

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 administrator*  
8 *of that decision.*

9 *(2) Any substance use disorder program that holds a chemical dependency treatment*  
10 *services license under KRS 222.231 and issued in accordance with KRS 216B.042*  
11 *shall provide transportation services to a resident who wishes to voluntarily leave*  
12 *the treatment program if:*

13 *(a) After expressing the intent to voluntarily leave, the program informs a*  
14 *family member, guardian, or emergency contact of the resident's desire to*  
15 *leave; and*

16 *(b) The resident's family member, guardian, or emergency contact does not*  
17 *agree to personally 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:*

20 *1. A specific address in the resident's hometown of record if requested by*  
21 *the resident; or*

22 *2. The city hall in the resident's hometown of record; or*

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

26 *(4) The facilities described in subsection (2) of this section and law enforcement*  
27 *officers shall only transport residents voluntarily leaving the facility to public*

- 1        transportation locations, the location to meet the driver of a ride-sharing service,  
2        or the resident's home.
- 3        (5) Prior to admitting a resident into the facility described in subsection (2) of this  
4        section, the facility shall conduct a search of any outstanding warrants.
- 5        (6) A facility that does not hold a chemical dependency treatment services license  
6        under KRS 222.231 and issued in accordance with KRS 216B.042 shall be  
7        exempt from this section.
- 8        (7) (a) If a resident required by court order to attend a treatment facility described  
9        in subsection (2) of this section leaves the facility prior to court approval or  
10       prior to completing the conditions of the court order, the treatment facility  
11       shall notify the court, county attorney, local law enforcement, and the  
12       resident's family of the resident's exit.
- 13       (b) A probation officer or peace officer, acting on information provided by the  
14       treatment facility under paragraph (a) of this subsection, who sees the  
15       resident violate the terms of his or her conditional discharge or violate the  
16       court order shall arrest the resident without a warrant and incarcerate the  
17       resident until the judge who made the initial court order holds a hearing on  
18       the resident's violation of that court order.