

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1895 Session of 2019

INTRODUCED BY ROWE, BERNSTINE, CALTAGIRONE, DeLUCA, ECKER,
OWLETT, PYLE, ROTHMAN, SCHLOSSBERG, SCHMITT, STRUZZI, THOMAS,
WHEELAND AND ROEBUCK, SEPTEMBER 30, 2019

REFERRED TO COMMITTEE ON HUMAN SERVICES, SEPTEMBER 30, 2019

AN ACT

1 Amending the act of July 9, 1976 (P.L.817, No.143), entitled "An
2 act relating to mental health procedures; providing for the
3 treatment and rights of mentally disabled persons, for
4 voluntary and involuntary examination and treatment and for
5 determinations affecting those charged with crime or under
6 sentence," in general provisions, further providing for
7 rights and remedies of persons in treatment.

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

10 Section 1. Section 113 of the act of July 9, 1976 (P.L.817,
11 No.143), known as the Mental Health Procedures Act, is amended
12 to read:

13 Section 113. Rights and Remedies of Persons in Treatment.--
14 Every person who is in treatment has the right to be free from
15 abuse, neglect and exploitation and shall be entitled to all
16 other rights now or hereafter provided under the laws of this
17 Commonwealth, in addition to any rights provided for in this
18 act. Actions requesting damages, declaratory judgment,
19 injunction, mandamus, writs of prohibition, habeas corpus,
20 including challenges to the legality of detention or degree of

1 restraint, and any other remedies or relief granted by law may
2 be maintained in order to protect and effectuate the rights
3 granted under this act.

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