

*secretary shall hear the merits of the case and make his determination upon all of the relevant evidence introduced at the hearing for this purpose. A forfeiture of bail in a summary proceeding in which the arrest was made by someone other than a member of the State police shall not be considered a conviction. If the operator's privileges of such person have been suspended in the other state, then such suspension shall be for the same period of time as that provided in the suspension by the other state, and no part of the suspension ordered by the secretary shall be served after the expiration of the suspension imposed by the other state.*

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APPROVED—The 30th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 195

AN ACT

Amending the act of July 5, 1947 (P. L. 1335), entitled "An act to provide for an inventory of existing hospitals; for a survey of the need for additional hospital facilities; and for the development and administration of a hospital construction program, which will in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and \*appropriating money; establishing methods of administration and control; providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements; and placing additional duties upon the Department of Welfare," providing for the modernization of hospitals.

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

Section 1. The title, section 3 and section 7, act of July 5, 1947 (P. L. 1335), known as the "Pennsylvania Hospital Survey and Construction Act," are amended to read:

AN ACT

New title.

To provide for an inventory of existing hospitals; for a survey of the need for additional hospital facilities; and for the development and administration of a hospital construction *or modernization* program, which will in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and appropriating money; establishing methods of administration and control; providing for compliance

\* "appropriation" in original.

Pennsylvania Hospital Survey and Construction Act.

Title, sections 3 and 7, act of July 5, 1947, P. L. 1335, amended.

with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements; and placing additional duties upon the Department of Welfare.

Section 3. Administration Division of Hospital Survey and Construction.—There is hereby established in the Department of Welfare a Division of Hospital Survey and Construction which shall be administered by a full-time salaried director under the supervision and direction of the Secretary. The Department of Welfare, through such division, shall constitute the sole agency of the State for the purpose of,—

(a) Making an inventory of existing hospitals, surveying the need for construction *or modernization* of hospitals, and developing a program of hospital construction *or modernization* as provided in Article II of this act, and

(b) Developing and administering a State plan for the construction *or modernization* of public and other nonprofit hospitals as provided in Article III of this act.

Section 7. Survey and Planning Activities.—The Secretary is authorized and directed to make an inventory of existing hospitals, including public, nonprofit and proprietary hospitals; to survey the need for construction *or modernization* of hospitals, and on the basis of such inventory and survey, to develop a program for the construction *or modernization* of such public and other nonprofit hospitals as will, in conjunction with existing facilities, afford the necessary physical facilities for furnishing adequate hospital, clinic and similar services to all the people of the State.

Section 2. Sections 8 and 10 of the act, amended April 7, 1955 (P. L. 28), are amended to read:

Sections 8 and 10 of act, amended April 7, 1955, P. L. 28, further amended.

Section 8. Construction *or Modernization* Program.—The construction *or modernization* program shall provide, in accordance with regulations prescribed under the Federal Acts, for adequate hospital facilities for the people residing in this State, and, insofar as possible, shall provide for their distribution throughout the State in such manner as to make all types of hospital service reasonably accessible to all persons in the State.

Section 10. State Plan.—The Secretary shall prepare and submit to the Surgeon General, a State plan which shall include the hospital construction *or modernization* program developed under Article II of this act, and which shall provide for the establishment, administration and operation of hospital construction *or modern-*

*ization* activities, in accordance with the requirements of the Federal Acts and regulations thereunder. The Secretary shall, prior to the submission of such plan to the Surgeon General, give adequate publicity to a general description of all the provisions proposed to be included therein and hold a public hearing, at which all persons or organizations, with a legitimate interest in such plan, may be given an opportunity to express their views. After approval of the plan by the Surgeon General, the Secretary shall make the plan, or a copy thereof, available, upon request, to all interested persons or organizations. The Secretary shall, from time to time, review the hospital construction or *modernization* program and submit to the Surgeon General any modifications thereof, which he may find necessary, and may submit to the Surgeon General such modifications of the State plan not inconsistent with the requirements of the Federal Acts, as he may deem advisable.

Section 11 of  
act, amended.

Section 3. Section 11 of the act is amended to read:

Section 11. Minimum Standards for Hospital Maintenance and Operation.—The Secretary shall, by regulation, prescribe minimum standards for the maintenance and operation of hospitals which receive Federal aid for construction or *modernization* under the State plan. In order to further the accomplishments of the purposes of this law, and for the promotion of safe and adequate treatment of individuals in hospitals, in the interest of public health, safety and welfare, including minimum standards for general, plant and physical requirements, sanitation, inspection, and facilities for the study, diagnosis and treatment of patients, the keeping of proper medical records, administrative procedure, nursing service, medical staff and minimum requirements for maternity hospitals.

Section 12 of  
act, amended  
April 7, 1955,  
P. L. 28, further  
amended.

Section 4. Section 12 of the act, amended April 7, 1955 (P. L. 28), is amended to read:

Section 12. Priority of Projects.—The State plan shall set forth the relative need for the several projects included in the construction or *modernization* program, determined in accordance with regulations prescribed pursuant to the Federal Acts, and provide for the construction, or *modernization* insofar as financial resources available therefor and for maintenance and operations make possible, in the order of such relative need.

Section 13 of  
act, amended  
May 17, 1957,  
P. L. 163, fur-  
ther amended.

Section 5. Section 13 of the act, amended May 17, 1957 (P. L. 163), is amended to read:

Section 13. Construction or *Modernization*; Projects; Applications.—Applications for hospital construc-

tion or *modernization* projects for which Federal funds are requested, shall be submitted to the Secretary and may be submitted by the State, or any political subdivision thereof, or by any public or nonprofit agency, authorized to construct and operate a hospital: Provided, however, That no such applications for hospital construction or *modernization* projects to be owned or operated by the State shall be submitted by the State unless all funds required for such construction or *modernization*, other than Federal funds, shall first have been made available by appropriation for that expressed purpose, or by allocation by the General State Authority pursuant to an act authorizing such allocation for that expressed purpose. Each application for a construction or *modernization* project shall conform to Federal and State requirements.

Section 6. Sections 14, 15 and 16 of the act are amended to read:

Sections 14, 15  
and 16 of act,  
amended.

Section 14. Consideration and Forwarding of Application.—The Secretary shall afford to every applicant for a construction or *modernization* project, an opportunity for a fair hearing. If the Secretary, after affording reasonable opportunity for development and presentation of applications in the order of relative need, finds that a project application complies with the requirements of section thirteen of this act, and is otherwise in conformity with the State plan, he shall approve such application and shall recommend and forward it to Surgeon General.

Section 15. Inspection of Projects.—From time to time the Secretary shall inspect each construction or *modernization* project, approved by the Surgeon General, and if the inspection so warrants the Secretary shall certify to the Surgeon General that work has been performed upon the project, or purchases have been made in accordance with the approved plans and specifications, and that payment of an installment of Federal funds is due to the applicant.

Section 16. Hospital Construction or *Modernization* Fund.—The Secretary is hereby authorized to receive Federal funds in behalf of and transmit them to such applicants. There is hereby established, separate and apart from all public moneys and funds of this State, a Hospital Construction or *Modernization* Fund. Money received from the Federal Government for a construction or *modernization* project, approved by the Surgeon General, shall be deposited to the credit of this fund, and shall be used solely for payments due applicants for work performed or purchases made in carrying out ap-

proved projects. Warrants for all payments from the Hospital Construction or *Modernization* Fund shall bear the signature of the Secretary, or his duly authorized agent for such purpose.

**Effective date and application.**

Section 7. This act shall take effect immediately, but it shall not be operative until Federal funds become available for the modernization of existing hospitals.

APPROVED—The 30th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 196

AN ACT

Relating to the common grounds and seminary tract in the City of Allegheny, now the City of Pittsburgh; releasing from dedication as a public park a portion of certain described property heretofore perpetually leased by the City of Allegheny and the City of Pittsburgh; and repealing insofar as inconsistent the act of March 26, 1867 (P. L. 551), entitled "An act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny, into public parks," and the supplement thereto enacted on March 31, 1870.

**Real property.**

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

**Certain land released from dedication as a public park in 22nd ward, Pittsburgh.**

Section 1. There is hereby released from dedication as a public park all portions of the following described property in the Twenty-Second Ward of the City of Pittsburgh in Allegheny County, which may heretofore have been dedicated for such purpose:

**Survey.**

All that certain tract of land located in the Twenty-Second Ward of the City of Pittsburgh, Allegheny County, Pennsylvania, which is bounded and described according to a survey prepared by Benjamin H. Aires, Registered Engineer, dated April 4, 1963, and bearing No. 30235 as follows, to wit:

**Description.**

Beginning at the intersection of the northerly line of Martindale Street, 60 feet wide, and the westerly line of Merchant Street, as now located; thence along said westerly line of Merchant Street North 16 degrees West, a distance of 134.49 feet, to the westerly right of way line of Pittsburgh, Ft. Wayne and Chicago Railroad; thence northwestwardly along said right of way line by the arc of a circle curving to the right, having a radius of 507.865 feet of an arc distance of 114.42 feet, to the southeasterly corner of property, now or formerly of Atlas Equipment Company; thence along said property of Atlas Equipment Company North 65 degrees 19 min-