is amended by adding, after section 5.1, a new section to read:

Section 5.2. Every licensee of a hospital with a maternity department shall keep a record, in a form prescribed by the Department of Welfare, of the name and address of every patient received, of the date of admission, of the date of birth, and name of every infant born therein, of the date of discharge of every patient, and the names and addresses of the person or persons, if other than the parent or parents, of any infant to whose care said infant was discharged.

Section 8. Section six of the act, amended January fourteen, one thousand nine hundred fifty-two (Pamphlet Laws 1935) is amended to read:

Section 6. Whenever the Department of Welfare shall, upon inspection, investigation, or sworn complaint, learn of any violation of rules or regulations adopted by the department, or any failure to establish, provide, or maintain standards and facilities required by the department, it shall give written notice thereof to the offending licensee. The department [may revoke the license of said licensee, if such violations do not cease or such standards and facilities are not established or brought in conformity with those prescribed by the department, two months after such written notice.] *shall refuse to grant, refuse to renew or revoke a license of any applicant or licensee, whether originally granted under this act or any other act of Assembly, for the following reasons:*

- (1) *Violation of, or noncompliance with, the provisions of this act or the rules and regulations pursuant thereto;*
- (2) *The practice of any fraud or deceit in obtaining or attempting to obtain a license;*
- (3) *Gross incompetency, negligence or misconduct in the carrying on of the business;*
- (4) *Loaning, borrowing or using a license of another or knowingly aiding or abetting in any way the granting of improper licenses;*
- (5) *The use of misleading advertising;*
- (6) *Soliciting patronage other than by legitimate advertising.*

Section 9. Section seven of the act, amended June thirteen, one thousand nine hundred forty-one (Pamphlet Laws 129), is amended to read:

Section 7. Any person, or any or all officers or partners of any partnership, association, or corporation, maintaining or operating, for profit, within this Commonwealth, a private nursing home *private convalescent*

Act of June 12, 1931, P. L. 510, amended by adding a new section 5.2.

Contents of records required to be kept by maternity hospitals.

Section 6, act of June 12, 1931, P. L. 510, amended January 14, 1952, P. L. 1935, further amended.

Violations of rules or regulations, etc.

Department may revoke or not renew license for certain reasons.

Section 7, act of June 12, 1931, P. L. 510, amended June 13, 1941, P. L. 129, further amended.

Maintaining or operating home or hospital without a license.

Conviction
in summary
proceeding.
Penalty.

home or private hospital without a license required by this act, shall, [be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00), or to undergo imprisonment not exceeding one year, or both] upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300) and costs of prosecution, and, in default of the payment thereof, to undergo imprisonment for not less than ten days nor more than thirty days. Each day of maintaining or operating a private nursing home, private convalescent home or private hospital without a license required by this act shall constitute a separate offense.

Repealer.

Section 10. The act of May six, one thousand nine hundred twenty-nine (Pamphlet Laws 1561), entitled "An act regulating certain maternity hospitals in cities of the third class, boroughs, towns and townships; providing for the licensing and supervision thereof by the Department of Welfare of this Commonwealth; fixing penalties; and placing the burden of proof as to certain facts on the persons prosecuted," and its amendments, are repealed.

Act effective
immediately.

Section 11. This act shall take effect immediately.

APPROVED—The 12th day of April, A. D. 1956.

GEORGE M. LEADER

No. 480

AN ACT

Amending the act of June twenty-seven, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain contributors to change from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class, and defining the benefits to be obtained thereby.

State employes'
retirement
system.

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