

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman James Barnett at 1:30 P.M. on February 28, 2007 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Emalene Correll, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Nobuko Folmsbee, Office of Revisor of Statutes
Morgan Dreyer, Committee Secretary

Conferees appearing before the committee:

Ray Dalton, Deputy Secretary, Division of Health Care Policy, Social and Rehabilitation Services

Others attending:

See attached list.

Upon calling the meeting to order, Chairman Barnett asked that the Committee review the Minutes for February 21, 2007 for approval at the end of the meeting.

The Chair then announced that the next order of business was to open the hearing on **SB 354**.

Hearing on SB 354 – An act concerning the department of social and rehabilitation services; relating to alcohol and drug addiction treatment

The fiscal note for SB 354 was available for the Committee to view. A copy of the fiscal note is (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

Chairman Barnett called upon proponent conferee, Ray Dalton, Deputy Secretary, Division of Health Care Policy, Social and Rehabilitation Services who stated that this is a technical bill which will clean up and merge Chapter 65 Public Health, Article 40 (Alcoholism and Intoxication Treatment, introduced in 1972) and Article 46 (Drug Abuse Treatment Facilities, introduced in 1976) to accurately reflect the current language utilized by the alcohol and drug field. This bill is not intended to have a policy or fiscal impact on SRS, consumers or stakeholders. A copy of his testimony is (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

The Chair called upon Nobuko Folmsbee who passed out and explained to the Committee a draft of the bill with the new proposed additions and changes. A copy of the bill draft is (Attachment 3) attached hereto and incorporated into the Minutes as referenced.

Questions and discussion came from Schmidt, Journey, Brungardt, Barnett regarding the definition of alcohol, Secretary as a State Agency, section 13, **SB 11** as compared to **SB 354**, definition of treatment programs as compared to treatment facility.

SB 11 was passed out to the Committee members to compare the bills and discuss possibilities of how to combine the two bill (**SB 11** and **SB 354**).

Senator Schmidt commented that she would like to see **SB 11** and **SB 354** put together into a substitute bill. The Chair agreed and asked the Committee if they were acceptable to that. The Committee as a whole agreed.

Chairman Barnett called upon Nobuko to create a substitute bill and then the Committee will get back together to view the substitute bill for consideration.

The Chair then closed the hearing on **SB 354**.

Chairman Barnett announced that the final item on the agenda was for the Minutes for the Senate Public Health and Welfare Committee on February 21, 2007.

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on February 28, 2007 in Room 231-N of the Capitol.

The motion was made by Senator Journey to approve the Minutes. It was seconded by Senator Jordan and the motion carried.

Adjournment

As there were there were no more items on the agenda, the meeting adjourned at 2:05 p.m.

The next meeting is scheduled for March 1, 2007.

Senate Public Health and Welfare Committee

Feb. 28, 2007

Please Sign In

Dennis George

Jessica Bergman

~~Rob Murr~~

Mike Hutches

Sam Hobbes

Abbie Anderson

Stacy Chamberlain

Ray Dalton

Michelle Peterson

Sen. DiSchmit's Office

LGR

Centatio Behavioral Health

Benchmark Communications

SRS

SRS

SRS

Capitol Strategies

February 21, 2007

The Honorable Jim Barnett, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 120-S
Topeka, Kansas 66612

Dear Senator Barnett:

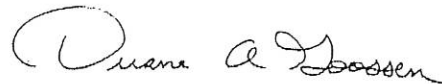
SUBJECT: Fiscal Note for SB 354 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 354 is respectfully submitted to your committee.

SB 354 would make several technical clarifications in current law regarding alcohol and drug treatment facility licensing and standards. The Department of Social and Rehabilitation Services (SRS) is responsible for the licensing and enforcement of standards for alcohol and drug treatment facilities.

SRS states that SB 354 would have no fiscal effect.

Sincerely,



Duane A. Goossen
Director of the Budget

cc: Jackie Aubert, SRS

Kansas Department of

Social and Rehabilitation Services

Don Jordan, Secretary

Senate Public Health And Welfare Committee
February 28, 2007

Senate Bill 354 - Alcohol and Drug Statute Revision

Division of Health Care Policy
Ray Dalton, Deputy Secretary

For additional information contact:
Public and Governmental Services Division
Kyle Kessler, Deputy Secretary

Docking State Office Building
915 SW Harrison, 6th Floor North
Topeka, Kansas 66612-1570
phone: 785.296.0141
fax: 785.296.4685
www.srskansas.org

Senate Public Health and Welfare
Attachment #2
February 28, 2007
committee

**Kansas Department of Social and Rehabilitation Services
Don Jordan, Secretary**

Senate Public Health and Welfare Committee
February 28, 2007

Senate Bill 354 - Alcohol and Drug Statute Revision

Chairman Barnett and members of the Committee, I am Ray Dalton, Deputy Secretary of Health Care Policy with SRS. I appreciate the opportunity to appear before you today in support of SB 354.

This is a technical bill which will clean up and merge Chapter 65 Public Health, Article 40 (Alcoholism and Intoxication Treatment, introduced in 1972) and Article 46 (Drug Abuse Treatment Facilities, introduced in 1976) to accurately reflect the current language utilized by the alcohol and drug field. This bill is not intended to have a policy or fiscal impact on SRS, consumers or stakeholders.

Before 1981, there were two sections within SRS, one that addressed alcohol and one that dealt with drug abuse. The primary reason for this separation was due to different federal funding streams. In 1981, the two sections within SRS were integrated. Funding streams also became integrated. Since that time, alcohol and drug abuse has been treated as one issue.

The primary changes contained in the bill are as follows:

- the separate drug and alcohol statutes were merged,
- language pertaining to alcoholics and intoxicated persons was replaced with persons with alcohol or other drug addiction,
- the reinstatement of definitions previously repealed (similar to SB 11).

We support the bill and ask that it be acted on favorably by the Committee.

I would be happy to answer any questions from the Committee.

SENATE BILL No. 354

By Committee on Federal and State Affairs

2-15

Nobuko
Folmsbee

z354c1

Senate Public Health and Welfare
Committee
Attachment # 3
February 28, 2007

9 AN ACT concerning the department of social and rehabilitation services;
10 relating to alcohol and drug addiction treatment; amending K.S.A. 65-
11 4001, 65-4006, 65-4007, 65-4011, 65-4012, 65-4013, 65-4014, 65-4023,
12 65-4024 and 65-4059 and repealing the existing sections; also repealing
13 K.S.A. 65-4002, 65-4020, 65-4022, 65-4056, 65-4601, 65-4602, 65-
14 4603, 65-4604, 65-4605, 65-4606, 65-4607, 65-4608, 65-4609, 65-4610
15 and 65-4611.

← and

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. K.S.A. 65-4001 is hereby amended to read as follows: 65-
19 4001. It shall be the purpose of this act to provide for the development,
20 establishment and enforcement of standards:

21 (1) For the care and treatment of individuals in public and private
22 treatment facilities as defined herein;

23 (2) for the construction, maintenance and operation of public and
24 private treatment facilities as defined herein, which will promote safe and
25 adequate treatment of such individuals in alcohol and other drug treat-
26 ment facilities.

or

27 New Sec. 2. As used in this act:

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

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

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

or

34 (2) withdrawal, as manifested by either of the following: (A) The char-
35 acteristic withdrawal syndrome for the substance or (B) the same or a
36 closely related substance is taken to relieve or avoid withdrawal
37 symptoms;

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

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

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

1 (6) important social, occupational or recreational activities are given
2 up or reduced because of substance use;

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

6 (b) ~~Alcoholic means a person with an alcohol or substance abuse
7 problem, as such term is defined in K.S.A. 59-29b46 and amendments
8 thereto.~~

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

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

13 (e) "Counselor" means an individual whose education, experience
14 and training has been evaluated and approved by the department of social
15 and rehabilitation services to provide the scope of practice afforded to an
16 alcohol and drug credentialed counselor or counselor assistant working
17 in a licensed, certified alcohol and drug treatment program.

18 (f) "Department" means the department of social and rehabilitation
19 services.

20 (g) "Discharge" shall have the meaning ascribed to it in K.S.A. 59-
21 29b46 and amendments thereto.

22 (h) "Government unit" means any county, municipality or other po-
23 litical subdivision of the state; or any department, division, board or other
24 agency of any of the foregoing.

25 (i) "Head of the treatment facility" shall have the meaning ascribed
26 to it in K.S.A. 59-29b46 and amendments thereto.

27 (j) "Incapacitated by alcohol" shall have the meaning ascribed to it in
28 K.S.A. 59-29b46 and amendments thereto.

29 (k) "Intoxicated individual" means an individual who is under the
30 influence of alcohol or drugs or both.

31 (l) "Law enforcement officer" shall have the meaning ascribed to it
32 in K.S.A. 59-29b46 and amendments thereto.

33 (m) "Patient" shall have the meaning ascribed to it in K.S.A. 59-29b46
34 and amendments thereto.

35 (n) "Private treatment facility" shall have the meaning ascribed to it
36 in K.S.A. 59-29b46 and amendments thereto.

37 (o) "Public treatment facility" shall have the meaning ascribed to it
38 in K.S.A. 59-29b46 and amendments thereto.

39 (p) "Treatment" shall have the meaning ascribed to it in K.S.A. 59-
40 29b46 and amendments thereto.

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

43 (r) "Secretary" means the secretary of social and rehabilitation

3-2

1 services.

2 ~~(S) The terms defined in K.S.A. 59-3051, and amendments thereto,~~
3 ~~shall have the meanings provided by that section.~~

4 Sec. 3. K.S.A. 65-4006 is hereby amended to read as follows: 65-
5 4006. The secretary may:

And reletter the subsections accordingly

6 (1) Plan for, establish, amend, and revise standards for treatment pro-
7 grams as necessary or desirable;

8 (2) make contracts necessary or incidental to the performance of ~~its~~
9 duties and the execution of ~~its~~ powers;

the secretary's

10 (3) solicit and accept for use any gift of money or property, real or
11 personal, made by will or otherwise, and any grant of money, services; or
12 property from the federal government, the state; or any political subdiv-
13 ision thereof or any private source, and do all things necessary to co-
14 operate with the federal government or any of its agencies in making an
15 application for any grant;

the secretary's

16 (4) administer or supervise the administration of the provisions re-
17 lating to ~~alcoholics and intoxicated persons with~~ ~~addiction to alcohol or~~
18 ~~other drugs~~ of any state plan submitted for federal funding pursuant to
19 federal health, welfare, or treatment legislation;

alcohol or other drug addiction

20 (5) coordinate its activities and cooperate with ~~alcoholism treatment~~
21 ~~facilities for alcohol and other drug addiction programs in this and other~~
22 states, and make contracts and other joint or cooperative arrangements
23 with state, local, or private agencies in this and other states for the treat-
24 ment of ~~alcoholics and intoxicated persons with~~ ~~addiction to alcohol or~~
25 ~~other drugs~~ and for the common advancement of ~~alcoholism programs~~
26 ~~treatment facilities~~;

or

alcohol or other drug addiction

27 (6) keep records, gather relevant statistics and make and disseminate
28 analysis of same;

29 (7) do other acts and things necessary to execute the authority ex-
30 pressly granted to ~~it~~.

the secretary

31 Sec. 4. K.S.A. 65-4007 is hereby amended to read as follows: 65-
32 4007. (a) The duties of the secretary shall be to:

33 (1) Develop, encourage and foster statewide, regional and local plans
34 and programs for the ~~identification and~~ prevention of alcohol abuse, al-
35coholism and treatment of alcoholics and intoxicated persons ~~addiction~~
36 ~~and treatment of persons with~~ ~~addiction to alcohol or other drugs~~ in co-
37 operation with public and private agencies, organizations and individuals
38 and provide technical assistance and consultation services for these
39 purposes;

alcohol or other drug addiction

40 (2) coordinate the efforts and enlist the assistance of all interested
41 public and private agencies, organizations and individuals in ~~identification~~
42 ~~and prevention of~~ alcohol abuse, alcoholism and treatment of alcoholics
43 and intoxicated persons ~~addiction and treatment of persons with addiction~~

the

B-4

~~to alcohol or other drugs;~~

and treatment of persons with alcohol and other drug addiction

(3) cooperate with the secretary of corrections and the Kansas adult authority in establishing and conducting programs to provide treatment for alcoholics and intoxicated persons with ~~addiction to alcohol or other drugs~~ in or on parole from penal institutions;

alcohol and other drug addiction

(4) cooperate with the department of education, boards of education, schools, police departments, courts and other public and private agencies, organizations and individuals in establishing programs for the ~~identification and prevention of alcohol abuse, alcoholism and treatment of alcoholics and intoxicated persons~~ ~~addiction~~ and treatment of persons with ~~addiction to alcohol or other drugs~~ and preparing curriculum materials thereon for use at all levels of education;

alcohol and other drug addiction

(5) prepare, publish, evaluate and disseminate educational material dealing with the nature and effects of alcohol and alcoholism ~~addiction and addictive substances~~;

alcohol or other drugs

(6) develop and implement, as an integral part of treatment programs, an educational program for use in the treatment of alcoholics and intoxicated persons with ~~addiction to alcohol or other drugs or persons under the influence of addictive substances~~, which program shall include the dissemination of information concerning the nature and effects of alcohol and alcoholism ~~other drugs~~;

alcohol or other drug addiction

(7) organize and foster training programs for all persons engaged in treatment of alcoholics and intoxicated persons with ~~addiction to alcohol or other drugs~~;

or

(8) sponsor and encourage research into the causes and nature of alcohol abuse, alcoholism and treatment of alcoholics and intoxicated persons ~~addiction and the treatment of persons with addiction to alcohol or other drugs~~ and serve as a clearing house for information relating to alcohol abuse and alcoholism ~~addiction and addictive substances~~;

alcohol or other drug addiction

(9) specify uniform methods for keeping statistical information by public and private agencies, organizations and individuals and collect and make available relevant statistical information, including number of persons treated, frequency of admission and readmission and frequency, duration and nature of treatment;

alcohol or other drug addiction

(10) advise the governor in the preparation of a comprehensive plan for treatment of alcoholics and intoxicated persons with ~~addiction to alcohol or other drugs~~ for inclusion in the state's comprehensive health plan;

alcohol or other drug addiction

(11) review all state health, welfare and treatment plans to be submitted for federal funding under federal legislation and advise the governor on provisions to be included relating to alcohol abuse, alcoholism and intoxicated persons ~~addiction and treatment of persons with addiction to alcohol or other drugs~~;

alcohol or other drug addiction

alcohol or other drug addiction

1 (12) assist in the development of, and cooperate with, alcohol and
2 drug addiction education and treatment programs for employees of state
3 and local governments and businesses and industries in the state;

4 (13) utilize the support and assistance of interested persons in the
5 community, particularly recovered alcoholics and recovered abusers of
6 other drugs, to encourage alcoholics persons addicted to alcohol or other
7 drugs voluntarily to undergo treatment;

in alcohol or other drug addiction

8 (14) cooperate with the superintendent of the Kansas highway patrol
9 and secretary of transportation in establishing and conducting programs
10 designed to deal with the problem of persons operating motor vehicles
11 while intoxicated under the influence of alcohol or other drugs;

12 (15) encourage medical care facilities to admit without discrimination
13 alcoholics and intoxicated persons under the influence of alcohol or other
14 drugs and to provide them with adequate and appropriate treatment
15 within their capabilities;

16 (16) encourage all health and disability insurance programs to include
17 alcoholism addiction to alcohol or other drugs as a covered illness; and

18 (17) submit to the governor and the legislature an annual report cov-
19 ering the activities of the Kansas citizens' committee on alcohol and other
20 drug abuse.

21 (b) The secretary is hereby charged with the administration of the
22 alcoholism addiction and treatment program of the state of Kansas and
23 may accept and disburse any moneys available from the federal govern-
24 ment for such purpose, in accordance with appropriation acts of this state.

the state agency responsible for the prevention and treatment
of alcohol or other drug addiction for

25 Sec. 5. K.S.A. 65-4011 is hereby amended to read as follows: 65-

26 4011. (a) The secretary shall establish a comprehensive and coordinated
27 program for the treatment of alcoholics and intoxicated persons with ad-
28 diction to alcohol or other drugs. The secretary shall divide the state into
29 appropriate regions for the conduct of the program and establish stan-
30 dards for the development of the program on the regional level. In es-
31 tablishing the regions, consideration shall be given to any existing regional
32 organization being utilized by other state agencies engaged in the delivery
33 of health care.

plan for the prevention and

alcohol or other drug addiction

plan

plan

34 (b) The program of the secretary shall include, but not be limited to:

35 (1) Emergency treatment provided by a facility affiliated with or part
36 of the medical service of a general hospital;

37 (2) inpatient treatment;

38 (3) intermediate treatment;

39 (4) outpatient and follow-up after care treatment; and

40 (5) prevention education and training.

41 (c) The secretary shall provide for adequate and appropriate treat-
42 ment for alcoholics and intoxicated persons with addiction to alcohol or
43 other drugs admitted under K.S.A. 65-4025 to 65-4049 inclusive, and any

1 ~~amendments thereto. No person shall be incarcerated in a correctional~~
 2 ~~institution for purposes of such treatment.~~

3 (d) The secretary shall prepare, publish and distribute annually a list
 4 of all public and private treatment facilities. (c)

5 Sec. 6. K.S.A. 65-4012 is hereby amended to read as follows: 65-
 6 4012. (a) No person or governmental unit acting severally or jointly with
 7 any other person or governmental unit shall establish, ~~conduct~~ or, ~~main-~~
 8 ~~tain~~ a or operate a public or private treatment facility in this state without
 9 a license under this law.

10 (b) Violation of this section is a class C misdemeanor.

11 Sec. 7. K.S.A. 65-4013 is hereby amended to read as follows: 65-
 12 4013. (a) An application for a license to establish, conduct, manage or
 13 operate a treatment facility shall be made to the secretary upon forms
 14 provided by the secretary and shall contain such information as the sec-
 15 retary may require, which may include affirmative evidence of ability to
 16 comply with such reasonable standards and rules and regulations as are
 17 lawfully adopted ~~under pursuant to this act and amendments thereto. In~~
 18 ~~addition, the secretary may require that all.~~ All applications must be ac-
 19 companied by an application fee of not to exceed \$100 as ~~prescribed by~~
 20 ~~such rules and regulations fixed by the secretary by rules and regulations~~
 21 ~~and standards of the secretary.~~ The application fee in effect under this
 22 section on the day preceding the effective date of this act shall continue
 23 in effect until the secretary fixes a different application fee by rules and
 24 regulations.

25 (b) The secretary of health and environment may adopt ~~reasonable~~
 26 rules and regulations with regard to the health standards which must be
 27 maintained by treatment facilities and may enforce such rules and regu-
 28 lations in accordance with the authority granted the secretary of health
 29 and environment under K.S.A. 65-425 et seq. and amendments thereto.
 30 If the rules and regulations of the secretary of health and environment
 31 establish such standards, an application under this section shall be accom-
 32 panied by certification from the secretary of health and environment that
 33 the applicant has met the requirements established by such rules and
 34 regulations.

35 Sec. 8. K.S.A. 65-4014 is hereby amended to read as follows: 65-
 36 4014. (a) Upon receipt of an application for license, if the secretary ap-
 37 proves the applicant as meeting the minimum requirements established
 38 by or pursuant to this act for a treatment facility, The secretary shall issue
 39 a license ~~if the applicant meets the minimum requirements established by~~
 40 ~~or pursuant to this act for a treatment facility.~~ ~~license, unless suspended~~
 41 ~~or revoked, shall be renewable as set forth in subsection (b)~~ upon the
 42 filing of an annual report upon uniform dates and containing information
 43 in the form as the secretary requires by rules and regulations. Such rules

1 and regulations may require that all applications for renewal of a license
2 be accompanied by a fee, in an amount prescribed by such rules and
3 regulations, not to exceed \$100. Each license shall be issued only for the
4 premises and persons or governmental units named in the application
5 and shall not be transferable or assignable except with the written ap-
6 proval of the secretary. Licenses shall be posted in a conspicuous place
7 on the licensed premises.

renew

8 (b) The secretary may ~~issue~~ a license ~~renewable~~ at the end of one,
9 two or three years depending upon a facility's level of compliance with
10 the ~~standards and~~ rules and regulations adopted by the secretary pursuant
11 to K.S.A. 65-4016 and amendments thereto.

12 New Sec. 9. The secretary shall remit all moneys received from fees
13 for licensing alcohol or other drug ~~addiction~~ treatment facilities to the
14 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
15 amendments thereto. Upon receipt of each such remittance, the state
16 treasurer shall deposit the entire amount in the state treasury. Twenty
17 percent of each such deposit shall be credited to the state general fund
18 and the balance shall be credited to the other state fees fund of the
19 department of social and rehabilitation services.

20 Sec. 10. K.S.A. 65-4023 is hereby amended to read as follows: 65-
21 4023. ~~(a) It shall be unlawful for any person, corporation or governmental~~
22 ~~unit to establish, conduct, manage or operate a treatment facility for al-~~
23 ~~coholics without first obtaining a license therefor. Any violation of this~~
24 ~~subsection shall constitute a class C misdemeanor.~~

25 ~~—(b) Notwithstanding the existence or pursuit of any other remedy,~~
26 ~~the secretary may maintain an action in the name of the state for an~~
27 ~~injunction or other process against any person or governmental unit to~~
28 ~~restrain or prevent the establishment, ~~conduct, management~~ or operation~~
29 ~~of a treatment facility without a license under this law.~~

30 New Sec. 11. The secretary, after notice and opportunity for hearing
31 to the applicant or licensee, is authorized to deny, suspend or revoke a
32 license in any case in which the secretary finds that there has been a
33 substantial failure to comply with the requirements established under this
34 act. Such notice shall fix a date not less than 30 days from the date of
35 such notice, at which the applicant or licensee shall be given an oppor-
36 tunity for a prompt and fair hearing.

37 Hearings under this section shall be conducted in accordance with the
38 provisions of the Kansas administrative procedure act. Any action of the
39 secretary pursuant to this section is subject to review in accordance with
40 the act for judicial review and civil enforcement of agency actions.

41 Sec. 12. K.S.A. 65-4024 is hereby amended to read as follows: 65-
42 4024. The secretary shall adopt rules and regulations for acceptance of
43 persons into ~~the treatment program for the purpose of early and effective~~

1 ~~treatment of alcoholics and intoxicated persons with addiction to alcohol~~
 2 ~~or other drugs.~~ In adopting rules and regulations the secretary shall be
 3 guided by the following standards:
 4 (1) If possible a patient shall be treated on a voluntary rather than an
 5 involuntary basis.
 6 (2) A patient shall be initially assigned or transferred to outpatient or
 7 intermediate treatment receive treatment in the least restrictive modality
 8 possible based on placement criteria.
 9 (3) A person shall not be denied treatment solely because such person
 10 has withdrawn from treatment against medical advice on a prior occasion
 11 or because such person has relapsed after earlier treatment.
 12 (4) An individualized treatment plan shall be prepared and main-
 13 tained on a current basis for each patient.
 14 (5) Provisions shall be made for a continuum of coordinated treat-
 15 ment services, so that a person who leaves a facility or a form of treatment
 16 will have available other appropriate treatment.

a licensed treatment facility.

person

person

be assessed to determine the appropriateness of the treatment and shall

treatment environment

person

17 ~~Sec. 13. K.S.A. 65-4059 is hereby amended to read as follows: 65-~~
 18 ~~4059. No county or city shall adopt any local law, ordinance, resolution~~
 19 ~~or regulation having the force of law rendering public intoxication by~~
 20 ~~alcohol in and of itself, or being a common drunkard intoxicated or being~~
 21 ~~found in enumerated places in an intoxicated condition, an offense, a~~
 22 ~~violation, or the subject of criminal penalties. Nothing herein contained~~
 23 ~~shall affect any laws, ordinances, resolutions or regulations against~~
 24 ~~drunken driving, driving under the influence of alcohol, or other similar~~
 25 ~~offenses that involve the operation of motor vehicles, machinery or other~~
 26 ~~hazardous equipment.~~

27 Sec. 14. K.S.A. 65-4001, 65-4002, 65-4006, 65-4007, 65-4011, 65-
 28 4012, 65-4013, 65-4014, 65-4020, 65-4022, 65-4023, 65-4024, 65-4056,
 29 ~~65-4059~~, 65-4601, 65-4602, 65-4604, 65-4605, 65-4606, 65-4607, 65-
 30 4608, 65-4609, 65-4610 and 65-4611 are hereby repealed.

31 Sec. 15. This act shall take effect and be in force from and after its
 32 publication in the statute book.

New Sec. 13. K.S.A. 65-4001 through 65-4024, and sections 2, 9 and 11 shall be known and may be cited as the alcohol or other drug addiction treatment act.

New Sec. 14. (a) The rules and regulations adopted by the secretary under K.S.A. 65-4001 through 65-4024, and amendments thereto, or K.S.A. 65-4601 through 65-4611, and amendments thereto, and in effect on the day preceding the effective date of this act are hereby specifically continued in full force and effect on the effective date of this act as duly adopted rules and regulations subject to amendment and revocation under the provisions of this act.

(b) Each license issued by the secretary under K.S.A. 65-4603, prior to that statute's repeal on the effective date of this act, shall continue to be effective as a license for the treatment facility for which it was issued and for the license period for which it was issued, shall be subject to being suspended or revoked in accordance with the provisions of this act, and may be renewed in accordance with the provisions of this act.

And renumber the remaining sections accordingly.