

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 422 Session of 2013

INTRODUCED BY K. BOYLE, CLAY, D. COSTA, SWANGER, MILLARD, COHEN,  
DONATUCCI, KORTZ, MAHONEY AND HARKINS, JANUARY 30, 2013

REFERRED TO COMMITTEE ON HUMAN SERVICES, JANUARY 30, 2013

AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,  
2 as amended, "An act establishing the Pennsylvania Advisory  
3 Council on Drug and Alcohol Abuse; imposing duties on the  
4 Department of Health to develop and coordinate the  
5 implementation of a comprehensive health, education and  
6 rehabilitation program for the prevention and treatment of  
7 drug and alcohol abuse and drug and alcohol dependence;  
8 providing for emergency medical treatment; providing for  
9 treatment and rehabilitation alternatives to the criminal  
10 process for drug and alcohol dependence; and making repeals,"  
11 providing for narcotic treatment programs.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. The definition of "department" in section 2(b) of  
15 the act of April 14, 1972 (P.L.221, No.63), known as the  
16 Pennsylvania Drug and Alcohol Abuse Control Act, amended  
17 December 20, 1985 (P.L.529, No.119), is amended to read:

18 Section 2. Definitions:

19 \* \* \*

20 (b) As used in this act:

21 \* \* \*

22 "Department" means the Department of [Health] Drug and

1 Alcohol Programs.

2 \* \* \*

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

4 Section 4.1. Narcotic Treatment Programs.--(a) The  
5 department shall provide approval of all applications for any  
6 narcotic treatment program requesting to operate within this  
7 Commonwealth, in accordance with Federal regulations governing  
8 narcotic treatment programs under 42 CFR Part 8 (relating to  
9 certification of opioid treatment programs) and State law.

10 (b) The approval under subsection (a) must include:

11 (1) A finding that adequate parking is available.

12 (2) Upon receipt of an application for a proposed narcotic  
13 treatment program, notification of all Federal, State and local  
14 elected public officials and the single county authority in  
15 writing, by certified mail, of the application within five  
16 business days of receipt of the application. The notification  
17 shall include the name of the applicant and the applicant's  
18 employees or officers, the facility's proposed location and a  
19 copy of the application. The cost of the notice shall be  
20 incurred by the applicant.

21 (3) At least one public hearing regarding the proposed  
22 narcotic treatment program facility. Written notice shall be  
23 given to all property owners or lessees located within 500 feet  
24 of the proposed narcotic treatment program facility at least  
25 thirty days prior to the date of the public hearing.

26 Section 3. This act shall take effect in 60 days.