



Senate Public Health and Welfare Committee

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Summary SB 1156 PN 1629

This legislation amends Title 23 (Child Protective Services Law) to close a loophole where certain health care personnel and clergy were not required to obtain background check certifications before having direct contact with children.

A definition of "health care personnel" is added and includes:

- Health care providers
- Employees of health care facilities
- Emergency medical services vehicle operators
- Emergency medical services providers and
- Ambulance attendants

In addition, the bill extends the time period that valid general protective services reports may be kept from five years after the closure of services by the county agency to 10 years or until the subject child reaches the age of 23, whichever is sooner. At this point, the report shall be expunged from the statewide database as soon as possible but no later than 120 days after the expiration of the 10 year period or after the child turns 23.

Certifications are required every 60 months for the newly impacted health care personnel and clergy. If these individuals have a current certification, they shall be required to obtain new certifications within 60 months of the date of the oldest certification or if older than 60 months, by December 31, 2016. Anyone not currently certified, shall comply with the certification requirements by December 31, 2016.

Background:

Previously background checks were only required if the health care personnel or clergy were employed in a child-care setting, responsible for a child's welfare or had direct contact with children through a program, activity, or service. Most clergy were captured in this requirement but

not doctors or health care providers. This bill will require the background checks if the health care personnel or clergy member is responsible for the child's welfare or has direct contact with the child.

Effective Date: This act shall take effect immediately.