

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 109 Session of 1989

INTRODUCED BY CAWLEY, TIGUE, KOSINSKI, JAROLIN, WAMBACH, FOX,
DALEY, McHALE, ARGALL, ANGSTADT, ROBINSON, GAMBLE, MORRIS,
RAYMOND, HARPER, BUNT, JOSEPHS, BILLOW, MELIO, LUCYK, TRELLO,
CAPPABIANCA, CORRIGAN, ALLEN, GIGLIOTTI, PETRARCA, LASHINGER,
VEON, PISTELLA AND BELARDI, JANUARY 24, 1989

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, JANUARY 24, 1989

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," further providing for
4 closing of State hospitals and other State institutions.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Article III of the act of June 13, 1967 (P.L.31,
8 No.21), known as the Public Welfare Code, is amended by adding a
9 subarticle to read:

ARTICLE III

STATE INSTITUTIONS IN THE DEPARTMENT OF

PUBLIC WELFARE

* * *

(f) Legislative Oversight

15 Section 361. Legislative Review.--(a) It is hereby declared
16 to be the legislative intent to promote the welfare of this
17 Commonwealth by providing a review and approval process by

1 certain committees of the General Assembly before any State
2 hospitals or mental health/mental retardation centers are closed
3 or before their staff or patient population are substantially
4 reduced by department action.

5 (b) At least ninety days before the department schedules the
6 closing of any State hospital or mental health/mental
7 retardation center, or initiates a policy of staff reduction or
8 patient or inmate transfer or outplacement which will result in
9 a twenty-five percent or higher reduction during a twelve-month
10 period of the staff, patient or inmate population of such State
11 hospital or mental health/mental retardation center, the
12 department shall notify the majority and minority chairmen of
13 the Senate Public Health and Welfare Committee and of the House
14 Health and Welfare Committee.

15 (c) Upon being notified of the proposed closing or a
16 substantial reduction in staff or patients as provided in
17 subsection (b), the House Health and Welfare Committee and the
18 Senate Public Health and Welfare Committee shall promptly hold
19 either joint or separate public hearings on the department's
20 proposal to determine the impact on the patients, community and
21 staff.

22 (d) The department shall not implement any proposed closing
23 or substantial reduction in staff, patients or inmates as
24 provided in subsection (b) until such time as the Senate Public
25 Health and Welfare Committee and the House Health and Welfare
26 Committee, acting individually, each approve the department's
27 proposed action and so notify the department.

28 Section 2. This act shall take effect immediately.