

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1316 Session of
1997

INTRODUCED BY STURLA, TRUE, STABACK, MELIO, COY, BELARDI, CARN,
WALKO, MUNDY, WASHINGTON, ROONEY, VAN HORNE, ITKIN,
YOUNGBLOOD, STEELMAN, JOSEPHS, CLYMER, EACHUS, SCRIMENTI,
MIHALICH, SURRA AND RAMOS, APRIL 15, 1997

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 15, 1997

AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,
2 as amended, "An act establishing the Pennsylvania Advisory
3 Council on Drug and Alcohol Abuse; imposing duties on the
4 Department of Health to develop and coordinate the
5 implementation of a comprehensive health, education and
6 rehabilitation program for the prevention and treatment of
7 drug and alcohol abuse and drug and alcohol dependence;
8 providing for emergency medical treatment; providing for
9 treatment and rehabilitation alternatives to the criminal
10 process for drug and alcohol dependence; and making repeals,"
11 providing for a juvenile inmate substance abuse program.

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

14 Section 1. The act of April 14, 1972 (P.L.221, No.63), known
15 as the Pennsylvania Drug and Alcohol Abuse Control Act, is
16 amended by adding a section to read:

17 Section 9.1. Pilot Program.--(a) The Office of Drug and
18 Alcohol Programs within the Department of Health, working in
19 cooperation with the Department of Public Welfare is hereby
20 authorized to establish a pilot substance abuse and chemical
21 dependency assessment program for the purpose of assessing and

1 treating substance-abusing and chemically dependent juvenile
2 inmates who are incarcerated in State facilities. The program
3 shall be contracted with a private drug and alcohol treatment
4 provider. The Department of Health and the Department of Public
5 Welfare shall select a pilot juvenile facility or facilities to
6 implement the program and shall collaborate with the courts,
7 other criminal justice agencies and drug and alcohol treatment
8 programs to develop written guidelines and procedures governing
9 the selection of the juvenile facility or facilities, operation
10 of the pilot program, eligibility of treatment programs to
11 provide this service and eligibility of inmates for the
12 assessment and treatment program. The pilot program established
13 under this section shall not replace any other existing
14 therapeutic community drug and alcohol program in any State
15 juvenile facility.

16 (b) Assessments of drug and alcohol abuse and dependency
17 shall be performed by drug and alcohol counselors who have been
18 certified by the Pennsylvania Chemical Abuse Certification Board
19 or who hold a reciprocity-level certification by the
20 International Certification Reciprocity Consortium.

21 (c) If the assessment determines that the incarcerated
22 juvenile is in need of alcohol or other drug treatment, the
23 juvenile shall be referred to the treatment program provided
24 within the juvenile facility.

25 (d) The alcohol and drug treatment program or programs
26 within the juvenile institution shall be established and
27 administered in a separate area of the prison by private alcohol
28 and drug treatment programs licensed by the Office of Drug and
29 Alcohol Programs. In addition to licensure, drug and alcohol
30 treatment programs eligible to apply to provide this service

1 must have at least five years' experience in treating chemically
2 dependent individuals involved with the criminal justice system,
3 five years' experience running a therapeutic community and be
4 able to provide a long-term residential therapeutic community
5 within the juvenile facility. In addition, as part of the
6 application process, the treatment program must demonstrate the
7 ability to provide post-prison aftercare and continuing care
8 treatment facilities.

9 (e) The substance abuse and chemical dependency assessments
10 under this section shall incorporate methods for detection and
11 determination of chronic drug and alcohol addiction and shall
12 include, but not be limited to, drug and alcohol counseling and
13 evaluation, chemical testing and any other acceptable means for
14 detection and determination of substance abuse and chemical
15 dependency.

16 (f) The Office of Drug and Alcohol Treatment Programs shall
17 conduct an ongoing, comprehensive evaluation program to
18 determine the effectiveness of the substance abuse assessment
19 pilot program in reducing criminal behavior, recidivism, arrest
20 and commitments to juvenile institutions. In addition, the
21 Office of Drug and Alcohol Treatment Programs shall collaborate
22 with the Department of Public Welfare to secure medical
23 assistance payments to cover the cost of drug and alcohol
24 detoxification and rehabilitation services for any person
25 eligible for the payments.

26 (g) On or before March 1 of each year, the Department of
27 Health shall submit a report to the General Assembly which shall
28 include, but not be limited to, a comprehensive evaluation to
29 determine the effectiveness of the substance abuse assessment
30 pilot program in reducing criminal behavior, recidivism, arrest

1 and commitments to juvenile institutions.

2 Section 2. All acts and parts of acts are repealed insofar as
3 they are inconsistent with this act.

4 Section 3. This act shall take effect in 90 days.