

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1885 Session of  
2011

INTRODUCED BY K. BOYLE, MCGEEHAN, BARBIN, D. COSTA, DONATUCCI,  
FABRIZIO, GOODMAN, JOSEPHS, KORTZ, KULA, MAHONEY, PAYTON,  
SABATINA, V. BROWN, GEORGE, HALUSKA, MURT, READSHAW, TAYLOR  
AND B. BOYLE, SEPTEMBER 29, 2011

REFERRED TO COMMITTEE ON HUMAN SERVICES, SEPTEMBER 29, 2011

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 narcotic treatment programs.

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 4.1. Narcotic Treatment Programs.--(a) The  
18 department shall provide approval of all applications for any  
19 narcotic treatment program requesting to operate within this  
20 Commonwealth, in accordance with Federal regulations governing  
21 narcotic treatment programs under 42 CFR Part 8 (relating to

1 certification of opioid treatment programs) and State law.

2 (b) The approval under subsection (a) must include:

3 (1) Approval by the district attorney of the municipality in  
4 which the proposed narcotic treatment program facility is to be  
5 located.

6 (2) A finding that adequate parking is available.

7 (3) Upon receipt of an application for a proposed narcotic  
8 treatment program, notification of all Federal, State and local  
9 elected public officials and the single county authority in  
10 writing, by certified mail, of the application within five  
11 business days of receipt of the application. The notification  
12 shall include the name of the applicant and the applicant's  
13 employees or officers, the facility's proposed location and a  
14 copy of the application. The cost of the notice shall be  
15 incurred by the applicant.

16 (4) At least one public hearing regarding the proposed  
17 narcotic treatment program facility. Written notice shall be  
18 given to all property owners or lessees located within 500 feet  
19 of the proposed narcotic treatment program facility at least  
20 thirty days prior to the date of the public hearing.

21 Section 2. This act shall take effect in 60 days.