
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1691 Session of
2023

INTRODUCED BY HOGAN, MARCELL, STAATS, KAUFFMAN, R. MACKENZIE,
KUZMA AND HEFFLEY, SEPTEMBER 22, 2023

REFERRED TO COMMITTEE ON HEALTH, SEPTEMBER 22, 2023

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; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in powers and duties of the Department of Health
22 and its departmental administrative and advisory boards,
23 providing for monitoring spread of emerging illicit drugs.

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

26 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
27 as The Administrative Code of 1929, is amended by adding a
28 section to read:

1 Section 2126.1. Monitoring Spread of Emerging Illicit
2 Drugs.--The Department of Health shall have the power and its
3 duty shall be to:

4 (1) Monitor the introduction, expansion and use of new
5 illicit drugs in this Commonwealth.

6 (2) Gather information regarding new illicit drugs in this
7 Commonwealth from all available sources, including the
8 following:

9 (i) Federal agencies.

10 (ii) Local departments of health.

11 (iii) Coroners and mortality review teams.

12 (iv) Existing departmental advisory committees that include
13 service providers who interact daily with those who are
14 struggling with addiction.

15 (3) Within 30 days, report the emergence of a new illicit
16 drug in this Commonwealth to the chairperson and minority
17 chairperson of the Health and Human Services Committee of the
18 Senate and the chairperson and minority chairperson of the
19 Health Committee of the House of Representatives for possible
20 legislative action. The report shall also be published on the
21 department's publicly accessible Internet website.

22 (4) Determine whether a new illicit drug shall be scheduled
23 as a controlled substance under the act of April 14, 1972 (P.L.
24 233, No.64), known as "The Controlled Substance, Drug, Device
25 and Cosmetic Act."

26 Section 2. This act shall take effect in 60 days.