

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 716 Session of 2025

INTRODUCED BY LAUGHLIN, A. WILLIAMS, SANTARSIERO, FONTANA AND
YAW, MAY 2, 2025

REFERRED TO HEALTH AND HUMAN SERVICES, MAY 2, 2025

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 statement of policy and for definitions.

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

10 Section 1. Section 102 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 102. Statement of Policy.--It is the policy of the
14 Commonwealth of Pennsylvania to seek to assure the availability
15 of adequate treatment to persons [who are mentally ill] with
16 mental illness, and it is the purpose of this act to establish
17 procedures whereby this policy can be effected. The provisions
18 of this act shall be interpreted in conformity with the
19 principles of due process to make voluntary and involuntary
20 treatment available where the need is great and its absence

1 could result in serious harm to the [mentally ill person] person
2 with mental illness or to others. Treatment on a voluntary basis
3 shall be preferred to involuntary treatment; and in every case,
4 the least restrictions consistent with adequate treatment shall
5 be employed. Persons [who are mentally retarded, senile,
6 alcoholic, or drug dependent shall receive mental health
7 treatment only if they are also diagnosed as mentally ill, but
8 these conditions of themselves shall not be deemed to constitute
9 mental illness: Provided, however, That nothing] with an
10 intellectual disability, an alcohol use disorder or with age-
11 related cognitive decline or dementia shall receive treatment
12 only if they are also diagnosed with a mental illness, but these
13 conditions of themselves shall not be deemed to constitute
14 mental illness. For the purposes of this act, substance use
15 disorder shall be considered a mental illness that may qualify
16 for treatment under this act. Nothing in this act shall prohibit
17 underutilized State facilities for [the mentally ill] persons
18 with mental illness to be made available for the treatment of
19 alcohol abuse or drug addiction pursuant to the act of April 14,
20 1972 (P.L.221, No.63), known as the "Pennsylvania Drug and
21 Alcohol Abuse Control Act." Chronically disabled persons 70
22 years of age or older who have been continuously hospitalized in
23 a State operated facility for at least ten years shall not be
24 subject to the procedures of this act. Such a person's inability
25 to give a rational, informed consent shall not prohibit the
26 department from continuing to provide all necessary treatment to
27 such a person. However, if such a person protests treatment or
28 residence at a State operated facility he shall be subject to
29 the provisions of Article III.

30 Section 2. The definition of "assisted outpatient treatment"

1 in section 103.1 of the act is amended and the section is
2 amended by adding a definition to read:

3 Section 103.1. Definitions.--The following words and phrases
4 when used in this act shall have the meanings given to them in
5 this section unless the context clearly indicates otherwise:

6 "Assisted outpatient treatment." Community-based outpatient
7 social, medical and behavioral health treatment services ordered
8 by a court for a severely mentally disabled person, which may
9 include one or more of the following services:

10 (1) Community psychiatric supportive treatment.

11 (2) Assertive community treatment.

12 (3) Medications.

13 (4) Individual or group therapy.

14 (5) Peer support services.

15 (6) Financial services.

16 (7) Housing or supervised living services.

17 (8) Alcohol [or substance] abuse treatments when the
18 treatment is a co-occurring condition for a person with a
19 primary diagnosis of mental [health] illness.

20 (8.1) Substance use disorder.

21 (9) Any other service prescribed to treat the person's
22 mental illness that either assists the person in living and
23 functioning in the community or helps to prevent a relapse or a
24 deterioration of the person's condition that would be likely to
25 result in a substantial risk of serious harm to the person or
26 others.

27 * * *

28 "Substance use disorder." A treatable mental illness that
29 affects a person's brain and behavior, leading to the person's
30 inability to control the person's use of legal or illegal drugs

1 or medications.

2 * * *

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