
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 59 Session of
2015

INTRODUCED BY BAKER, COHEN, FREEMAN, BOYLE, BROWNLEE, WHEATLEY,
CAUSER, BARRAR, O'BRIEN, SCHLOSSBERG, D. COSTA, MILLARD,
V. BROWN, WATSON, DeLUCA, MURT, GINGRICH, PICKETT AND MAJOR,
JANUARY 21, 2015

REFERRED TO COMMITTEE ON HEALTH, JANUARY 21, 2015

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.

16 "Health care practitioner." As defined in section 103 of the
17 act of July 19, 1979 (P.L.130, No.48), known as the Health Care

1 Facilities Act.

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

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

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

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

15 "Physician." As defined in section 2 of the act of December
16 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of
17 1985.

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

22 Section 3. Hepatitis C screening.

23 (a) Requirement.--Each individual born between the years of
24 1945 and 1965 who receives health services as an inpatient in a
25 hospital or who receives primary care services in an outpatient
26 department of a hospital, health care facility or physician's
27 office shall be offered a hepatitis C screening test or
28 hepatitis C diagnostic test unless the health care practitioner
29 providing the services reasonably believes at least one of the
30 following:

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

3 (2) The individual has previously been offered or has
4 been the subject of a hepatitis C screening test.

5 (3) The individual lacks capacity to consent to a
6 hepatitis C screening test.

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

14 Section 4. Licensed practitioners.

15 This act shall not affect the scope of practice of any health
16 care practitioner or diminish any authority or legal or
17 professional obligation of any health care practitioner to offer
18 a hepatitis C screening test or hepatitis C diagnostic test or
19 to provide services or care for the subject of a hepatitis C
20 screening test or hepatitis C diagnostic test.

21 Section 5. Duties of department.

22 The offering of hepatitis C screening tests under this act
23 shall be culturally and linguistically appropriate in accordance
24 with regulations promulgated by the department.

25 Section 6. Effective date.

26 This act shall take effect in 60 days.