

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 260 Session of  
1989

INTRODUCED BY GIGLIOTTI, MARKOSEK, TRELLO, OLASZ, COWELL,  
KAISER, LEVDANSKY, McVERRY, PISTELLA, VAN HORNE, PRESTON,  
ROBINSON AND PETRONE, FEBRUARY 7, 1989

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 7, 1989

AN ACT

1 Amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96,  
2 No.6), entitled "An act relating to mental health and mental  
3 retardation; authorizing county programs and amending,  
4 revising and changing the laws relating thereto and making an  
5 appropriation," further providing for local mental health and  
6 mental retardation services and for the liability of the  
7 Commonwealth for certain care.

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

10 Section 1. Sections 301(d) and 507 of the act of October 20,  
11 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health  
12 and Mental Retardation Act of 1966, are amended to read:

13 Section 301. General Powers and Duties of Local Authorities;  
14 Mental Health and Mental Retardation Program and Services.--\* \*  
15 \*

16 (d) Subject to the provisions of sections 508 and 509(5) it  
17 shall be the duty of local authorities in cooperation with the  
18 department to insure that the following mental health and mental  
19 retardation services are available:

20 (1) Short term inpatient services other than those provided

1 by the State.

2 (2) Outpatient services.

3 (3) Partial hospitalization services.

4 (4) Emergency services twenty-four hours per day which shall  
5 be provided by, or available within at least one of the types of  
6 services specified heretofore in this paragraph.

7 (5) Consultation and education services to professional  
8 personnel and community agencies.

9 (6) Aftercare services for persons released from State and  
10 County facilities.

11 (7) Specialized rehabilitative and training services  
12 including sheltered workshops.

13 (8) [Interim care of mentally retarded persons who have been  
14 removed from their homes and who having been accepted, are  
15 awaiting admission to a State operated facility.] Residential  
16 care for all mentally disabled persons, including both mentally  
17 ill and mentally retarded persons, who have been removed from  
18 their homes and who have been accepted into the county mental  
19 health and mental retardation program. Former patients of State  
20 mental hospitals and former residents of State centers for the  
21 mentally retarded shall be eligible for care under this clause.

22 (9) Unified procedures for intake for all county services  
23 and a central place providing referral services and information.

24 \* \* \*

25 Section 507. Liability of the Commonwealth.--[(a)] Except  
26 as provided in sections 501, 502, and 505, the Commonwealth  
27 shall pay the full cost with no charge to the counties for the  
28 following:

29 (1) Diagnosis, evaluation and care in State operated  
30 facilities, or in a facility with which the State may contract.

1 (2) Such other obligations as may arise under any new  
2 program established by the department.

3 (3) Payments for inpatient care not exceeding sixty days per  
4 benefit period, and partial hospitalization not exceeding one  
5 hundred twenty days, per year, for persons financially  
6 ineligible for such care under the Public Assistance Law.

7 (4) [Interim care of mentally retarded persons, who have  
8 been removed from their homes and who, having been accepted, are  
9 awaiting admission to a State facility.] Residential care for  
10 all mentally disabled persons, including both mentally ill and  
11 mentally retarded persons, who have been removed from their  
12 homes and who have been accepted into the county mental health  
13 and mental retardation program. Former patients of State mental  
14 hospitals and former residents of State centers for the mentally  
15 retarded shall be eligible for care under this clause.

16 Section 2. This act shall take effect in 60 days.