

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1455 Session of  
2007

INTRODUCED BY RAPP, KENNEY, TURZAI, STERN, ARGALL, BENNINGHOFF,  
BOBACK, BOYD, BROOKS, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER,  
COX, CREIGHTON, J. EVANS, FAIRCHILD, FLECK, GEIST, GEORGE,  
GILLESPIE, GINGRICH, GRELL, HARHART, HARKINS, HENNESSEY,  
HUTCHINSON, KAUFFMAN, M. KELLER, KOTIK, MAHER, MAJOR, MANTZ,  
McILHATTAN, MELIO, MENSCH, METCALFE, MILLARD, MUSTIO, NAILOR,  
D. O'BRIEN, O'NEILL, PERRY, PETRONE, PHILLIPS, PICKETT, PYLE,  
QUIGLEY, READSHAW, REED, REICHLEY, ROAE, ROHRER, SAYLOR,  
SCAVELLO, SCHRODER, SOLOBAY, R. STEVENSON, SWANGER,  
TANGRETTI, VEREB, VULAKOVICH, J. WHITE, YEWCIC AND  
YOUNGBLOOD, SEPTEMBER 26, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
SEPTEMBER 26, 2007

AN ACT

1 Imposing a moratorium on the closure of State mental health and  
2 mental retardation facilities; and requiring the Legislative  
3 Budget and Finance Committee to study the prevalence of  
4 serious mental illness and substance abuse in the inmate  
5 population of State correctional institutions and county  
6 prisons and to report to the General Assembly.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Mental Health  
11 and Mental Retardation Facilities Closure and Reduction  
12 Moratorium Act.

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Closure." As defined in section 2 of the act of April 28,  
3 1999 (P.L.24, No.3), known as the Mental Health or Mental  
4 Retardation Facility Closure Act.

5 "Committee." The Legislative Budget and Finance Committee.

6 "Facility." As defined in section 2 of the act of April 28,  
7 1999 (P.L.24, No.3), known as the Mental Health or Mental  
8 Retardation Facility Closure Act.

9 "Reduction." As defined in section 2 of the act of April 28,  
10 1999 (P.L.24, No.3), known as the Mental Health or Mental  
11 Retardation Facility Closure Act.

12 "Serious mental illness." A substantial disorder of thought  
13 or mood which significantly impairs judgment, behavior, capacity  
14 to recognize reality or cope with the ordinary demands of daily  
15 life.

16 Section 3. Moratorium.

17 Notwithstanding any other provision of law, pending  
18 submission to the General Assembly of the study required by  
19 section 4, a moratorium is hereby established during which no  
20 facility shall undergo closure or reduction.

21 Section 4. Study of mental illness and substance abuse.

22 The committee shall conduct a study to determine the  
23 prevalence of serious mental illness and substance abuse in the  
24 inmate population of State correctional institutions and county  
25 prisons. In conducting the study, the committee shall determine  
26 all of the following:

27 (1) The number of inmates who are mentally retarded.

28 (2) The number of inmates who suffer from serious mental  
29 illness.

30 (3) The number of inmates who suffer from substance

1 abuse.

2 (4) The number of inmates who received treatment at a  
3 facility prior to being incarcerated.

4 (5) A list of psychological and psychiatric services  
5 available at each correctional institution or county prison.

6 (6) The source, adequacy and sustainability of funding  
7 for psychological and psychiatric services available at each  
8 correctional institution or county prison.

9 (7) Other issues the committee deems appropriate.

10 The committee shall submit a final report with recommendations  
11 to the Public Health and Welfare Committee of the Senate and the  
12 Health and Human Services Committee of the House of  
13 Representatives no later than March 1, 2008.

14 Section 5. Cooperation.

15 The Department of Corrections, the Department of Public  
16 Welfare and the governing body of each county shall cooperate  
17 and assist in providing information for the study required by  
18 section 4.

19 Section 6. Applicability.

20 Section 3 of this act shall apply to closures or reductions  
21 made after December 31, 2006.

22 Section 7. Effective date.

23 This act shall take effect immediately.