

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 259 Session of  
2001

INTRODUCED BY ORIE, TIGUE, THOMAS, WOJNAROSKI, LAUGHLIN, COY,  
BEBKO-JONES, GEORGE, READSHAW, FRANKEL, WASHINGTON, PISTELLA,  
SOLOBAY, PRESTON, KENNEY, HARHART, R. MILLER, C. WILLIAMS,  
DALEY, RUBLEY, HENNESSEY, E. Z. TAYLOR, SCRIMENTI, JOSEPHS,  
SATHER, HARHAI, PETRARCA, EACHUS, SEMMEL, McCALL AND  
STEELMAN, JANUARY 29, 2001

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
JANUARY 29, 2001

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 aftercare plans for persons under  
7 treatment prior to discharge from treatment.

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

10 Section 1. The act of July 9, 1976 (P.L.817, No.143), known  
11 as the Mental Health Procedures Act, is amended by adding a  
12 section to read:

13 Section 108.1. Aftercare Directives.--(a) Every person who  
14 is under treatment under this act including treatment under  
15 section 116, and the person's conservator, guardian or other  
16 legally authorized representative shall, prior to discharge from  
17 a facility as defined in section 103, be give a written  
18 aftercare plan.

1     (b) The written aftercare plan shall include, to the extent  
2 known, all of the following components:

3     (1) The nature of the illness and follow-up required.

4     (2) Medications including side effects and dosage schedules.

5 If the patient was given an informed consent form with his or  
6 her medications, the form shall satisfy the requirement for  
7 information on side effects of the medications.

8     (3) Expected course of recovery.

9     (4) Recommendations regarding treatment that are relevant to  
10 the person's care.

11     (5) Referrals to providers of medical and mental health  
12 services.

13     (6) Notification of the person's right to use advance  
14 directives, in accordance with a form established by the  
15 department for this purpose. The notification shall also inform  
16 the person that he or she is not required to use an advance  
17 directive, and that discharge is not contingent upon the  
18 person's decision to use an advance directive.

19     (7) Other relevant information.

20     (c) The person shall be advised by facility personnel that  
21 he or she may designate another person to receive a copy of the  
22 aftercare plan. A copy of the aftercare plan shall be given to  
23 any person designated by the person.

24     (d) A person discharged from treatment under section 116 may  
25 refuse any or all services under the written aftercare plan.

26     (e) The provisions of section 111 shall not apply to any  
27 person who is authorized to receive an aftercare plan.

28     (f) The department shall convene an advance directive work  
29 group to produce a model advance directive form, in order to  
30 promote uniformity and facilitate use of advance directives. The

1 work group shall consist of, but not be limited to, mental  
2 health consumers, family members of mental health consumers,  
3 representatives of county mental health departments, consumer  
4 advocates, and representatives of mental health inpatient and  
5 outpatient families and agencies.

6       Section 2. This act shall take effect July 1, 2001.