

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 628 Session of 2015

INTRODUCED BY WOZNIAK, FOLMER AND VANCE, MARCH 13, 2015

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 13, 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," in administrative  
 21 organization, abolishing the Department of Drug and Alcohol  
 22 Programs; in powers and duties of the Department of Health  
 23 and its departmental Administrative and Advisory Board,  
 24 transferring the Department of Drug and Alcohol's powers and  
 25 duties to the Department of Health; and, in powers and duties  
 26 of the Department of Drug and Alcohol Programs, making a  
 27 repeal.

28 The General Assembly of the Commonwealth of Pennsylvania  
 29 hereby enacts as follows:

30 Section 1. Sections 201, 202 as much as relates to the  
 31 Department of Drug and Alcohol Programs, 206 and 207.1(d) (1) of

1 the act of April 9, 1929 (P.L.177, No.175), known as The  
2 Administrative Code of 1929, amended or added July 9, 2010  
3 (P.L.348, No.50), are amended to read:

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

27 (b) All of the provisions of this act, which apply generally  
28 to administrative departments, or generally except to the  
29 Department of the Auditor General, the Treasury Department and  
30 the Office of Attorney General, shall apply to the Executive

1 Board and to the Pennsylvania State Police.

2 Section 202. Departmental Administrative Boards,  
3 Commissions, and Offices.--The following boards, commissions,  
4 and offices are hereby placed and made departmental  
5 administrative boards, commissions, or offices, as the case may  
6 be, in the respective administrative departments mentioned in  
7 the preceding section, as follows:

8 \* \* \*

9 [In the Department of Drug and Alcohol Programs,  
10 Bureau of Prevention and Intervention,  
11 Bureau of Treatment,  
12 Bureau of Administration.]

13 All of the foregoing departmental administrative boards and  
14 commissions shall be organized or reorganized as provided in  
15 this act.

16 Section 206. Department Heads.--Each administrative  
17 department shall have as its head an officer who shall, either  
18 personally, by deputy, or by the duly authorized agent or  
19 employe of the department, and subject at all times to the  
20 provisions of this act, exercise the powers and perform the  
21 duties by law vested in and imposed upon the department.

22 The following officers shall be the heads of the  
23 administrative departments following their respective titles:

24 Secretary of the Commonwealth, of the Department of State;  
25 Auditor General, of the Department of the Auditor General;  
26 State Treasurer, of the Treasury Department;  
27 Attorney General, of the Office of Attorney General;  
28 Secretary of Education, of the Department of Education;  
29 Adjutant General, of the Department of Military Affairs;  
30 Insurance Commissioner, of the Insurance Department;

1 Secretary of Banking, of the Department of Banking;  
2 Secretary of Agriculture, of the Department of Agriculture;  
3 Secretary of Transportation, of the Department of  
4 Transportation;  
5 Secretary of Health, of the Department of Health;  
6 [Secretary of Drug and Alcohol Programs, of the  
7 Department of Drug and Alcohol Programs;]  
8 Secretary of Labor and Industry, of the Department of Labor  
9 and Industry;  
10 Secretary of Aging, of the Department of Aging;  
11 Secretary of Public Welfare, of the Department of Public  
12 Welfare;  
13 Secretary of Revenue, of the Department of Revenue;  
14 Secretary of Community and Economic Development, of the  
15 Department of Community and Economic Development;  
16 Secretary of Environmental Protection, of the Department of  
17 Environmental Protection;  
18 Secretary of Conservation and Natural Resources, of the  
19 Department of Conservation and Natural Resources;  
20 Secretary of General Services, of the Department of General  
21 Services;  
22 Secretary of Corrections, of the Department of Corrections.

23 Section 207.1. Gubernatorial Appointments.--\* \* \*

24 (d) The Governor shall nominate in accordance with the  
25 provisions of the Constitution of the Commonwealth of  
26 Pennsylvania and, by and with the advice and consent of a  
27 majority of the members elected to the Senate appoint persons to  
28 fill the following positions:

29 (1) The Secretary of Education, the Secretary of the  
30 Commonwealth, the Adjutant General, the Insurance Commissioner,

1 the Secretary of Banking, the Secretary of Agriculture, the  
2 Secretary of Transportation, the Secretary of Health, [the  
3 Secretary of Drug and Alcohol Programs,] the Commissioner of the  
4 State Police, the Secretary of Corrections, the Secretary of  
5 Labor and Industry, the Secretary of Aging, the Secretary of  
6 Public Welfare, the Secretary of General Services, the Secretary  
7 of Revenue, the Secretary of Community and Economic Development,  
8 the Secretary of Environmental Protection and the Secretary of  
9 Conservation and Natural Resources.

10 \* \* \*

11 Section 2. Section 2114 of the act, added May 2, 1949  
12 (P.L.817, No.213), is amended to read:

13 Section 2114. [Alcoholism] Drug and Alcohol Abuse and  
14 Dependence.--The Department of Health shall have the power, and  
15 its duty shall be:

16 [(a) To investigate the subject of alcoholism in respect to  
17 rehabilitation and compile and maintain reliable statistics  
18 indicating the effectiveness of any rehabilitation programs  
19 carried forward by State-aided clinics for alcoholics, State  
20 hospitals and State-aided hospitals receiving alcoholics;

21 (b) To take such other steps as may be necessary to procure  
22 such information and data as may be deemed helpful in the  
23 treatment and rehabilitation of alcoholics.]

24 (a) To develop and adopt a State plan for the control,  
25 prevention, intervention, treatment, rehabilitation, research,  
26 education and training aspects of drug and alcohol abuse and  
27 dependence problems. The State plan shall include provisions  
28 for:

29 (1) Coordination of the efforts of all State agencies in the  
30 control, prevention, intervention, treatment, rehabilitation,

1 research, education and training aspects of drug and alcohol  
2 abuse and dependence problems so as to avoid duplications and  
3 inconsistencies in the efforts of the agencies.

4 (2) Coordination of all health and rehabilitation efforts to  
5 deal with the problem of drug and alcohol abuse and dependence,  
6 including those relating to vocational rehabilitation, manpower  
7 development and training, senior citizens, law enforcement  
8 assistance, parole and probation systems, jails and prisons,  
9 health research facilities, mental retardation facilities and  
10 community mental health centers, juvenile delinquency, health  
11 professions, educational assistance, hospital and medical  
12 facilities, social security, community health services,  
13 education professions development, higher education,  
14 Commonwealth employes health benefits, economic opportunity,  
15 comprehensive health planning, elementary and secondary  
16 education, highway safety and the civil service laws.

17 (3) Encouragement of the formation of local agencies and  
18 local coordinating councils, promotion of cooperation and  
19 coordination among such groups and encouragement of  
20 communication of ideas and recommendations from such groups to  
21 the Pennsylvania Advisory Council on Drug and Alcohol Abuse.

22 (4) Development of model drug and alcohol abuse and  
23 dependence control plans for local government, utilizing the  
24 concepts incorporated in the State plan. The model plans shall  
25 be reviewed on a periodic basis, but not less than once a year,  
26 and revised to keep them current. The model plans shall specify  
27 how all types of community resources and existing Federal and  
28 State legislation may be utilized.

29 (5) Assistance and consultation to local governments, public  
30 and private agencies, institutions and organizations and

1 individuals with respect to the prevention and treatment of drug  
2 and alcohol abuse and dependence, including coordination of  
3 programs among them.

4 (6) Cooperation with organized medicine to disseminate  
5 medical guidelines for the use of drugs and controlled  
6 substances in medical practice.

7 (7) Coordination of research, scientific investigations,  
8 experiments and studies relating to the cause, epidemiology,  
9 sociological aspects, toxicology, pharmacology, chemistry,  
10 effects on health, dangers to public health, prevention,  
11 diagnosis and treatment of drug and alcohol abuse and  
12 dependence.

13 (8) Investigation of methods for the more precise detection  
14 and determination of alcohol and controlled substances in urine  
15 and blood samples and by other means, and publication on a  
16 current basis of uniform methodology for detections and  
17 determinations.

18 (9) Any information obtained through scientific  
19 investigation or research conducted under this act shall be used  
20 in ways so that no name or identifying characteristics of any  
21 person shall be divulged without the approval of the department  
22 and the consent of the person concerned. Persons engaged in  
23 research under this section shall protect the privacy of  
24 individuals who are the subject of the research by withholding  
25 from all persons not connected with the conduct of the research  
26 the names or other identifying characteristics of such  
27 individuals. Persons engaged in the research shall protect the  
28 privacy of individuals and may not be compelled in any State,  
29 civil, criminal, administrative, legislative or other proceeding  
30 to identify the individuals.

1     (10) Establishment of training programs for professional and  
2 nonprofessional personnel with respect to drug and alcohol abuse  
3 and dependence, including the encouragement of such programs by  
4 local governments.

5     (11) Development of a model curriculum, including the  
6 provision of relevant data and other information, for  
7 utilization by elementary and secondary schools for instructing  
8 children and for parent-teachers' associations, adult education  
9 centers, private citizen groups or other State and local sources  
10 for instruction of parents and other adults about drug and  
11 alcohol abuse and dependence.

12     (12) Preparation of a broad variety of educational,  
13 prevention and intervention material for use in all media, to  
14 reach all segments of the population, that can be utilized by  
15 public and private agencies, institutions and organizations in  
16 educational programs with respect to drug and alcohol abuse and  
17 dependence.

18     (13) Establishment of educational courses, including the  
19 provision of relevant data and other information on the causes  
20 and effects of and treatment for drug and alcohol abuse and  
21 dependence, for law enforcement officials, including prosecuting  
22 attorneys, court personnel, the judiciary, probation and parole  
23 officers, correctional officers and other law enforcement  
24 personnel, welfare, vocational rehabilitation and other State  
25 and local officials, who come in contact with drug abuse and  
26 dependence problems.

27     (14) Recruitment, training, organization and employment of  
28 professional and other persons, including former drug and  
29 alcohol abusers and dependent persons, to organize and  
30 participate in programs of public education.

1 (15) Treatment and rehabilitation services for male and  
2 female juveniles and adults who are charged with, convicted of  
3 or serving a criminal sentence for any criminal offense under  
4 the laws of the Commonwealth. Provision of similar services  
5 shall be made for juveniles adjudged to be delinquent, dependent  
6 or neglected. These services shall include emergency medical  
7 services, inpatient services and intermediate care,  
8 rehabilitative and outpatient services.

9 (16) Giving priority to developing community-based drug or  
10 alcohol abuse treatment services in a cooperative manner among  
11 State and local governmental agencies and departments and public  
12 and private agencies, institutions and organizations.  
13 Consideration shall be given to supportive medical care,  
14 services or residential facilities for drug or alcohol dependent  
15 persons for whom treatment has repeatedly failed and for whom  
16 recovery is unlikely.

17 (17) Establishment of a system of emergency medical services  
18 for persons voluntarily seeking treatment, for persons admitted  
19 and committed to treatment facilities according to the  
20 procedural admission and commitment provisions of the act of  
21 July 9, 1976 (P.L.817, No.143), known as the "Mental Health  
22 Procedures Act," and for persons charged with a crime under  
23 Pennsylvania law. Upon the establishment of such emergency  
24 medical services, the Department of Health, by regulation, shall  
25 require that appropriate emergency medical services be made  
26 available to all drug and alcohol abusers who are arrested for a  
27 crime under Pennsylvania law.

28 (18) Providing standards for the approval by the relevant  
29 State agency for all private and public treatment and  
30 rehabilitative facilities, which may include State hospitals and

1 institutions, public and private general hospitals, community  
2 mental health centers or their contracting agencies and public  
3 and private drug or alcohol dependence and drug and alcohol  
4 abuse and dependence treatment and rehabilitation centers.

5 (19) Grants and contracts for the prevention, intervention  
6 and treatment of drug and alcohol dependence. The grants and  
7 contracts may include assistance to local governments and public  
8 and private agencies, institutions and organizations for  
9 prevention, intervention, treatment, rehabilitation, research,  
10 education and training aspects of the drug and alcohol abuse and  
11 dependence problems with the Commonwealth. Any grant made or  
12 contract entered into by a department or agency shall be  
13 pursuant to the functions allocated to that department or agency  
14 by the State plan.

15 (20) Preparation of general regulations for and operation of  
16 programs supported with assistance.

17 (21) Establishment of priorities for deciding allocation of  
18 the funds.

19 (22) Review the administration and operation of programs,  
20 including the effectiveness of programs in meeting the purposes  
21 for which they are established and operated, and make annual  
22 reports of the findings.

23 (23) Evaluate the programs and projects carried out and  
24 disseminate the results of the evaluations.

25 (24) Establish advisory committees as deemed necessary to  
26 assist the Department of Health in fulfilling its  
27 responsibilities.

28 (b) In developing the State plan initially, and prior to its  
29 amendment annually, to hold a public hearing at least thirty  
30 (30) days prior to the adoption of the initial State plan and

1 subsequent amendments and to afford all interested persons an  
2 opportunity to present their views either orally or in writing.  
3 The Department of Health, through its staff, shall consult and  
4 collaborate with appropriate Federal, State and local  
5 departments, boards, agencies and governmental units, and with  
6 appropriate public and private agencies, institutions, groups  
7 and organizations. Otherwise, the promulgation of the State plan  
8 shall conform to the procedure contained in the act of July 31,  
9 1968 (P.L.769, No.240), referred to as the Commonwealth  
10 Documents Law.

11 (c) In accordance with the State plan, to allocate the  
12 responsibility for all services, programs and other efforts  
13 provided for among the appropriate departments, agencies and  
14 other State personnel. The Department of Health, through its  
15 employees, shall have the power and its duty shall be to  
16 implement compliance with the provisions of the State plan and  
17 to coordinate all efforts.

18 (d) To gather and publish statistics pertaining to drug and  
19 alcohol abuse and dependence and promulgate regulations,  
20 specifying uniform statistics to be obtained, records to be  
21 maintained and reports to be submitted by public and private  
22 departments, agencies, organizations, practitioners and other  
23 persons with respect to drug and alcohol abuse and dependence  
24 and related problems. Such statistics and reports shall not  
25 reveal the identity of any patient or drug or alcohol-dependent  
26 person or other confidential information.

27 (e) To establish an information center, which will attempt  
28 to gather and contain all available published and unpublished  
29 data and information on the problems of drug and alcohol abuse  
30 and dependence. All Commonwealth departments and agencies shall

1 send to the Department of Health any data and information  
2 pertinent to the cause, prevention, diagnosis and treatment of  
3 drug and alcohol abuse and dependence and the toxicology and  
4 pharmacology effects on the health of drug and alcohol abusers  
5 and danger to the public health of alcohol, drugs and controlled  
6 substances. The Department of Health shall make the data and  
7 information widely available.

8 (f) To require all appropriate State and local departments,  
9 agencies, institutions and others engaged in implementing the  
10 State plan to submit as often as necessary, but no less often  
11 than annually, reports detailing the activities and effects of  
12 the implementation and recommending appropriate amendments to  
13 the State plan. The department may direct a performance audit of  
14 any activity engaged in pursuant to the State plan.

15 (g) To submit an annual report to the General Assembly which  
16 shall specify the actions taken and services provided and funds  
17 expended and an evaluation of their effectiveness. The annual  
18 report shall also contain the current State plan. The Department  
19 of Health shall submit additional reports as may be requested by  
20 the General Assembly and recommendations to further the  
21 prevention, treatment and control of drug and alcohol abuse and  
22 dependence.

23 (h) To make provisions for facilities in each city or region  
24 or catchment area which shall provide information about the  
25 total Commonwealth drug and alcohol abuse and drug and alcohol  
26 dependency programs and services.

27 Section 3. Article XXIII-A heading and section 2301-A of the  
28 act, added July 9, 2010 (P.L.348, No.50), are repealed:

29 [ARTICLE XXIII-A

30 POWERS AND DUTIES OF THE DEPARTMENT OF DRUG

1 AND ALCOHOL PROGRAMS

2 Section 2301-A. Powers and duties.

3 The Department of Drug and Alcohol Programs shall have the  
4 power and its duty shall be:

5 (1) To develop and adopt a State plan for the control,  
6 prevention, intervention, treatment, rehabilitation,  
7 research, education and training aspects of drug and alcohol  
8 abuse and dependence problems. The State plan shall include,  
9 but not be limited to, provisions for:

10 (i) Coordination of the efforts of all State  
11 agencies in the control, prevention, intervention,  
12 treatment, rehabilitation, research, education and  
13 training aspects of drug and alcohol abuse and dependence  
14 problems so as to avoid duplications and inconsistencies  
15 in the efforts of the agencies.

16 (ii) Coordination of all health and rehabilitation  
17 efforts to deal with the problem of drug and alcohol  
18 abuse and dependence, including, but not limited to,  
19 those relating to vocational rehabilitation, manpower  
20 development and training, senior citizens, law  
21 enforcement assistance, parole and probation systems,  
22 jails and prisons, health research facilities, mental  
23 retardation facilities and community mental health  
24 centers, juvenile delinquency, health professions,  
25 educational assistance, hospital and medical facilities,  
26 social security, community health services, education  
27 professions development, higher education, Commonwealth  
28 employees health benefits, economic opportunity,  
29 comprehensive health planning, elementary and secondary  
30 education, highway safety and the civil service laws.

1 (iii) Encouragement of the formation of local  
2 agencies and local coordinating councils, promotion of  
3 cooperation and coordination among such groups and  
4 encouragement of communication of ideas and  
5 recommendations from such groups to the Pennsylvania  
6 Advisory Council on Drug and Alcohol Abuse.

7 (iv) Development of model drug and alcohol abuse and  
8 dependence control plans for local government, utilizing  
9 the concepts incorporated in the State plan. The model  
10 plans shall be reviewed on a periodic basis, but not less  
11 than once a year, and revised to keep them current. The  
12 model plans shall specify how all types of community  
13 resources and existing Federal and Commonwealth  
14 legislation may be utilized.

15 (v) Assistance and consultation to local  
16 governments, public and private agencies, institutions  
17 and organizations and individuals with respect to the  
18 prevention and treatment of drug and alcohol abuse and  
19 dependence, including coordination of programs among  
20 them.

21 (vi) Cooperation with organized medicine to  
22 disseminate medical guidelines for the use of drugs and  
23 controlled substances in medical practice.

24 (vii) Coordination of research, scientific  
25 investigations, experiments and studies relating to the  
26 cause, epidemiology, sociological aspects, toxicology,  
27 pharmacology, chemistry, effects on health, dangers to  
28 public health, prevention, diagnosis and treatment of  
29 drug and alcohol abuse and dependence.

30 (viii) Investigation of methods for the more precise

1 detection and determination of alcohol and controlled  
2 substances in urine and blood samples and by other means,  
3 and publication on a current basis of uniform methodology  
4 for such detections and determinations.

5 (ix) Any information obtained through scientific  
6 investigation or research conducted pursuant to this act  
7 shall be used in ways so that no name or identifying  
8 characteristics of any person shall be divulged without  
9 the approval of the department and the consent of the  
10 person concerned. Persons engaged in research pursuant to  
11 this section shall protect the privacy of individuals who  
12 are the subject of such research by withholding from all  
13 persons not connected with the conduct of such research  
14 the names or other identifying characteristics of such  
15 individuals. Persons engaged in the research shall  
16 protect the privacy of such individuals and may not be  
17 compelled in any State, civil, criminal, administrative,  
18 legislative or other proceeding to identify such  
19 individuals.

20 (x) Establishment of training programs for  
21 professional and nonprofessional personnel with respect  
22 to drug and alcohol abuse and dependence, including the  
23 encouragement of such programs by local governments.

24 (xi) Development of a model curriculum, including  
25 the provision of relevant data and other information, for  
26 utilization by elementary and secondary schools for  
27 instructing children and for parent-teachers'  
28 associations, adult education centers, private citizen  
29 groups or other State and local sources for instruction  
30 of parents and other adults about drug and alcohol abuse

1 and dependence.

2 (xii) Preparation of a broad variety of educational,  
3 prevention and intervention material for use in all  
4 media, to reach all segments of the population, that can  
5 be utilized by public and private agencies, institutions  
6 and organizations in educational programs with respect to  
7 drug and alcohol abuse and dependence.

8 (xiii) Establishment of educational courses,  
9 including the provision of relevant data and other  
10 information on the causes and effects of and treatment  
11 for drug and alcohol abuse and dependence, for law  
12 enforcement officials, including prosecuting attorneys,  
13 court personnel, the judiciary, probation and parole  
14 officers, correctional officers and other law enforcement  
15 personnel, welfare, vocational rehabilitation and other  
16 State and local officials, who come in contact with drug  
17 abuse and dependence problems.

18 (xiv) Recruitment, training, organization and  
19 employment of professional and other persons, including  
20 former drug and alcohol abusers and dependent persons, to  
21 organize and participate in programs of public education.

22 (xv) Treatment and rehabilitation services for male  
23 and female juveniles and adults who are charged with,  
24 convicted of or serving a criminal sentence for any  
25 criminal offense under the laws of this Commonwealth.  
26 Provision of similar services shall be made for juveniles  
27 adjudged to be delinquent, dependent or neglected. These  
28 services shall include, but are not limited to, emergency  
29 medical services, inpatient services and intermediate  
30 care, rehabilitative and outpatient services.

1           (xvi) Giving priority to developing community-based  
2 drug or alcohol abuse treatment services in a cooperative  
3 manner among State and local governmental agencies and  
4 departments and public and private agencies, institutions  
5 and organizations. Consideration shall be given to  
6 supportive medical care, services or residential  
7 facilities for drug or alcohol dependent persons for whom  
8 treatment has repeatedly failed and for whom recovery is  
9 unlikely.

10           (xvii) Establishment of a system of emergency  
11 medical services for persons voluntarily seeking  
12 treatment, for persons admitted and committed to  
13 treatment facilities according to the procedural  
14 admission and commitment provisions of the act of July 9,  
15 1976 (P.L.817, No.143), known as the Mental Health  
16 Procedures Act, and for persons charged with a crime  
17 under Pennsylvania law. Upon the establishment of such  
18 emergency medical services, the Department of Drug and  
19 Alcohol Programs, by regulation, shall require that  
20 appropriate emergency medical services be made available  
21 to all drug and alcohol abusers who are arrested for a  
22 crime under Pennsylvania law.

23           (xviii) Providing standards for the approval by the  
24 relevant State agency for all private and public  
25 treatment and rehabilitative facilities, which may  
26 include, but are not limited to, State hospitals and  
27 institutions, public and private general hospitals,  
28 community mental health centers or their contracting  
29 agencies and public and private drug or alcohol  
30 dependence and drug and alcohol abuse and dependence

1 treatment and rehabilitation centers.

2 (xix) Grants and contracts for the prevention,  
3 intervention and treatment of drug and alcohol  
4 dependence. The grants and contracts may include  
5 assistance to local governments and public and private  
6 agencies, institutions and organizations for prevention,  
7 intervention, treatment, rehabilitation, research,  
8 education and training aspects of the drug and alcohol  
9 abuse and dependence problems with the Commonwealth. Any  
10 grant made or contract entered into by a department or  
11 agency shall be pursuant to the functions allocated to  
12 that department or agency by the State plan.

13 (xx) Preparation of general regulations for and  
14 operation of programs supported with assistance.

15 (xxi) Establishment of priorities for deciding  
16 allocation of the funds.

17 (xxii) Review the administration and operation of  
18 programs, including the effectiveness of such programs in  
19 meeting the purposes for which they are established and  
20 operated, and make annual reports of the findings.

21 (xxiii) Evaluate the programs and projects carried  
22 out and disseminate the results of such evaluations.

23 (xxiv) Establish such advisory committees as deemed  
24 necessary to assist the department in fulfilling its  
25 responsibilities.

26 (2) In developing the State plan initially, and prior to  
27 its amendment annually, to hold a public hearing at least 30  
28 days prior to the adoption of the initial State plan and  
29 subsequent amendments and to afford all interested persons an  
30 opportunity to present their views either orally or in

1 writing. The Department of Drug and Alcohol Programs, through  
2 its staff, shall consult and collaborate with appropriate  
3 Federal, State and local departments, boards, agencies and  
4 governmental units, and with appropriate public and private  
5 agencies, institutions, groups and organizations. Otherwise,  
6 the promulgation of the State plan shall conform to the  
7 procedure contained in the act of July 31, 1968 (P.L.769,  
8 No.240), referred to as the Commonwealth Documents Law.

9 (3) In accordance with the State plan, to allocate the  
10 responsibility for all services, programs and other efforts  
11 provided for among the appropriate departments, agencies and  
12 other State personnel. The department, through its employees,  
13 shall have the power and its duty shall be to implement  
14 compliance with the provisions of the State plan and to  
15 coordinate all such efforts.

16 (4) To gather and publish statistics pertaining to drug  
17 and alcohol abuse and dependence and promulgate regulations,  
18 specifying uniform statistics to be obtained, records to be  
19 maintained and reports to be submitted by public and private  
20 departments, agencies, organizations, practitioners and other  
21 persons with respect to drug and alcohol abuse and dependence  
22 and related problems. Such statistics and reports shall not  
23 reveal the identity of any patient or drug or alcohol-  
24 dependent person or other confidential information.

25 (5) To establish an information center, which will  
26 attempt to gather and contain all available published and  
27 unpublished data and information on the problems of drug and  
28 alcohol abuse and dependence. All Commonwealth departments  
29 and agencies shall send to the Department of Drug and Alcohol  
30 Programs any data and information pertinent to the cause,

1 prevention, diagnosis and treatment of drug and alcohol abuse  
2 and dependence and the toxicology and pharmacology effects on  
3 the health of drug and alcohol abusers and danger to the  
4 public health of alcohol, drugs and controlled substances.  
5 The Department of Drug and Alcohol Programs shall make such  
6 data and information widely available.

7 (6) To require all appropriate State and local  
8 departments, agencies, institutions and others engaged in  
9 implementing the State plan to submit as often as necessary,  
10 but no less often than annually, reports detailing the  
11 activities and effects of the implementation and recommending  
12 appropriate amendments to the State plan. The department may  
13 direct a performance audit of any activity engaged in  
14 pursuant to the State plan.

15 (7) To submit an annual report to the General Assembly  
16 which shall specify the actions taken and services provided  
17 and funds expended and an evaluation of their effectiveness.  
18 The annual report shall also contain the current State plan.  
19 The Department of Drug and Alcohol Programs shall submit such  
20 additional reports as may be requested by the General  
21 Assembly and recommendations to further the prevention,  
22 treatment and control of drug and alcohol abuse and  
23 dependence.

24 (8) To make provisions for facilities in each city or  
25 region or catchment area which shall provide information  
26 about the total Commonwealth drug and alcohol abuse and drug  
27 and alcohol dependency programs and services.

28 (9) The department shall have the power to promulgate  
29 the rules and regulations necessary to carry out the  
30 provisions of this article.]

1 Section 4. All personnel, allocation, appropriations,  
2 equipment, files, records, contracts, agreements, obligations  
3 and other material which are used, employed or expended in  
4 connection with the powers, duties or functions of the  
5 Department of Drug and Alcohol Programs are hereby transferred  
6 to the Department of Health with the same force and effect as if  
7 the appropriations had been made to and said items had been the  
8 property of the Department of Health in the first instance, and  
9 as if said contracts, agreements and obligations had been  
10 incurred or entered into by the Department of Health. The  
11 personnel, appropriations, equipment and other items and  
12 material transferred by this section shall include Federal  
13 grants and funds and other benefits from any Federal program.  
14 All personnel transferred under this act shall retain any civil  
15 service employment status assigned to said personnel.

16 Section 5. All orders, permits, regulations, decisions and  
17 other actions of the Department of Drug and Alcohol Programs  
18 shall remain in full force and effect until modified, repealed,  
19 superseded in or otherwise changed by appropriate action of the  
20 Department of Health.

21 Section 6. The Pennsylvania Advisory Council on Drug and  
22 Alcohol Abuse established in section 3 of the act of April 14,  
23 1972 (P.L.221, No.63), known as the Pennsylvania Drug and  
24 Alcohol Abuse Control Act, shall be recognized as an advisory  
25 council to the Department of Health.

26 Section 7. This act shall take effect July 1, 2015, or  
27 immediately, whichever is later.