

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 122 Session of  
2017

INTRODUCED BY KAUFER, READSHAW, FEE, DRISCOLL, TAYLOR, MURT,  
RADER, DAVIS, MULLERY, NELSON, McNEILL, LONGIETTI, WATSON,  
BOBACK, SIMMONS, SAYLOR, CUTLER, COOK, ROZZI, GALLOWAY, KORTZ  
AND BARBIN, FEBRUARY 6, 2017

SENATOR BAKER, HEALTH AND HUMAN SERVICES, IN SENATE, AS AMENDED,  
SEPTEMBER 26, 2018

## AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,  
2 as amended, "An act establishing the Pennsylvania Advisory  
3 Council on Drug and Alcohol Abuse; imposing duties on the  
4 Department of Health to develop and coordinate the  
5 implementation of a comprehensive health, education and  
6 rehabilitation program for the prevention and treatment of  
7 drug and alcohol abuse and drug and alcohol dependence;  
8 providing for emergency medical treatment; providing for  
9 treatment and rehabilitation alternatives to the criminal  
10 process for drug and alcohol dependence; and making repeals,"  
11 establishing the Project Lazarus Commission.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. The act of April 14, 1972 (P.L.221, No.63), known  
15 as the Pennsylvania Drug and Alcohol Abuse Control Act, is  
16 amended by adding a section to read:

17 Section 3.1. Project Lazarus Commission.--(a) The Project  
18 Lazarus Commission is established.

19 (b) The commission shall review and make recommendations  
20 related to a best practice model for a comprehensive, community-

1 based effort to consolidate overdose prevention efforts for  
2 counties in this Commonwealth as provided under this section.

3 (c) The following shall apply:

4 (1) The commission shall consist of the following members:

5 (i) The chairman and minority chairman of the ~~Public Health~~ <--  
6 and ~~Welfare~~ HUMAN SERVICES Committee of the Senate or the <--  
7 chairmen's designees, the chairman and minority chairman of the  
8 Health Committee of the House of Representatives or the  
9 chairmen's designees and the chairman and minority chairman of  
10 the Human Services Committee of the House of Representatives or  
11 the chairmen's designees.

12 (ii) Two legislators from each of the four legislative  
13 caucuses, to be appointed as follows:

14 (A) two members shall be appointed by the Majority Leader of  
15 the Senate;

16 (B) two members shall be appointed by the Minority Leader of  
17 the Senate;

18 (C) two members shall be appointed by the Majority Leader of  
19 the House of Representatives; and

20 (D) two members shall be appointed by the Minority Leader of  
21 the House of Representatives.

22 (iii) The Secretary of ~~the~~ Drug and Alcohol Programs or a <--  
23 designee.

24 (iv) The Secretary of Health or a designee.

25 (V) THE SECRETARY OF HUMAN SERVICES OR A DESIGNEE. <--

26 ~~(v)~~ (VI) An individual appointed by the Governor from within <--  
27 the Governor's administration.

28 (2) The commission shall appoint a member to serve as  
29 chairman of the commission.

30 (d) The commission shall hold its first meeting within

1 forty-five days of the effective date of this section,  
2 notwithstanding whether the Governor or all legislative caucuses  
3 have approved members to the commission.

4 (e) The commission shall hold meetings at the call of the  
5 chairman.

6 (f) Legislative appointees to the commission under  
7 subsection (c)(i) and (ii) may not receive compensation for the  
8 member's services, but shall be reimbursed for all necessary  
9 travel and other reasonable expenses incurred in connection with  
10 the performance of the appointee's duties. Members appointed to  
11 the commission under subsection (c)(iii), (iv) or (v) shall not  
12 be compensated for their service as members of the commission  
13 but may be reimbursed for expenses necessarily incurred in the  
14 discharge of their official duties in accordance with  
15 Commonwealth policy in effect for agencies under the  
16 jurisdiction of the Governor.

17 (g) The General Assembly shall provide administrative  
18 support, meeting space and any other assistance required by the  
19 commission to carry out the commission's duties under this  
20 section in cooperation with the Department of Drug and Alcohol  
21 Programs. The Department of Drug and Alcohol Programs, in  
22 consultation with the department, shall provide the commission  
23 with data, research and other information upon request by the  
24 commission.

25 (h) The commission shall develop a best practice model and  
26 identify factors to help counties establish or build existing  
27 comprehensive community-based programs to prevent prescription  
28 medication and opioid poisonings, present responsible pain  
29 management and promote substance abuse treatment and support  
30 services. The factors identified under this subsection may

1 include all of the following:

2 (1) Community education about the dangers of misusing and  
3 abusing prescription opioids.

4 (2) Provider education to improve the treatment of chronic  
5 pain and the treatment of mental illness, addiction and pain.

6 (3) Hospital education policies to encourage safe  
7 prescribing of controlled substances and provide meaningful  
8 referrals for chronic pain and addiction.

9 (4) Diversion control to reduce the amount of prescribed  
10 unused medicines existing in our society.

11 (5) Improvement of patient support so patients and  
12 caregivers can safely manage chronic pain.

13 (6) Harm reduction to help people who do abuse opioids to  
14 prevent overdose deaths with the antidote naloxone.

15 (7) Addiction treatment to help find effective treatment for  
16 those who are ready to recover.

17 (i) The commission shall have the following powers and  
18 duties:

19 (1) Review and make findings and recommendations related to  
20 a best practice model for counties to use in this Commonwealth.

21 (2) Consult with and utilize experts to assist the  
22 commission in carrying out the duties under this subsection.

23 (3) Receive input from interested parties, including, but  
24 not limited to, health directors, school superintendents,  
25 district attorneys, sheriffs, police chiefs, directors of  
26 substance abuse treatment facilities and behavioral health  
27 services and hospital and practitioner leaders.

28 (4) Hold public hearings in different regions of this  
29 Commonwealth.

30 (5) Review and consider the Project Lazarus model utilized

1 in other states.

2 (6) In identifying the best practice model factors under  
3 subsection (h) and in completing the report required under this  
4 subsection, consider the impact the factors may have on the  
5 Commonwealth's Medicaid authority, schools, Commonwealth public  
6 health and mental health agencies, community organizers, local  
7 government, hospitals and law enforcement agencies.

8 (7) Review and make recommendations about expanding access  
9 to effective forms of substance abuse treatment, data collection  
10 and monitoring efforts, the distribution of naloxone to help  
11 prevent overdose fatalities, modifying hospital emergency  
12 department policies on dispensing pain medicines, support groups  
13 for pain patients and one-on-one education of physicians on  
14 managing chronic pain.

15 (8) Develop a best practice model and factors under  
16 subsection (h).

17 (9) Draft proposed regulations and proposed legislation  
18 based on the commission's findings.

19 (10) Issue a report of the commission's findings and  
20 recommendations to the Governor, the President pro tempore of  
21 the Senate, the Majority Leader and Minority Leader of the  
22 Senate, the ~~Public Health and Welfare~~ HUMAN SERVICES Committee <--  
23 of the Senate, the Speaker of the House of Representatives, the  
24 Majority Leader and Minority Leader of the House of  
25 Representatives, the Health Committee of the House of  
26 Representatives, the Human Services Committee of the House of  
27 Representatives, the Secretary of Health and the Secretary of  
28 Drug and Alcohol Programs not later than one year after the  
29 effective date of this section.

30 Section 2. This act shall take effect immediately.