

1 AN ACT relating to chemical dependency treatment services.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 222 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) For purposes of this section, "voluntarily" describes the action of a resident who*
6 *elects, of his or her own volition, to leave a facility described in subsection (2) of*
7 *this section against medical advice and who provides notice to the provider of that*
8 *decision.*

9 *(2) Any treatment center or program licensed as a chemical dependency treatment*
10 *service pursuant to KRS 216B.042 shall provide transportation services to*
11 *residents who wish to voluntarily leave the treatment program if:*

12 *(a) After expressing the intent to voluntarily leave, the treatment center or*
13 *program licensed as a chemical dependency treatment service pursuant to*
14 *KRS 216B.042 informs a family member, guardian, or emergency contact of*
15 *the resident's desire to leave; and*

16 *(b) The resident's family member, guardian, or emergency contact does not*
17 *agree to transport the resident within twenty-four (24) hours.*

18 *(3) Transportation services shall include providing the resident access to:*

19 *(a) A ride-sharing service and purchasing a one (1) way service to the*
20 *resident's hometown of record; or*

21 *(b) Public transportation, including but not limited to transporting the resident*
22 *to the nearest commercial bus station and purchasing a ticket to the*
23 *resident's hometown of record.*

24 *(4) The facilities described in subsection (2) of this section and law enforcement*
25 *officers shall only transport residents voluntarily leaving the facility to public*
26 *transportation locations, the location to meet the driver of a ride-sharing service,*
27 *or the resident's home.*

- 1 (5) Prior to admitting a resident into the facility described in subsection (2) of this
2 section, the facility shall conduct a search of any outstanding warrants.
- 3 (6) A facility that is not licensed as a chemical dependency treatment service
4 pursuant to KRS 216B.042 shall be exempt from this section.
- 5 (7) (a) If a resident, required by court order to attend a treatment facility described
6 in subsection (2) of this section, leaves the facility prior to court approval or
7 prior to completing the conditions of the court order, the treatment facility
8 shall notify the court, county attorney, local law enforcement, and the
9 resident's family of the resident's exit.
- 10 (b) A probation officer or peace officer, acting on information provided by the
11 treatment facility under paragraph (a) of this subsection, who sees the
12 resident violate the terms of his or her conditional discharge or violate the
13 court order shall arrest the resident without a warrant and hold the resident
14 in incarceration until the judge who made the initial court order has a
15 hearing on the resident's violation of that court order.