

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

400C0238

## SENATE BILL NO. 57

Introduced by: The Committee on Health and Human Services at the request of the Department of Human Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the definition of an  
2 accredited prevention or treatment facility for alcohol and drug abuse.

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

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

5 (1) "Accredited prevention or treatment facility," a private or public agency meeting the  
6 standards prescribed in § 34-20A-27 and listed under § 34-20A-47, or a private or  
7 public agency or facility surveyed and accredited by the Joint Commission on  
8 Accreditation of Health Care Organizations or the Commission on Accreditation of  
9 Rehabilitation Facilities under the drug and alcohol treatment standards incorporated  
10 and adopted by the division in rules promulgated pursuant to chapter 1-26, ~~where~~ if  
11 proof of such accreditation, with accompanying recommendations, progress reports  
12 and related correspondence are submitted to the Division of Drug and Alcohol Abuse  
13 in a timely manner;

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

15 34-20A-44. The Division of Drug and Alcohol Abuse shall inspect accredited prevention or  
16 treatment facilities to insure compliance with this chapter. For purposes of inspection the division

1 shall have access to the facility and its records at reasonable times and in a reasonable manner.  
2 This section does not apply to facilities accredited pursuant to accreditation by the Joint  
3 Commission on Accreditation of Health Care Organizations or the Commission on Accreditation  
4 of Rehabilitation Facilities.

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

6 34-20A-44.1. If a public or private agency or facility is considered to be an accredited  
7 prevention or treatment facility by reason of compliance with accreditation by the Joint  
8 Commission on Accreditation of Health Care Organizations or the Commission on Accreditation  
9 of Rehabilitation Facilities, as described in § 34-20A-2, the Division of Alcohol and Drug Abuse  
10 ~~shall retain~~ retains the right of access to all facility premises and relevant records to monitor  
11 compliance or investigate complaints brought against the facility.