

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 shall send notifications by email to the attention of the Division Chief with a “cc” to your assigned Health Care Surveyor (HCS). The emailed shall be sent to The Division of Acute and Ambulatory Care (DAAC) resource RA-DAAC@pa.gov.

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)). This includes the addition of new services and equipment. *(When hospitals are using the Attestation process for new/replaced equipment and/or new services there is no occupancy request.)*

Note: Changes in ownership and transfer of stock may not finalize until the facility receives approval from the Department.

The Healthcare Facilities Act
Section 809 Term and content of license.

- (a) Contents- All licenses issued by the department under this chapter shall:
(3) not be transferable except upon prior written approval of the department.

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)). *(Important to remember to send a new password agreement)*

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)).

In order to expedite our response and to streamline the process, we ask that you use the following subject lines for all emails going to RA-DAAC@pa.gov as applicable:

Question – Response Priority (High, Medium, Low)

Password Agreement Update

Notification – General

Notification – New Service – (Service Name)

Notification – New Equipment – (Equipment Name)

Notification – Cessation of Service – (Service Name and End Date)

Notification – Management Change – (Type)

Notification – Closure of Outpatient Location – (Location Name and/or Address)

Notification – Closure of Facility – (Facility Name)

Notification – CHOW – (Facility Name)

Notification – New Facility Application – (Facility Proposed Name)

Attestation – New Service – (Service Name)

Attestation – New Equipment – (Equipment Name)

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

Any questions or concerns please contact Garrison E. Gladfelter, Jr., Chief, ggladfelte@pa.gov or Bridget Hinkle, Assistant Director, brhinkle@pa.gov.