



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 941

PRINTER'S NO. 1287

PRIME SPONSOR: Brooks

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY:

Senate Bill 941, Printer's Number 1287 amends the Administrative Code of 1929 to revise the powers and duties of the Department of Drug and Alcohol Programs.

ANALYSIS:

This legislation amends Act 175 of 1929, known as the Administrative Code of 1929, to revise the powers and duties of the Department of Drug and Alcohol Programs and adds a new Section 2303-A (Regulatory Flexibilities During the Opioid Epidemic). An opioid epidemic will be deemed to exist upon enactment of this legislation. At that time, the Secretary of Drug and Alcohol Programs will, upon determining that an opioid epidemic does or does not exist, transmit notice of such to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin. The periods of applicability of Section 2303-A will begin or end upon publication of the notice in the Pennsylvania Bulletin.

- Section 2303-A suspends the following regulations during an opioid epidemic:
 - 28 Pa. Code § 704.7(b)(1), (3), (4) and (5), relating to qualifications for the position of counselor;
 - 28 Pa. Code § 704.8(a), relating to qualifications for the position of counselor assistant;
 - 28 Pa. Code § 704.12(a)(1), relating to staffing ratios for residential detoxification;
 - 28 Pa. Code § 704.12(a)(3)(i), relating to staffing ratios for adult residential treatment and rehabilitation; and
 - 28 Pa. Code § 704.12(d), relating to written request for exceptions to staffing ratios.
- The department will submit an annual report to the General Assembly which includes:
 - The specific actions taken, services provided, and funds expended, including an evaluation of their effectiveness;
 - The current State plan;
 - The most recent quarterly evaluations for substance use disorder treatment providers and their workforce; and
 - Specific actions taken in accordance with Section 2303-A.

This legislation will take effect immediately.

FISCAL IMPACT:

This legislation adds requirements to the annual report completed by the department and provides a list of the regulations that are suspended during an opioid epidemic. The Department of Drug and Alcohol Programs expects to have increased costs in the amount of \$750,000 for Information Technology Systems needed to implement this legislation. Any ongoing increase in costs after implementation can likely be accommodated within the department's existing budget and staffing levels.

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House Appropriations Committee (D)

DATE: December 13, 2023

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.