Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1435							
Bill #: SB 71 GA							
Document ID #:715	5						
Bill Title: AN ACT relating to treatment programs.							
Sponsor: Senator Phillip Wheeler							
Unit of Government:	X City	X County	X Urban-County Unified Local				
	X Charter County	X Consolidated Local					
Office(s) Impacted: Local governments; Law enforcement							
Requirement: <u>X</u> Mandatory Optional							
Effect on Powers & Duties:	_ Modifies Existing	X Adds New Eli	minates Existing				

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 71 GA introduces several provisions concerning treatment programs for substance use disorder. Section 1 outlines procedures for residents voluntarily leaving treatment facilities, requiring facilities to either arrange transportation for the resident within 24 hours or offer access to transportation services. These services may include ride-sharing, public transportation, or other safe options determined by the facility. Additionally, the section mandates notification to relevant authorities if a resident leaves against court orders. Furthermore, treatment programs are required to provide full disclosure of their services to potential patients. It exempts certain facilities from these requirements if they do not hold specific licenses or meet defined criteria.

Section 2 establishes a new section within KRS Chapter 222, outlining restrictions on substance use disorder programs and recovery residences regarding the recruitment of out-of-state residents. Any program or residence regulated under KRS Chapter 222 or holding specific licenses is prohibited from recruiting individuals from outside the state. Violations of this provision incur fines, starting from \$250 for the first offense, escalating

to \$500 for the second violation, and reaching \$1,000 for subsequent violations. Moreover, repeated violations may lead to a referral to the division responsible for reviewing licensure within the cabinet.

The fiscal impact of SB 71 GA on local governments would be slightly negative. Any treatment programs which are funded by local governments will be responsible for the cost of procuring transportation for residents who voluntarily decide to leave the program before completion. It's not clear how many residents would leave, how many would require transportation, or what the average cost of transportation would be for residents who needed it. However, each resident requiring transportation by substance use disorder programs or law enforcement would represent a cost that would not be reimbursed by the state. Per Section 2, programs that recruit out-of-state residents would incur fines, which could strain their resources.

Data Source(s):	LRC Staff
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Preparer:	Ryan Brown (JB)	Reviewer:	KHC	Date:	3/13/24
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