
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2477 Session of
2026

INTRODUCED BY HANBIDGE, KINKEAD, McNEILL, SANCHEZ, WAXMAN,
TIBURCIO, MAYES, HILL-EVANS, POWELL, KHAN, OTTEN, BOROWSKI,
HOHENSTEIN, DOUGHERTY, CEPEDA-FREYTIZ, KENYATTA, STEELE, BOYD
AND INGLIS, APRIL 29, 2026

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 29, 2026

AN ACT

1 Amending Titles 40 (Insurance) and 42 (Judiciary and Judicial
2 Procedure) of the Pennsylvania Consolidated Statutes,
3 providing for behavioral health benefits for justice-involved
4 children; and, in juvenile matters, further providing for
5 definitions and for costs and expenses of care of child,
6 providing for mandatory intake conference and screening in
7 cases alleging delinquency and further providing for informal
8 adjustment and for powers and duties.

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

11 Section 1. Title 40 of the Pennsylvania Consolidated
12 Statutes is amended by adding a chapter to read:

13 CHAPTER 44

14 BEHAVIORAL HEALTH BENEFITS FOR

15 JUSTICE-INVOLVED CHILDREN

16 Sec.

17 4401. Definitions.

18 4402. Coverage for screenings, assessments and services.

19 § 4401. Definitions.

20 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Agreement with the Department of Human Services." As
4 defined in section 2102 of the act of May 17, 1921 (P.L.682,
5 No.284), known as The Insurance Company Law of 1921.

6 "Authorized representative." Any of the following:

7 (1) A person, including a behavioral health provider, to
8 whom a covered person or enrollee has given express written
9 consent to represent the covered person or enrollee in a
10 complaint, grievance, adverse benefit determination, internal
11 appeal or external review process.

12 (2) A person authorized by law to provide substituted
13 consent for a covered person or enrollee.

14 (3) A family member or behavioral health provider
15 involved in providing behavioral health services to a covered
16 person or enrollee if the covered person or enrollee is
17 incapacitated or unable to provide consent due to a medical
18 emergency or as necessary to prevent a serious and imminent
19 threat to the health or safety of the covered person or
20 enrollee.

21 "Behavioral health assessment." A face-to-face interview
22 with an individual that includes an evaluation of the behavioral
23 health, medical, psychological, social, vocational and
24 educational factors important to the individual.

25 "Behavioral health condition." Includes:

26 (1) A mental health condition.

27 (2) A substance use disorder.

28 "Behavioral health provider."

29 (1) Any of the following:

30 (i) A professional who specializes in the treatment

1 and management of behavioral health conditions.

2 (ii) An individual who manages or supports
3 behavioral health conditions whether or not the
4 individual has a medical background.

5 (2) The term includes a psychologist, psychiatrist,
6 nurse, peer, patient navigator, therapist, substance use
7 disorder treatment and mental health counselor, recovery
8 coach, case worker, social worker, psychiatric aide or
9 technician or paraprofessional working in a psychiatric
10 rehabilitation or substance use recovery field.

11 "Behavioral health service." A covered treatment, admission,
12 procedure, medical supply or equipment or other service,
13 prescribed or otherwise provided or proposed to be provided by a
14 behavioral health provider to a covered person or enrollee for
15 the diagnosis, prevention, treatment, cure or relief of a
16 behavioral health condition under the terms of a health
17 insurance policy or an agreement with the Department of Human
18 Services.

19 "Covered person." As defined in section 2102 of The
20 Insurance Company Law of 1921.

21 "Enrollee." As defined in section 2102 of The Insurance
22 Company Law of 1921.

23 "Government program."

24 (1) The Commonwealth's medical assistance program
25 established under the act of June 13, 1967 (P.L.31, No.21),
26 known as the Human Services Code.

27 (2) The program for comprehensive health care for
28 uninsured children established under Article XXIII-A of The
29 Insurance Company Law of 1921.

30 "Health care service." As defined in section 2102 of The

1 Insurance Company Law of 1921.

2 "Health insurance policy." As defined in section 2102 of The
3 Insurance Company Law of 1921.

4 "Insurer." As defined in section 2102 of The Insurance
5 Company Law of 1921.

6 "Mental health condition." A condition that involves changes
7 in thinking, mood or behavior that can make daily activities
8 difficult and impair an individual's ability to work, interact
9 with family and fulfill other major life functions.

10 "Screening." As defined in 42 Pa.C.S. § 6302 (relating to
11 definitions).

12 "Substance use disorder." A health condition characterized
13 by a cluster of cognitive, behavioral and physiological symptoms
14 that describe an individual's compulsive use of a substance
15 despite significant adverse problems associated with the use.

16 "Treatment plan." An individualized plan of treatment as
17 described in section 107 of the act of July 9, 1976 (P.L.817,
18 No.143), known as the Mental Health Procedures Act, which
19 imposes the least restrictive alternative consistent with
20 affording an individual adequate and appropriate treatment for
21 the individual's condition.

22 § 4402. Coverage for screenings, assessments and services.

23 (a) Coverage required.--On or after the effective date of
24 this subsection, the following shall provide coverage for
25 screenings, behavioral health assessments and behavioral health
26 services in conjunction with procedures under 42 Pa.C.S. §§ 6320
27 (relating to mandatory intake conference and screening in cases
28 alleging delinquency), 6323 (relating to informal adjustment)
29 and 6340 (relating to consent decree):

30 (1) A health insurance policy offered, issued or renewed

1 in this Commonwealth to a covered person.

2 (2) A government program to an enrollee.

3 (b) Limitations.--Coverage under this section shall be
4 subject to copayment, deductible and coinsurance provisions and
5 any other general exclusions or limitations of a health
6 insurance policy or government program to the same extent as
7 other health care services covered by the policy or program are
8 subject to these provisions.

9 (c) Contract required.--An insurer shall be required to
10 contract with and accept as a participating provider behavioral
11 health providers within its service area and enrolled in the
12 Commonwealth's medical assistance program that agree to accept
13 the payment levels, terms and conditions applicable to the
14 insurer's other participating providers for behavioral health
15 services.

16 (d) Treatment plan review.--An insurer may review a
17 treatment plan once every six months, subject to the insurer's
18 utilization review requirements, including case management,
19 concurrent review and other managed care provisions. The insurer
20 and behavioral health provider developing the treatment plan may
21 agree upon a more or less frequent review.

22 (e) Review of denial.--

23 (1) Upon denial or partial denial by an insurer of a
24 claim for a screening, behavioral health assessment or
25 behavioral health service under this section, a covered
26 person or authorized representative shall be entitled to an
27 expedited internal review process in accordance with Article
28 XXI of the act of May 17, 1921 (P.L.682, No.284), known as
29 The Insurance Company Law of 1921, followed by an expedited
30 independent external review process, which the Insurance

1 Department shall establish and administer.

2 (2) An insurer, covered person or authorized
3 representative may appeal to a court of competent
4 jurisdiction a decision following the expedited independent
5 external review process that provides for the denial or
6 partial denial by an insurer of a claim for a screening,
7 behavioral health assessment or behavioral health service
8 under this section. Pending a ruling of the court, the
9 insurer shall pay for the screening, behavioral health
10 assessment or behavioral health service that has been
11 authorized or ordered.

12 (f) Rules and regulations.--The Insurance Commissioner may
13 establish rules and the Insurance Department may promulgate
14 regulations as may be necessary or appropriate to implement and
15 administer this chapter.

16 (g) Reports.--No later than January 1, 2029, and on each
17 January 1 thereafter, each insurer shall make a report to the
18 Insurance Department, in a form and manner as determined by the
19 Insurance Department, to evaluate the implementation of this
20 section.

21 (h) Construction.--This section shall not be construed to
22 limit benefits that are otherwise available to an individual
23 under a health insurance policy or government program.

24 (i) Applicability.--This section shall apply as follows:

25 (1) For health insurance policies for which either rates
26 or forms are required to be filed with the Federal Government
27 or the Insurance Department, this section shall apply to
28 policies for which a form or rate is first filed on or after
29 the effective date of this paragraph.

30 (2) For health insurance policies for which neither

1 rates nor forms are required to be filed with the Federal
2 Government or the Insurance Department, this section shall
3 apply to policies issued or renewed on or after 180 days
4 after the effective date of this paragraph.

5 Section 2. The definitions of "child" and "screening" in
6 section 6302 of Title 42 are amended and the section is amended
7 by adding definitions to read:

8 § 6302. Definitions.

9 The following words and phrases when used in this chapter
10 shall have, unless the context clearly indicates otherwise, the
11 meanings given to them in this section:

12 * * *

13 "Behavioral health assessment." As defined in 40 Pa.C.S. §
14 4401 (relating to definitions).

15 "Behavioral health condition." As defined in 40 Pa.C.S. §
16 4401.

17 "Behavioral health provider." As defined in 40 Pa.C.S. §
18 4401.

19 "Behavioral health service." As defined in 40 Pa.C.S. §
20 4401.

21 * * *

22 "Child." An individual who:

23 (1) is under the age of 18 years;

24 (2) is under the age of 21 years who committed an act of
25 delinquency before reaching the age of 18 years; or

26 (3) is under the age of 21 years and was adjudicated
27 dependent before reaching the age of 18 years, who has
28 requested the court to retain jurisdiction and who remains
29 under the jurisdiction of the court as a dependent child
30 because the court has determined that the child is:

1 (i) completing secondary education or an equivalent
2 credential;

3 (ii) enrolled in an institution which provides
4 postsecondary or [vocational] career and technical
5 education;

6 (iii) participating in a program actively designed
7 to promote or remove barriers to employment;

8 (iv) employed for at least 80 hours per month; or

9 (v) incapable of doing any of the activities
10 described in subparagraph (i), (ii), (iii) or (iv) due to
11 a medical or behavioral health condition, which is
12 supported by regularly updated information in the
13 permanency plan of the child.

14 * * *

15 "Screening." A process, regardless of whether it includes
16 the administration of a formal instrument, that is designed to
17 identify a child who is at increased risk of having mental
18 health, substance abuse or co-occurring mental health and
19 substance abuse disorders that warrant immediate attention,
20 intervention or more comprehensive assessment. The term includes
21 a behavioral health assessment.

22 * * *

23 "Substance abuse disorder." As the term "substance use
24 disorder" is defined in 40 Pa.C.S. § 4401.

25 Section 3. Section 6306 of Title 42 is amended to read:
26 § 6306. Costs and expenses of care of child.

27 (a) Payment for care.--The costs and expenses of the care of
28 the child shall be paid as provided by sections 704.1 and 704.2
29 of the act of June 13, 1967 (P.L.31, No.21), known as the
30 ["Public Welfare Code."] Human Services Code.

1 (b) Payment for behavioral health matters.--The costs and
2 expenses of screenings, behavioral health assessments and
3 behavioral health services in conjunction with procedures
4 developed in accordance with sections 6320 (relating to
5 mandatory intake conference and screening in cases alleging
6 delinquency), 6323 (relating to informal adjustment) and 6340
7 (relating to consent decree) shall be paid as provided under 40
8 Pa.C.S. Ch. 44 (relating to behavioral health benefits for
9 justice-involved children).

10 Section 4. Subchapter B of Chapter 63 of Title 42 is amended
11 by adding a section to read:

12 § 6320. Mandatory intake conference and screening in cases
13 alleging delinquency.

14 (a) Requirement.--In all cases alleging delinquency, a
15 juvenile probation officer shall conduct an intake conference
16 following the submission of a written allegation and before a
17 petition for delinquency is filed under section 6334 (relating
18 to petition).

19 (b) Screening.--At the intake conference, or at any time
20 before a petition for delinquency is filed, the probation
21 officer of the child alleged to be delinquent or other officer
22 designated by the court shall conduct a screening approved by
23 the Juvenile Court Judges' Commission under section 6373
24 (relating to powers and duties), to determine whether a
25 behavioral health assessment would be in the best interest of
26 the public and the child. If the probation officer determines
27 that a behavioral health assessment is in the best interest of
28 the public and the child, the probation officer or other
29 designated officer shall refer the child and the child's parent,
30 guardian or other custodian to a public or private social agency

1 to conduct a behavioral health assessment as provided for under
2 section 6323(a.1) (relating to informal adjustment).

3 Section 5. Section 6323(a) (2) of Title 42 is amended and the
4 section is amended by adding subsections to read:

5 § 6323. Informal adjustment.

6 (a) General rule.--

7 * * *

8 (2) Similarly, the probation officer may in the case of
9 [a delinquent child, or] a dependent child where the
10 jurisdiction of the court is permitted under paragraph (6) of
11 the definition of "dependent child" in section 6302, refer
12 the child and his parents to an agency for assisting in the
13 matter.

14 * * *

15 (a.1) Behavioral health assessments.--Except as provided
16 under subsection (a.2), upon receipt of a referral under section
17 6320(b) (relating to mandatory intake conference and screening
18 in cases alleging delinquency), the receiving public or private
19 social agency shall indicate whether the agency will accept the
20 child and perform a behavioral health assessment and shall
21 report back to the referring officer within three months of
22 receipt of the referral concerning the status of the referral.
23 If a receiving agency accepts the child, the following apply:

24 (1) Prior to conducting the behavioral health
25 assessment, the agency shall obtain the consent of the child
26 and the child's parent, guardian or other custodian.

27 (2) Except as provided in paragraph (3), the agency
28 shall complete the behavioral health assessment within 30
29 days of receipt of the consents under paragraph (1).

30 (3) Notwithstanding paragraph (2), if a behavioral

1 health assessment has been completed within the prior six
2 months, the agency shall provide the referring officer with
3 the report and recommendations from prior assessments.

4 (4) If the behavioral health assessment conducted under
5 this subsection reveals that the child has complex behavioral
6 health needs and is at risk of placement away from the
7 child's parent, guardian or other custodian, or is already
8 involved in multiple service systems, the agency shall refer
9 the child and the child's parent, guardian or other custodian
10 for behavioral health services.

11 (5) Following the behavioral health assessment, the
12 agency shall prepare a report with recommendations. The
13 report:

14 (i) Shall be provided to the following:

15 (A) The child.

16 (B) The child's parent, guardian or other
17 custodian.

18 (C) The child's attorney.

19 (D) The referring officer.

20 (ii) Must include:

21 (A) The agency's specific recommendation
22 regarding whether a petition alleging delinquency
23 should be filed and what process would be in the best
24 interest of the public and the child.

25 (B) Any recommendations for the treatment of a
26 behavioral health condition.

27 (C) Whether the agency referred the child for
28 behavioral health services.

29 (6) Unless the child, following consultation with the
30 child's attorney, gives consent, the report and related

1 documents, records and statements made by the child or others
2 providing information for the purpose of a behavioral health
3 assessment:

4 (i) may not be used by law enforcement during its
5 investigation; and

6 (ii) shall not be admissible at an adjudicatory
7 hearing or an adult criminal proceeding.

8 (7) Prior to filing a petition alleging delinquency, the
9 referring officer or prosecutor shall review the agency's
10 report to screen the petition for participation in other
11 voluntary services or diversion program.

12 (8) If a petition alleging delinquency is filed
13 following referral and the court adjudicates the child
14 delinquent, with the consent of the child following
15 consultation with the child's attorney, the report under this
16 subsection shall be admissible at the dispositional hearing
17 and subsequent hearings for the purpose of determining
18 appropriate behavioral health services.

19 (a.2) Exception.--

20 (1) A petition alleging delinquency may be filed prior
21 to the completion of the behavioral health assessment if:

22 (i) the prosecutor or referring officer determines
23 there is a need to request an order from the court for
24 immediate detention or placement to protect the child or
25 the community; or

26 (ii) the child or the child's parent, guardian or
27 other custodian does not consent to the behavioral health
28 assessment.

29 (2) If the child or the child's parent, guardian or
30 other custodian does not consent to the behavioral health

1 assessment:

2 (i) The agency shall report to the referring officer
3 or prosecutor that the behavioral health assessment was
4 declined.

5 (ii) The prosecutor may proceed with a petition
6 alleging delinquency and inform the court that the
7 behavioral health assessment was declined.

8 (3) The petitioner under this subsection shall identify
9 why behavioral health services were not an appropriate
10 disposition prior to seeking court involvement.

11 (4) If the petition under this subsection is filed prior
12 to the referral and behavioral health assessment and the
13 child alleged to be delinquent has not had a behavioral
14 health assessment in the prior six months, the agency shall
15 make the behavioral health assessment available to the child
16 or the child's parent, guardian or other custodian after the
17 petition is filed. The confidentiality and admissibility of
18 the report and related documents, records or statements shall
19 be treated the same as behavioral health assessments
20 completed prior to the filing of the petition.

21 * * *

22 Section 6. Section 6373 of Title 42 is amended by adding
23 paragraphs to read:

24 § 6373. Powers and duties.

25 The commission shall have the power and is required to do the
26 following:

27 * * *

28 (5) Approve a screening tool for the use of law
29 enforcement officers, probation officers and other officers
30 designated by the court under section 6320 (relating to

1 mandatory intake conference and screening in cases alleging
2 delinquency).

3 (6) Develop screening, referral and behavioral health
4 assessment procedures under sections 6320, 6323 (relating to
5 informal adjustment) and 6340 (relating to consent decree).

6 (7) Produce informational materials regarding the
7 screening tool and procedures under paragraphs (5) and (6)
8 and make the materials available to all law enforcement
9 agencies, probation officers and other officers of the court
10 in this Commonwealth who work with children alleged to be
11 delinquent.

12 Section 7. This act shall take effect in 60 days.