

## **POLICY BULLETIN**

### **No. 18-02**

**Issued Date:** February , 2018

**Effective Date:** Immediately

**Subject:** Governor Tom Wolf's Proclamation of Disaster Emergency

On January 10, 2018, Governor Tom Wolf issued a Proclamation of Disaster Emergency related to the opioid epidemic that directly impacts treatment in Pennsylvania. Pursuant to the proclamation, the Department of Drug and Alcohol Programs (DDAP) annual licensure regulation at 28 Pa. Code §709.11(b) is being waived for all qualifying facilities for the duration of the disaster emergency declaration, which is 90 days. However, a waiver of the annual licensure requirement can be requested after the declaration is no longer in effect.

**28 Pa. Code §709.11(b)** - This regulation requires that a license to provide drug and alcohol treatment issued by DDAP expire one year from the date of issuance.

During the emergency declaration, qualifying facilities will receive a license that expires up to 2 years from the date of issuance of their last annual license. To qualify, a facility must have held a full license issued by DDAP for 2 years, and the following circumstances did not occur during the prior 2 years:

- (1) The facility was cited for conduct or omissions that jeopardized the safety of any persons for whom the facility is responsible;
- (2) The facility was cited for conduct or omissions that substantially compromised the quality of treatment provided;
- (3) The facility was cited for conduct or omissions that violated a client's confidentiality rights afforded by federal or state law;
- (4) The facility was cited for conduct or omissions that resulted in treatment being provided for which a client has not provided informed consent; and/or
- (5) The facility failed to follow a directive issued in writing by the Department.

All facilities that have an annual licensure inspection that is scheduled to take place within the 90-day declaration period and qualify by meeting the above requirements will be automatically considered by DDAP. Once it has been determined that a facility qualifies, DDAP will notify the facility and then issue a license for an additional year without an annual on-site visit.

All facilities that have an annual inspection that is scheduled to occur after the 90-day declaration period, and believes that their facility qualifies by meeting the above requirements and would like to be considered for licensure renewal without an annual on-site visit, are strongly encouraged to file an

exception request compliant with 28 Pa. Code §711.4 to [RA-DADISASTERPROCLAM@pa.gov](mailto:RA-DADISASTERPROCLAM@pa.gov), as soon as possible with the Division of D&A Program Licensing

Questions regarding this Policy Bulletin and exception requests shall be directed to Wenona Wake, Bureau Director for Quality Assurance for Prevention and Treatment, Division of D&A Program Licensing at (717)783-8675 or [wwake@pa.gov](mailto:wwake@pa.gov).