

AN ACT

ENTITLED, An Act to revise the definition of accredited prevention or treatment facilities and to authorize the Division of Drug and Alcohol Abuse to inspect these facilities and access their records.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That subdivision (1) of § 34-20A-2 be amended to read as follows:

- (1) "Accredited prevention or treatment facility," a private or public agency meeting the standards prescribed in § 34-20A-27 and listed under § 34-20A-47, or a private or public agency or facility surveyed and accredited by the Joint Commission; an Indian Health Service's quality assurance review under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse; or the Commission on Accreditation of Rehabilitation Facilities; or the Council on Accreditation; under the drug and alcohol treatment standards incorporated and adopted by the division in rules promulgated pursuant to chapter 1-26, if proof of such accreditation, with accompanying recommendations, progress reports and related correspondence are submitted to the Division of Drug and Alcohol Abuse in a timely manner;

Section 2. That § 34-20A-44 be amended to read as follows:

34-20A-44. The Division of Drug and Alcohol Abuse shall inspect accredited prevention or treatment facilities to insure compliance with this chapter. For purposes of inspection, the division shall have access to the facility and its records at reasonable times and in a reasonable manner. This section does not apply to facilities accredited pursuant to accreditation by the Joint Commission, the Commission on Accreditation of Rehabilitation Facilities, an Indian Health Service's quality assurance review under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse, or the Council on Accreditation.

Section 3. That § 34-20A-44.1 be amended to read as follows:

34-20A-44.1. If a public or private agency or facility is considered to be an accredited prevention or treatment facility by reason of compliance with accreditation by the Joint Commission, the Commission on Accreditation of Rehabilitation Facilities, an Indian Health Service's quality assurance review under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse, or the Council on Accreditation, as described in § 34-20A-2, the Division of Drug and Alcohol Abuse retains the right of access to all facility premises and relevant records to monitor compliance or investigate complaints brought against the facility.

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I certify that the attached Act
originated in the
SENATE as Bill No. 15
Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 15
File No.
Chapter No.

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Received at this Executive Office
this ___ day of _____,
20___ at _____ M.
By _____
for the Governor
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The attached Act is hereby
approved this ___ day of
_____, A.D., 20___

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20___
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State