

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1995 Session of 2021

INTRODUCED BY LEWIS DELROSSO, FARRY, STRUZZI, HEFFLEY, O'NEAL, FRITZ, POLINCHOCK AND SONNEY, OCTOBER 21, 2021

AS REPORTED FROM COMMITTEE ON HUMAN SERVICES, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 26, 2021

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

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

26 Section 1. Section 2301-A of the act of April 9, 1929
27 (P.L.177, No.175), known as The Administrative Code of 1929, is
28 amended by adding a paragraph to read:

1 Section 2301-A. Powers and duties.

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

4 * * *

5 (8.2) ~~To do the following:~~ AS FOLLOWS: <--

6 (i) ~~Promulgate~~ TO PROMULGATE regulations for the <--
7 following that affect licensed drug and alcohol treatment
8 providers:

9 (A) The implementation of new or additional
10 licensing requirements for drug and alcohol
11 facilities.

12 (B) The implementation of new or additional drug
13 and alcohol staff credentialing requirements.

14 (C) The implementation of new or additional drug
15 and alcohol counselor staffing ratios.

16 (D) The implementation of new or major
17 programmatic changes and requirements imposed on drug
18 and alcohol facilities, including the requirement of
19 adding programs that significantly increase the cost
20 of delivering care and meeting staffing requirements.

21 (ii) Notwithstanding subparagraph (i), TO promulgate <--
22 any proposed regulatory requirement not currently in
23 effect or for any regulatory requirement that has been
24 delayed by the General Assembly through legislation. The
25 Department of Drug and Alcohol Programs shall provide for
26 the promulgation of regulations pursuant to all
27 procedures for publication, notice and comment and other
28 regulatory review required for administrative regulations
29 provided by the laws of this Commonwealth.

30 (III) NOTHING IN THIS PARAGRAPH SHALL PRECLUDE THE <--

1 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS FROM IMPLEMENTING
2 THE ESTABLISHED AMERICAN SOCIETY OF ADDICTION MEDICINE
3 CRITERIA FOR DRUG AND ALCOHOL TREATMENT PROVIDERS.

4 * * *

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