

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 118 Session of  
2017

INTRODUCED BY KAUFER, READSHAW, FEE, DRISCOLL, TAYLOR, MURT,  
MILLARD, RADER, DAVIS, MULLERY, BAKER, McNEILL, BOBACK,  
D. MILLER, SIMMONS, SAYLOR, CUTLER, COOK, STAATS, WARD,  
ROZZI, GALLOWAY, BARBIN, KORTZ, FARRY, MICCARELLI AND  
McCLINTON, FEBRUARY 1, 2017

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, JUNE 27, 2017

## AN ACT

1 ~~Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An~~ <--  
2 ~~act relating to health care; prescribing the powers and~~  
3 ~~duties of the Department of Health; establishing and~~  
4 ~~providing the powers and duties of the State Health~~  
5 ~~Coordinating Council, health systems agencies and Health Care~~  
6 ~~Policy Board in the Department of Health, and State Health~~  
7 ~~Facility Hearing Board in the Department of Justice;~~  
8 ~~providing for certification of need of health care providers~~  
9 ~~and prescribing penalties," in licensing of health care~~  
10 ~~facilities, providing for Emergency Drug and Alcohol~~  
11 ~~Detoxification Program. AMENDING THE ACT OF APRIL 9, 1929~~ <--  
12 (P.L.177, NO.175), ENTITLED, AS AMENDED, "AN ACT PROVIDING  
13 FOR AND REORGANIZING THE CONDUCT OF THE EXECUTIVE AND  
14 ADMINISTRATIVE WORK OF THE COMMONWEALTH BY THE EXECUTIVE  
15 DEPARTMENT THEREOF AND THE ADMINISTRATIVE DEPARTMENTS,  
16 BOARDS, COMMISSIONS, AND OFFICERS THEREOF, INCLUDING THE  
17 BOARDS OF TRUSTEES OF STATE NORMAL SCHOOLS, OR TEACHERS  
18 COLLEGES; ABOLISHING, CREATING, REORGANIZING OR AUTHORIZING  
19 THE REORGANIZATION OF CERTAIN ADMINISTRATIVE DEPARTMENTS,  
20 BOARDS, AND COMMISSIONS; DEFINING THE POWERS AND DUTIES OF  
21 THE GOVERNOR AND OTHER EXECUTIVE AND ADMINISTRATIVE OFFICERS,  
22 AND OF THE SEVERAL ADMINISTRATIVE DEPARTMENTS, BOARDS,  
23 COMMISSIONS, AND OFFICERS; FIXING THE SALARIES OF THE  
24 GOVERNOR, LIEUTENANT GOVERNOR, AND CERTAIN OTHER EXECUTIVE  
25 AND ADMINISTRATIVE OFFICERS; PROVIDING FOR THE APPOINTMENT OF  
26 CERTAIN ADMINISTRATIVE OFFICERS, AND OF ALL DEPUTIES AND  
27 OTHER ASSISTANTS AND EMPLOYES IN CERTAIN DEPARTMENTS, BOARDS,  
28 AND COMMISSIONS; PROVIDING FOR THE REGULATION OF PARI-MUTUEL  
29 THOROUGHbred HORSE RACING AND HARNESS HORSE RACING  
30 ACTIVITIES, IMPOSING CERTAIN TAXES AND PROVIDING FOR THE

1 DISPOSITION OF FUNDS FROM PARI-MUTUEL TICKETS; AND  
2 PRESCRIBING THE MANNER IN WHICH THE NUMBER AND COMPENSATION  
3 OF THE DEPUTIES AND ALL OTHER ASSISTANTS AND EMPLOYES OF  
4 CERTAIN DEPARTMENTS, BOARDS AND COMMISSIONS SHALL BE  
5 DETERMINED," IN POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH  
6 AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS,  
7 PROVIDING FOR EMERGENCY DRUG AND ALCOHOL DETOXIFICATION  
8 PROGRAM.

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

11 ~~Section 1. The act of July 19, 1979 (P.L.130, No.48), known <--~~  
12 ~~as the Health Care Facilities Act, is amended by adding a~~  
13 ~~section to read:~~

14 Section 822. Emergency Drug and Alcohol Detoxification Program.

15 (a) Establishment. The Emergency Drug and Alcohol  
16 Detoxification Program is established in the department to  
17 provide for detoxification in licensed health care facilities  
18 and to establish detoxification facilities. The program shall be  
19 administered by the department.

20 (b) Existing facilities. The Emergency Drug and Alcohol  
21 Detoxification Program shall, to the greatest extent possible,  
22 utilize existing beds in health care facilities.

23 (c) Powers and duties of the department. In order to  
24 provide individuals seeking assistance with better and more  
25 timely access to drug and alcohol detoxification, the department  
26 shall provide special priority review for applications for  
27 licensure under this section.

28 ~~Section 2. This act shall take effect in 60 days.~~

29 SECTION 1. THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN <--  
30 AS THE ADMINISTRATIVE CODE OF 1929, IS AMENDED BY ADDING A  
31 SECTION TO READ:

32 SECTION 2126. EMERGENCY DRUG AND ALCOHOL DETOXIFICATION  
33 PROGRAM.--(A) THE EMERGENCY DRUG AND ALCOHOL DETOXIFICATION  
34 PROGRAM IS ESTABLISHED IN THE DEPARTMENT OF HEALTH TO PROVIDE

1 FOR DETOXIFICATION IN LICENSED HEALTH CARE FACILITIES AND TO  
2 ESTABLISH DETOXIFICATION FACILITIES. THE PROGRAM SHALL BE  
3 ADMINISTERED BY THE DEPARTMENT OF HEALTH.

4 (B) THE EMERGENCY DRUG AND ALCOHOL DETOXIFICATION PROGRAM  
5 SHALL, TO THE GREATEST EXTENT POSSIBLE, UTILIZE EXISTING BEDS IN  
6 HEALTH CARE FACILITIES.

7 (C) IN ORDER TO PROVIDE INDIVIDUALS SEEKING ASSISTANCE WITH  
8 BETTER AND MORE TIMELY ACCESS TO DRUG AND ALCOHOL  
9 DETOXIFICATION, THE DEPARTMENT OF HEALTH SHALL PROVIDE SPECIAL  
10 PRIORITY REVIEW FOR APPLICATIONS FOR LICENSURE UNDER THIS  
11 SECTION.

12 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
13 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
14 THE CONTEXT CLEARLY INDICATES OTHERWISE:

15 "LICENSED HEALTH CARE FACILITY" SHALL MEAN A HEALTH CARE  
16 FACILITY LICENSED UNDER CHAPTER 8 OF THE ACT OF JULY 19, 1979  
17 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE FACILITIES ACT.

18 "HEALTH CARE FACILITY" SHALL MEAN A HEALTH CARE FACILITY AS  
19 DEFINED IN SECTION 802.1 OF THE HEALTH CARE FACILITIES ACT.

20 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.