

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 2539 Session of  
1980

INTRODUCED BY IRVIS, ITKIN, FISHER, CESSAR, McVERRY, POTT,  
COWELL, KNIGHT, PISTELLA AND GAMBLE, MAY 12, 1980

REFERRED TO COMMITTEE ON APPROPRIATIONS, MAY 12, 1980

AN ACT

1 Amending the act of July 9, 1976 (P.L.817, No.143), entitled "An  
2 act relating to mental health procedures; providing for the  
3 treatment and rights of mentally disabled persons, for  
4 voluntary and involuntary examination and treatment and for  
5 determinations affecting those charged with crime or under  
6 sentence," providing for the assumption by the Commonwealth  
7 of certain expenses paid by counties.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 408, act of July 9, 1976 (P.L.817,  
11 No.143), known as the "Mental Health Procedures Act," added  
12 November 26, 1978 (P.L.1362, No.324), is amended to read:

13 Section 408. Costs of Treatment.--[The Commonwealth shall  
14 pay for the costs, payments or expenditures in excess of \$120  
15 per day] For the 1980-1981 fiscal year, the Commonwealth shall  
16 pay 50% of the first \$120 per day plus all amounts in excess of  
17 \$120 per day for the costs, payments and expenditures made on  
18 behalf of any person who is a resident of a county located  
19 within the Commonwealth and who receives treatment and for whom  
20 liability is imposed on the county pursuant to section 505(a) of

1 the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known  
2 as the "Mental Health and Mental Retardation Act of 1966." [All  
3 costs up to and including] Fifty percent of the first \$120 per  
4 day shall, for the 1980-1981 fiscal year, be imposed upon the  
5 county of his residence. In the event that a residency cannot be  
6 determined to be in a county within the Commonwealth by the  
7 court that convicted or sentenced the person, all liability for  
8 treatment imposed by section 505(a) of the "Mental Health and  
9 Mental Retardation Act of 1966" shall be borne by the  
10 Commonwealth. For the fiscal year 1981-1982 and thereafter the  
11 Commonwealth shall bear all costs under section 505(a) of the  
12 "Mental Health and Mental Retardation Act of 1966" and no county  
13 shall be so liable.

14 Section 2. This act shall take effect immediately and shall  
15 be retroactive to July 1, 1979.