
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1243 Session of
2024

INTRODUCED BY TARTAGLIONE, FONTANA, BREWSTER, COSTA, KANE AND
LAUGHLIN, JUNE 7, 2024

REFERRED TO HEALTH AND HUMAN SERVICES, JUNE 7, 2024

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 regulatory
23 flexibility during opioid epidemic.

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

26 Section 1. Section 2303-A(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 paragraphs and the section is amended by

1 adding a subsection to read:

2 Section 2303-A. Regulatory flexibility during opioid epidemic.

3 (a) Suspension.--The following regulations are suspended
4 during an opioid epidemic, as provided under subsection (c):

5 * * *

6 (2.1) 28 Pa. Code § 704.7(b)(6) (relating to
7 qualifications for the position of counselor) insofar as the
8 regulation precludes an individual who meets any of the
9 following qualifications from serving as a counselor:

10 (i) Contingent upon a clinical supervisor's
11 assessment and approval, an individual:

12 (A) with lived experience with alcohol or drug
13 addiction and recovery;

14 (B) with at least one year of experience working
15 in a facility licensed by the Department of Drug and
16 Alcohol Programs; and

17 (C) who has an individualized training plan
18 developed and approved by the individual's clinical
19 supervisor or has completed the training requirements
20 under 28 Pa. Code § 704.11 (relating to staff
21 development program).

22 (ii) Contingent upon a clinical supervisor's
23 assessment and approval, an individual:

24 (A) with at least one year of experience working
25 in an internship or apprenticeship program in a
26 facility licensed by the Department of Drug and
27 Alcohol Programs; and

28 (B) who has an individualized training plan
29 developed and approved by the individual's clinical
30 supervisor or has completed the training requirements

1 under 28 Pa. Code § 704.11.

2 * * *

3 (3.1) 28 Pa. Code § 704.10(b), (c) and (d) (relating to
4 promotion of counselor assistant).

5 * * *

6 (b.1) Additional qualification requirements.--During an
7 opioid epidemic as deemed to exist under subsection (c), the
8 Department of Drug and Alcohol Programs may not promulgate or
9 enforce any new qualification requirement, including a
10 requirement for an individual to obtain additional credentials,
11 for any of the positions included under 28 Pa. Code Ch. 704
12 (relating to staffing requirements for drug and alcohol
13 treatment activities).

14 * * *

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