

## 2023 Kansas Statutes

**65-4024a. Definitions.** As used in this act:

- (a) "Act" means the alcohol or other drug addiction treatment act.
- (b) "Alcohol or other drug addiction" means a pattern of substance use, leading to significant impairment or distress, manifested by three or more of the following occurring at any time in the same 12-month period:
  - (1) Tolerance, defined as: (A) A need for markedly increased amounts of the substance to achieve intoxication or desired effect; or (B) a markedly diminished effect with continued use of the same amount of substance;
  - (2) withdrawal, as manifested by either of the following: (A) The characteristic withdrawal syndrome for the substance; or (B) the same or a closely related substance is taken to relieve or avoid withdrawal symptoms;
  - (3) the substance is often taken in larger amounts or over a longer period than was intended;
  - (4) there is a persistent desire or unsuccessful efforts to cut down or control substance use;
  - (5) a great deal of time is spent in activities necessary to obtain the substance, use the substance or recover from its effects;
  - (6) important social, occupational or recreational activities are given up or reduced because of substance use;
  - (7) the substance use is continued despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to have been caused or exacerbated by the substance.
- (c) "Care or treatment" means such necessary services as are in the best interests of the physical and mental health of the patient.
- (d) "Committee" means the Kansas citizens committee on alcohol and other drug abuse.
- (e) "Department" means the Kansas department for aging and disability services.
- (f) "Designated state funded assessment center" or "assessment center" means a treatment facility designated by the secretary.
- (g) "Discharge" means the same as defined in K.S.A. 59-29b46, and amendments thereto.
- (h) "Government unit" means any county, municipality or other political subdivision of the state; or any department, division, board or other agency of any of the foregoing.
- (i) "Head of the treatment facility" means the same as defined in K.S.A. 59-29b46, and amendments thereto.
- (j) "Incapacitated by alcohol" means the same as defined in K.S.A. 59-29b46, and amendments thereto.
- (k) "Intoxicated individual" means an individual who is under the influence of alcohol or drugs or both.
- (l) "Law enforcement officer" means the same as defined in K.S.A. 59-29b46, and amendments thereto.
- (m) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed by the behavioral sciences regulatory board. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or while completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and amendments thereto.
- (n) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed by the behavioral sciences regulatory board.
- (o) "Licensed master's addiction counselor" means a person who engages in the

practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(p) "Patient" means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(q) "Private treatment facility" means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(r) "Public treatment facility" means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(s) "Treatment" means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(t) "Treatment facility" means the same as defined in K.S.A. 59-29b46, and amendments thereto.

(u) "Secretary" means the secretary for aging and disability services.

**History:** L. 2007, ch. 95, § 2; L. 2014, ch. 115, § 265; L. 2016, ch. 92, § 86; July 1.