

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1278 Session of
1987

INTRODUCED BY RICHARDSON, KUKOVICH, PISTELLA, DAWIDA, WIGGINS,
HUGHES AND GLADECK, MAY 4, 1987

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, MAY 4, 1987

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; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," changing the Department of
21 Public Welfare to the Department of Human Services; and
22 making related substantive and editorial changes.

23 The General Assembly of the Commonwealth of Pennsylvania

24 hereby enacts as follows:

25 Section 1. Section 201 of the act of April 9, 1929 (P.L.177,
26 No.175), known as The Administrative Code of 1929, amended
27 December 30, 1984 (P.L.1299, No.245), is amended to read:

1 Section 201. Executive Officers, Administrative Departments
2 and Independent Administrative Boards and Commissions.--The
3 executive and administrative work of this Commonwealth shall be
4 performed by the Executive Department, consisting of the
5 Governor, Lieutenant Governor, Secretary of the Commonwealth,
6 Attorney General, Auditor General, State Treasurer, and
7 Secretary of Education; by the Executive Board, and the
8 Pennsylvania State Police; by the following administrative
9 departments: Department of State, Office of Attorney General,
10 Department of Corrections, Department of the Auditor General,
11 Treasury Department, Department of Education, Department of
12 Military Affairs, Insurance Department, Department of Banking,
13 Department of Agriculture, Department of Transportation,
14 Department of Health, Department of Labor and Industry,
15 Department of Aging, Department of [Public Welfare] Human
16 Services, Department of General Services, Department of Revenue,
17 Department of Commerce, Department of Community Affairs and
18 Department of Environmental Resources; and by the following
19 independent administrative boards and commissions: Pennsylvania
20 Game Commission, Pennsylvania Fish Commission, State Civil
21 Service Commission, Pennsylvania Public Utility Commission, the
22 Pennsylvania Historical and Museum Commission and the
23 Pennsylvania Securities Commission.

24 All of the provisions of this act, which apply generally to
25 administrative departments, or generally except to the
26 Department of the Auditor General, the Treasury Department and
27 the Office of Attorney General, shall apply to the Executive
28 Board and to the Pennsylvania State Police.

29 Section 2. As much as relates to the Department of Public
30 Welfare in section 202 of the act, amended July 9, 1986

1 (P.L.547, No.97), is amended to read:

2 Section 202. Departmental Administrative Boards,
3 Commissions, and Offices.--The following boards, commissions,
4 and offices are hereby placed and made departmental
5 administrative boards, commissions, or offices, as the case may
6 be, in the respective administrative departments mentioned in
7 the preceding section, as follows:

8 * * *

9 In the Department of [Public Welfare] Human Services,
10 Board of Trustees of The Western Youth Development
11 Centers,
12 Board of Trustees of The Central Youth Development
13 Centers,
14 Board of Trustees of The Eastern Youth Development
15 Centers,
16 Board of Trustees of Allentown State Hospital,
17 Board of Trustees of Clarks Summit State Hospital,
18 Board of Trustees of Danville State Hospital,
19 Board of Trustees of Embreeville Center,
20 Board of Trustees of Farview State Hospital,
21 Board of Trustees of Harrisburg State Hospital,
22 Board of Trustees of Mayview State Hospital,
23 Board of Trustees of Norristown State Hospital,
24 Board of Trustees of Philadelphia State Hospital,
25 Board of Trustees of Somerset State Hospital,
26 Board of Trustees of Warren State Hospital,
27 Board of Trustees of Wernersville State Hospital,
28 Board of Trustees of Woodville State Hospital,
29 Board of Trustees of Torrance State Hospital,
30 Board of Trustees of Haverford State Hospital,

Board of Trustees of Ashland State General Hospital,
Board of Trustees of Coaldale State General Hospital,
Board of Trustees of Nanticoke State General Hospital,
Board of Trustees of Philipsburg State General Hospital,
Board of Trustees of Scranton State General Hospital,
Board of Trustees of Shamokin State General Hospital,
Board of Trustees of Ebensburg Center,
Board of Trustees of Eastern State School and Hospital,
Board of Trustees of Laurelton Center,
Board of Trustees of Pennhurst Center,
Board of Trustees of Polk Center,
Board of Trustees of Selinsgrove Center,
Board of Trustees of Hamburg Center,
Board of Trustees of Western Center,
Board of Trustees of White Haven Center,
Board of Trustees of Woodhaven Center,
Board of Trustees of South Mountain Restoration Center.

* * *

Section 3. As much as relates to the Department of Public
Welfare in section 203 of the act, amended June 20, 1978
(P.L.477, No.70), is amended to read:

Section 203. Advisory Boards and Commissions.--The following
advisory boards and commissions are placed in and made parts of
the respective administrative departments, as follows:

* * *

In the Department of [Public Welfare] Human Services,
State Board of [Public Welfare] Human Services,
Advisory Committee for the Blind,
Advisory Committee for General and Special Hospitals,
Advisory Committee for Children and Youth,

1 Advisory Committee for Public Assistance,
2 Advisory Committee for Mental Health and Mental
3 Retardation;

4 * * *

5 Section 4. Section 206 of the act, amended December 30, 1984
6 (P.L.1299, No.245), is amended to read:

7 Section 206. Department Heads.--Each administrative
8 department shall have as its head an officer who shall, either
9 personally, by deputy, or by the duly authorized agent or
10 employe of the department, and subject at all times to the
11 provisions of this act, exercise the powers and perform the
12 duties by law vested in and imposed upon the department.

13 The following officers shall be the heads of the
14 administrative departments following their respective titles:

15 Secretary of the Commonwealth, of the Department of State;
16 Auditor General, of the Department of the Auditor General;
17 State Treasurer, of the Treasury Department;
18 Attorney General, of the Office of Attorney General;
19 Secretary of Education, of the Department of Education;
20 Adjutant General, of the Department of Military Affairs;
21 Insurance Commissioner, of the Insurance Department;
22 Secretary of Banking, of the Department of Banking;
23 Secretary of Agriculture, of the Department of Agriculture;
24 Secretary of Transportation, of the Department of
25 Transportation;
26 Secretary of Health, of the Department of Health;
27 Secretary of Labor and Industry, of the Department of Labor
28 and Industry;
29 Secretary of Aging, of the Department of Aging;
30 Secretary of [Public Welfare] Human Services, of the

1 Department of [Public Welfare] Human Services;
2 Secretary of Revenue, of the Department of Revenue;
3 Secretary of Commerce, of the Department of Commerce;
4 Secretary of Community Affairs, of the Department of
5 Community Affairs;
6 Secretary of Environmental Resources, of the Department of
7 Environmental Resources;
8 Secretary of General Services, of the Department of General
9 Services;
10 Secretary of Corrections, of the Department of Corrections.

11 Section 5. Section 207.1(d)(1) and (4) of the act, amended
12 February 17, 1984 (P.L.75, No.14) and December 30, 1984
13 (P.L.1299, No.245), are amended to read:

14 Section 207.1. Gubernatorial Appointments.--* * *

15 (d) The Governor shall nominate in accordance with the
16 provisions of the Constitution of the Commonwealth of
17 Pennsylvania and, by and with the advice and consent of a
18 majority of the members elected to the Senate appoint persons to
19 fill the following positions:

20 (1) The Secretary of Education, the Secretary of the
21 Commonwealth, the Adjutant General, the Insurance Commissioner,
22 the Secretary of Banking, the Secretary of Agriculture, the
23 Secretary of Transportation, the Secretary of Health, the
24 Commissioner of the State Police, the Secretary of Corrections,
25 the Secretary of Labor and Industry, the Secretary of Aging, the
26 Secretary of [Public Welfare] Human Services, the Secretary of
27 General Services, the Secretary of Revenue, the Secretary of
28 Commerce, the Secretary of Community Affairs and the Secretary
29 of Environmental Resources.

30 * * *

1 (4) Those members which he is authorized to appoint to the
2 Delaware Valley Regional Planning Commission, the Pennsylvania
3 Public Television Network Commission, the State Council of Civil
4 Defense, the State Farm Products Commission, the Pennsylvania
5 Housing Finance Agency, the Board of Trustees of each State
6 College and University, the Board of Trustees of Scotland School
7 for Veterans' Children, the Board of Trustees of Thaddeus
8 Stevens State School of Technology, the State Conservation
9 Commission, the Commonwealth of Pennsylvania Council on the
10 Arts, the State Planning Board, the Pennsylvania Drug, Device
11 and Cosmetic Board, the County Board of Assistance in each
12 county, the State Board of [Public Welfare] Human Services, the
13 Boards of Trustees of Centers, the Board of Trustees of each
14 Restoration Center, the Board of Trustees of each State General
15 Hospital, the Board of Trustees of each State School and
16 Hospital, the Board of Trustees of each State Hospital, the
17 State Dental Council and Examining Board, the State Real Estate
18 Commission, the State Registration Board for Professional
19 Engineers, the State Boards of Examiners of Architects,
20 Auctioneers, Nursing Home Administrators and Public Accountants,
21 the State Boards of Barber Examiners, Chiropractic Examiners,
22 Cosmetology, Funeral Directors, Medical Education and Licensure,
23 Nurse Examiners, Optometrical Examiners, Osteopathic Examiners,
24 Pharmacy, Physical Therapy Examiners, Podiatry Examiners,
25 Veterinary Medical Examiners, Landscape Architects and Motor
26 Vehicle Manufacturers, Dealers and Salesmen, the Pennsylvania
27 Board of Psychologist Examiners, the State Athletic Commission,
28 the Hazardous Substance Transportation Board, the Pennsylvania
29 Higher Education Assistance Agency, the Pennsylvania Historical
30 and Museum Commission, the State Tax Equalization Board, the

1 Public School Employees' Retirement Board, the State Employees'
2 Retirement Board, the Municipal Police Officers' Education and
3 Training Commission, the Pennsylvania Nursing Home Loan Agency,
4 the Crime Victims Compensation Board, the Consumer Advocate, and
5 the Pennsylvania Minority Business Development Authority.

6 * * *

7 Section 6. Section 448(k) and (l) of the act, added or
8 amended December 21, 1959 (P.L.1944, No.709), July 9, 1970
9 (P.L.470, No.161) and June 20, 1978 (P.L.477, No.70), are
10 amended to read:

11 Section 448. Advisory Boards and Commissions.--The advisory
12 boards and commissions, within the several administrative
13 departments, shall be constituted as follows:

14 * * *

15 (k) The State Board of [Public Welfare] Human Services is
16 hereby created. The board shall consist of the Secretary of
17 [Public Welfare] Human Services, ex officio, and sixteen (16)
18 members appointed by the Governor. Four (4) members shall be
19 appointed from among the members of the General Assembly, two
20 (2) from the Senate and two (2) from the House of
21 Representatives. These members of the board shall, with respect
22 to each branch of the General Assembly, be from different
23 political parties, and they shall, in no event, retain
24 membership on the board after they cease to be members of the
25 branch of the Legislature from which they were appointed. One
26 (1) member shall be appointed by the Governor from each of the
27 six (6) advisory committees created by clause (1) of this
28 section, and the first member of each advisory committee
29 appointed by the Governor shall automatically become a member of
30 the board. The term of office of each member of the board,

1 except as herein otherwise provided, shall be six (6) years.

2 In the original appointment of the members of the board, six
3 (6) members shall be appointed for the term of six (6) years,
4 five (5) members for the term of four (4) years, and five (5)
5 members for the term of two (2) years. Any vacancy occurring in
6 the membership of the board shall be filled by the Governor only
7 for the unexpired term. The Governor may remove any member of
8 the board at any time. No member of the board shall serve more
9 than two (2) consecutive terms not including a vacancy
10 appointment, nor shall any member hold office in any political
11 party.

12 Nine (9) members of the board shall constitute a quorum. A
13 chairman who shall not be a member of an advisory committee
14 shall be elected by the board, annually, from among its members.
15 Members of the board shall serve without compensation other than
16 reimbursement of travel and other actual expenses incurred in
17 the performance of their duties. The board shall meet at least
18 six (6) times a year. Special meetings of the board shall be
19 held on call of the chairman or the Secretary of [Public
20 Welfare] Human Services, and it shall be the duty of the
21 chairman to call a special meeting upon the written request of
22 one-third (1/3) or more members, not including vacancies, of the
23 board.

24 (1) The following advisory committees are hereby created:
25 Advisory Committee for the Blind,
26 Advisory Committee for General and Special Hospitals,
27 Advisory Committee for Children and Youth,
28 Advisory Committee for Public Assistance,
29 Advisory Committee for Mental Health and Mental Retardation.
30 Each advisory committee shall consist of the Commissioner in

1 the Department of [Public Welfare] Human Services, directing the
2 program to which the advisory committee is attached, as an ex
3 officio member, and not less than three (3) nor more than nine
4 (9) members appointed by the Governor. In the case of the
5 Advisory Committee for Mental Health and Mental Retardation, the
6 committee shall include the Chairman of the Public Health and
7 Welfare Committee of the Senate, the Chairman of the Health and
8 Welfare Committee of the House of Representatives and the
9 President of the Pennsylvania State Association of County
10 Commissioners or his alternate. The exact number of members of
11 each advisory committee shall be determined by the Governor upon
12 recommendation of the State Board of [Public Welfare] Human
13 Services. The qualifications of the members of each advisory
14 committee shall also be determined by the Governor upon
15 recommendation of the State Board of [Public Welfare] Human
16 Services: Provided, That with respect to each advisory
17 committee, the Governor shall appoint members with due regard
18 for representation of the professional and lay groups concerned
19 with the fields of interest served by the program to which each
20 advisory committee is attached. The term of office of each
21 member of each advisory committee, except as herein otherwise
22 provided, shall be six (6) years.

23 The original appointment of the members of the advisory
24 committee shall be for overlapping terms of six (6), four (4)
25 and two (2) years. In making these original appointments, the
26 Governor shall, in so far as possible, appoint approximately
27 one-third (1/3) of the recommended complement of each advisory
28 board to each of the overlapping terms.

29 A majority of the members of each advisory committee shall
30 constitute a quorum. Each advisory committee shall elect a

1 chairman from among its members. Each advisory committee shall
2 meet at least four (4) times a year. Special meetings of each
3 advisory committee shall be held on call of the chairman, and it
4 shall be the duty of the chairman to call a special meeting upon
5 the written request of one-third (1/3) or more of the members
6 not including vacancies of the advisory committee.

7 The provisions of clause (k) of this section with respect to
8 filling of vacancies, removal of members, length of service,
9 political party office and compensation shall be applicable to
10 advisory committee members, and are incorporated herein by
11 reference.

12 * * *

13 Section 7. Section 1209(b) of the act, amended February 1,
14 1966 (1965 P.L.1849, No.582), is amended to read:

15 Section 1209. Local Government Budget and Financial Reports;
16 Compilation of Statistics.--The Department of Community Affairs
17 shall have power and its duty shall be:

18 * * *

19 (b) To furnish to the corporate authorities of each county
20 (except counties of the first class), city of the third class,
21 borough, incorporated town, township suitable blank forms for
22 the making of annual reports of the financial condition of their
23 respective local governments to the department, which forms for
24 financial report purposes shall be placed by said corporate
25 authorities into the hands of the director, controller or
26 auditors who by law are required to make such financial reports
27 to the department. Such annual financial reports shall be
28 prepared in cooperation with aforesaid duly authorized
29 committees of local government officials and shall contain: (1)
30 a statement of the receipts of the unit of local government from

1 all sources and of all accounts and revenue which may be due and
2 uncollected at the close of the fiscal year; (2) a statement of
3 the disbursements for all the governmental activities of the
4 unit of local government during the fiscal year; (3) a detailed
5 statement of the indebtedness of the unit of local government at
6 the close of the fiscal year, the provisions made for the
7 payment thereof, together with the purposes for which it was
8 incurred; (4) a statement of the cost of ownership and operation
9 of each and every public service industry owned, maintained or
10 operated by the unit of local government; (5) such further or
11 more specific information in relation to the cost of any branch
12 of the local government and improvements therein as may be
13 required by the department.

14 In the case of blank forms for financial reports by townships
15 of the second class and counties, the same shall be so arranged
16 that corresponding data and information, required to be reported
17 by said units of local government to the Department of
18 [Highways] Transportation or the Department of [Public Welfare]
19 Human Services, may be used for the information required to be
20 furnished to the Department of Community Affairs under this
21 section.

22 * * *

23 Section 8. Sections 2203-A(11) and (26) and 2210-A(d) of the
24 act, added June 20, 1978 (P.L.477, No.70), are amended to read:

25 Section 2203-A. Powers and Duties in General.--The
26 Department of Aging hereinafter referred to in this article as
27 the department shall, subject to any inconsistent provisions in
28 this act contained, have the power and its duty shall be to:

29 * * *

30 (11) Promote and support programs, studies and policies, in

1 cooperation with the Departments of Labor and Industry,
2 Education, Commerce, [Public Welfare] Human Services and other
3 agencies, which will enhance the opportunity for continued work,
4 education and training for older persons and for preretirement
5 assistance where appropriate.

6 * * *

7 (26) Review and comment on all rules, regulations,
8 eligibility or payment standards issued by the Departments of
9 [Public Welfare] Human Services, Environmental Resources, Health
10 or Labor and Industry relating to the licensure and regulation
11 of nursing homes, hospitals, and other health facilities;
12 medical assistance, supplemental security income; homemaking and
13 home-health care or residential care facilities for older
14 adults. Said rules, regulations and standards shall not take
15 effect until they have been submitted to the department for
16 comment.

17 * * *

18 Section 2210-A. Allocation of Resources.--* * *

19 (d) The Department of [Public Welfare] Human Services shall
20 transfer, for three State fiscal years immediately subsequent to
21 the effective date of this act, to the Department of Aging a
22 proportion of the State allotment under Title XX of the Social
23 Security Act at least equal to the proportion of such funds,
24 including training and administrative funds, allocated to the
25 office for the aging in relation to the State's total allotment
26 in the same fiscal year as the effective date of this act.

27 Section 9. The heading of Article XXIII, section 2301 and
28 the introductory paragraph of section 2313 of the act, amended
29 July 13, 1957 (P.L.852, No.390), are amended to read:

30 ARTICLE XXIII

1 POWERS AND DUTIES OF THE DEPARTMENT OF
2 [PUBLIC WELFARE] HUMAN SERVICES AND ITS DEPARTMENTAL
3 ADMINISTRATIVE AND ADVISORY BOARDS
4 AND COMMISSIONS

5 Section 2301. Powers and Duties in General.--The Department
6 of [Public Welfare] Human Services shall, subject to any
7 inconsistent provisions in this act contained, continue to
8 exercise the powers and perform the duties by law vested in and
9 imposed upon the said department, the Secretary of [Public
10 Welfare] Human Services, and the former Department of Public
11 Welfare, [and] Commissioner of Public Welfare, Secretary of
12 Public Welfare and the former Department of Welfare.

13 Section 2313. Mental Health.--The Department of [Public
14 Welfare] Human Services shall have the power and its duty shall
15 be:

16 * * *

17 Section 10. Section 2313.4 of the act, added December 11,
18 1986 (P.L.1485, No.153), is amended to read:

19 Section 2313.4. Operation of Eastern Pennsylvania
20 Psychiatric Institute.--The Department of [Public Welfare] Human
21 Services is hereby authorized to relinquish the entire
22 government, management, operation and control of the Eastern
23 Pennsylvania Psychiatric Institute to The Medical College of
24 Pennsylvania upon the effective date of a lease entered pursuant
25 to section 2418.

26 (1) Upon the execution of the lease permitted pursuant to
27 section 2418, the Eastern Pennsylvania Psychiatric Institute
28 shall be operated under the management of the Board of
29 Corporators of The Medical College of Pennsylvania, which shall
30 be responsible for the management and operation of the

1 institute.

2 (2) The Medical College of Pennsylvania shall conduct
3 research into the causes, prevention, treatment and cure of
4 mental, neurological and related disorders and shall provide
5 consultation, education, training and treatment at the Eastern
6 Pennsylvania Psychiatric Institute responsive to the mental
7 health needs of the public. Provision of these services and the
8 conduct of research shall be limited only by funds available for
9 these purposes. In addition to requesting appropriations from
10 the General Assembly to fund these functions, the Board of
11 Corporators of The Medical College of Pennsylvania shall make
12 good faith efforts to obtain funding from third party sources.

13 (3) The Medical College of Pennsylvania shall utilize all
14 space in the buildings known as the Eastern Pennsylvania
15 Psychiatric Institute consistent with the functions described in
16 this section. If The Medical College of Pennsylvania uses space
17 in the Eastern Pennsylvania Psychiatric Institute for functions
18 other than those described, it shall provide the Department of
19 [Public Welfare] Human Services with written documentation that
20 an equivalent amount of space is used in other facilities of The
21 Medical College of Pennsylvania for those functions.

22 (4) The Medical College of Pennsylvania may construct
23 buildings on vacant land of the leased premises if the buildings
24 are consistent with the academic health mission of The Medical
25 College of Pennsylvania.

26 Section 11. Section 2327 of the act, added December 21, 1959
27 (P.L.1944, No.709), is amended to read:

28 Section 2327. Powers and Duties of the State Board of
29 [Public Welfare] Human Services.--The State Board of [Public
30 Welfare] Human Services shall be an advisory body to, and a

1 consultative body of the Department of [Public Welfare] Human
2 Services with no power to approve or disapprove rules or
3 regulations, and shall have the power and its duty shall be:

4 (a) To participate in the development of broad outlines, of
5 policy and in the formulation of long-range programs and
6 objectives of the Department of [Public Welfare] Human Services,

7 (b) To interpret such programs and objectives to the public,
8 and

9 (c) To advise the Secretary of [Public Welfare] Human
10 Services, the Governor and the General Assembly, with respect to
11 the policies, programs, objectives and functioning of the
12 Department of [Public Welfare] Human Services.

13 Section 12. Section 2328 of the act, amended June 20, 1978
14 (P.L.477, No.70), is amended to read:

15 Section 2328. Powers and Duties of Advisory Committees.--The
16 Advisory Committee for the Blind, the Advisory Committee for
17 General and Special Hospitals, the Advisory Committee for
18 Children and Youth, the Advisory Committee for Public Assistance
19 and the Advisory Committee for Mental Health and Mental
20 Retardation, shall, concerning matters within their respective
21 special fields of interest, have the power and their duty shall
22 be:

23 (a) To advise the appropriate major program unit of the
24 Department of [Public Welfare] Human Services. This advice shall
25 include, but shall not be limited to, such matters as standards
26 of eligibility, nature and extent of service, amounts of
27 payments to individuals, standards of approval, certification
28 and licensure of institutions and agencies, ways and means of
29 coordinating public and private [welfare] human services
30 activities, and such other matters as may, by law, require

1 citizen review or may be referred to the committees by the
2 departmental units advised by them; and the Advisory Committee
3 for Mental Health and Mental Retardation shall also have the
4 power and duty to advise the Governor and the Secretary of
5 [Public Welfare] Human Services with regard to the appointment
6 of the Commissioner of Mental Health.

7 (b) To arrange for and conduct such public hearings as may
8 be required by law or which they deem necessary and advisable,

9 (c) To promote better public understanding of the programs
10 and objectives of the departmental units advised by them, and

11 (d) To make recommendations to the State Board of [Public
12 Welfare] Human Services on matters referred to the committees
13 for consideration and advice, or as may be required to promote
14 the effectiveness of the programs, of the departmental units
15 advised by them.

16 Section 13. Section 2409.1(b) of the act, amended July 1,
17 1981 (P.L.143, No.48), is amended to read:

18 Section 2409.1. Handicapped-Made Products and Services.--* *
19 *

20 (b) The Secretary of General Services shall have the power,
21 and it shall be his duty, to determine the fair market price on
22 any product or service, the practice of which is not licensed
23 under the laws of this Commonwealth, which handicapped persons
24 can manufacture or perform and which has been offered for sale
25 to the Commonwealth or any of its agencies by any charitable
26 nonprofit-making agency for the handicapped, incorporated under
27 the laws of this Commonwealth, and manufacturing merchandise
28 within this Commonwealth and providing services within this
29 Commonwealth, and approved for such purpose by the Department of
30 General Services, to revise such prices from time to time, in

1 accordance with changing market conditions, and to make such
2 rules and regulations regarding specifications, time of delivery
3 and other relevant matters as are necessary to carry out the
4 provisions of this section. At the request of the Secretary of
5 General Services and with the approval of the Secretary of
6 [Public Welfare] Human Services, the Department of [Public
7 Welfare] Human Services or other nonprofit-making agency shall
8 facilitate the distribution of orders and services among
9 agencies for the handicapped.

10 * * *

11 Section 14. Section 2418 of the act, added December 11, 1986
12 (P.L.1485, No.153), is amended to read:

13 Section 2418. Lease of Eastern Pennsylvania Psychiatric
14 Institute.--The Department of General Services, with the
15 approval of the Governor and the Department of [Public Welfare]
16 Human Services, is authorized to lease or sublease, for the
17 rental of one dollar (\$1) per annum, all of the land and
18 buildings in the city and county of Philadelphia known as the
19 Eastern Pennsylvania Psychiatric Institute, and all
20 improvements, fixtures, equipment and furnishings located there,
21 to The Medical College of Pennsylvania upon such terms and
22 conditions as The Medical College of Pennsylvania and the
23 Department of [Public Welfare] Human Services shall agree. The
24 provisions of section 2402(i) shall not apply to a lease entered
25 into pursuant to this section.

26 Section 15. Whenever in any law reference is made to the
27 Department of Public Welfare or the Secretary of Public Welfare,
28 such reference shall be deemed to refer to and include the
29 Department of Human Services or the Secretary of Human Services.

30 Section 16. All personnel, appropriations, allocations,

1 contracts, agreements, equipment, files, obligations and other
2 material which relate to the administration and enforcement of
3 the laws of this Commonwealth as they relate to the Department
4 of Public Welfare are hereby transferred to the Department of
5 Human Services with the same force and effect as if the
6 appropriations had been made to the Department of Human Services
7 in the first instance, and said contracts, agreements and
8 obligations of the Department of Public Welfare had been
9 incurred or entered into by said Department of Human Services.
10 Section 17. This act shall take effect immediately.