

## HOUSE BILL No. 2681

By Committee on Health and Human Services

2-13

1 AN ACT concerning health and healthcare; relating to the department of  
2 health and environment; establishing the advisory committee on harm  
3 reduction.

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

6 Section 1. (a) There is hereby created the advisory committee on  
7 harm reduction within the division of public health of the department of  
8 health and environment. The purpose of this committee shall be to develop  
9 recommendations and advise the department of health and environment on  
10 matters related to the establishment, maintenance and operation of  
11 programs designed to reduce incidents of harm to individuals in the state,  
12 including reducing the occurrence of infectious disease, a pandemic  
13 disease or an epidemic disease. The committee shall also evaluate  
14 initiatives designed to reduce incidents of harm to individuals in the state  
15 and ensure that comprehensive and accurate information and education  
16 about harm reduction is available to the public, healthcare providers and  
17 healthcare facilities in the state.

18 (b) The council shall consist of not fewer than 11 members, all  
19 citizens and residents of the state of Kansas, appointed not later than  
20 October 1, 2020. The members shall be appointed as follows:

21 (1) The secretary of health and environment shall appoint: Two public  
22 health specialists; the state epidemiologist; one representative from law  
23 enforcement; one representative from a public health department; one  
24 physician licensed to practice medicine and surgery or osteopathy; one  
25 pharmacist; one mental health provider; and one substance use disorder  
26 treatment provider; and

27 (2) the speaker of the house of representatives shall appoint one  
28 member; and

29 (3) the president of the senate shall appoint one member.

30 (c) Members of the advisory committee on harm reduction shall serve  
31 for a term of three years and until a successor is appointed. If a vacancy  
32 occurs on the advisory committee, the appointing authority for the position  
33 that has become vacant shall appoint an individual with like qualifications  
34 to fill the vacant position for the unexpired term.

35 (d) The advisory committee shall meet quarterly and at the call of the  
36 chairperson or at the request of a majority of the members. At the first

1 meeting of the advisory committee, and at the first meeting after July 1 of  
2 each year, the members shall elect a chairperson and vice-chairperson who  
3 shall serve for terms of one year. The vice-chairperson shall exercise all  
4 the powers of the chairperson in the chairperson's absence.

5 (e) Members of the advisory committee on harm reduction shall serve  
6 without compensation but shall be reimbursed for their actual and  
7 necessary expenses incurred in the performance of their duties, pursuant to  
8 K.S.A. 75-3223(c) and (d), and amendments thereto.

9 (f) (1) Any meeting of the advisory committee, or any part of a  
10 meeting of the advisory committee, during a review of a case in which an  
11 individual may be identified shall be conducted in closed session. The  
12 advisory committee and officers of the advisory committee, when acting in  
13 their official capacity in considering incidents of harm and harm reduction,  
14 shall constitute a peer review committee and peer review officers for the  
15 purposes of K.S.A. 65-4915, and amendments thereto.

16 (2) The advisory committee or an officer thereof may advise, report  
17 to and discuss activities, information and recommendations of the advisory  
18 committee that relate to harm reduction with the secretary of health and  
19 environment without waiver of the privilege pursuant to this subsection  
20 and K.S.A. 65-4915, and amendments thereto, and the records of the  
21 advisory committee or officer that are privileged under this subsection and  
22 K.S.A. 65-4915, and amendments thereto, shall remain privileged.

23 (3) The provisions of this subsection providing for the confidentiality  
24 of public records shall expire on July 1, 2025 unless the legislature reviews  
25 and continues such provisions in accordance with K.S.A. 45-229, and  
26 amendments thereto.

27 (g) The provisions of this section shall expire on July 1, 2025, unless  
28 the legislature reviews and reenacts these provisions prior to July 1, 2025.

29 Sec. 2. This act shall take effect and be in force from and after its  
30 publication in the statute book.