
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 478 Session of
2017

INTRODUCED BY PICKETT, BAKER, CALTAGIRONE, D. COSTA, MILLARD,
MILNE AND WATSON, FEBRUARY 14, 2017

REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 14, 2017

AN ACT

1 Providing for outpatient psychiatric oversight.

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

4 Section 1. Short title.

5 This act shall be known and may be cited as the Outpatient
6 Psychiatric Oversight Act.

7 Section 2. Definitions.

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

11 "Advanced practice professional." A registered, licensed or
12 certified health care practitioner who has gained additional
13 specialized knowledge, skills and experience through a program
14 of study in that specialty.

15 "Department." The Department of Human Services of the
16 Commonwealth.

17 "Full-time equivalent." Thirty-seven and one-half hours per

1 week.

2 "Outpatient psychiatric clinic." A nonresidential treatment
3 setting in which psychiatric, psychological, social, educational
4 and other related services are provided under medical
5 supervision. It is designed for the evaluation and treatment of
6 individuals of any age with mental illness or emotional
7 distress. Outpatient services are provided on a planned and
8 regularly scheduled basis.

9 "Psychiatrist." A physician who has completed at least three
10 years of a residency in psychiatry and is licensed to practice
11 psychiatry in this Commonwealth.

12 "Telepsychiatry." The practice of medicine in the specialty
13 field of psychiatry using electronic communications, information
14 technology or other means between a provider in one location and
15 a patient in another location, with or without an intervening
16 health care provider. The term does not include any of the
17 following:

- 18 (1) An audio-only, telephone conversation.
- 19 (2) An e-mail or instant messaging conversation.
- 20 (3) A facsimile transmission.

21 Section 3. Requirements.

22 The following shall apply:

- 23 (1) Except as provided for in paragraph (2), an
24 outpatient psychiatric clinic is required to have a
25 psychiatrist on site for two hours of psychiatric time per
26 week for each full-time equivalent treatment staff member
27 employed by the outpatient psychiatric clinic. Telepsychiatry
28 provided by a psychiatrist that is not on site with
29 prescriptive authority in this Commonwealth may be utilized
30 with a service description approved by the department but

1 shall not be included in the required psychiatric time
2 required under this paragraph.

3 (2) Fifty percent of the required on-site psychiatric
4 time under paragraph (1) may be provided by other advanced
5 practice professionals specializing in behavioral health with
6 prescriptive authority in this Commonwealth.

7 Section 4. Regulations.

8 The department shall promulgate regulations as necessary to
9 carry out the provisions of this act.

10 Section 5. Effective date.

11 This act shall take effect in 60 days.