
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 924 Session of
2021

INTRODUCED BY BROOKS, BAKER, HUTCHINSON, YUDICHAK, SCAVELLO AND
GORDNER, OCTOBER 26, 2021

REFERRED TO HEALTH AND HUMAN SERVICES, OCTOBER 26, 2021

AN ACT

1 Amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96,
2 No.6), entitled "An act relating to mental health and
3 intellectual disability; authorizing county programs and
4 amending, revising and changing the laws relating thereto and
5 making an appropriation," in preliminary provisions, further
6 providing for definitions; and, in responsibilities of the
7 State, providing for State center closure moratorium.

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

10 Section 1. The definitions of "department" and "secretary"
11 in section 102 of the act of October 20, 1966 (3rd Sp.Sess.,
12 P.L.96, No.6), known as the Mental Health and Intellectual
13 Disability Act of 1966, are amended and the section is amended
14 by adding a definition to read:

15 Section 102. Definitions.--As used in this act:

16 * * *

17 "Department" means the Department of [Public Welfare] Human
18 Services.

19 * * *

20 "Secretary" means the Secretary of [Public Welfare] Human

1 Services.

2 * * *

3 "State center" means a State operated facility, licensed by
4 the department, to provide a level of care specially designed to
5 meet the needs of persons who have an intellectual disability or
6 persons with related conditions who require specialized health
7 and rehabilitative services.

8 Section 2. The act is amended by adding a section to read:

9 Section 202.1. State Center Closure Moratorium.--(a) The
10 Task Force on the Closure of State Centers is established within
11 the department. Within sixty days of the effective date of this
12 section, the secretary shall convene an initial meeting of the
13 task force. The task force shall perform a comprehensive
14 evaluation of the State centers and provide recommendations to
15 the department prior to the closure of one or more State
16 centers.

17 (b) No State center shall close until the task force
18 completes the comprehensive evaluation of the State center and
19 provides recommendations to the department under subsection (a),
20 the State center is deemed eligible for closure and the plan
21 under subsection (e) is approved by way of a majority vote of
22 the task force and five years have elapsed since the effective
23 date of this section.

24 (c) The task force shall be comprised of the following
25 members:

26 (1) The secretary or a designee.

27 (2) One representative from each State center, which may
28 include, but is not limited to, direct care providers or
29 administrative staff members, to be appointed by each center
30 director.

1 (3) One representative from the Governor's office.

2 (4) The chair and the minority chair of the Health and Human
3 Services Committee of the Senate or their designees.

4 (5) The chair and the minority chair of the Health
5 Committee of the House of Representatives or their designees.

6 (6) Two family members of residents of State centers, to be
7 appointed by the secretary.

8 (7) One representative of a nonprofit organization which
9 serves as an advocate for those with intellectual disabilities,
10 to be appointed by the secretary.

11 (8) One physician, psychiatrist or psychologist with
12 experience providing services to individuals with intellectual
13 disabilities to be appointed by the secretary in consultation
14 with the representatives appointed under paragraph (2).

15 (d) The task force shall meet biweekly to evaluate the
16 impact of a closure in all of the following areas:

17 (1) Residents of the State center and their families.

18 (2) Employes, both union and nonunion.

19 (3) The local economy in which the State center is located.

20 (4) Readiness of provider agencies in each region to expand
21 the community-based residential infrastructure to support
22 residents leaving State centers.

23 (e) If a State center is deemed eligible for closure by way
24 of a majority vote taken by the task force, the department shall
25 prepare a plan for the closure of the State center and the
26 transition of individuals with intellectual disabilities
27 receiving care in the State center to a home or community-based
28 support system. Upon approval of the plan by way of a majority
29 vote of the task force, the department shall make the plan
30 available to the public and take any action necessary to

1 commence the process of closing the State center. The plan shall
2 include all of the following:

3 (1) An assessment of the State center, including:

4 (i) A certified independent appraisal of the State center
5 property.

6 (ii) A report of the State employes employed at the State
7 center, both full time and part time, including the total number
8 of employes, the cost of the total wages and total benefits paid
9 to the employes and an organizational flow chart of employes
10 working at the State center.

11 (iii) A detailed report of the services provided at the
12 State center by contracted third-party vendors.

13 (iv) An inventory of assets located at and improvements on
14 the State center.

15 (v) A report of all electric, utility, water, landscaping,
16 snow removal and maintenance costs of the State center.

17 (vi) Geospatial images of the State center.

18 (vii) A detailed description of the existence, ownership
19 rights and appraised value of any mineral rights on the State
20 center property.

21 (viii) A historical report of the institutional property,
22 including the date it was acquired or constructed, the dates of
23 any improvements on the property, any changes in property
24 records, such as subdivision of the property, historical
25 employment or complement levels and other historical data.

26 (2) The timeline, specific to each State center, for the
27 transition to a home and community-based support system for all
28 of the individuals with intellectual disabilities living at the
29 State center. Information required under this clause shall
30 specify the critical milestones in the closure process for the

1 State center and the department's planned course of action to
2 effectuate the closure of the State center, including available
3 and necessary resources.

4 (3) The home and community-based support providers available
5 in the immediate geographic area surrounding the State center.

6 (4) The process the department will utilize at each State
7 center to transition individuals with intellectual disabilities
8 supported at each State center to a home and community-based
9 support system as provided under this section.

10 (5) The process the department will utilize at the State
11 center to close buildings and reassign staff when individuals
12 with intellectual disabilities are transitioning from State
13 centers to a home and community-based support system.

14 (6) Any other information deemed appropriate by the
15 department as part of the plan.

16 (f) A State center subject to closure must continue to
17 operate with the level of staff necessary until all residents
18 have been transitioned into home or community-based services.

19 (g) As used in this section, the term "task force" means the
20 Task Force on the Closure of State Centers established in
21 accordance with subsection (a).

22 Section 3. The addition of section 202.1 of the act shall
23 apply to State centers not closed on the effective date of this
24 section, notwithstanding if the Department of Human Services
25 began the process to close the State center after July 31, 2019.

26 Section 4. This act shall take effect immediately.