

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 640 Session of
2025

INTRODUCED BY D. WILLIAMS, HEFFLEY, SANCHEZ, GIRAL, HILL-EVANS,
MADDEN, GUENST, KENYATTA, MALAGARI, FREEMAN, DEASY, CERRATO,
WEBSTER AND T. DAVIS, FEBRUARY 20, 2025

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
JUNE 30, 2025

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 PUBLIC <--
22 WELFARE AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY
23 BOARDS AND COMMISSIONS, PROVIDING FOR MANAGED CARE
24 ORGANIZATION ASSESSMENT, FOR INTERMEDIATE CARE FACILITIES FOR
25 PERSONS WITH AN INTELLECTUAL DISABILITY ASSESSMENTS, FOR
26 HOSPITAL ASSESSMENTS, FOR STATEWIDE QUALITY CARE ASSESSMENTS
27 AND FOR NURSING FACILITY ASSESSMENT; in powers and duties of
28 the Department of Drug and Alcohol Programs, further
29 providing for powers and duties; ~~and,~~ in judicial <--
30 administration, further providing for surcharge and fee; AND <--
31 MAKING REPEALS.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 ~~Section 1. Sections 2301 A(3) and (7)(i) and 2802 E(a) of~~ <--
4 ~~the act of April 9, 1929 (P.L.177, No.175), known as The~~
5 ~~Administrative Code of 1929, are amended to read:~~

6 SECTION 1. ARTICLE XXIII OF THE ACT OF APRIL 9, 1929 <--
7 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, IS
8 AMENDED BY ADDING SECTIONS TO READ:

9 SECTION 2339. MANAGED CARE ORGANIZATION ASSESSMENT.--(A)
10 THE ASSESSMENT AUTHORIZED AND IMPLEMENTED UNDER ARTICLE VIII-I
11 OF THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE "HUMAN
12 SERVICES CODE," SHALL CONTINUE AND REMAIN IN EFFECT TO THE
13 EXTENT PERMITTED UNDER FEDERAL LAW. THE DEPARTMENT OF HUMAN
14 SERVICES SHALL TRANSMIT NOTICE TO THE LEGISLATIVE REFERENCE
15 BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE
16 PENNSYLVANIA BULLETIN UPON EXPIRATION OF THE ASSESSMENT.

17 (B) BEGINNING JULY 1, 2025, THE FIXED FEE REQUIRED UNDER
18 SECTION 803-I(B) OF THE "HUMAN SERVICES CODE" SHALL BE THIRTY
19 DOLLARS AND FORTY-SEVEN CENTS (\$30.47). THE ASSESSMENT,
20 INCLUDING THE FIXED FEE, SHALL REMAIN SUBJECT TO THE PROVISIONS
21 OF ARTICLE VIII-I OF THE "HUMAN SERVICES CODE."

22 SECTION 2340. INTERMEDIATE CARE FACILITIES FOR PERSONS WITH
23 AN INTELLECTUAL DISABILITY ASSESSMENTS.--THE ASSESSMENTS
24 AUTHORIZED AND IMPLEMENTED UNDER ARTICLE VIII-C OF THE ACT OF
25 JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE "HUMAN SERVICES
26 CODE," SHALL CONTINUE AND REMAIN IN EFFECT TO THE EXTENT
27 PERMITTED BY FEDERAL LAW. THE DEPARTMENT OF HUMAN SERVICES SHALL
28 TRANSMIT NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR
29 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA
30 BULLETIN UPON EXPIRATION OF THE ASSESSMENT. THE ASSESSMENTS

1 SHALL REMAIN SUBJECT TO THE PROVISIONS OF ARTICLE VIII-C OF THE
2 "HUMAN SERVICES CODE."

3 SECTION 2341. HOSPITAL ASSESSMENTS.--THE ASSESSMENTS
4 AUTHORIZED AND IMPLEMENTED UNDER ARTICLE VIII-E OF THE ACT OF
5 JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE "HUMAN SERVICES
6 CODE," SHALL CONTINUE AND REMAIN IN EFFECT TO THE EXTENT
7 PERMITTED BY FEDERAL LAW. THE DEPARTMENT OF HUMAN SERVICES SHALL
8 TRANSMIT NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR
9 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA
10 BULLETIN UPON EXPIRATION OF THE ASSESSMENTS. WITH THE EXCEPTION
11 OF THE EXPIRATION PROVISION UNDER SECTION 1603-O(A) OF THE ACT
12 OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS "THE FISCAL CODE,"
13 THE ASSESSMENTS SHALL REMAIN SUBJECT TO THE PROVISIONS OF
14 ARTICLE VIII-E OF THE "HUMAN SERVICES CODE" AND SECTION 1603-O
15 OF "THE FISCAL CODE."

16 SECTION 2342. STATEWIDE QUALITY CARE ASSESSMENT.--THE
17 ASSESSMENT AUTHORIZED AND IMPLEMENTED UNDER ARTICLE VIII-G OF
18 THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE "HUMAN
19 SERVICES CODE," SHALL CONTINUE AND REMAIN IN EFFECT TO THE
20 EXTENT PERMITTED BY FEDERAL LAW. THE DEPARTMENT OF HUMAN
21 SERVICES SHALL TRANSMIT NOTICE TO THE LEGISLATIVE REFERENCE
22 BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE
23 PENNSYLVANIA BULLETIN UPON EXPIRATION OF THE ASSESSMENT. THE
24 ASSESSMENT SHALL REMAIN SUBJECT TO THE PROVISIONS OF ARTICLE
25 VIII-G OF THE "HUMAN SERVICES CODE."

26 SECTION 2343. NURSING FACILITY ASSESSMENT.--THE ASSESSMENT
27 AUTHORIZED IN ARTICLE VIII-A OF THE ACT OF JUNE 13, 1967
28 (P.L.31, NO.21), KNOWN AS THE "HUMAN SERVICES CODE," SHALL
29 CONTINUE AND REMAIN IN EFFECT TO THE EXTENT PERMITTED BY FEDERAL
30 LAW. THE DEPARTMENT SHALL TRANSMIT NOTICE TO THE LEGISLATIVE

1 REFERENCE BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF
2 THE PENNSYLVANIA BULLETIN UPON EXPIRATION OF THE ASSESSMENT. THE
3 ASSESSMENT SHALL REMAIN SUBJECT TO THE PROVISIONS OF ARTICLE
4 VIII-A OF THE "HUMAN SERVICES CODE."

5 SECTION 2. SECTIONS 2301-A(3) AND (7)(I) AND 2802-E(A) OF
6 THE ACT ARE AMENDED TO READ:

7 Section 2301-A. Powers and duties.

8 The Department of Drug and Alcohol Programs shall have the
9 power and its duty shall be:

10 * * *

11 (3) In accordance with the State plan, to [allocate the
12 responsibility for all] collaborate and coordinate the
13 services, programs and other efforts provided for among the
14 appropriate departments, agencies and other State personnel.
15 The department, through its employees, shall have the power
16 and its duty shall be to [implement] promote compliance with
17 the provisions of the State plan and to coordinate all such
18 efforts.

19 * * *

20 (7) As follows:

21 (i) [To] Within 90 days of the effective date of
22 this subparagraph and by January 31 of each year
23 thereafter, to submit an annual report to the [General
24 Assembly which shall:] chairperson and minority
25 chairperson of the Health and Human Services Committee of
26 the Senate and the chairperson and minority chairperson
27 of the Human Services Committee of the House of
28 Representatives. The report shall, at a minimum:

29 (A) Specify the actions taken[,] and services
30 provided [and funds expended, including an

1 evaluation], including services and programs provided
2 in accordance with paragraph (3), to expand
3 education, prevention, intervention, treatment and
4 recovery support programs across this Commonwealth,
5 including any evaluations of their effectiveness.

6 (B) Contain the current State plan.

7 (C) Contain the most recent quarterly
8 evaluations by the Department of Drug and Alcohol
9 Programs of the information specified under paragraph
10 (8.2)(i).

11 (D) Specify the actions taken in accordance with
12 section 2303-A.

13 (E) Specify money distributed and expended by
14 the Department of Drug and Alcohol Programs and other
15 appropriate departments, agencies and Commonwealth
16 employees for services, programs and other efforts
17 outlined in the State plan and in accordance with
18 paragraph (3).

19 (F) Contain evaluations of completed grant
20 programs using information reported to the Department
21 of Drug and Alcohol Programs by grantees, including
22 indicators used to measure performance and the
23 reported outcomes.

24 * * *

25 Section 2802-E. Surcharge and fee.

26 (a) Imposition.--

27 (1) The following apply:

28 (i) In addition to the fees imposed under 42 Pa.C.S.
29 § 3733(a.1) (relating to deposits into account), a
30 surcharge of \$10 shall be charged and collected by a

division of the Unified Judicial System.

(ii) The additional surcharge under this paragraph shall be deposited into the Judicial Department Operations Augmentation Account established under section 1795.1-E(d) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(iii) This paragraph shall expire [July 31, 2025] December 31, 2027.

(2) The following apply:

(i) In addition to the fees imposed under 42 Pa.C.S. § 3733(a.1), a surcharge of \$11.25 shall be charged and collected by a division of the Unified Judicial System.

(ii) The surcharge under this paragraph shall be deposited in the Judicial Department Operations Augmentation Account established under section 1795.1-E(d) of The Fiscal Code.

(iii) This paragraph shall expire [July 31, 2025] December 31, 2027.

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SECTION 3. REPEALS ARE AS FOLLOWS:

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(1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF SECTION 2339 OF THE ACT.

(2) SECTION 1601-O OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, IS REPEALED.

(3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF SECTION 2340 OF THE ACT.

(4) SECTION 1602-O OF THE FISCAL CODE IS REPEALED.

(5) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER

1 PARAGRAPH (6) IS NECESSARY TO EFFECTUATE THE ADDITION OF
2 SECTION 2343 OF THE ACT.

3 (6) SECTION 1606-T OF THE FISCAL CODE IS REPEALED.

4 SECTION 4. THE ADDITION OF SECTIONS 2339, 2340, 2341, 2342
5 AND 2343 SHALL BE RETROACTIVE TO JUNE 30, 2025.

6 Section ~~2~~ 5. This act shall take effect immediately.

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