

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1006 Session of  
2005

INTRODUCED BY ERICKSON, GREENLEAF, PUNT, FONTANA, MUSTO, COSTA,  
ORIE, RAFFERTY, M. WHITE, LOGAN, EARLL, TARTAGLIONE, PILEGGI,  
LEMOND, O'PAKE, GORDNER, BOSCOLA, RHOADES, WAUGH, KITCHEN,  
MELLOW, VANCE, MADIGAN, TOMLINSON, SCARNATI AND CONTI,  
NOVEMBER 14, 2005

REFERRED TO PUBLIC HEALTH AND WELFARE, NOVEMBER 14, 2005

AN ACT

1 Providing for the allocation of funds to county mental health  
2 and mental retardation programs and for cost-of-living  
3 adjustments and for the promulgation of rules and  
4 regulations.

5 WHEREAS, The care of Pennsylvanians with mental illness and  
6 mental retardation has been a core responsibility of State  
7 government for more than a century; and

8 WHEREAS, The adoption of the Mental Health and Mental  
9 Retardation Act of 1966 established a community-based system of  
10 supports and services for people with mental disabilities; and

11 WHEREAS, Since 1966 the Commonwealth of Pennsylvania has  
12 implemented a policy of de-institutionalization, shifting the  
13 focus of care from large State-operated facilities to small,  
14 community-based homes and services; and

15 WHEREAS, The community-based system today provides over \$3  
16 billion of services annually to hundreds of thousands of people  
17 with mental illness or people with mental retardation; and

1 WHEREAS, The continued development and operation of this  
2 community-based system of supports and services requires the  
3 adoption by the Commonwealth of Pennsylvania of a fiscal policy  
4 that consistently supports said system; and

5 WHEREAS, The value of the State's funding for this community-  
6 based system of supports and services has declined by over 33%  
7 during the past ten years, resulting in a significant erosion in  
8 the quality and quantity of services available through the  
9 community system.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Short title.

13 This act shall be known and may be cited as the Community  
14 Mental Health and Mental Retardation Program Services and  
15 Supports Act.

16 Section 2. Definitions.

17 The following words and phrases when used in this act shall  
18 have the meanings given to them in this section unless the  
19 context clearly indicates otherwise:

20 "Department." The Department of Public Welfare of the  
21 Commonwealth.

22 "Secretary." The Secretary of Public Welfare of the  
23 Commonwealth.

24 Section 3. Allocation of funds.

25 At the beginning of each fiscal year, the secretary shall  
26 allocate to county mental health and mental retardation programs  
27 an aggregate amount of funds not less than the aggregate amount  
28 allocated to county mental health and mental retardation  
29 programs in the prior fiscal year, plus the amount necessary to  
30 provide full-year funding of all initiatives included in the

prior fiscal year's allocation, plus the amount necessary to provide funds for a cost-of-living adjustment to assure the health, safety and effective care of people served in the community-based mental health and mental retardation system.

Section 4. Cost-of-living adjustment.

The cost-of-living adjustment shall be equal to the Home Health Market Basket Index, or a successor index should this one be renamed or otherwise modified, published in the Federal Register for the prior Federal fiscal year, times the sum of the aggregate amount allocated to counties in the prior fiscal year plus the amount necessary to provide full-year funding of all initiatives included in the prior fiscal year's allocation to counties.

Section 5. Use of increased funds.

Funding allocated by the secretary to counties for a cost-of-living adjustment shall only be utilized to increase the rates or amounts of funding for existing community-based mental health and mental retardation services.

Section 6. Administrative costs.

Notwithstanding any other provisions of this act, the department shall annually increase all existing allocations made to county mental health and mental retardation programs for the purposes of administering such programs by the same cost-of-living adjustment defined in section 4.

Section 7. Rules and regulations.

The department shall promulgate regulations necessary for the implementation of the provisions of this act within 90 days of the effective date of this act.

Section 8. Effective date.

This act shall take effect December 1, 2006, or immediately,

1 whichever is later.