

AN ACT

ENTITLED, An Act to revise the definition of an accredited prevention or treatment facility for the purposes of the prevention and treatment of alcohol and drug abuse.

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 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, or an Indian Health Service's quality assurance review under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse.

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, or an Indian Health Service's quality assurance review under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse, as described in § 34-20A-2, the Division of Alcohol and Drug Abuse retains the right of access to all facility premises and relevant records to monitor compliance or investigate complaints brought against the facility.

An Act to revise the definition of an accredited prevention or treatment facility for the purposes of the prevention and treatment of alcohol and drug abuse.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1032

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1032  
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

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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