

## HOUSE BILL No. 2427

By Joint Committee on Corrections and Juvenile Justice Oversight

1-9

---

1 AN ACT concerning public health; relating to the alcohol or other drug  
2 addiction treatment act; amending K.S.A. 2013 Supp. 65-4024a and  
3 repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2013 Supp. 65-4024a is hereby amended to read as  
7 follows: 65-4024a. As used in this act:

8 (a) "Act" means the alcohol or other drug addiction treatment act;

9 (b) "Alcohol or other drug addiction" means a pattern of substance  
10 use, leading to significant impairment or distress, manifested by three or  
11 more of the following occurring at any time in the same 12-month period:

12 (1) Tolerance, defined as: (A) A need for markedly increased amounts  
13 of the substance to achieve intoxication or desired effect; or (B) a  
14 markedly diminished effect with continued use of the same amount of  
15 substance;

16 (2) withdrawal, as manifested by either of the following: (A) The  
17 characteristic withdrawal syndrome for the substance; or (B) the same or a  
18 closely related substance is taken to relieve or avoid withdrawal  
19 symptoms;

20 (3) the substance is often taken in larger amounts or over a longer  
21 period than was intended;

22 (4) there is a persistent desire or unsuccessful efforts to cut down or  
23 control substance use;

24 (5) a great deal of time is spent in activities necessary to obtain the  
25 substance, use the substance or recover from its effects;

26 (6) important social, occupational or recreational activities are given  
27 up or reduced because of substance use; *or*

28 (7) the substance use is continued despite knowledge of having a  
29 persistent or recurrent physical or psychological problem that is likely to  
30 have been caused or exacerbated by the substance.

31 (c) "Care or treatment" means such necessary services as are in the  
32 best interests of the physical and mental health of the patient.

33 (d) "Committee" means the Kansas citizens committee on alcohol and  
34 other drug abuse.

35 (e) "Counselor" means an individual whose education, experience  
36 and training has been evaluated and approved by the ~~department of social~~

1 ~~and rehabilitation~~ *Kansas department for aging and disability* services to  
2 provide the scope of practice afforded to an alcohol and drug credentialed  
3 counselor or counselor assistant working in a licensed, certified alcohol  
4 and drug treatment program.

5 (f) "Department" means the ~~department of social and rehabilitation~~  
6 *Kansas department for aging and disability* services.

7 (g) "Designated state funded assessment center" or "assessment  
8 center" means a treatment facility designated by the secretary.

9 (h) "Discharge" shall have the meaning ascribed to it in K.S.A. 59-  
10 29b46, and amendments thereto.

11 (i) "Government unit" means any county, municipality or other  
12 political subdivision of the state; or any department, division, board or  
13 other agency of any of the foregoing.

14 (j) "Head of the treatment facility" shall have the meaning ascribed to  
15 it in K.S.A. 59-29b46, and amendments thereto.

16 (k) "Incapacitated by alcohol" shall have the meaning ascribed to it in  
17 K.S.A. 59-29b46, and amendments thereto.

18 (l) "Intoxicated individual" means an individual who is under the  
19 influence of alcohol or drugs or both.

20 (m) "Law enforcement officer" shall have the meaning ascribed to it  
21 in K.S.A. 59-29b46, and amendments thereto.

22 (n) "Patient" shall have the meaning ascribed to it in K.S.A. 59-  
23 29b46, and amendments thereto.

24 (o) "Private treatment facility" shall have the meaning ascribed to it  
25 in K.S.A. 59-29b46, and amendments thereto.

26 (p) "Public treatment facility" shall have the meaning ascribed to it in  
27 K.S.A. 59-29b46, and amendments thereto.

28 (q) "Treatment" shall have the meaning ascribed to it in K.S.A. 59-  
29 29b46, and amendments thereto.

30 (r) "Treatment facility" shall have the meaning ascribed to it in  
31 K.S.A. 59-29b46, and amendments thereto, *except that such term shall*  
32 *include any state institution.*

33 (s) "Secretary" means the ~~secretary of social and rehabilitation~~ *for*  
34 *aging and disability* services.

35 Sec. 2. K.S.A. 2013 Supp. 65-4024a is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its  
37 publication in the statute book.

38