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Regulation Governing Requirements for Admission to the
Philadelphia General Hospital

The "Regulation Governing Requirements for Admission to the
Philadelphia General Hospital" has been on file in the Depart-
ment of Records since June 28, 1954.

This Regulation was advertised in the local newspapers on
June 29, 1954.

No inquiries were received as a result of this advertising, and
the Regulation having been on file in excess of the thirty-day
period, it is now in force.

Marshall L. Shepard.

cc: Norman R. Ingraham, M.D.
Acting Health Commissioner
Department of Public Health
Room 502 City Hall Annex

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original. approved by Dept of Law

REGULATION OF THE DEPARTMENT OF PUBLIC HEALTH GOVERNING REQUIREMENTS
FOR ADMISSION TO THE PHILADELPHIA GENERAL HOSPITAL

SECTION I. Admission Requirements to be Interpreted in the Light
of the Purposes of the Philadelphia General Hospital

The admission requirements hereinafter set forth shall be interpreted to obtain maximum effectiveness in accomplishing the purpose for which the Philadelphia General Hospital is operated. These admission requirements shall be applied without any distinction based on race, color, religion or national origin. The City of Philadelphia operates the Philadelphia General Hospital for the following purposes:

- A. To provide hospital care for its sick.
- B. To provide emergency hospital care for all persons who require such care.
- C. To protect the health of the people of the City of Philadelphia by providing for isolation and hospital care of persons afflicted with contagious disease.
- D. To provide hospital care for City employees when the necessity for hospitalization is causally related to their City employment.
- E. To provide for the training of those who would serve the sick and injured.
- F. To provide for the advancement of knowledge of the cause and cure of disease.
- G. To participate in the prevention of disease and in the education of the public in matters pertaining to health and disease.

SECTION II. Requirements for Admission

Subject to the overall determination made by the Department of Public Health from time to time of the capacity of City hospitals and the types of persons and the proportions of each to be received therein, the following general requirements shall determine the eligibility of an individual for admission to the Hospital:

A. Need for Hospital Care

Need for hospital care shall be established. The determination of such need shall be made by the Executive Director or his designee on the basis of a medical examination of the

applicant. Hospital care may continue so long as the need thereof exists and facilities continue to be available. The Executive Director shall make his determination with due regard to all pertinent circumstances, including the extent to which facilities are required for other persons eligible for hospitalization at the Philadelphia General Hospital.

B. Settlement in Philadelphia

The settlement of the individual shall be the City of Philadelphia. An individual shall be deemed to be settled in Philadelphia if he or she would be considered settled in Philadelphia under the provisions of Section 501 of the Act of June 24, 1937, P.L. 2017, Art. V, as amended, 62 P.S. 2331, as set forth in the appendix hereto. The requirements of settlement as set forth above may be waived by the Executive Director on the basis of evidence presented and determined by the Executive Director to be satisfactory that the individual actually resides in the City of Philadelphia and intends to continue to do so indefinitely.

C. Inability to Obtain Hospital Care Elsewhere

Inability of the individual to obtain requisite hospital care elsewhere shall be established. The determination of such inability shall be made by the Executive Director or his designee on the basis of inability to pay, peculiarity of medical need of the individual, or any other reason.

The Executive Director, with approval of the Board of Trustees of the Philadelphia General Hospital, shall establish from time to time criteria for determining inability to obtain hospital care elsewhere. The decision of the Executive Director based upon these criteria shall be final.

SECTION III. Exceptions to Requirements for Admission

A. Exceptions to Requirements of Establishing Settlement or Inability to Obtain Hospital Care Elsewhere

The requirements that an individual establish inability to obtain hospital care elsewhere and settlement may be waived in the following circumstances or for the following categories of persons:

1. Emergency Need for Hospital Care

Any person needing hospital care in an emergency, as defined below, shall be eligible for admission to the Philadelphia General Hospital. For the purposes of this regulation, an emergency shall exist when, in the opinion of the Executive Director or his designee, the individual's life would be endangered or his health impaired if required to obtain hospital care elsewhere. Such care shall continue until transfer to other facilities is feasible.

2. Communicable Disease Isolation and Quarantine

Any person suffering from or exposed to any communicable disease shall be eligible for admission to the Philadelphia General Hospital when, in the opinion of the Commissioner of Health or his designee, isolation or quarantine and hospital care are required to protect the health of the people of the City of Philadelphia.

3. Hospital Trainees, City Employees, Graduate Interns, Graduate Residents and Graduate Nurses

The following additional types of persons shall be eligible for admission to the Philadelphia General Hospital:

- a. Student nurses, practical nurse trainees, dietetic interns, student x-ray and laboratory technicians, medical interns, resident physicians and their wives and dependent children, and such other trainees as may be determined from time to time by the Board of Trustees.
- b. Physicians who have completed their internships or residencies in the Hospital, and nurses who have graduated from the Philadelphia General Hospital School of Nursing.
- c. Employees of the City of Philadelphia who require hospital care for treatment of compensable injuries or disease. A compensable injury or disease shall for the purposes of this Regulation have the same meaning as provided under the Pennsylvania Workmen's Compensation Act and the Pennsylvania Occupational Disease Act, both as amended.

- d. Graduate nurses who are employed by the Hospital in their professional capacity.

B. Exceptions to Requirement of Establishing Inability to Obtain Hospital Care Elsewhere

The requirement that an individual establish inability to obtain hospital care elsewhere shall be waived in the following circumstances or for the following persons:

1. A Mental Illness

Any person with a mental illness who might because of this mental illness endanger either the community or himself or herself if allowed freedom may be admitted to the extent permitted by law.

2. Tuberculosis or Any Other Disease

Persons suffering from tuberculosis or from any other disease specified by the Department of Public Health shall be eligible for admission to the Philadelphia General Hospital.

3. Availability of Facilities

If hospital facilities allocated to care for a particular medical need exceed those required for the care of persons who have established an inability to obtain requisite hospital care elsewhere, and the excess facilities may reasonably be expected to remain available during the period of hospital care of an individual having such medical need but unable to establish inability to obtain hospital care elsewhere, such individual may be admitted at the discretion of the Executive Director.

SECTION IV. This regulation is not intended to control the charges made by the Philadelphia General Hospital for hospital care or the collection of such charges.

SECTION V. Eligibility for admission of persons under special circumstances and of persons not specifically covered by this regulation shall be determined by the Executive Director; provided that the Executive Director shall notify the Department of Public Health concerning his determination. Such determination shall continue in force until the Department of Public Health shall adopt an applicable regulation.

Approved, June 11, 1954

Helen S. Chait Deput. Cit. Solicitor

APPENDIX

Act of June 24, 1937, P.L. 2017, Article V, §501 as amended, 62 P.S. §2331.

SETTLEMENT

- (a) A legitimate person is first settled in the institution district of birth, unless the father shall then have a known settlement elsewhere, in which case the first settlement of such person is in the institution district where the father was then settled.
- (b) An illegitimate person is first settled in the institution district of birth, unless the mother shall then have a known settlement elsewhere, in which case the first settlement of such person is in the institution district where the mother was then settled.
- (c) The settlement of a person in an institution district continues until a new one is acquired in this Commonwealth or elsewhere. A settlement is lost only by acquiring a new one, except that a person who has settlement in this Commonwealth, and who is residing in another state, shall be deemed to have lost settlement in this Commonwealth if a person from such other state, in like circumstances, could have acquired settlement in this Commonwealth by residence in this Commonwealth, as hereinafter provided; and except that a person having settlement in this Commonwealth, who has been absent therefrom and who has been residing in another state, shall be deemed to have lost settlement in this Commonwealth if a resident of such other state, who is residing in this Commonwealth, would lose settlement in such other state as a result of absence therefrom for a period of equal duration or for a period of lesser duration.
- (d) Except as hereinafter otherwise provided, every adult and every emancipated minor, whether married or single, legitimate or illegitimate, may acquire a new settlement in any institution district of this Commonwealth or in the Commonwealth by coming bona fide to establish a permanent abode therein and continuing to reside therein for one whole year, if such person or minor is of sufficient mental ability to make a bargain, and is not or does not become a public charge during said year.
- (e) The settlement of a married woman during coverture follows that of her husband and continues after his death in the institution district or place where he was last settled, but she may thereafter acquire a new settlement for herself. If the husband has no known settlement, then she is settled, whether he be living or dead, in the district or place where she was last settled. The settlement of a woman after divorce absolute or from bed and board, or desertion by the husband, or withdrawal by the wife from cohabitation with the husband on account of his cruelty, inebriety or lack of support, continues in the district or place where the husband was last settled, but she may acquire a new settlement for herself.

(f) A minor, whether legitimate or illegitimate, cannot be emancipated before age sixteen, and becomes emancipated absolutely at age twenty-one, if then of sufficient mental ability to make a bargain. After age sixteen and before age twenty-one, a minor of sufficient mental ability to make a bargain may become emancipated by his own acts or the acts of the parent, stepfather or stepmother having had the custody. When a person is emancipated, he or she is capable of establishing a new settlement.

(g) A minor, whether legitimate or illegitimate, who is so mentally deficient as to be unable to make a bargain cannot be emancipated after age sixteen, and such a person does not become emancipated at age twenty-one and so long thereafter, as said mental condition continues. The settlement of such a person shall at all times during mental disability be ascertained as provided in clauses (h) and (1) of this section for the settlement of minors not emancipated.

(h) Before emancipation, the settlement of a legitimate minor is and remains that of the father, unless--

(1) The father is dead and the mother acquires a new settlement, in which case it follows that of the mother; or

(2) The father deserts his family, in which case it follows that of the mother; or

(3) The mother withdraws from cohabitation with the husband on account of his cruelty, inebriety or lack of support, in which case it follows that of the parent having the custody; or

(4) The parents are divorced, either absolutely or from bed and board, in which case it follows that of the parent having the exclusive custody, but where custody is divided between the parents the settlement remains that of the father; or

(5) Both parents are dead and the minor is in the custody of a stepfather or stepmother, in which case it follows that of the stepfather or stepmother having the custody.

(1) Before emancipation, the settlement of an illegitimate minor at all times follows that of the mother, and in case of her death before emancipation of such minor, continues in the institution district or place in which she was last settled, until such person establishes a new settlement after emancipation.

(j) If a person has no known settlement in this Commonwealth and cannot for any reason whatever be removed into the state or country where settled, he shall have a quasi-settlement in the institution district where he or she becomes a public charge...