

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1944 Session of 2019

INTRODUCED BY ORTITAY, ROTHMAN, ZIMMERMAN, CALTAGIRONE, MOUL, READSHAW, McNEILL AND GAYDOS, OCTOBER 15, 2019

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 15, 2019

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
 2 "An act providing for and reorganizing the conduct of the
 3 executive and administrative work of the Commonwealth by the
 4 Executive Department thereof and the administrative
 5 departments, boards, commissions, and officers thereof,
 6 including the boards of trustees of State Normal Schools, or
 7 Teachers Colleges; abolishing, creating, reorganizing or
 8 authorizing the reorganization of certain administrative
 9 departments, boards, and commissions; defining the powers and
 10 duties of the Governor and other executive and administrative
 11 officers, and of the several administrative departments,
 12 boards, commissions, and officers; fixing the salaries of the
 13 Governor, Lieutenant Governor, and certain other executive
 14 and administrative officers; providing for the appointment of
 15 certain administrative officers, and of all deputies and
 16 other assistants and employes in certain departments, boards,
 17 and commissions; providing for judicial administration; and
 18 prescribing the manner in which the number and compensation
 19 of the deputies and all other assistants and employes of
 20 certain departments, boards and commissions shall be
 21 determined," in powers and duties of the Department of
 22 Justice and its departmental administrative boards, further
 23 providing for Bureau of Consumer Protection and providing for
 24 opioid action task force; in powers and duties of the
 25 Department of Health and its departmental administrative and
 26 advisory boards, repealing provisions relating to residential
 27 drug and alcohol treatment programs for pregnant women and
 28 mothers and their dependent children and further providing
 29 for staff training and referral mechanisms; in powers and
 30 duties of the Department of Drug and Alcohol Programs,
 31 providing for residential drug and alcohol treatment programs
 32 for pregnant women and mothers and their dependent children;
 33 providing for intergovernmental collaboration on substance
 34 abuse and for public health emergency; and making editorial

1 changes.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Article IX heading and section 917 of the act of
5 April 9, 1929 (P.L.177, No.175), known as The Administrative
6 Code of 1929, are amended to read:

7 ARTICLE IX

8 POWERS AND DUTIES OF THE [DEPARTMENT OF JUSTICE] OFFICE OF
9 ATTORNEY GENERAL AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS

10 Section 917. Bureau of Consumer Protection.--The [Department
11 of Justice] Office of Attorney General shall establish a Bureau
12 of Consumer Protection under the direction of a director
13 appointed by the Attorney General.

14 Section 2. The act is amended by adding a section to read:

15 Section 926. Opioid Action Task Force.--(a) The Attorney
16 General shall establish an opioid action task force to
17 coordinate efforts with district attorneys and local governments
18 relating to legal action against opioid drug makers,
19 distributors and prescribing physicians.

20 (b) The task force shall consist of the Attorney General,
21 district attorneys and representatives from local governments
22 who have taken or intend to take legal action against an opioid
23 drug maker, distributor and prescribing physician.

24 (c) The task force shall complete a report on legal action
25 taken by the Attorney General, district attorneys and local
26 governments and any proposed legal action. The report shall be
27 submitted to all district attorneys in this Commonwealth within
28 six months of the effective date of this section.

29 Section 3. Section 2123 of the act is repealed:

30 [Section 2123. Residential Drug and Alcohol Treatment

1 Programs for Pregnant Women and Mothers and Their Dependent
2 Children.--(a) The Department of Health shall have the power,
3 and its duty shall be, to make grants or contracts to provide
4 residential drug and alcohol treatment and related services for
5 pregnant women, mothers and their dependent children and mothers
6 who do not have custody of their children where there is a
7 reasonable likelihood that the children will be returned to them
8 if the mother participates satisfactorily in the treatment
9 program. Grant or contract moneys shall only be used for
10 treatment and related services provided to residents of this
11 Commonwealth by drug and alcohol treatment programs licensed by
12 the Department of Health which provide the following services:

13 (1) Residential treatment services for women and their
14 children, subject to reasonable limitations on the number and
15 ages of the children, provided in a therapeutic community
16 setting and including, but not limited to:

17 (i) onsite addiction and substance abuse education,
18 counseling and treatment;

19 (ii) onsite individual, group and family counseling;

20 (iii) onsite drug and alcohol prevention and education
21 activities for children approved by the Office of Drug and
22 Alcohol Programs of the Department of Health;

23 (iv) onsite special counseling for children of alcoholics
24 and addicts;

25 (v) involvement with Alcoholics Anonymous, Narcotics
26 Anonymous, support groups for children of alcoholics and addicts
27 and other support groups; and

28 (vi) activities which enhance self-esteem and self-
29 sufficiency.

30 (2) Onsite parenting skills counseling and training.

1 (3) Access to school for children and mothers where
2 appropriate, including, but not limited to, securing documents
3 necessary for registration.

4 (4) Job counseling and referral to existing job training
5 programs.

6 (5) Onsite day care for children when the mother is
7 attending counseling, school or a job training program and when
8 the mother is at a job or looking for a job and at other times
9 as the department deems appropriate.

10 (6) Referral and linkage to other needed services,
11 including, but not limited to, health care.

12 (7) Onsite structured reentry counseling and activities.

13 (8) Referral to outpatient counseling upon discharge from
14 the residential program.

15 (b) The Department of Health shall inform the single county
16 authorities of those programs in their jurisdiction being
17 considered for funding to provide the services listed in this
18 section and shall give the single county authorities an
19 opportunity to comment on these funding proposals prior to the
20 department making a decision to award funding.

21 (c) The Department of Health shall require programs
22 receiving funds under this section to collect and provide to the
23 department information concerning the number of women and
24 children denied treatment or placed on waiting lists and may
25 require such data and other information as the department deems
26 useful in determining the effectiveness of the treatment
27 programs. Confidentiality of records regarding identifiable
28 individuals enrolled in treatment programs funded under this
29 section shall be maintained.

30 (d) Contributions by counties or single county authorities

1 shall not be required as a condition for receiving grants for
2 programs funded under this section, but the Department of Health
3 may require counties or single county authorities to make
4 commitments to provide outpatient intervention, referral and
5 aftercare services to women whose residential treatment is
6 funded under this section upon completion of their residential
7 treatment.

8 (e) The Department of Health shall annually convene a
9 meeting of all recipients of funds for programs funded under
10 this section and other interested parties so that the department
11 may receive input regarding ways to improve and expand treatment
12 services and prevention activities for pregnant women, mothers
13 and young children.

14 (f) The Department of Health shall report annually to the
15 Governor and the General Assembly as to its activities and
16 expenditures under this section, the activities of recipients of
17 funds under this section, the number of women and children
18 served, the number of women and children denied treatment or
19 placed on waiting lists, the recommendations in summary form
20 made at the annual meeting provided for in subsection (e) and
21 the recommendations of the department.

22 (g) As used in this section and section 2124, the term
23 "single county authority" means the agency designated to plan
24 and coordinate drug and alcohol prevention, intervention and
25 treatment services for a geographic area which may consist of
26 one or more counties and to administer the provisions of such
27 services funded through the agency.

28 (h) As used in this section, the term "therapeutic community
29 setting" means a drug-free, residential, nonhospital treatment
30 program using therapeutic community principles as the underlying

1 philosophy.]

2 Section 4. Section 2124 of the act is amended by adding a
3 subsection to read:

4 Section 2124. Staff Training and Referral Mechanisms.--The
5 Department of Health shall have the power, and its duty shall
6 be:

7 * * *

8 (c) As used in this section, the term "single county
9 authority" shall mean the agency designated to plan and
10 coordinate drug and alcohol prevention, intervention and
11 treatment services for a geographic area which may consist of
12 one or more counties and to administer the provisions of the
13 services funded through the agency.

14 Section 5. The act is amended by adding a section to read:

15 Section 2302-A. Residential drug and alcohol treatment programs
16 for pregnant women and mothers and their dependent
17 children.

18 (a) General rule.--The Department of Drug and Alcohol
19 Programs shall have the power, and its duty shall be, to make
20 grants or contracts to provide residential drug and alcohol
21 treatment and related services for pregnant women, mothers and
22 their dependent children and mothers who do not have custody of
23 their children where there is a reasonable likelihood that the
24 children will be returned to them if the mother participates
25 satisfactorily in the treatment program. Grant or contract money
26 shall only be used for treatment and related services provided
27 to residents of this Commonwealth by drug and alcohol treatment
28 programs that are licensed by the Department of Drug and Alcohol
29 Programs and provide the following services:

30 (1) Residential treatment services for women and their

1 children, subject to reasonable limitations on the number and
2 ages of the children, provided in a therapeutic community
3 setting and including, but not limited to:

4 (i) onsite addiction and substance abuse education,
5 counseling and treatment;

6 (ii) onsite individual, group and family counseling;

7 (iii) onsite drug and alcohol prevention and
8 education activities for children approved by the
9 Department of Drug and Alcohol Programs;

10 (iv) onsite special counseling for children of
11 alcoholics and addicts;

12 (v) involvement with Alcoholics Anonymous, Narcotics
13 Anonymous, support groups for children of alcoholics and
14 addicts and other support groups; and

15 (vi) activities which enhance self-esteem and self-
16 sufficiency.

17 (2) Onsite parenting skills counseling and training.

18 (3) Access to school for children and mothers where
19 appropriate, including, but not limited to, securing
20 documents necessary for registration.

21 (4) Job counseling and referral to existing job training
22 programs.

23 (5) Onsite day care for children when the mother attends
24 counseling, school or a job training program and when the
25 mother is at a job or searches for a job and at other times
26 as the department deems appropriate.

27 (6) Referral and linkage to other needed services,
28 including, but not limited to, health care.

29 (7) Onsite structured reentry counseling and activities.

30 (8) Referral to outpatient counseling upon discharge

1 from the residential program.

2 (b) Single county authorities.--The Department of Drug and
3 Alcohol Programs shall inform the single county authorities of
4 those programs in their jurisdiction being considered for
5 funding to provide the services listed in this section and shall
6 give the single county authorities an opportunity to comment on
7 these funding proposals prior to the department making a
8 decision to award funding.

9 (c) Data submission.--Programs receiving funds under this
10 section shall collect and provide to the department information
11 concerning the number of women and children denied treatment or
12 placed on waiting lists and such data and other information as
13 the department deems useful in determining the effectiveness of
14 the treatment programs. The department shall maintain the
15 confidentiality of records regarding identifiable individuals
16 enrolled in treatment programs funded under this section.

17 (d) Contributions.--Contributions by counties or single
18 county authorities shall not be required as a condition for
19 receiving grants for programs funded under this section, but the
20 Department of Drug and Alcohol Programs may require counties or
21 single county authorities to make commitments to provide
22 outpatient intervention, referral and aftercare services to
23 women whose residential treatment is funded under this section
24 upon completion of their residential treatment.

25 (e) Annual meeting.--The Department of Drug and Alcohol
26 Programs shall annually convene a meeting of all recipients of
27 funds for programs funded under this section and other
28 interested parties so that the department may receive input
29 regarding ways to improve and expand treatment services and
30 prevention activities for pregnant women, mothers and young

1 children.

2 (f) Report.--The Department of Drug and Alcohol Programs
3 shall report annually to the Governor and the General Assembly
4 as to its activities and expenditures under this section, the
5 activities of recipients of funds under this section, the number
6 of women and children served, the number of women and children
7 denied treatment or placed on waiting lists, the recommendations
8 in summary form made at the annual meeting provided for in
9 subsection (e) and the recommendations of the department.

10 (g) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection unless the context clearly indicates otherwise:

13 "Single county authority." As defined in section 2124.

14 "Therapeutic community setting." A drug-free, residential,
15 nonhospital treatment program using therapeutic community
16 principles as the underlying philosophy.

17 Section 6. The act is amended by adding articles to read:

18 ARTICLE XXVIII-G

19 INTERGOVERNMENTAL COLLABORATION ON SUBSTANCE ABUSE

20 Section 2801-G. Purpose.

21 The purpose of this article is to coordinate collaboration
22 between government agencies to respond to substance abuse issues
23 in this Commonwealth.

24 Section 2802-G. Definitions.

25 The following words and phrases when used in this article
26 shall have the meanings given to them in this section unless the
27 context clearly indicates otherwise:

28 "Government agency." Any of the following:

29 (1) An agency of the Commonwealth, including a
30 department, board, commission or authority.

1 (2) A political subdivision or agency of the political
2 subdivision.

3 (3) A local or municipal authority or other local
4 government unit.

5 (4) A court or related agency.

6 "Treatment facility." A facility licensed by the Department
7 of Drug and Alcohol Programs to provide drug and alcohol
8 addiction treatment.

9 "Warm handoff." The direct referral and transfer of an
10 overdose survivor immediately after medical stabilization from a
11 hospital emergency department to a treatment facility for
12 treatment matched to the individual's clinical needs based on a
13 full assessment and application of the Pennsylvania Client
14 Placement Criteria for Adults established by the Department of
15 Drug and Alcohol Programs as required under section 2334(b)(2).
16 Section 2803-G. Reports by government agencies.

17 (a) Duty to submit to Department of Drug and Alcohol
18 Programs.--The government agencies under this section shall
19 submit a report to the Department of Drug and Alcohol Programs
20 as follows:

21 (1) The Department of Corrections shall provide a report
22 on its collaboration with the Department of Drug and Alcohol
23 Programs on providing drug and alcohol treatment to prisoners
24 under section 2301-A.

25 (2) The Department of Education shall provide a report
26 on the following:

27 (i) The methods used by the Department of Education
28 to encourage parental engagement in the prevention of
29 drug and alcohol use.

30 (ii) The feasibility of the use of online videos

1 from the Substance Abuse and Mental Health Services
2 Administration on the Department of Education's publicly
3 accessible Internet website and the ability to provide
4 the videos for use by school districts.

5 (iii) The level of compliance with K-12 drug and
6 alcohol education under section 1547 of the act of March
7 10, 1949 (P.L.30, No.14), known as the Public School Code
8 of 1949.

9 (iv) The level of compliance with mandating Student
10 Assistance Programs under section 1302-A of the Public
11 School Code of 1949.

12 (v) Efforts to increase the level of compliance
13 under subparagraphs (iii) and (iv).

14 (vi) The rate of improvement in compliance rates
15 under subparagraphs (iii) and (iv).

16 (3) The Department of Health shall provide a report on
17 the following:

18 (i) The number of individuals identified to be in
19 need of and referred to addiction treatment under the act
20 of October 27, 2014 (P.L.2911, No.191), known as the
21 Achieving Better Care by Monitoring All Prescriptions
22 Program (ABC-MAP) Act.

23 (ii) Information regarding children born with
24 neonatal abstinence syndrome.

25 (4) The Department of Human Services shall provide a
26 report on whether and how the medical assistance rates being
27 paid for addiction treatment actually compensate the costs of
28 providing addiction treatment.

29 (5) The Insurance Department shall provide a report on
30 the following:

1 (i) The number of complaints and actions taken
2 regarding those complaints under the Paul Wellstone and
3 Pete Domenici Mental Health Parity and Addiction Equity
4 Act of 2008 (Public Law 110-343, 122 Stat. 3881) and
5 under Article VI-B of the act of May 17, 1921 (P.L.682,
6 No.284), known as The Insurance Company Law of 1921.

7 (ii) Efforts to ensure that health insurance
8 consumers are educated in the necessary provisions of the
9 Paul Wellstone and Pete Domenici Mental Health Parity and
10 Addiction Equity Act of 2008 and The Insurance Company
11 Law of 1921.

12 (iii) Methods to ensure that individuals are
13 informed of drug and alcohol addiction treatment coverage
14 through a notification from their health care insurer.

15 (iv) Information provided by a health care insurer
16 on level of care, length of stay and number of
17 individuals treated for drug and alcohol addiction to
18 assist individuals in choosing a health insurance plan to
19 meet their needs.

20 (6) The State Board of Medicine shall provide a report
21 on the following:

22 (i) Progress on implementing a continuing medical
23 education requirement in effective warm handoff to
24 addiction treatment for individuals who:

25 (A) are identified in the prescription
26 monitoring system under the Achieving Better Care by
27 Monitoring All Prescriptions Program (ABC-MAP) Act as
28 being at risk of having a substance use disorder; or

29 (B) have survived a drug overdose.

30 (ii) Progress in establishing, in collaboration with

1 the Department of Drug and Alcohol Programs, continuing
2 medical education requirements developed to maximize the
3 likelihood of successful and immediate warm handoff to
4 addiction treatment for individuals, including, but not
5 limited to, individuals under subparagraph (i).

6 (7) The Board of Probation and Parole shall provide a
7 report on its collaboration with the Department of Drug and
8 Alcohol Programs to ensure that individuals with a drug or
9 alcohol addiction who are on probation or parole are engaged
10 in the addiction treatment process.

11 (8) The Pennsylvania State Police shall provide a report
12 on the number of Pennsylvania State Police barracks which
13 have a drug take-back box and the feasibility of placing drug
14 take-back boxes at all other Pennsylvania State Police
15 barracks.

16 (9) The Department of Transportation shall provide a
17 report on the number of driving under the influence offenders
18 who have been ordered by a court to attend drug and alcohol
19 treatment under 75 Pa.C.S. Ch. 38 (relating to driving after
20 imbibing alcohol or utilizing drugs) in the past year out of
21 the total number of offenders and recommend changes to the
22 law to ensure more driving under the influence offenders
23 receive drug and alcohol treatment.

24 (b) Content.--The reports under subsection (a) shall include
25 recommendations from the government agency to address needed
26 action on a certain issue and the amount of funding needed to
27 take such action. The report shall also include recommendations
28 for any legislation necessary for the government agency to
29 perform additional duties based on the report.

30 (c) Timing.--The reports under subsection (a) shall be

1 submitted to the Department of Drug and Alcohol Programs within
2 60 days of the effective date of this section.

3 Section 2804-G. Report by Department of Drug and Alcohol
4 Programs.

5 (a) Duty to submit to Governor and General Assembly.--

6 (1) After the reports under section 2803-G are submitted
7 to the Department of Drug and Alcohol Programs, the Secretary
8 of Drug and Alcohol Programs shall compile the reports and
9 submit a comprehensive report to the Governor and General
10 Assembly, including the following information from the
11 Department of Drug and Alcohol Programs:

12 (i) Collaboration with the Veterans Health
13 Administration on providing assistance to veterans
14 seeking addiction treatment.

15 (ii) Steps taken by the single county authorities to
16 ensure that block grant funded addiction treatment
17 programs are being paid at a rate that reflects the
18 actual costs of providing addiction treatment.

19 (iii) Steps taken by the single county authorities
20 to ensure licensed addiction treatment facilities are
21 being paid rates established through a negotiation
22 process with consideration of cost-of-living increases
23 where appropriate.

24 (iv) The number of women enrolled in residential
25 drug and alcohol treatment programs for pregnant women
26 and mothers with dependent children, their length of stay
27 and relapse rates under section 2302-A.

28 (2) The report under paragraph (1) shall include the
29 amount of funding needed to address a certain issue and any
30 recommended legislation.

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Department." The Department of Health of the Commonwealth.

4 "Executive agency." A department, board, commission,
5 authority, officer or agency or the Executive Department,
6 subject to the policy, supervision and control of the Governor.

7 "Government agency." Any of the following:

8 (1) An agency of the Commonwealth, including
9 departments, boards, commissions or authorities.

10 (2) A political subdivision or agency of a political
11 subdivision.

12 (3) A local or municipal authority or other local
13 government unit.

14 (4) A court or related agency.

15 "Public health emergency." An occurrence or imminent threat
16 of a disease or condition of public health importance with both
17 of the following characteristics:

18 (1) Is believed to be caused by any of the following:

19 (i) A bioterrorist event, a biological, chemical or
20 nuclear agent, a chemical attack or a nuclear attack.

21 (ii) The appearance of a novel or previously
22 controlled or eradicated infectious agent or biological
23 toxin.

24 (iii) A natural disaster, an accidental chemical
25 release or a nuclear incident.

26 (iv) A disease outbreak, including an outbreak of
27 substance use disorder or unusual expression of illness.

28 (2) Poses a high probability of any of the following in
29 the affected population:

30 (i) Death.

1 (ii) Serious or long-term disabilities.

2 (iii) Widespread exposure to an infectious or toxic
3 agent that poses a significant risk of substantial
4 present or future harm to the public health.

5 "Public health worker." A person employed by, under contract
6 with or serving as a registered volunteer of the department or a
7 local health department to carry out prophylaxis, treatment,
8 notification and prevention services to individuals at risk of
9 contracting, or reported to the department or local health
10 departments as having, a reportable disease under the act of
11 April 23, 1956 (1955 P.L.1510, No.500), known as the Disease
12 Prevention and Control Law of 1955.

13 "Secretary." The Secretary of Health of the Commonwealth.
14 Section 2802-H. Declaration of public health emergency.

15 (a) Authorization.--

16 (1) The Governor, on the recommendation of the
17 secretary, may declare a public health emergency by
18 disseminating the declaration promptly by means calculated to
19 bring its contents to the attention of the general public and
20 shall file it with the Legislative Reference Bureau for
21 publication in the Pennsylvania Bulletin under 45 Pa.C.S. Pt.
22 II (relating to publication and effectiveness of Commonwealth
23 documents) and with the Director of the Pennsylvania
24 Emergency Management Agency.

25 (2) The declaration of a public health emergency shall
26 be deemed approved by the General Assembly unless terminated
27 by the General Assembly under subsection (b) (2).

28 (3) Within 72 hours of receipt of a declaration under
29 paragraph (1), the Director of the Pennsylvania Emergency
30 Management Agency shall convene the Pennsylvania Emergency

1 Management Council to perform its duties under 35 Pa.C.S. Ch.
2 73 (relating to Commonwealth services) and consistent with
3 disaster declarations issued by the Governor.

4 (b) Declaration, renewal and termination.--

5 (1) The declaration of a public health emergency shall
6 be valid for a period of up to 90 days unless extended by
7 affirmative approval by a majority of both houses of the
8 General Assembly.

9 (2) The General Assembly by concurrent resolution may
10 terminate a public health emergency at any time. If the
11 Governor approves the concurrent resolution, or if
12 disapproved and the General Assembly repasses the concurrent
13 resolution by two-thirds of both houses, the Governor shall
14 issue an executive order or proclamation ending the public
15 health emergency declaration.

16 (c) Duties of department.--Upon a declaration under
17 subsection (a), the department is authorized to perform the
18 following duties:

19 (1) Suspend departmental regulations.

20 (2) Promulgate temporary regulations under subsection
21 (f) to address the public health emergency.

22 (3) Require reporting, in the manner and form prescribed
23 by the department, relating to a disease, infection or
24 condition.

25 (4) Provide the requirements for health care facilities
26 and licensed health care practitioners, including
27 pharmacists, to manage a disease outbreak or unusual
28 expression of illness.

29 (5) Authorize appropriately trained, licensed or
30 certified public health workers to dispense, administer,

1 furnish or otherwise provide prophylaxis or treatment for a
2 reportable disease or condition as necessary to prevent and
3 control the spread of disease or condition.

4 (d) Requirements.--Notwithstanding any other provision of
5 law, all government agencies shall, at the request of the
6 department and to the extent not prohibited by Federal law,
7 provide information as prescribed by the department during a
8 public health emergency. The department shall provide for the
9 frequency and format, which may include automated data
10 exchanges, for the collection of the information required under
11 this subsection.

12 (e) Confidentiality of information.--Any information
13 provided or collected under this section, except for
14 nonidentifiable aggregated data, shall be confidential and is
15 not subject to public access under the act of February 14, 2008
16 (P.L.6, No.3), known as the Right-to-Know Law, and is neither
17 discoverable nor admissible as evidence in any civil, criminal
18 or administrative action or proceeding.

19 (f) Temporary regulations.--The department may promulgate
20 temporary regulations regarding measures to reduce harm and
21 control disease. The temporary regulations are not subject to:

22 (1) Sections 201, 202, 203, 204 and 205 of the act of
23 July 31, 1968 (P.L.769, No.240), referred to as the
24 Commonwealth Documents Law.

25 (2) Section 204(b) of the act of October 15, 1980
26 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

27 (3) The act of June 25, 1982 (P.L.633, No.181), known as
28 the Regulatory Review Act.

29 (g) Expiration and subsequent promulgation.--The temporary
30 regulations promulgated under subsection (f) shall expire 90

1 days following the expiration or termination of the declaration
2 of a public health emergency. Regulations adopted after this
3 period shall be promulgated as provided by law.

4 (h) Suspension of regulations.--An executive agency, in
5 consultation with the department, may suspend a regulation that
6 prevents, hinders or delays necessary action in responding to a
7 public health emergency.

8 Section 2803-H. Immunity from liability.

9 The provisions of 42 Pa.C.S. § 8331 (relating to medical good
10 Samaritan civil immunity), 8332 (relating to emergency response
11 provider and bystander good Samaritan civil immunity) or 8332.4
12 (relating to volunteer-in-public-service negligence standard)
13 shall apply to any person who provides assistance in carrying
14 out the provisions of this act.

15 Section 2804-H. Prohibitions.

16 The prohibitions under 18 Pa.C.S. § 6107 (relating to
17 prohibited conduct during emergency) do not apply to a
18 declaration of a public health emergency under this article.

19 Section 7. Any allocations, appropriations, records,
20 contracts, rights and obligations to or of the Department of
21 Health under former section 2123 of the act are transferred to
22 the Department of Drug and Alcohol Programs.

23 Section 8. This act shall take effect as follows:

24 (1) The following shall take effect immediately:

25 (i) The addition of Article XXVIII-H.

26 (ii) This section.

27 (2) The remainder of this act shall take effect in 60
28 days.