

No. 1998-115

AN ACT

HB 2268

Providing for screening of patients for symptoms of domestic violence; establishing the Domestic Violence Health Care Response Program in the Department of Public Welfare; and providing for domestic violence medical advocacy projects to assist in implementation of domestic violence policies, procedures, health care worker training and hospital, health center and clinic response to domestic violence victims.

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

Section 1. Short title.

This act shall be known and may be cited as the Domestic Violence Health Care Response Act.

Section 2. Definitions.

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

“Department.” The Department of Public Welfare of the Commonwealth.

“Domestic violence program.” A nonprofit organization or program having a primary purpose of providing services to domestic violence victims, including, but not limited to, crisis hotline, safe homes or shelter, community education, counseling, victim advocacy, systems intervention and information, transportation, information and referral and victim assistance.

“Health center.” A for-profit or nonprofit health center providing clinically related health services.

“Health clinic.” A for-profit or nonprofit clinic providing health services.

“Hospital.” A for-profit or nonprofit basic, general or comprehensive hospital providing clinically related health services.

“Medical advocacy.” The provision of education and training for the purpose of universal screening in order to identify victims of domestic violence who are seeking medical treatment for related or unrelated reasons.

“Universal screening.” The process of asking patients seeking medical treatment at a hospital, health center or clinic during the course of medical examinations or treatment about the possibility of domestic violence within their relationships, regardless of whether they are suspected to be victims of domestic violence.

Section 3. Domestic Violence Health Care Response Program.

(a) Establishment of program.—There is established within the Department of Public Welfare the Domestic Violence Health Care Response Program.

(b) Purpose of programs.—The purpose of the program shall be to support the development of domestic violence medical advocacy projects in this Commonwealth which would assist in the implementation of domestic violence policies and procedures as well as provide training for health care workers to improve hospital, health center and clinic response to domestic violence victims seeking medical treatment.

(c) Medical advocacy project sites.—The department shall select medical advocacy project sites with representation from urban, rural and suburban areas. To ensure the effectiveness of the program, the project sites shall not be publicized.

(d) Annual report.—Utilizing information provided under subsection (e)(5), the department shall compile an annual report to be submitted to the chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives providing oversight of the Department of Public Welfare.

(e) Program elements.—Each domestic violence medical advocacy project shall:

(1) Demonstrate active collaboration between a local community-based domestic violence program and the hospital, health center or clinic participating in the project.

(2) Develop and implement uniform multidisciplinary domestic violence policies and procedures which incorporate the roles and responsibilities of all staff who provide services or interact with victims of domestic violence, including the identification of victims of domestic violence through universal screening.

(3) Develop and implement a multidisciplinary, comprehensive and ongoing domestic violence education and training program for hospital, health center or clinic personnel adapted to the particular hospital's, health center's or clinic's demographics, policies, staffing patterns and resources. The training program shall include, but is not limited to, identifying characteristics of domestic violence, screening patients for domestic violence, appropriately documenting in the medical record and offering referral services, including domestic violence resources available in the community.

(4) Provide available educational materials to inform victims of domestic violence about the services and assistance available through the domestic violence program.

(5) Develop formal project assessment procedures, including, but not limited to, coordinating and collecting data for the evaluation of the projects and their effectiveness in reducing the incidence of domestic violence and overall health care costs, including emergency room costs.

Section 4. Effective date.

This act shall take effect July 1, 1999, or immediately, whichever is later.

APPROVED—The 3rd day of December, A.D. 1998.

THOMAS J. RIDGE