

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 425 Session of 2015

INTRODUCED BY HUGHES, FONTANA, TEPLITZ, ARGALL, SCHWANK,  
BREWSTER, MENSCH, YUDICHAK AND COSTA, FEBRUARY 9, 2015

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 9, 2015

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," changing the name of the  
21 Department of Public Welfare to the Department of Human  
22 Services; and deleting obsolete provisions.

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

25 Section 1. Sections 201, 202, 203, 206 and 207.1(d)(1) of  
26 the act of April 9, 1929 (P.L.177, No.175), known as The  
27 Administrative Code of 1929, amended July 9, 2010 (P.L.348,  
28 No.50), are amended to read:

1       Section 201.   Executive Officers, Administrative Departments  
2   and Independent Administrative Boards and Commissions.--(a)   The  
3   executive and administrative work of this Commonwealth shall be  
4   performed by the Executive Department, consisting of the  
5   Governor, Lieutenant Governor, Secretary of the Commonwealth,  
6   Attorney General, Auditor General, State Treasurer, and  
7   Secretary of Education; by the Executive Board, and the  
8   Pennsylvania State Police; by the following administrative  
9   departments: Department of State, Office of Attorney General,  
10   Department of Corrections, Department of the Auditor General,  
11   Treasury Department, Department of Education, Department of  
12   Military Affairs, Insurance Department, Department of Banking  
13   and Securities, Department of Agriculture, Department of  
14   Transportation, Department of Health, Department of Drug and  
15   Alcohol Programs, Department of Labor and Industry, Department  
16   of Aging, Department of [Public Welfare] Human Services,  
17   Department of General Services, Department of Revenue,  
18   Department of Community and Economic Development, Department of  
19   Environmental Protection and Department of Conservation and  
20   Natural Resources; and by the following independent  
21   administrative boards and commissions: Pennsylvania Game  
22   Commission, Pennsylvania Fish and Boat Commission, State Civil  
23   Service Commission, Pennsylvania Public Utility Commission and  
24   the Pennsylvania Securities Commission.

25       (b)   All of the provisions of this act, which apply generally  
26   to administrative departments, or generally except to the  
27   Department of the Auditor General, the Treasury Department and  
28   the Office of Attorney General, shall apply to the Executive  
29   Board and to the Pennsylvania State Police.

30       Section 202.   Departmental Administrative Boards,

1 Commissions, and Offices.--The following boards, commissions,  
2 and offices are hereby placed and made departmental  
3 administrative boards, commissions, or offices, as the case may  
4 be, in the respective administrative departments mentioned in  
5 the preceding section, as follows:

6 In the Department of State,

7 Commissioner of Professional and Occupational Affairs,  
8 State Real Estate Commission,  
9 State Board of Medical Education and Licensure,  
10 State Board of Physical Therapy Examiners,  
11 State Board of Pharmacy,  
12 State Dental Council and Examining Board,  
13 State Board of Optometrical Examiners,  
14 State Board of Osteopathic Medical Examiners,  
15 State Board of Nurse Examiners,  
16 State Board of Barber Examiners,  
17 State Board of Cosmetology,  
18 State Board of Veterinary Medical Examiners,  
19 State Board of Chiropractic Examiners,  
20 State Board of Podiatry Examiners,  
21 State Board of Examiners of Public Accountants,  
22 State Board of Examiners of Architects,  
23 State Registration Board for Professional Engineers,  
24 State Board of Funeral Directors,  
25 State Board of Examiners of Nursing Home Administrators,  
26 State Board of Auctioneer Examiners,  
27 State Board of Psychologist Examiners,  
28 State Board of Landscape Architects.

29 In the Department of Justice,

30 In the Treasury Department,

1           Board of Finance and Revenue;  
2       In the Department of Community Affairs,  
3           Board of Property;  
4       In the Department of Education,  
5           Board of Trustees of Thaddeus Stevens College of  
6           Technology,  
7           Board of Trustees of Scranton State School for the Deaf,  
8           Public Service Institute Board,  
9           State Board of Private Academic Schools,  
10          State Board of Private Licensed Schools,  
11          State Board of Education.  
12       In the Department of Military and Veterans Affairs,  
13           Armory Board of the State of Pennsylvania,  
14           Board of Trustees of Scotland School for Veterans'  
15          Children.  
16       In the Department of Banking and Securities,  
17           Board to License Private Bankers;  
18       In the Department of Agriculture,  
19           State Farm Products Show Commission;  
20       In the Department of Health,  
21       In the Department of Labor and Industry,  
22           Workmen's Compensation Appeal Board,  
23           State Workmen's Insurance Board,  
24           The Industrial Board,  
25           Unemployment Compensation Board of Review,  
26           Pennsylvania Labor Relations Board,  
27           Advisory Council on Affairs of the Handicapped;  
28       In the Department of [Public Welfare] Human Services,  
29           Board of Trustees of The Western Youth Development  
30          Centers,

1 Board of Trustees of The Central Youth Development  
2 Centers,  
3 Board of Trustees of The Eastern Youth Development  
4 Centers,  
5 Board of Trustees of Allentown State Hospital,  
6 Board of Trustees of Clarks Summit State Hospital,  
7 Board of Trustees of Danville State Hospital,  
8 Board of Trustees of Embreeville Center,  
9 Board of Trustees of Farview State Hospital,  
10 Board of Trustees of Harrisburg State Hospital,  
11 Board of Trustees of Mayview State Hospital,  
12 Board of Trustees of Norristown State Hospital,  
13 Board of Trustees of Philadelphia State Hospital,  
14 Board of Trustees of Somerset State Hospital,  
15 Board of Trustees of Warren State Hospital,  
16 Board of Trustees of Wernersville State Hospital,  
17 Board of Trustees of Woodville State Hospital,  
18 Board of Trustees of Torrance State Hospital,  
19 Board of Trustees of Haverford State Hospital,  
20 Board of Trustees of Ashland State General Hospital,  
21 Board of Trustees of Coaldale State General Hospital,  
22 Board of Trustees of Nanticoke State General Hospital,  
23 Board of Trustees of Philipsburg State General Hospital,  
24 Board of Trustees of Scranton State General Hospital,  
25 Board of Trustees of Shamokin State General Hospital,  
26 Board of Trustees of Ebensburg Center,  
27 Board of Trustees of Eastern State School and Hospital,  
28 Board of Trustees of Laurelton Center,  
29 Board of Trustees of Pennhurst Center,  
30 Board of Trustees of Polk Center,

1 Board of Trustees of Selinsgrove Center,  
2 Board of Trustees of Hamburg Center,  
3 Board of Trustees of Western Center,  
4 Board of Trustees of White Haven Center,  
5 Board of Trustees of Woodhaven Center,  
6 Board of Trustees of South Mountain Restoration Center.

7 In the Department of General Services,  
8 Board of Commissioners of Public Grounds and Buildings,  
9 State Art Commission;

10 In the Department of Revenue,  
11 State Athletic Commission;

12 In the Department of Commerce,  
13 Navigation Commission for the Delaware River and its  
14 navigable tributaries;

15 In the Department of Highways,  
16 State Highway Commission.

17 In the Department of Transportation,  
18 Hazardous Substances Transportation Board,

19 In the Department of Environmental Resources,  
20 Environmental Quality Board,  
21 Environmental Hearing Board,  
22 State Board for Certification of Sewage Treatment and  
23 Waterworks Operators,  
24 State Soil and Water Conservation Commission,  
25 Anthracite Mine Inspectors,  
26 Bituminous Mine Inspectors.

27 In the Department of Drug and Alcohol Programs,  
28 Bureau of Prevention and Intervention,  
29 Bureau of Treatment,  
30 Bureau of Administration.

1 All of the foregoing departmental administrative boards and  
2 commissions shall be organized or reorganized as provided in  
3 this act.

4 Section 203. Advisory Boards and Commissions.--The following  
5 advisory boards and commissions are placed in and made parts of  
6 the respective administrative departments, as follows:

7 In the Department of Military Affairs,

8 State Military Reservation Commission,

9 In the Department of Environmental Protection,

10 Citizens Advisory Council;

11 In the Department of Health,

12 Advisory Health Board;

13 In the Department of Labor and Industry,

14 Advisory Council on Affairs of the Handicapped,

15 Advisory Board on Problems of Older Workers,

16 Policy, Planning and Evaluation Advisory Committee;

17 In the Department of [Public Welfare] Human Services,

18 [State Board of Public Welfare,]

19 Advisory Committee for the Blind,

20 Advisory Committee for General and Special Hospitals,

21 Advisory Committee for Children and Youth,

22 Advisory Committee for Public Assistance,

23 Advisory Committee for Mental Health and Mental

24 Retardation.

25 Section 206. Department Heads.--Each administrative  
26 department shall have as its head an officer who shall, either  
27 personally, by deputy, or by the duly authorized agent or  
28 employe of the department, and subject at all times to the  
29 provisions of this act, exercise the powers and perform the  
30 duties by law vested in and imposed upon the department.

1       The following officers shall be the heads of the  
2 administrative departments following their respective titles:  
3       Secretary of the Commonwealth, of the Department of State;  
4       Auditor General, of the Department of the Auditor General;  
5       State Treasurer, of the Treasury Department;  
6       Attorney General, of the Office of Attorney General;  
7       Secretary of Education, of the Department of Education;  
8       Adjutant General, of the Department of Military Affairs;  
9       Insurance Commissioner, of the Insurance Department;  
10      Secretary of Banking and Securities, of the Department of  
11      Banking and Securities;  
12      Secretary of Agriculture, of the Department of Agriculture;  
13      Secretary of Transportation, of the Department of  
14      Transportation;  
15      Secretary of Health, of the Department of Health;  
16      Secretary of Drug and Alcohol Programs, of the  
17      Department of Drug and Alcohol Programs;  
18      Secretary of Labor and Industry, of the Department of Labor  
19      and Industry;  
20      Secretary of Aging, of the Department of Aging;  
21      Secretary of [Public Welfare] Human Services, of the  
22      Department of [Public Welfare] Human Services;  
23      Secretary of Revenue, of the Department of Revenue;  
24      Secretary of Community and Economic Development, of the  
25      Department of Community and Economic Development;  
26      Secretary of Environmental Protection, of the Department of  
27      Environmental Protection;  
28      Secretary of Conservation and Natural Resources, of the  
29      Department of Conservation and Natural Resources;  
30      Secretary of General Services, of the Department of General

1           Services;  
2       Secretary of Corrections, of the Department of Corrections.  
3       Section 207.1. Gubernatorial Appointments.--\* \* \*  
4       (d) The Governor shall nominate in accordance with the  
5 provisions of the Constitution of the Commonwealth of  
6 Pennsylvania and, by and with the advice and consent of a  
7 majority of the members elected to the Senate appoint persons to  
8 fill the following positions:

9       (1) The Secretary of Education, the Secretary of the  
10 Commonwealth, the Adjutant General, the Insurance Commissioner,  
11 the Secretary of Banking and Securities, the Secretary of  
12 Agriculture, the Secretary of Transportation, the Secretary of  
13 Health, the Secretary of Drug and Alcohol Programs, the  
14 Commissioner of the State Police, the Secretary of Corrections,  
15 the Secretary of Labor and Industry, the Secretary of Aging, the  
16 Secretary of [Public Welfare] Human Services, the Secretary of  
17 General Services, the Secretary of Revenue, the Secretary of  
18 Community and Economic Development, the Secretary of  
19 Environmental Protection and the Secretary of Conservation and  
20 Natural Resources.

21       \* \* \*

22       Section 2. Section 448(k) and (l) of the act, added December  
23 21, 1959 (P.L.1944, No.709) and amended July 9, 1970 (P.L.470,  
24 No.161), are repealed:

25       Section 448. Advisory Boards and Commissions.--The advisory  
26 boards and commissions, within the several administrative  
27 departments, shall be constituted as follows:

28       \* \* \*

29       [(k) The State Board of Public Welfare is hereby created.  
30 The board shall consist of the Secretary of Public Welfare, ex

1 officio, and sixteen (16) members appointed by the Governor.  
2 Four (4) members shall be appointed from among the members of  
3 the General Assembly, two (2) from the Senate and two (2) from  
4 the House of Representatives. These members of the board shall,  
5 with respect to each branch of the General Assembly, be from  
6 different political parties, and they shall, in no event, retain  
7 membership on the board after they cease to be members of the  
8 branch of the Legislature from which they were appointed. One  
9 (1) member shall be appointed by the Governor from each of the  
10 six (6) advisory committees created by clause (1) of this  
11 section, and the first member of each advisory committee  
12 appointed by the Governor shall automatically become a member of  
13 the board. The term of office of each member of the board,  
14 except as herein otherwise provided, shall be six (6) years.

15 In the original appointment of the members of the board, six  
16 (6) members shall be appointed for the term of six (6) years,  
17 five (5) members for the term of four (4) years, and five (5)  
18 members for the term of two (2) years. Any vacancy occurring in  
19 the membership of the board shall be filled by the Governor only  
20 for the unexpired term. The Governor may remove any member of  
21 the board at any time. No member of the board shall serve more  
22 than two (2) consecutive terms not including a vacancy  
23 appointment, nor shall any member hold office in any political  
24 party.

25 Nine (9) members of the board shall constitute a quorum. A  
26 chairman who shall not be a member of an advisory committee  
27 shall be elected by the board, annually, from among its members.  
28 Members of the board shall serve without compensation other than  
29 reimbursement of travel and other actual expenses incurred in  
30 the performance of their duties. The board shall meet at least

1 six (6) times a year. Special meetings of the board shall be  
2 held on call of the chairman or the Secretary of Public Welfare,  
3 and it shall be the duty of the chairman to call a special  
4 meeting upon the written request of one-third (1/3) or more  
5 members, not including vacancies, of the board.

6 (1) The following advisory committees are hereby created:

7 Advisory Committee for the Blind,

8 Advisory Committee for General and Special Hospitals,

9 Advisory Committee for Children and Youth,

10 Advisory Committee for Public Assistance,

11 Advisory Committee for Mental Health and Mental Retardation.

12 Each advisory committee shall consist of the Commissioner in  
13 the Department of Public Welfare, directing the program to which  
14 the advisory committee is attached, as an ex officio member, and  
15 not less than three (3) nor more than nine (9) members appointed  
16 by the Governor. In the case of the Advisory Committee for  
17 Mental Health and Mental Retardation, the committee shall  
18 include the Chairman of the Public Health and Welfare Committee  
19 of the Senate, the Chairman of the Health and Welfare Committee  
20 of the House of Representatives and the President of the  
21 Pennsylvania State Association of County Commissioners or his  
22 alternate. The exact number of members of each advisory  
23 committee shall be determined by the Governor upon  
24 recommendation of the State Board of Public Welfare. The  
25 qualifications of the members of each advisory committee shall  
26 also be determined by the Governor upon recommendation of the  
27 State Board of Public Welfare: Provided, That with respect to  
28 each advisory committee, the Governor shall appoint members with  
29 due regard for representation of the professional and lay groups  
30 concerned with the fields of interest served by the program to

1 which each advisory committee is attached. The term of office of  
2 each member of each advisory committee, except as herein  
3 otherwise provided, shall be six (6) years.

4 The original appointment of the members of the advisory  
5 committee shall be for overlapping terms of six (6), four (4)  
6 and two (2) years. In making these original appointments, the  
7 Governor shall, in so far as possible, appoint approximately  
8 one-third (1/3) of the recommended complement of each advisory  
9 board to each of the overlapping terms.

10 A majority of the members of each advisory committee shall  
11 constitute a quorum. Each advisory committee shall elect a  
12 chairman from among its members. Each advisory committee shall  
13 meet at least four (4) times a year. Special meetings of each  
14 advisory committee shall be held on call of the chairman, and it  
15 shall be the duty of the chairman to call a special meeting upon  
16 the written request of one-third (1/3) or more of the members  
17 not including vacancies of the advisory committee.

18 The provisions of clause (k) of this section with respect to  
19 filling of vacancies, removal of members, length of service,  
20 political party office and compensation shall be applicable to  
21 advisory committee members, and are incorporated herein by  
22 reference.]

23 \* \* \*

24 Section 3. Sections 451(b)(1) and 1209(b) of the act,  
25 amended July 9, 2010 (P.L.348, No.50), are amended to read:

26 Section 451. State Planning Board.--\* \* \*

27 (b) (1) The State Planning Board shall consist of fifteen  
28 members to be appointed by the Governor from among the citizens  
29 of the State, who during their terms shall hold no other office  
30 in the executive branch of State Government to which any salary

1 is attached. In addition to these members, there shall be six ex  
2 officio members, the Secretary of Agriculture, the Secretary of  
3 Community and Economic Development, the Secretary of  
4 Environmental Protection, the Secretary of Conservation and  
5 Natural Resources, the Secretary of [Public Welfare] Human  
6 Services and the Secretary of Transportation. There shall also  
7 be two members appointed by, and serve at the pleasure of, the  
8 President pro tempore of the Senate, neither of whom shall be  
9 members of the same political party, and two members appointed  
10 by, and serve at the pleasure of, the Speaker of the House of  
11 Representatives, neither of whom shall be members of the same  
12 political party. The terms of office of those members appointed  
13 by the Governor shall be for four years and until their  
14 successors are appointed and have qualified. In case of a  
15 vacancy, the Governor shall make an appointment for the  
16 unexpired portion of the term. The Governor shall designate the  
17 chairman and vice-chairman of the board from among the members  
18 of the board, other than the ex officio and legislative members.

19 \* \* \*

20 Section 1209. Local Government Budget and Financial Reports;  
21 Compilation of Statistics.--The Department of Community and  
22 Economic Development shall have power and its duty shall be:

23 \* \* \*

24 (b) To furnish to the corporate authorities of each county  
25 (except counties of the first class), city of the third class,  
26 borough, incorporated town, township suitable blank forms for  
27 the making of annual reports of the financial condition of their  
28 respective local governments to the department, which forms for  
29 financial report purposes shall be placed by said corporate  
30 authorities into the hands of the director, controller or

1 auditors who by law are required to make such financial reports  
2 to the department. Such annual financial reports shall be  
3 prepared in cooperation with aforesaid duly authorized  
4 committees of local government officials and shall contain: (1)  
5 a statement of the receipts of the unit of local government from  
6 all sources and of all accounts and revenue which may be due and  
7 uncollected at the close of the fiscal year; (2) a statement of  
8 the disbursements for all the governmental activities of the  
9 unit of local government during the fiscal year; (3) a detailed  
10 statement of the indebtedness of the unit of local government at  
11 the close of the fiscal year, the provisions made for the  
12 payment thereof, together with the purposes for which it was  
13 incurred; (4) a statement of the cost of ownership and operation  
14 of each and every public service industry owned, maintained or  
15 operated by the unit of local government; (5) such further or  
16 more specific information in relation to the cost of any branch  
17 of the local government and improvements therein as may be  
18 required by the department.

19 In the case of blank forms for financial reports by townships  
20 of the second class and counties, the same shall be so arranged  
21 that corresponding data and information, required to be reported  
22 by said units of local government to the Department of  
23 Transportation or the Department of [Public Welfare] Human  
24 Services, may be used for the information required to be  
25 furnished to the Department of Community and Economic  
26 Development under this section.

27 \* \* \*

28 Section 4. Section 2203-A(11), (17.2), (24) and (26),  
29 amended December 15, 1988 (P.L.1244, No.153) and July 9, 2010  
30 (P.L.348, No.50), are amended to read:

1       Section 2203-A. Powers and Duties in General[.-].--(a) The  
2 Department of Aging hereinafter referred to in this article as  
3 the department shall, subject to any inconsistent provisions in  
4 this act contained, have the power and its duty shall be to:

5       \* \* \*

6       (11) Promote and support programs, studies and policies, in  
7 cooperation with the Departments of Labor and Industry,  
8 Education, Community and Economic Development, [Public Welfare]  
9 Human Services and other agencies, which will enhance the  
10 opportunity for continued work, education and training for older  
11 persons and for preretirement assistance where appropriate.

12       \* \* \*

13       (17.2) In cooperation with the Department of Health and the  
14 Department of [Public Welfare] Human Services:

15       (i) Develop and administer a system of preadmission  
16 assessment for persons who are at risk of needing institutional  
17 care, if the Governor finds such a system cost effective.

18       (ii) Develop and administer a system of managed community-  
19 based long-term care for persons who are assessed as being  
20 clinically eligible for nursing home care and who can be cared  
21 for within cost-of-care guidelines established by the  
22 department, if the Governor finds such a system cost effective.

23       \* \* \*

24       (24) Conduct, in cooperation with the Department of Health  
25 and the Department of [Public Welfare] Human Services, periodic  
26 studies and evaluations pertaining to the quality of care and  
27 related services for consumers of long-term care services and  
28 report such findings to the General Assembly.

29       \* \* \*

30       (26) Review and comment on all rules, regulations,

1 eligibility or payment standards issued by the Departments of  
2 [Public Welfare] Human Services, Environmental Protection or  
3 Labor and Industry relating to the licensure and regulation of  
4 nursing homes, hospitals, and other health facilities; medical  
5 assistance, supplemental security income; homemaking and home-  
6 health care or residential care facilities for older adults.  
7 Said rules, regulations and standards shall not take effect  
8 until they have been submitted to the department for comment.

9 \* \* \*

10 Section 5. Section 2213-A of the act, added June 12, 1996  
11 (P.L.337, No.53), is amended to read:

12 Section 2213-A. Pharmacy Reimbursement.--An immediate in-  
13 depth pharmacy service study shall be performed by the  
14 Department of Aging and the Department of [Public Welfare] Human  
15 Services. This pharmacy study shall determine the full cost of  
16 filling a prescription and providing pharmacy services,  
17 including reasonable profits derived, in the Pennsylvania  
18 Medicaid and PACE programs. This study shall be considered in  
19 determining pharmacy reimbursement.

20 Section 6. Section 2204-B(10) of the act, added June 9, 1993  
21 (P.L.90, No.19), is amended to read:

22 Section 2204-B. Commonwealth Departments and Agencies.--The  
23 office shall have the following powers and duties:

24 \* \* \*

25 (10) To develop and implement with the Department of [Public  
26 Welfare] Human Services a plan for job training programs that  
27 will have community service options which can serve as a  
28 transition from public assistance to sustained employment.

29 Section 7. Article XXIII heading and sections 2301 and 2313  
30 first paragraph, amended July 13, 1957 (P.L.852, No.390), are

1 amended to read:

2 ARTICLE XXIII  
3 POWERS AND DUTIES OF THE DEPARTMENT OF  
4 [PUBLIC WELFARE] HUMAN SERVICES AND ITS DEPARTMENTAL  
5 ADMINISTRATIVE AND ADVISORY BOARDS  
6 AND COMMISSIONS

7 Section 2301. Powers and Duties in General.--The Department  
8 of [Public Welfare] Human Services shall, subject to any  
9 inconsistent provisions in this act contained, continue to  
10 exercise the powers and perform the duties by law vested in and  
11 imposed upon the said department, the Secretary of [Public  
12 Welfare] Human Services, and the former Department of Public  
13 Welfare, and Commissioner of Public Welfare, and the former  
14 Department of Welfare.

15 Section 2313. Mental Health.--The Department of [Public  
16 Welfare] Human Services shall have the power and its duty shall  
17 be:

18 \* \* \*

19 Section 8. Section 2313.4 of the act, added December 11,  
20 1986 (P.L.1485, No.153), is amended to read:

21 Section 2313.4. Operation of Eastern Pennsylvania  
22 Psychiatric Institute.--The Department of [Public Welfare] Human  
23 Services is hereby authorized to relinquish the entire  
24 government, management, operation and control of the Eastern  
25 Pennsylvania Psychiatric Institute to The Medical College of  
26 Pennsylvania upon the effective date of a lease entered pursuant  
27 to section 2418.

28 (1) Upon the execution of the lease permitted pursuant to  
29 section 2418, the Eastern Pennsylvania Psychiatric Institute  
30 shall be operated under the management of the Board of

1 Corporators of The Medical College of Pennsylvania, which shall  
2 be responsible for the management and operation of the  
3 institute.

4 (2) The Medical College of Pennsylvania shall conduct  
5 research into the causes, prevention, treatment and cure of  
6 mental, neurological and related disorders and shall provide  
7 consultation, education, training and treatment at the Eastern  
8 Pennsylvania Psychiatric Institute responsive to the mental  
9 health needs of the public. Provision of these services and the  
10 conduct of research shall be limited only by funds available for  
11 these purposes. In addition to requesting appropriations from  
12 the General Assembly to fund these functions, the Board of  
13 Corporators of The Medical College of Pennsylvania shall make  
14 good faith efforts to obtain funding from third party sources.

15 (3) The Medical College of Pennsylvania shall utilize all  
16 space in the buildings known as the Eastern Pennsylvania  
17 Psychiatric Institute consistent with the functions described in  
18 this section. If The Medical College of Pennsylvania uses space  
19 in the Eastern Pennsylvania Psychiatric Institute for functions  
20 other than those described, it shall provide the Department of  
21 [Public Welfare] Human Services with written documentation that  
22 an equivalent amount of space is used in other facilities of The  
23 Medical College of Pennsylvania for those functions.

24 (4) The Medical College of Pennsylvania may construct  
25 buildings on vacant land of the leased premises if the buildings  
26 are consistent with the academic health mission of The Medical  
27 College of Pennsylvania.

28 Section 9. Section 2327 of the act, added December 21, 1959  
29 (P.L.1944, No.709), is repealed:

30 [Section 2327. Powers and Duties of the State Board of

1 Public Welfare.--The State Board of Public Welfare shall be an  
2 advisory body to, and a consultative body of the Department of  
3 Public Welfare with no power to approve or disapprove rules or  
4 regulations, and shall have the power and its duty shall be:

5 (a) To participate in the development of broad outlines, of  
6 policy and in the formulation of long-range programs and  
7 objectives of the Department of Public Welfare,

8 (b) To interpret such programs and objectives to the public,  
9 and

10 (c) To advise the Secretary of Public Welfare, the Governor  
11 and the General Assembly, with respect to the policies,  
12 programs, objectives and functioning of the Department of Public  
13 Welfare.]

14 Section 10. Section 2328 of the act, amended June 20, 1978  
15 (P.L.477, No.70), is amended to read:

16 Section 2328. Powers and Duties of Advisory Committees.--The  
17 Advisory Committee for the Blind, the Advisory Committee for  
18 General and Special Hospitals, the Advisory Committee for  
19 Children and Youth, the Advisory Committee for Public Assistance  
20 and the Advisory Committee for Mental Health and Mental  
21 Retardation, shall, concerning matters within their respective  
22 special fields of interest, have the power and their duty shall  
23 be:

24 (a) To advise the appropriate major program unit of the  
25 Department of [Public Welfare] Human Services. This advice shall  
26 include, but shall not be limited to, such matters as standards  
27 of eligibility, nature and extent of service, amounts of  
28 payments to individuals, standards of approval, certification  
29 and licensure of institutions and agencies, ways and means of  
30 coordinating public and private welfare activities, and such

1 other matters as may, by law, require citizen review or may be  
2 referred to the committees by the departmental units advised by  
3 them; and the Advisory Committee for Mental Health and Mental  
4 Retardation shall also have the power and duty to advise the  
5 Governor and the Secretary of [Public Welfare] Human Services  
6 with regard to the appointment of the Commissioner of Mental  
7 Health.

8 (b) To arrange for and conduct such public hearings as may  
9 be required by law or which they deem necessary and advisable,

10 (c) To promote better public understanding of the programs  
11 and objectives of the departmental units advised by them, and

12 [(d) To make recommendations to the State Board of Public  
13 Welfare on matters referred to the committees for consideration  
14 and advice, or as may be required to promote the effectiveness  
15 of the programs, of the departmental units advised by them.]

16 Section 11. Section 2333(c) and (d) of the act, added March  
17 30, 1988 (P.L.329, No.44), are amended to read:

18 Section 2333. Domestic Violence and Rape Victims Services.--

19 \* \* \*

20 (c) The Department of [Public Welfare] Human Services shall  
21 make grants to domestic violence centers and rape crisis centers  
22 for the operation of domestic violence programs and rape crisis  
23 programs consistent with this section. In awarding grants, the  
24 Department of [Public Welfare] Human Services shall consider the  
25 population to be served, the geographical area to be serviced,  
26 the scope of the services, the need for services and the amount  
27 of funds provided from other sources.

28 (d) The Department of [Public Welfare] Human Services shall  
29 make available at cost to the public copies of applications that  
30 have been submitted or approved for funding and reports on any

1   fiscal or programmatic reviews of funded programs.

2       \* \* \*

3       Section 12. Section 2334(b) and (c) of the act, added  
4   December 15, 1988 (P.L.1239, No.152), are amended to read:

5       Section 2334. Medical Assistance Payments.--\* \* \*

6       (b) Consistent with section 2301, the Department of [Public  
7   Welfare] Human Services shall:

8       (1) Provide, on behalf of persons eligible for medical  
9   assistance, medical assistance coverage for detoxification,  
10   treatment and care in a nonhospital alcohol detoxification  
11   facility, nonhospital drug detoxification facility, nonhospital  
12   alcohol and drug detoxification facility, or a nonhospital  
13   treatment facility which can provide services for either drug or  
14   alcohol detoxification or treatment or for both, provided that  
15   the facility is licensed by the Office of Drug and Alcohol  
16   Programs in the Department of Health.

17       (2) Use criteria developed by the Office of Drug and Alcohol  
18   Programs for governing the type, level and length of care or  
19   treatment, including hospital detoxification, as a basis for the  
20   development of standards for services provided under clause (1).

21       (3) Notwithstanding clause (1), provide by regulation for  
22   gradual implementation of medical assistance coverage under this  
23   subsection to client populations which shall be identified in  
24   cooperation with the Department of Health. The regulations shall  
25   provide for full implementation of clause (1) to all medical  
26   assistance eligibles in phases over a period of time not to  
27   exceed five years from the effective date of the regulations.  
28   The program phases shall be structured so as to allow for  
29   independent evaluation of each phase on an ongoing basis.  
30   Initial regulations adopted pursuant to this subsection shall

1 not be subject to review pursuant to the act of June 25, 1982  
2 (P.L.633, No.181), known as the "Regulatory Review Act," except  
3 that the regulations may be reviewed under section 5(h) of that  
4 act.

5 (c) The Department of [Public Welfare] Human Services, the  
6 Department of Health and the Office of Drug and Alcohol Programs  
7 shall jointly provide for an independent evaluation of the  
8 program authorized by this section in accordance with specific  
9 evaluation criteria, which shall include, but not be limited to:  
10 (i) comparison of medical costs before and after program  
11 implementation; (ii) employment history; and (iii) involvement  
12 with other programs of the Department of Health, the Department  
13 of [Public Welfare] Human Services, the Department of  
14 Corrections and any other appropriate agencies. The evaluation  
15 shall be conducted in compliance with all applicable Federal and  
16 State confidentiality requirements.

17 Section 13. Sections 2303.1-B and 2306-B(b) (2) of the act,  
18 added April 7, 2014 (P.L.383, No.28), are amended to read:  
19 Section 2303.1-B. Additional funding.

20 (a) Initial year.--For the fiscal year beginning July 1,  
21 2014, 50% of the fee charged by the Department of Health for a  
22 certified copy of a birth record under section 609-A shall be  
23 transferred to the Department of [Public Welfare] Human Services  
24 for training of mandated reporters of child abuse and child  
25 abuse related costs.

26 (b) Subsequent years.--For the fiscal year beginning July 1,  
27 2015, and each fiscal year thereafter, 50% of the fee charged by  
28 the Department of Health for a certified copy of a birth record  
29 under section 609-A shall be distributed as follows:

30 (1) Twenty-five percent shall be transferred to the

1 Department of [Public Welfare] Human Services for training of  
2 mandated reporters of child abuse and child abuse related  
3 costs.

4 (2) Seventy-five percent shall be transferred to the  
5 commission for grants for child advocacy centers and  
6 multidisciplinary investigative teams.

7 (c) Restrictions.--The funding under this section shall not  
8 be used to supplant Federal, State or local funds otherwise  
9 available for child advocacy centers and multidisciplinary  
10 investigative teams.

11 Section 2306-B. Child Advocacy Center Advisory Committee.

12 \* \* \*

13 (b) Composition.--The committee shall consist of no more  
14 than 21 members and be appointed by the chairman of the  
15 commission and shall include all of the following:

16 \* \* \*

17 (2) The Deputy Secretary of the Office of Children,  
18 Youth and Families of the Department of [Public Welfare]  
19 Human Services.

20 \* \* \*

21 Section 14. Section 2418 of the act, added December 11, 1986  
22 (P.L.1485, No.153), is amended to read:

23 Section 2418. Lease of Eastern Pennsylvania Psychiatric  
24 Institute.--The Department of General Services, with the  
25 approval of the Governor and the Department of [Public Welfare]  
26 Human Services, is authorized to lease or sublease, for the  
27 rental of one dollar (\$1) per annum, all of the land and  
28 buildings in the city and county of Philadelphia known as the  
29 Eastern Pennsylvania Psychiatric Institute, and all  
30 improvements, fixtures, equipment and furnishings located there,

1 to The Medical College of Pennsylvania upon such terms and  
2 conditions as The Medical College of Pennsylvania and the  
3 Department of [Public Welfare] Human Services shall agree. The  
4 provisions of section 2402(i) shall not apply to a lease entered  
5 into pursuant to this section.

6 Section 15. This act shall take effect in 60 days.