

Division of Acute and Ambulatory Care
Licensed Facilities
Notification Guidance

Section 808(a)(1)-(4) of the Health Care Facilities Act, 35 P.S. § 448.808(a)(1)-(4), authorizes the Department of Health (Department) to issue a license to a health care provider when the Department is satisfied:

- (1) that the health care provider is a responsible person;
- (2) that the place to be used as a health care facility is adequately constructed, equipped, maintained and operated to safely and efficiently render the services offered;
- (3) that the health care facility provides safe and efficient services which are adequate for the care, treatment and comfort of the patients or residents of such facility;
- (4) that there is substantial compliance with the rules and regulations adopted by the department pursuant to this act.

In addition, the Department's regulations at 28 Pa. Code Chapter 51 require facilities to notify the Department in writing when specified events occur. A health care facility may send a letter by regular mail or by email to meet the notification requirements. If the letter is sent via e-mail, a hard copy via regular mail is not required. The letter should be addressed to the Division Chief with a "cc" to your assigned Health Facility Quality Examiner (HFQE). The letter can be emailed to RA-DAAC@pa.gov or via mail to:

Garrison E. Gladfelter Jr.
Chief, Division of Acute and Ambulatory Care
Pennsylvania Department of Health
Bureau of Facility Licensure and Certification
Room 532 Health & Welfare Building
625 Forster Street
Harrisburg, PA 17120-0701

A. 30-day notifications prior to event

The following events require a minimum 30-day notification to the Department prior to the event taking place:

1. Any transfer involving 5% or more of the stock or equity of the health care facility. (51.4(a)).
2. Any change in ownership or a change in the form of ownership or name of the facility. A change in ownership means any transfer of the controlling interest in a health care facility. (51.4(b)).

3. A preoccupancy survey prior to the anticipated occupancy of the facility or an addition or remodeled part of the facility. (51.5(b)).

B. 30-day notification after event

1. Within 30 days after any change of management of a health care facility. A change in management occurs when the person responsible for the day to day operation of the health care facility changes. (51.4(c)).

C. 60-day notifications

The following events require a minimum 60-day notification to the Department prior to the event taking place:

1. Commencing to provide a health care service which has not been previously provided at that facility.
 - a. This notification requires the reporting of new or updated equipment that is acquired relating to a new or existing service. It also requires the reporting of any change to or relocation of existing equipment which results in the need for: 1) extensive training of staff to minimize any risks to the health and safety of patients, OR 2) does not constitute an extension of the current service but is essentially a new service. (51.3(a)).
2. Providing services in new beds the facility intends to add to its approved complement of beds. (51.3(b)).
3. Ceasing to provide an existing health care service or reducing a health care facility's licensed bed complement. (51.3(c)).
4. Submitting architectural plans and blueprints of any proposed new construction, alteration or renovation to or within the facility, including new, replacement, or relocating equipment that is part of the construction, alteration or renovation to the facility that affects health and safety of patients. (51.3(d)).

The Department will review a written notification submitted under this section and contact the facility if an occupancy survey is required.

Any person that has questions or concerns may contact Garrison E. Gladfelter, Jr., Chief, Division of Acute and Ambulatory Care, at (717) 783-8980 or ggladfelte@pa.gov.

For complete details, you may access the Chapter 51 regulations at: http://www.health.pa.gov/migration/Documents/028_0051.pdf