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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 1373** Session of  
2008

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INTRODUCED BY ERICKSON, COSTA, WOZNIAK, ORIE, O'PAKE, RAFFERTY,  
WONDERLING, LOGAN, TOMLINSON, GORDNER, GREENLEAF, McILHINNEY,  
C. WILLIAMS, KASUNIC, PILEGGI, BAKER, WASHINGTON, STACK,  
VANCE, MADIGAN, M. WHITE, KITCHEN, ROBBINS, DINNIMAN, CORMAN  
AND SCARNATI, APRIL 25, 2008

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REFERRED TO PUBLIC HEALTH AND WELFARE, APRIL 25, 2008

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AN ACT

1 Providing for an annual allocation of funds to county mental  
2 health and mental retardation programs.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Mental Health  
7 and Mental Retardation Maintenance of Community Services Act.

8 Section 2. Information.

9 The Secretary of the Budget shall include in the budget  
10 submission to the General Assembly, under section 610 of the act  
11 of April 9, 1929 (P.L.177, No.175), known as The Administrative  
12 Code of 1929, for the community-based mental health and mental  
13 retardation services and early intervention services programs in  
14 the Department of Public Welfare the amounts necessary to fund  
15 the following:

16 (1) The aggregate amount allocated to the programs in

1 the prior fiscal year.

2 (2) The amount necessary to provide full-year funding of  
3 all initiatives included as part of the programs in the prior  
4 fiscal year.

5 (3) The amount necessary to fund an index adjustment,  
6 calculated under section 3, to include a cost-of-living  
7 adjustment for administrative costs of the programs.

8 Section 3. Calculation of index adjustment.

9 The index adjustment under section 2(3) shall be equal to the  
10 product of the following:

11 (1) The Home Health Market Basket Index or its successor  
12 index if the index is renamed or otherwise modified,  
13 published in the Federal Register for the prior Federal  
14 fiscal year.

15 (2) The sum of the aggregate amount allocated to  
16 counties in the prior fiscal year plus the amount necessary  
17 to provide full-year funding of all initiatives included in  
18 the prior fiscal year's allocation to counties.

19 (3) The index adjustment shall at no time exceed the  
20 overall percentage increase in General Fund expenditures for  
21 the same fiscal year unless authorized by the General  
22 Assembly.

23 Section 4. Allocation.

24 Funds included in the Governor's budget submission for the  
25 Community Mental Health Services, Community Mental Retardation  
26 Services and Early Intervention Services Programs under section  
27 3 shall be identified as increases in the rates or amounts of  
28 funding for existing community-based mental health and mental  
29 retardation services. Funding allocations to each county's  
30 community-based mental health and mental retardation programs

1 shall be equal to the index adjustment calculated under section  
2 3.  
3 Section 10. Effective date.  
4 This act shall take effect immediately.