



**HOUSE COMMITTEE ON APPROPRIATIONS**  
2009-10 Legislative Session

**FISCAL NOTE**

**HOUSE BILL:** 2372

**PRINTER'S NO:** 4229

**PRIME SPONSOR:** DiGirolamo

<b>FISCAL IMPACT SUMMARY</b>	<b>FY 2010/11</b>	<b>FY 2011/12</b>
<b>Expenditure Increase/(Decrease):</b>		
General Fund	\$0	\$0

**OVERVIEW:**

House Bill 2372 creates a freestanding act entitled the Methadone Death and Incident Review Act. The Department of Health (DOH) also shall conduct a methadone death review for all deaths where methadone was either a primary or secondary cause of death.

The legislation establishes a Methadone Death and Incident Review Team comprised of the Secretary of Health or designee; the Director of the Bureau of Drug and Alcohol Programs; and nine persons outlined in the act to be appointed by the Secretary of Health. The initial meeting shall occur within 90 days of the act's effective date. Members shall not receive compensation, but shall be reimbursed for travel and necessary expenses.

The team shall examine the circumstances surrounding methadone-related deaths in this commonwealth. The team also shall act as a repository for complaints and problems arising from the operation of opiate treatment programs. The team shall develop best practices to be promulgated in department regulations and posted on the department's website. Data on methadone-related deaths and incidents, by county, shall be available on the website. The team also is responsible for developing a model form for county coroners and medical examiners to use to report and transmit required information regarding methadone-related deaths. The team also shall prepare an annual report.

The legislation includes provisions relating to access to records and maintenance of confidentiality. Under the act, a person violating the outlined provisions relating to confidentiality commits a misdemeanor of the third degree.

Section 9 of House Bill 2372 transfers all powers and duties of DOH relevant to this act to the Department of Drug and Alcohol Programs on July 1, 2011. This is consistent with Act 50 of 2010, which created the Department of Drug and Alcohol Programs to be established on July 1, 2011.

This act shall take effect in 90 days.

**ANALYSIS:**

Currently, the Bureau of Drug and Alcohol Programs, housed in DOH, has a policy and procedure in place (28 Pa. Code Chapter 715, §715.28) to review reported deaths of persons receiving methadone treatment at a licensed and approved narcotic treatment program (NTP) contracted through a Single County Authority (SCA).

This fiscal analysis assumes that the provisions of House Bill 2372 would fall within the current practices of the Bureau and not result in increased costs. Small costs may be realized for travel and expense reimbursements of team members; however, this analysis assumes any such expenses could be accounted for in existing operating funds.

Under House Bill 2372, a person violating the outlined provisions relating to confidentiality commits a misdemeanor of the third degree. A misdemeanor of the third degree is punishable by six months to one year in prison and a maximum fine up to \$5,000. Prison sentences up to two years are most often served in county jails where the average costs of imprisonment is approximately \$50 per day. County probation costs approximately \$800 annually per offender.

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House Appropriations Committee, (D)

**DATE:** October 4, 2010

**General Note and Disclaimer:** *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*