

# LICENSING ALERT

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Deputy Secretary for Quality Assurance

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Division of Drug and Alcohol Program Licensing  
Licensing Alert 4-97

## Requests for Exceptions to Regulations, Part V. Drug and Alcohol Activities, Chapter 701

Licensed drug and alcohol facilities may request an exception to any requirements of the Department's licensing regulations found in 28 Pa. Code, Chapters 704, 709, 711, and 713. All requests must be submitted in writing and must be approved by the governing body of the facility. If the facility is governed by a sole proprietor, this should be stated. Any exception request which does not provide governing body approval, will be returned to the facility. No exception requests will be considered without this approval.

28 Pa. Code, Chapter §701.11 provides that,

- (b) The Secretary or a designee may grant an exception to this part upon application, or upon his own initiative, when it has been determined that, under the circumstances, the granting of the exception will be:
  - (1) In furtherance of sound project or program implementation.
  - (2) Consistent with the policy objectives of this part.

The granting or denial of an exception request will be in writing, will be signed by the Secretary or a designee, and will set forth the reasons for the granting or denial. It should be noted that exceptions will not be granted to standards and regulations which are mandated by State or Federal statutes, or Federal regulations which are to be met for funding eligibility.

All requests for exceptions must include the following:

- (1) reference to the applicable regulation(s);
- (2) evidence that there was an attempt to comply with the regulation(s);
- (3) extent, nature and, if applicable, time period of the desired exception;

- (4) **method by which the intent of the regulation(s) will be met if the exception is granted; and,**
- (5) **governing body approval of the request to seek an exception.**

**Requests for exceptions should be addressed to the Director of the Bureau of Community Program Standards at the following address:**

**Director, Bureau of Community Program Standards  
c/o Division of Drug and Alcohol Program Licensing  
132 Kline Plaza, Suite A  
Harrisburg, PA 17104**

**Questions on this Alert may be directed to the Division of Drug and Alcohol Program Licensing at 717-783-8675.**