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ROBERT J. HARBISON, III  
JOHN F. MIZNER, ESQ.  
ROBERT E. NYCE, EXECUTIVE DIRECTOR  
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417  
FAX: (717) 783-2664  
irrc@irrc.state.pa.us  
<http://www.irrc.state.pa.us>

**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

September 26, 2002

Honorable Robert S. Zimmerman, Jr., Secretary  
Department of Health  
802 Health and Welfare Building  
Harrisburg, PA 17108

Re: Regulation #10-159 (IRRC #2134)  
Department of Health  
Drug and Alcohol Facilities and Services

Dear Secretary Zimmerman:

The Independent Regulatory Review Commission approved your regulation on September 26, 2002. Our Order is enclosed and is available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. McGinley, Jr.", is written over a faint, larger version of the same signature.

John R. McGinley, Jr.

Chairman

wbg

Enclosure

cc: Honorable George T. Kenney, Jr., Majority Chairman, House Health and Human Services Committee  
Honorable Frank L. Oliver, Democratic Chairman, House Health and Human Services Committee  
Honorable Harold F. Mowery, Jr., Chairman, Senate Public Health and Welfare Committee  
Honorable Vincent J. Hughes, Minority Chairman, Senate Public Health and Welfare Committee  
Nia Wilson, Legal Counsel, House Health and Human Services Committee  
Stanley Mitchell, Chief Counsel, House Health and Human Services Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held September 26, 2002

John R. McGinley, Jr., Chairman  
Alvin C. Bush, Vice Chairman, by Proxy  
Arthur Coccodrilli, Dissenting  
Robert J. Harbison, III

Regulation No. 10-159  
Department of Health  
Drug and Alcohol Facilities and Services

On July 19, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Health (Department). This rulemaking deletes Chapter 263, amends Chapter 701 and adds Chapter 715 to 28 Pa. Code. The proposed regulation was published in the July 29, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. A final-form regulation was originally submitted on August 20, 2002. On August 26, 2002, the Department withdrew this final-form regulation and simultaneously resubmitted the final-form regulation to the Commission.

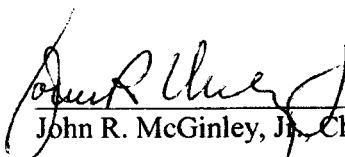
This regulation amends the process for approving and monitoring narcotic treatment programs and facilities. The amendments address changes in federal programs and clinical treatment methods since the original regulations were implemented 25 years ago. There are approximately 30 licensed and approved narcotic treatment programs in the Commonwealth, serving an estimated 9,000 individuals. All will be required to comply with the proposed regulation.

We have determined this regulation is consistent with the statutory authority of the Department (71 P.S. § 1690.104(j)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
John R. McGinley, Jr., Chairman