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Referred: Health, Education &
Social Services and Finance

6-0823A

1 IN THE HOUSE

BY ULMER, HOFFMAN AND
MENARD

2 HOUSE BILL NO. 173

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act extending the powers and duties of the office
7 of alcoholism and drug abuse, Department of Health
8 and Social Services, to programs and activities
9 relating to misuse of hazardous volatile substances
10 by inhalant abusers; and providing for an effective
11 date."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 * Section 1. AS 47.37.030 is amended to read:

14 Sec. 47.37.030. POWERS OF OFFICE. The office may

15 (1) plan, establish, and maintain programs for the preven-
16 tion and treatment of alcoholism, [AND] drug abuse, and misuse of
17 hazardous volatile materials and substances by inhalant abusers:

18 (2) make contracts and award grants necessary or incidental
19 to the performance of its duties and the execution of its powers,
20 including contracts with and grants to public and private agencies,
21 organizations, and individuals, to pay them for services rendered or
22 furnished to alcoholics, intoxicated persons, [OR] drug abusers, or
23 inhalant abusers; to the maximum extent possible, contracts and grants
24 must be for a period of two years; contracts under this paragraph are
25 governed by AS 36.30 (State Procurement Code);

26 (3) solicit and accept for use a gift of money or property
27 or a grant of money, services, or property from the federal govern-
28 ment, the state, or a political subdivision of it or a private source,
29 and do all things necessary to cooperate with the federal government

1 or any of its agencies in making an application for a grant;

2 (4) administer or supervise the administration of the
3 provisions relating to alcoholics, intoxicated persons, [AND] drug
4 abusers, and inhalant abusers of state plans submitted for federal
5 funding under federal health, welfare, or treatment legislation;

6 (5) coordinate its activities and cooperate with alcohol-
7 ism, [AND] drug abuse, and inhalant abuse programs in this and other
8 states, and make contracts and other joint or cooperative arrangements
9 with state, local, or private agencies for the treatment of alcohol-
10 ics, intoxicated persons, [AND] drug abusers, and inhalant abusers,
11 and for the common advancement of alcoholism, [AND] drug abuse, and
12 inhalant abuse programs in this and other states;

13 (6) keep records and engage in research and the gathering
14 of relevant statistics;

15 (7) do other acts necessary to implement the authority
16 expressly granted to it;

17 (8) acquire, hold, or dispose of real property or any
18 interest in it, and construct, lease, or otherwise provide treatment
19 facilities for alcoholics, intoxicated persons, [AND] drug abusers,
20 and inhalant abusers; however, the office shall encourage local ini-
21 tiative, involvement, and financial participation under grants-in-aid
22 whenever possible in preference to the construction or operation of
23 facilities directly by the office; contracting and construction under
24 this paragraph are governed by AS 36.30 (State Procurement Code).

25 * Sec. 2. AS 47.37.040 is amended to read:

26 Sec. 47.37.040. DUTIES OF OFFICE. The office shall

27 (1) develop, encourage, and foster statewide, regional, and
28 local plans and programs for the prevention of alcoholism and drug
29 abuse and treatment of alcoholics, intoxicated persons, [AND] drug

1 abusers, and inhalant abusers in cooperation with public and private
2 agencies, organizations, and individuals, and provide technical assis-
3 tance and consultation services for these purposes;

4 (2) coordinate the efforts and enlist the assistance of all
5 public and private agencies, organizations, and individuals interested
6 in prevention of alcoholism, [AND] drug abuse, and inhalant abuse, and
7 treatment of alcoholics, intoxicated persons, [AND] drug abusers, and
8 inhalant abusers;

9 (3) cooperate with the Department of Corrections in estab-
10 lishing and conducting programs to provide treatment for alcoholics,
11 intoxicated persons, [AND] drug abusers, and inhalant abusers in or on
12 parole from penal institutions;

13 (4) cooperate with the Department of Education, school
14 boards, schools, police departments, courts, and other public and
15 private agencies, organizations, and individuals in establishing
16 programs for the prevention of alcoholism, [AND] drug abuse, and
17 inhalant abuse, and treatment of alcoholics, intoxicated persons,
18 [AND] drug abusers, and inhalant abusers, and preparing curriculum
19 materials for use at all levels of school education;

20 (5) prepare, publish, evaluate, and disseminate educational
21 material dealing with the nature and effects of alcohol and drugs, and
22 the misuse of hazardous volatile substances;

23 (6) develop and implement, as an integral part of treatment
24 programs, an educational program for use in the treatment of alcohol-
25 ics, intoxicated persons, [AND] drug abusers, and inhalant abusers
26 that [WHICH] includes the dissemination of information concerning the
27 nature and effects of alcohol, [AND] drugs, and hazardous volatile
28 substances;

29 (7) organize and foster training programs for all persons

1 engaged in treatment of alcoholics, intoxicated persons, [AND] drug
2 abusers, and inhalant abusers, and establish standards for training
3 paraprofessional alcoholism, [AND] drug abuse, and inhalant abuse
4 workers;

5 (8) sponsor and encourage research into the causes and
6 nature of alcoholism, [AND] drug abuse, and inhalant abuse, and the
7 treatment of alcoholics, intoxicated persons, [AND] drug abusers, and
8 inhalant abusers, and serve as a clearinghouse for information relat-
9 ing to alcoholism, [AND] drug abuse, and inhalant abuse;

10 (9) specify uniform methods for keeping statistical infor-
11 mation by public and private agencies, organizations, and individuals,
12 and collect and make available relevant statistical information,
13 including number of persons treated, frequency of admission and read-
14 mission, and frequency and duration of treatment;

15 (10) advise the governor in the preparation of a comprehen-
16 sive plan for treatment of alcoholics, intoxicated persons, [AND] drug
17 abusers, and inhalant abusers;

18 (11) review all state health, welfare, and treatment plans
19 to be submitted for federal funding, and advise the commissioner on
20 provisions to be included relating to alcoholics, intoxicated persons,
21 [AND] drug abusers, and inhalant abusers;

22 (12) assist in the development of, and cooperate with,
23 alcohol, [AND] drug abuse, and inhalant abuse education and treatment
24 programs for employees of state and local governments and businesses
25 and industries in the state;

26 (13) use the support and assistance of interested persons in
27 the community, particularly recovered alcoholics, [AND] drug abusers,
28 and inhalant abusers, to encourage alcoholics, [AND] drug abusers, and
29 inhalant abusers to voluntarily undergo treatment;

1 (14) cooperate with the Department of Public Safety and the
2 Department of Transportation and Public Facilities in establishing and
3 conducting programs designed to deal with the problem of persons
4 operating motor vehicles while intoxicated or under the influence of
5 drugs;

6 (15) encourage hospitals and other appropriate health facil-
7 ities to admit without discrimination alcoholics, intoxicated persons,
8 [AND] drug abusers, and inhalant abusers and to provide them with
9 adequate and appropriate treatment;

10 (16) encourage all health and disability insurance programs
11 to include alcoholism and drug abuse as a covered illness;

12 (17) submit to the legislature an annual report covering the
13 activities of the office;

14 (18) develop and implement a training program on alcoholism
15 and drug abuse for employees of state and municipal governments, and
16 private institutions;

17 (19) develop curriculum materials on drug and alcohol abuse
18 and the misuse of hazardous volatile substances for use in grades
19 kindergarten through 12, as well as a course of instruction for teach-
20 ers to be charged with presenting the curriculum.

21 * Sec. 3. AS 47.37.130(a) is amended to read:

22 (a) The office shall establish a comprehensive and coordinated
23 program for the treatment of alcoholics, intoxicated persons, [AND]
24 drug abusers, and inhalant abusers. Subject to the approval of the
25 commissioner, the coordinator may divide the state into appropriate
26 regions to conduct the program and establish standards for the devel-
27 opment of the program on the regional level. In establishing the
28 regions, consideration shall be given to the city and borough lines
29 and population concentrations and, when feasible, programs must be

1 established with maximum local community involvement.

2 * Sec. 4. AS 47.37.150 is amended to read:

3 Sec. 47.37.150. ACCEPTANCE FOR TREATMENT. The coordinator shall
4 adopt regulations for the admission of persons into the treatment
5 program, considering available treatment resources and facilities, for
6 the purpose of early and effective treatment of alcoholics, intox-
7 icated persons, [AND] drug abusers, and inhalant abusers. In adopting
8 the regulations the coordinator shall be guided by the following
9 standards:

10 (1) if possible a patient must be treated on a voluntary
11 rather than an involuntary basis;

12 (2) a patient must be initially assigned or transferred to
13 outpatient or intermediate treatment, unless the patient is found to
14 require inpatient treatment;

15 (3) a person may not be denied treatment solely because the
16 person has withdrawn from treatment against medical advice on a prior
17 occasion or because the person has relapsed after earlier treatment;

18 (4) an individualized treatment plan must be prepared and
19 maintained on a current basis for each patient;

20 (5) provision must be made for a continuum of coordinated
21 treatment services, so that a person who leaves a facility or a form
22 of treatment will use other appropriate treatment and facilities.

23 * Sec. 5. AS 47.37.270 is amended by adding new paragraphs to read:

24 (15) "hazardous volatile material or substance"

25 (A) means a material or substance that is readily
26 vaporizable at room temperature and whose vapors or gases, when
27 inhaled,

28 (i) pose an immediate threat to the life or
29 health of the person; or

1 (ii) are likely to have adverse delayed effects on
2 the health of the person;

3 (B) includes, but is not limited to,

4 (i) gasoline;

5 (ii) materials and substances containing petroleum
6 distillates; and

7 (iii) common household materials and substances
8 whose containers bear a notice warning that inhalation of
9 vapors or gases may cause physical harm;

10 (16) "inhalant abuse" means the misuse of a hazardous vola-
11 tile material or substance by inhaling its vapors.

12 * Sec. 6. This Act takes effect July 1, 1989.