

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1298 Session of
2013

INTRODUCED BY FARRY, DIGIROLAMO, O'BRIEN, GODSHALL, WATSON,
V. BROWN, COHEN, BAKER, DAVIS, BISHOP, GINGRICH, DeLUCA,
QUINN, CLYMER, KORTZ, MILNE, MURT, NEILSON, FLYNN, KIM AND
DEAN, MAY 1, 2013

SENATOR VANCE, PUBLIC HEALTH AND WELFARE, IN SENATE, AS AMENDED,
JUNE 25, 2014

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; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," further providing for
21 powers and duties of the Department of Drug and Alcohol
22 Programs.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
26 as The Administrative Code of 1929, is amended by adding

1 sections to read:

2 Section 2302-A. Definitions.

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

6 "Department." The Department of Drug and Alcohol Programs of
7 the Commonwealth.

8 "Drug and alcohol recovery house." A safe and supportive,
9 alcohol and drug-free environment where residents in recovery
10 from alcohol or other drug addiction live together as a
11 community.

12 ~~Section 2303 A. Development of criteria.~~

<--

13 ~~The department shall develop criteria for certification of~~
14 ~~drug and alcohol recovery houses that receive funds from the~~
15 ~~department to ensure that the houses provide a safe environment~~
16 ~~for residents and for the surrounding community.~~

17 ~~Section 2304 A. Funding.~~

18 ~~A drug and alcohol or other recovery house shall not receive~~
19 ~~funding from the department without certification.~~

20 ~~Section 2305 A. Certification requirements.~~

21 ~~Certification requirements shall include, but not be limited~~
22 ~~to, the following:~~

23 ~~(1) Procedures requiring compliance with all State and~~
24 ~~local ordinances.~~

25 ~~(2) Procedures addressing the safety and protection of~~
26 ~~residents and the community.~~

27 ~~(3) Policies which promote recovery by requiring~~
28 ~~resident participation in treatment, self help groups or~~
29 ~~other recovery supports.~~

30 ~~(4) Procedures to ensure that upon admission residents~~

~~are informed of all house rules, residency requirements and
any lease agreements.~~

~~(5) Policies requiring abstinence from alcohol and other
drugs.~~

~~(6) Procedures, including referral agreements, to handle
relapse.~~

~~(7) Procedures regarding appropriate use and security of
medication.~~

~~Section 2306 A. Task force.~~

~~The department shall convene a task force to make
recommendations to the department regarding criteria for
certification of drug and alcohol recovery houses.~~

SECTION 2303-A. STUDY.

<--

THE DEPARTMENT SHALL:

(1) ISSUE A STUDY RELATED TO THE CERTIFICATION OF DRUG
AND ALCOHOL RECOVERY HOUSES. THE STUDY SHALL CONTAIN A REVIEW
OF HOW OTHER STATES REGULATE DRUG AND ALCOHOL RECOVERY HOUSES
AND THE CRITERIA USED IN THE EVALUATION. THE STUDY SHALL ALSO
ASSESS THE COSTS AND BENEFITS ASSOCIATED WITH A POTENTIAL
CERTIFICATION PROCESS IN THIS COMMONWEALTH WHICH WOULD
INCLUDE:

(I) PROCEDURES REQUIRING COMPLIANCE WITH ALL STATE
AND LOCAL ORDINANCES.

(II) PROCEDURES ADDRESSING THE SAFETY AND PROTECTION
OF RESIDENTS AND THE COMMUNITY.

(III) POLICIES WHICH PROMOTE RECOVERY BY REQUIRING
RESIDENT PARTICIPATION IN TREATMENT, SELF-HELP GROUPS OR
OTHER RECOVERY SUPPORTS.

(IV) PROCEDURES TO ENSURE THAT UPON ADMISSION
RESIDENTS ARE INFORMED OF ALL HOUSE RULES, RESIDENCY

1 REQUIREMENTS AND ANY LEASE AGREEMENTS.
2 (V) POLICIES REQUIRING ABSTINENCE FROM ALCOHOL AND
3 OTHER DRUGS.
4 (VI) PROCEDURES REGARDING APPROPRIATE USE AND
5 SECURITY OF MEDICATION.
6 (2) SUBMIT THE STUDY TO THE SENATE AND THE HOUSE OF
7 REPRESENTATIVE BY JANUARY 1, 2016.

8 Section 2. This act shall take effect ~~in 90 days~~ <--
9 IMMEDIATELY. <--