

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 841 Session of  
2021

---

INTRODUCED BY DeLUCA, SANCHEZ, KINSEY, GALLOWAY, SCHLOSSBERG,  
MADDEN, HILL-EVANS, NEILSON AND ROWE, MARCH 9, 2021

---

REFERRED TO COMMITTEE ON HUMAN SERVICES, MARCH 9, 2021

---

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.