




Information Bulletin 03-22

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Effective Date: January 1, 2023

Subject: Act 101 of 2022, Negative drug test not a basis to deny treatment

On November 3, 2022, Governor Wolf signed Act 101 of 2022 ([Act 101](#)) into law. Act 101 amends Section 2301-A(1) of The Administrative Code of 1929, 71 P.S. § 613.1, which outlines the powers and duties of the Department of Drug and Alcohol Programs (DDAP) to develop a State plan for the control, prevention, intervention, treatment, rehabilitation, research, education and training aspects of substance use disorder (SUD).

Act 101 adds a provision that DDAP's State plan shall provide additional standards for all SUD treatment in the commonwealth that "prohibit private and public treatment and rehabilitation facilities from denying addiction treatment to an individual solely due to a negative result on a drug test." DDAP-licensed SUD providers should consider a range of factors before admitting a new client or while treating a client, but a negative drug test cannot be the sole reason that a client is denied treatment.

This amendment of section 2301-A(1)(xviii) takes effect on January 1, 2023.

Questions regarding this Information Bulletin can be sent to the Bureau of Program Licensure at RA-licensuredivision@pa.gov.