

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2003 Session of 2014

INTRODUCED BY BAKER, KOTIK, D. COSTA, MILLARD, K. BOYLE, MCGEEHAN, MAJOR, W. KELLER, WATSON, B. BOYLE, COHEN, KINSEY, KRIEGER, READSHAW, MURT, R. MILLER, GINGRICH, BRIGGS, DeLUCA, O'BRIEN, EVERETT, TOOHIL, HENNESSEY, WATERS, SWANGER, PICKETT, SCHLOSSBERG, PEIFER, QUINN, CLYMER AND FABRIZIO, JANUARY 30, 2014

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 10, 2014

AN ACT

1 Providing for hepatitis C testing and treatment and for duties
2 of the Department of Health.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Hepatitis C
7 Screening Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Department." The Department of Health of the Commonwealth.

13 "Health care facility." As defined in section 802.1 of the
14 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
15 Facilities Act.

1 "Health care practitioner." As defined in section 103 of the
2 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
3 Facilities Act.

4 "Health care provider." As defined in section 103 of the act
5 of July 19, 1979 (P.L.130, No.48), known as the Health Care
6 Facilities Act.

7 "Hepatitis C diagnostic test." Any laboratory test or tests
8 that detect the presence of hepatitis C virus in the blood and
9 provide confirmation of whether an individual has a hepatitis C
10 virus infection.

11 "Hepatitis C screening test." Any laboratory screening test
12 or tests that detect the presence of hepatitis C virus
13 antibodies in the blood.

14 "Hospital." As defined in section 802.1 of the act of July
15 19, 1979 (P.L.130, No.48), known as the Health Care Facilities
16 Act.

17 "Physician." As defined in section 2 of the act of December
18 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of
19 1985.

20 "Primary care." Health care that emphasizes a patient's
21 general health needs and utilizes collaboration with other
22 health care professionals and consultation or referral as
23 appropriate to meet the needs identified.

24 Section 3. Hepatitis C screening.

25 (a) Requirement.--Each individual born between the years of
26 1945 and 1965 who receives health services as an inpatient in a
27 hospital or who receives primary care services in an outpatient
28 department of a hospital, health care facility or physician's
29 office shall be offered a hepatitis C screening test or
30 hepatitis C diagnostic test unless the health care practitioner

1 providing the services reasonably believes at least one of the
2 following:

3 (1) The individual is being treated for a life-
4 threatening emergency.

5 (2) The individual has previously been offered or has
6 been the subject of a hepatitis C screening test, except that
7 a test shall be offered if otherwise indicated.

8 (3) The individual lacks capacity to consent to a
9 hepatitis C screening test.

10 (b) Follow-up health care.--If an individual accepts the
11 offer of a hepatitis C screening test and the screening test is
12 reactive, the health care provider shall either offer the
13 individual follow-up health care or refer the individual to a
14 health care provider who can provide follow-up health care. The
15 follow-up health care shall include a hepatitis C diagnostic
16 test.

17 ~~Section 4. Reporting.~~

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18 ~~(a) Department. On or before January 1, 2016, the~~
19 ~~department shall evaluate and report on the impact of this act~~
20 ~~with respect to:~~

21 ~~(1) The number of persons who are screened for hepatitis~~
22 ~~C.~~

23 ~~(2) The number of persons who have accessed care~~
24 ~~following a positive test for hepatitis C.~~

25 ~~(b) Submission. The report shall be submitted to the~~
26 ~~Governor and to the chairman and minority chairman of the Public~~
27 ~~Health and Welfare Committee of the Senate and the chairman and~~
28 ~~minority chairman of the Health Committee of the House of~~
29 ~~Representatives.~~

30 Section 5 4. Licensed practitioners.

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1 This act shall not affect the scope of practice of any health
2 care practitioner or diminish any authority or legal or
3 professional obligation of any health care practitioner to offer
4 a hepatitis C screening test or hepatitis C diagnostic test or
5 to provide services or care for the subject of a hepatitis C
6 screening test or hepatitis C diagnostic test.

7 Section ~~6~~ 5. Duties of department. <--

8 The offering of hepatitis C screening testing under this act
9 shall be culturally and linguistically appropriate in accordance
10 with regulations promulgated by the department.

11 Section ~~7~~ 6. Effective date. <--

12 This act shall take effect in 60 days.