

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 942 Session of
2013

INTRODUCED BY WOZNIAK, FOLMER, SOLOBAY, WASHINGTON, VANCE, FERLO
AND BREWSTER, MAY 29, 2013

REFERRED TO PUBLIC HEALTH AND WELFARE, MAY 29, 2013

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," abolishing the Department
21 of Drug and Alcohol Programs and transferring its powers and
22 duties to the Department of Health.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. Sections 201, as much as relates to the
26 Department of Drug and Alcohol Programs in section 202, 206 and
27 207.1(d)(1) of the act of April 9, 1929 (P.L.177, No.175), known
28 as The Administrative Code of 1929, amended July 9, 2010

(P.L.348, No.50), are amended to read:

Section 201. Executive Officers, Administrative Departments and Independent Administrative Boards and Commissions.--(a) The executive and administrative work of this Commonwealth shall be performed by the Executive Department, consisting of the Governor, Lieutenant Governor, Secretary of the Commonwealth, Attorney General, Auditor General, State Treasurer, and Secretary of Education; by the Executive Board, and the Pennsylvania State Police; by the following administrative departments: Department of State, Office of Attorney General, Department of Corrections, Department of the Auditor General, Treasury Department, Department of Education, Department of Military Affairs, Insurance Department, Department of Banking, Department of Agriculture, Department of Transportation, Department of Health, [Department of Drug and Alcohol Programs], Department of Labor and Industry, Department of Aging, Department of Public Welfare, Department of General Services, Department of Revenue, Department of Community and Economic Development, Department of Environmental Protection and Department of Conservation and Natural Resources; and by the following independent administrative boards and commissions: Pennsylvania Game Commission, Pennsylvania Fish and Boat Commission, State Civil Service Commission, Pennsylvania Public Utility Commission and the Pennsylvania Securities Commission.

(b) All of the provisions of this act, which apply generally to administrative departments, or generally except to the Department of the Auditor General, the Treasury Department and the Office of Attorney General, shall apply to the Executive Board and to the Pennsylvania State Police.

Section 202. Departmental Administrative Boards,

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

6 * * *

7 [In the Department of Drug and Alcohol Programs,
8 Bureau of Prevention and Intervention,
9 Bureau of Treatment,
10 Bureau of Administration.]

11 All of the foregoing departmental administrative boards and
12 commissions shall be organized or reorganized as provided in
13 this act.

14 Section 206. Department Heads.--Each administrative
15 department shall have as its head an officer who shall, either
16 personally, by deputy, or by the duly authorized agent or
17 employe of the department, and subject at all times to the
18 provisions of this act, exercise the powers and perform the
19 duties by law vested in and imposed upon the department.

20 The following officers shall be the heads of the
21 administrative departments following their respective titles:

22 Secretary of the Commonwealth, of the Department of State;
23 Auditor General, of the Department of the Auditor General;
24 State Treasurer, of the Treasury Department;
25 Attorney General, of the Office of Attorney General;
26 Secretary of Education, of the Department of Education;
27 Adjutant General, of the Department of Military Affairs;
28 Insurance Commissioner, of the Insurance Department;
29 Secretary of Banking, of the Department of Banking;
30 Secretary of Agriculture, of the Department of Agriculture;

1 Secretary of Transportation, of the Department of
2 Transportation;
3 Secretary of Health, of the Department of Health;
4 [Secretary of Drug and Alcohol Programs, of the
5 Department of Drug and Alcohol Programs;]
6 Secretary of Labor and Industry, of the Department of Labor
7 and Industry;
8 Secretary of Aging, of the Department of Aging;
9 Secretary of Public Welfare, of the Department of Public
10 Welfare;
11 Secretary of Revenue, of the Department of Revenue;
12 Secretary of Community and Economic Development, of the
13 Department of Community and Economic Development;
14 Secretary of Environmental Protection, of the Department of
15 Environmental Protection;
16 Secretary of Conservation and Natural Resources, of the
17 Department of Conservation and Natural Resources;
18 Secretary of General Services, of the Department of General
19 Services;
20 Secretary of Corrections, of the Department of Corrections.

21 Section 207.1. Gubernatorial Appointments.--* * *

22 (d) The Governor shall nominate in accordance with the
23 provisions of the Constitution of the Commonwealth of
24 Pennsylvania and, by and with the advice and consent of a
25 majority of the members elected to the Senate appoint persons to
26 fill the following positions:

27 (1) The Secretary of Education, the Secretary of the
28 Commonwealth, the Adjutant General, the Insurance Commissioner,
29 the Secretary of Banking, the Secretary of Agriculture, the
30 Secretary of Transportation, the Secretary of Health, [the

1 Secretary of Drug and Alcohol Programs,] the Commissioner of the
2 State Police, the Secretary of Corrections, the Secretary of
3 Labor and Industry, the Secretary of Aging, the Secretary of
4 Public Welfare, the Secretary of General Services, the Secretary
5 of Revenue, the Secretary of Community and Economic Development,
6 the Secretary of Environmental Protection and the Secretary of
7 Conservation and Natural Resources.

8 * * *

9 Section 2. Section 2114 of the act, added May 2, 1949
10 (P.L.817, No.213), is amended to read:

11 Section 2114. [Alcoholism] Drug and Alcohol Abuse and
12 Dependence.--The Department of Health shall have the power, and
13 its duty shall be:

14 [(a) To investigate the subject of alcoholism in respect to
15 rehabilitation and compile and maintain reliable statistics
16 indicating the effectiveness of any rehabilitation programs
17 carried forward by State-aided clinics for alcoholics, State
18 hospitals and State-aided hospitals receiving alcoholics;

19 (b) To take such other steps as may be necessary to procure
20 such information and data as may be deemed helpful in the
21 treatment and rehabilitation of alcoholics.]

22 (a) To develop and adopt a State plan for the control,
23 prevention, intervention, treatment, rehabilitation, research,
24 education and training aspects of drug and alcohol abuse and
25 dependence problems. The State plan shall include, but not be
26 limited to, provisions for:

27 (1) Coordination of the efforts of all State agencies in the
28 control, prevention, intervention, treatment, rehabilitation,
29 research, education and training aspects of drug and alcohol
30 abuse and dependence problems so as to avoid duplications and

1 inconsistencies in the efforts of the agencies.

2 (2) Coordination of all health and rehabilitation efforts to
3 deal with the problem of drug and alcohol abuse and dependence,
4 including, but not limited to, those relating to vocational
5 rehabilitation, manpower development and training, senior
6 citizens, law enforcement assistance, parole and probation
7 systems, jails and prisons, health research facilities, mental
8 retardation facilities and community mental health centers,
9 juvenile delinquency, health professions, educational
10 assistance, hospital and medical facilities, social security,
11 community health services, education professions development,
12 higher education, Commonwealth employee health benefits,
13 economic opportunity, comprehensive health planning, elementary
14 and secondary education, highway safety and the civil service
15 laws.

16 (3) Encouragement of the formation of local agencies and
17 local coordinating councils, promotion of cooperation and
18 coordination among such groups and encouragement of
19 communication of ideas and recommendations from such groups to
20 the Pennsylvania Advisory Council on Drug and Alcohol Abuse.

21 (4) Development of model drug and alcohol abuse and
22 dependence control plans for local government, utilizing the
23 concepts incorporated in the State plan. The model plans shall
24 be reviewed on a periodic basis, but not less than once a year,
25 and revised to keep them current. The model plans shall specify
26 how all types of community resources and existing Federal and
27 State legislation may be utilized.

28 (5) Assistance and consultation to local governments, public
29 and private agencies, institutions and organizations and
30 individuals with respect to the prevention and treatment of drug

1 and alcohol abuse and dependence, including coordination of
2 programs among them.

3 (6) Cooperation with organized medicine to disseminate
4 medical guidelines for the use of drugs and controlled
5 substances in medical practice.

6 (7) Coordination of research, scientific investigations,
7 experiments and studies relating to the cause, epidemiology,
8 sociological aspects, toxicology, pharmacology, chemistry,
9 effects on health, dangers to public health, prevention,
10 diagnosis and treatment of drug and alcohol abuse and
11 dependence.

12 (8) Investigation of methods for the more precise detection
13 and determination of alcohol and controlled substances in urine
14 and blood samples and by other means, and publication on a
15 current basis of uniform methodology for such detections and
16 determinations.

17 (9) Any information obtained through scientific
18 investigation or research conducted pursuant to this act shall
19 be used in ways so that no name or identifying characteristics
20 of any person shall be divulged without the approval of the
21 department and the consent of the person concerned. Persons
22 engaged in research pursuant to this section shall protect the
23 privacy of individuals who are the subject of such research by
24 withholding from all persons not connected with the conduct of
25 such research the names or other identifying characteristics of
26 such individuals. Persons engaged in the research shall protect
27 the privacy of such individuals and may not be compelled in any
28 State, civil, criminal, administrative, legislative or other
29 proceeding to identify such individuals.

30 (10) Establishment of training programs for professional and

nonprofessional personnel with respect to drug and alcohol abuse and dependence, including the encouragement of such programs by local governments.

(11) Development of a model curriculum, including the provision of relevant data and other information, for utilization by elementary and secondary schools for instructing children and for parent-teachers' associations, adult education centers, private citizen groups or other State and local sources for instruction of parents and other adults about drug and alcohol abuse and dependence.

(12) Preparation of a broad variety of educational, prevention and intervention material for use in all media, to reach all segments of the population, that can be utilized by public and private agencies, institutions and organizations in educational programs with respect to drug and alcohol abuse and dependence.

(13) Establishment of educational courses, including the provision of relevant data and other information on the causes and effects of and treatment for drug and alcohol abuse and dependence, for law enforcement officials, including prosecuting attorneys, court personnel, the judiciary, probation and parole officers, correctional officers and other law enforcement personnel, welfare, vocational rehabilitation and other State and local officials, who come in contact with drug abuse and dependence problems.

(14) Recruitment, training, organization and employment of professional and other persons, including former drug and alcohol abusers and dependent persons, to organize and participate in programs of public education.

(15) Treatment and rehabilitation services for male and

female juveniles and adults who are charged with, convicted of
or serving a criminal sentence for any criminal offense under
the laws of the Commonwealth. Provision of similar services
shall be made for juveniles adjudged to be delinquent, dependent
or neglected. These services shall include, but are not limited
to, emergency medical services, inpatient services and
intermediate care, rehabilitative and outpatient services.

(16) Giving priority to developing community-based drug or
alcohol abuse treatment services in a cooperative manner among
State and local governmental agencies and departments and public
and private agencies, institutions and organizations.
Consideration shall be given to supportive medical care,
services or residential facilities for drug or alcohol dependent
persons for whom treatment has repeatedly failed and for whom
recovery is unlikely.

(17) Establishment of a system of emergency medical services
for persons voluntarily seeking treatment, for persons admitted
and committed to treatment facilities according to the
procedural admission and commitment provisions of the act of
July 9, 1976 (P.L.817, No.143), known as the "Mental Health
Procedures Act," and for persons charged with a crime under
Pennsylvania law. Upon the establishment of such emergency
medical services, the Department of Health, by regulation, shall
require that appropriate emergency medical services be made
available to all drug and alcohol abusers who are arrested for a
crime under Pennsylvania law.

(18) Providing standards for the approval by the relevant
State agency for all private and public treatment and
rehabilitative facilities, which may include, but are not
limited to, State hospitals and institutions, public and private

general hospitals, community mental health centers or their contracting agencies and public and private drug or alcohol dependence and drug and alcohol abuse and dependence treatment and rehabilitation centers.

(19) Grants and contracts for the prevention, intervention and treatment of drug and alcohol dependence. The grants and contracts may include assistance to local governments and public and private agencies, institutions and organizations for prevention, intervention, treatment, rehabilitation, research, education and training aspects of the drug and alcohol abuse and dependence problems with the Commonwealth. Any grant made or contract entered into by a department or agency shall be pursuant to the functions allocated to that department or agency by the State plan.

(20) Preparation of general regulations for and operation of programs supported with assistance.

(21) Establishment of priorities for deciding allocation of the funds.

(22) Review the administration and operation of programs, including the effectiveness of such programs in meeting the purposes for which they are established and operated, and make annual reports of the findings.

(23) Evaluate the programs and projects carried out and disseminate the results of such evaluations.

(24) Establish such advisory committees as deemed necessary to assist the Department of Health in fulfilling its responsibilities.

(b) In developing the State plan initially, and prior to its amendment annually, to hold a public hearing at least thirty (30) days prior to the adoption of the initial State plan and

1 subsequent amendments and to afford all interested persons an
2 opportunity to present their views either orally or in writing.
3 The Department of Health, through its staff, shall consult and
4 collaborate with appropriate Federal, State and local
5 departments, boards, agencies and governmental units, and with
6 appropriate public and private agencies, institutions, groups
7 and organizations. Otherwise, the promulgation of the State plan
8 shall conform to the procedure contained in the act of July 31,
9 1968 (P.L.769, No.240), referred to as the Commonwealth
10 Documents Law.

11 (c) In accordance with the State plan, to allocate the
12 responsibility for all services, programs and other efforts
13 provided for among the appropriate departments, agencies and
14 other State personnel. The Department of Health, through its
15 employees, shall have the power and its duty shall be to
16 implement compliance with the provisions of the State plan and
17 to coordinate all such efforts.

18 (d) To gather and publish statistics pertaining to drug and
19 alcohol abuse and dependence and promulgate regulations,
20 specifying uniform statistics to be obtained, records to be
21 maintained and reports to be submitted by public and private
22 departments, agencies, organizations, practitioners and other
23 persons with respect to drug and alcohol abuse and dependence
24 and related problems. Such statistics and reports shall not
25 reveal the identity of any patient or drug or alcohol-dependent
26 person or other confidential information.

27 (e) To establish an information center, which will attempt
28 to gather and contain all available published and unpublished
29 data and information on the problems of drug and alcohol abuse
30 and dependence. All Commonwealth departments and agencies shall

1 send to the Department of Health any data and information
2 pertinent to the cause, prevention, diagnosis and treatment of
3 drug and alcohol abuse and dependence and the toxicology and
4 pharmacology effects on the health of drug and alcohol abusers
5 and danger to the public health of alcohol, drugs and controlled
6 substances. The Department of Health shall make such data and
7 information widely available.

8 (f) To require all appropriate State and local departments,
9 agencies, institutions and others engaged in implementing the
10 State plan to submit as often as necessary, but no less often
11 than annually, reports detailing the activities and effects of
12 the implementation and recommending appropriate amendments to
13 the State plan. The department may direct a performance audit of
14 any activity engaged in pursuant to the State plan.

15 (g) To submit an annual report to the General Assembly which
16 shall specify the actions taken and services provided and funds
17 expended and an evaluation of their effectiveness. The annual
18 report shall also contain the current State plan. The Department
19 of Health shall submit such additional reports as may be
20 requested by the General Assembly and recommendations to further
21 the prevention, treatment and control of drug and alcohol abuse
22 and dependence.

23 (h) To make provisions for facilities in each city or region
24 or catchment area which shall provide information about the
25 total Commonwealth drug and alcohol abuse and drug and alcohol
26 dependency programs and services.

27 Section 3. Article XXIII-A heading and section 2301-A of the
28 act, added July 9, 2010 (P.L.348, No.50), are repealed:

29 [ARTICLE XXIII-A

30 POWERS AND DUTIES OF THE DEPARTMENT OF DRUG

1 AND ALCOHOL PROGRAMS

2 Section 2301-A. Powers and duties.

3 The Department of Drug and Alcohol Programs shall have the
4 power and its duty shall be:

5 (1) To develop and adopt a State plan for the control,
6 prevention, intervention, treatment, rehabilitation,
7 research, education and training aspects of drug and alcohol
8 abuse and dependence problems. The State plan shall include,
9 but not be limited to, provisions for:

10 (i) Coordination of the efforts of all State
11 agencies in the control, prevention, intervention,
12 treatment, rehabilitation, research, education and
13 training aspects of drug and alcohol abuse and dependence
14 problems so as to avoid duplications and inconsistencies
15 in the efforts of the agencies.

16 (ii) Coordination of all health and rehabilitation
17 efforts to deal with the problem of drug and alcohol
18 abuse and dependence, including, but not limited to,
19 those relating to vocational rehabilitation, manpower
20 development and training, senior citizens, law
21 enforcement assistance, parole and probation systems,
22 jails and prisons, health research facilities, mental
23 retardation facilities and community mental health
24 centers, juvenile delinquency, health professions,
25 educational assistance, hospital and medical facilities,
26 social security, community health services, education
27 professions development, higher education, Commonwealth
28 employees health benefits, economic opportunity,
29 comprehensive health planning, elementary and secondary
30 education, highway safety and the civil service laws.

1 (iii) Encouragement of the formation of local
2 agencies and local coordinating councils, promotion of
3 cooperation and coordination among such groups and
4 encouragement of communication of ideas and
5 recommendations from such groups to the Pennsylvania
6 Advisory Council on Drug and Alcohol Abuse.

7 (iv) Development of model drug and alcohol abuse and
8 dependence control plans for local government, utilizing
9 the concepts incorporated in the State plan. The model
10 plans shall be reviewed on a periodic basis, but not less
11 than once a year, and revised to keep them current. The
12 model plans shall specify how all types of community
13 resources and existing Federal and Commonwealth
14 legislation may be utilized.

15 (v) Assistance and consultation to local
16 governments, public and private agencies, institutions
17 and organizations and individuals with respect to the
18 prevention and treatment of drug and alcohol abuse and
19 dependence, including coordination of programs among
20 them.

21 (vi) Cooperation with organized medicine to
22 disseminate medical guidelines for the use of drugs and
23 controlled substances in medical practice.

24 (vii) Coordination of research, scientific
25 investigations, experiments and studies relating to the
26 cause, epidemiology, sociological aspects, toxicology,
27 pharmacology, chemistry, effects on health, dangers to
28 public health, prevention, diagnosis and treatment of
29 drug and alcohol abuse and dependence.

30 (viii) Investigation of methods for the more precise

1 detection and determination of alcohol and controlled
2 substances in urine and blood samples and by other means,
3 and publication on a current basis of uniform methodology
4 for such detections and determinations.

5 (ix) Any information obtained through scientific
6 investigation or research conducted pursuant to this act
7 shall be used in ways so that no name or identifying
8 characteristics of any person shall be divulged without
9 the approval of the department and the consent of the
10 person concerned. Persons engaged in research pursuant to
11 this section shall protect the privacy of individuals who
12 are the subject of such research by withholding from all
13 persons not connected with the conduct of such research
14 the names or other identifying characteristics of such
15 individuals. Persons engaged in the research shall
16 protect the privacy of such individuals and may not be
17 compelled in any State, civil, criminal, administrative,
18 legislative or other proceeding to identify such
19 individuals.

20 (x) Establishment of training programs for
21 professional and nonprofessional personnel with respect
22 to drug and alcohol abuse and dependence, including the
23 encouragement of such programs by local governments.

24 (xi) Development of a model curriculum, including
25 the provision of relevant data and other information, for
26 utilization by elementary and secondary schools for
27 instructing children and for parent-teachers'
28 associations, adult education centers, private citizen
29 groups or other State and local sources for instruction
30 of parents and other adults about drug and alcohol abuse

1 and dependence.

2 (xii) Preparation of a broad variety of educational,
3 prevention and intervention material for use in all
4 media, to reach all segments of the population, that can
5 be utilized by public and private agencies, institutions
6 and organizations in educational programs with respect to
7 drug and alcohol abuse and dependence.

8 (xiii) Establishment of educational courses,
9 including the provision of relevant data and other
10 information on the causes and effects of and treatment
11 for drug and alcohol abuse and dependence, for law
12 enforcement officials, including prosecuting attorneys,
13 court personnel, the judiciary, probation and parole
14 officers, correctional officers and other law enforcement
15 personnel, welfare, vocational rehabilitation and other
16 State and local officials, who come in contact with drug
17 abuse and dependence problems.

18 (xiv) Recruitment, training, organization and
19 employment of professional and other persons, including
20 former drug and alcohol abusers and dependent persons, to
21 organize and participate in programs of public education.

22 (xv) Treatment and rehabilitation services for male
23 and female juveniles and adults who are charged with,
24 convicted of or serving a criminal sentence for any
25 criminal offense under the laws of this Commonwealth.
26 Provision of similar services shall be made for juveniles
27 adjudged to be delinquent, dependent or neglected. These
28 services shall include, but are not limited to, emergency
29 medical services, inpatient services and intermediate
30 care, rehabilitative and outpatient services.

1 (xvi) Giving priority to developing community-based
2 drug or alcohol abuse treatment services in a cooperative
3 manner among State and local governmental agencies and
4 departments and public and private agencies, institutions
5 and organizations. Consideration shall be given to
6 supportive medical care, services or residential
7 facilities for drug or alcohol dependent persons for whom
8 treatment has repeatedly failed and for whom recovery is
9 unlikely.

10 (xvii) Establishment of a system of emergency
11 medical services for persons voluntarily seeking
12 treatment, for persons admitted and committed to
13 treatment facilities according to the procedural
14 admission and commitment provisions of the act of July 9,
15 1976 (P.L.817, No.143), known as the Mental Health
16 Procedures Act, and for persons charged with a crime
17 under Pennsylvania law. Upon the establishment of such
18 emergency medical services, the Department of Drug and
19 Alcohol Programs, by regulation, shall require that
20 appropriate emergency medical services be made available
21 to all drug and alcohol abusers who are arrested for a
22 crime under Pennsylvania law.

23 (xviii) Providing standards for the approval by the
24 relevant State agency for all private and public
25 treatment and rehabilitative facilities, which may
26 include, but are not limited to, State hospitals and
27 institutions, public and private general hospitals,
28 community mental health centers or their contracting
29 agencies and public and private drug or alcohol
30 dependence and drug and alcohol abuse and dependence

1 treatment and rehabilitation centers.

2 (xix) Grants and contracts for the prevention,
3 intervention and treatment of drug and alcohol
4 dependence. The grants and contracts may include
5 assistance to local governments and public and private
6 agencies, institutions and organizations for prevention,
7 intervention, treatment, rehabilitation, research,
8 education and training aspects of the drug and alcohol
9 abuse and dependence problems with the Commonwealth. Any
10 grant made or contract entered into by a department or
11 agency shall be pursuant to the functions allocated to
12 that department or agency by the State plan.

13 (xx) Preparation of general regulations for and
14 operation of programs supported with assistance.

15 (xxi) Establishment of priorities for deciding
16 allocation of the funds.

17 (xxii) Review the administration and operation of
18 programs, including the effectiveness of such programs in
19 meeting the purposes for which they are established and
20 operated, and make annual reports of the findings.

21 (xxiii) Evaluate the programs and projects carried
22 out and disseminate the results of such evaluations.

23 (xxiv) Establish such advisory committees as deemed
24 necessary to assist the department in fulfilling its
25 responsibilities.

26 (2) In developing the State plan initially, and prior to
27 its amendment annually, to hold a public hearing at least 30
28 days prior to the adoption of the initial State plan and
29 subsequent amendments and to afford all interested persons an
30 opportunity to present their views either orally or in

1 writing. The Department of Drug and Alcohol Programs, through
2 its staff, shall consult and collaborate with appropriate
3 Federal, State and local departments, boards, agencies and
4 governmental units, and with appropriate public and private
5 agencies, institutions, groups and organizations. Otherwise,
6 the promulgation of the State plan shall conform to the
7 procedure contained in the act of July 31, 1968 (P.L.769,
8 No.240), referred to as the Commonwealth Documents Law.

9 (3) In accordance with the State plan, to allocate the
10 responsibility for all services, programs and other efforts
11 provided for among the appropriate departments, agencies and
12 other State personnel. The department, through its employees,
13 shall have the power and its duty shall be to implement
14 compliance with the provisions of the State plan and to
15 coordinate all such efforts.

16 (4) To gather and publish statistics pertaining to drug
17 and alcohol abuse and dependence and promulgate regulations,
18 specifying uniform statistics to be obtained, records to be
19 maintained and reports to be submitted by public and private
20 departments, agencies, organizations, practitioners and other
21 persons with respect to drug and alcohol abuse and dependence
22 and related problems. Such statistics and reports shall not
23 reveal the identity of any patient or drug or alcohol-
24 dependent person or other confidential information.

25 (5) To establish an information center, which will
26 attempt to gather and contain all available published and
27 unpublished data and information on the problems of drug and
28 alcohol abuse and dependence. All Commonwealth departments
29 and agencies shall send to the Department of Drug and Alcohol
30 Programs any data and information pertinent to the cause,

1 prevention, diagnosis and treatment of drug and alcohol abuse
2 and dependence and the toxicology and pharmacology effects on
3 the health of drug and alcohol abusers and danger to the
4 public health of alcohol, drugs and controlled substances.
5 The Department of Drug and Alcohol Programs shall make such
6 data and information widely available.

7 (6) To require all appropriate State and local
8 departments, agencies, institutions and others engaged in
9 implementing the State plan to submit as often as necessary,
10 but no less often than annually, reports detailing the
11 activities and effects of the implementation and recommending
12 appropriate amendments to the State plan. The department may
13 direct a performance audit of any activity engaged in
14 pursuant to the State plan.

15 (7) To submit an annual report to the General Assembly
16 which shall specify the actions taken and services provided
17 and funds expended and an evaluation of their effectiveness.
18 The annual report shall also contain the current State plan.
19 The Department of Drug and Alcohol Programs shall submit such
20 additional reports as may be requested by the General
21 Assembly and recommendations to further the prevention,
22 treatment and control of drug and alcohol abuse and
23 dependence.

24 (8) To make provisions for facilities in each city or
25 region or catchment area which shall provide information
26 about the total Commonwealth drug and alcohol abuse and drug
27 and alcohol dependency programs and services.

28 (9) The department shall have the power to promulgate
29 the rules and regulations necessary to carry out the
30 provisions of this article.]

1 Section 4. All personnel, allocation, appropriations,
2 equipment, files, records, contracts, agreements, obligations
3 and other material which are used, employed or expended in
4 connection with the powers, duties or functions of the
5 Department of Drug and Alcohol Programs are hereby transferred
6 to the Department of Health with the same force and effect as if
7 the appropriations had been made to and said items had been the
8 property of the Department of Health in the first instance, and
9 as if said contracts, agreements and obligations had been
10 incurred or entered into by the Department of Health. The
11 personnel, appropriations, equipment and other items and
12 material transferred by this section shall include Federal
13 grants and funds and other benefits from any Federal program.
14 All personnel transferred pursuant to this act shall retain any
15 civil service employment status assigned to said personnel.

16 Section 5. All orders, permits, regulations, decisions and
17 other actions of the Department of Drug and Alcohol Programs
18 shall remain in full force and effect until modified, repealed,
19 superseded in or otherwise changed by appropriate action of the
20 Department of Health.

21 Section 6. The Pennsylvania Advisory Council on Drug and
22 Alcohol Abuse established in section 3 of the act of April 14,
23 1972 (P.L.221, No.63), known as the Pennsylvania Drug and
24 Alcohol Abuse Control Act, shall be recognized as an advisory
25 council to the Department of Health.

26 Section 7. This act shall take effect July 1, 2013.