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INTRODUCED BY

SENATE BILL NO. 84

Sprague

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SERVICES PROVIDED BY THE MONTANA CHEMICAL DEPENDENCY CENTER; ELIMINATING THE PROVISION OF EMERGENCY SERVICES AT THE MONTANA CHEMICAL DEPENDENCY CENTER FOR INTOXICATED PERSONS OR PERSONS INCAPACITATED BY ALCOHOL; AMENDING SECTIONS 53-21-603, 53-24-207, AND 53-24-303, MCA; AND REPEALING SECTION 53-24-304, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-603, MCA, is amended to read:

"53-21-603. Chemical dependency treatment center. (1) There is a Montana chemical dependency treatment center. The Montana chemical dependency treatment center is the approved public treatment facility as defined in 53-24-103.

(2) The Montana chemical dependency treatment center shall provide detoxification, evaluation, treatment, referral, and rehabilitation to persons in Montana who are referred for ~~the~~ inpatient treatment of alcoholism or other chemical dependency."

Section 2. Section 53-24-303, MCA, is amended to read:

"53-24-303. Treatment and services for intoxicated persons and persons incapacitated by alcohol. (1) ~~An intoxicated person may come voluntarily to an approved public treatment facility for emergency treatment.~~ A person who appears to be intoxicated in a public place and to be in need of help, ~~if he consents to the proffered help,~~ may be assisted to his the person's home, an approved public treatment facility, an approved private treatment facility, or other health facility by the police, if the person consents to an offer for help.

(2) A person who appears to be incapacitated by alcohol ~~shall~~ must be taken into protective custody by the police and ~~forthwith brought to an approved public treatment facility for emergency treatment.~~ ~~If no approved public treatment facility is readily available, he shall~~ must be taken to an

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 6 custody under this section has been arrested or charged with a crime.

7 ~~(3) A person who comes voluntarily or is brought to an approved public treatment facility shall be~~
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 18 ~~shall assist him in obtaining shelter.~~

19 ~~(6) If a patient is admitted to an approved public treatment facility, his family or next of kin may~~
 20 ~~be notified if the patient consents to such notification."~~

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22 **Section 3.** Section 53-24-207, MCA, is amended to read:

23 **"53-24-207. Comprehensive program for treatment.** (1) The department shall establish a
 24 comprehensive and coordinated program for the treatment of chemically dependent persons, intoxicated
 25 persons, and family members.

26 (2) The program ~~shall~~ must include:

27 (a) emergency treatment provided by a facility affiliated with or part of the medical service of a
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29 (b) inpatient treatment;

30 (c) intermediate treatment;

1 (d) outpatient treatment; and

2 (e) ~~follow-up~~ followup services.

3 (3) The department shall provide for adequate and appropriate treatment for alcoholics and
4 intoxicated persons admitted under 53-24-301 through ~~53-24-304~~ 53-24-303.

5 (4) All appropriate public and private resources ~~shall~~ must be coordinated with and ~~utilized~~ used
6 in the program if possible.

7 (5) The department shall prepare, publish, and distribute annually a list of all approved public and
8 private treatment facilities."

9

10 NEW SECTION. **Section 4. Repealer.** Section 53-24-304, MCA, is repealed.

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0084, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill revising the services provided by the Montana Chemical Dependency Center, (MCDC), eliminating the provision of emergency services at the MCDC for intoxicated persons or persons incapacitated by alcohol.

ASSUMPTIONS:

1. The Executive Budget contains a new proposal which would eliminate the detox only unit of the MCDC. Using FY94 numbers, this would eliminate approximately 350 admissions to the center.
2. There would be 3.50 FTE eliminated with the implementation of this bill. (Pooled positions that include counselors and LPNs.)
3. Savings to the state special revenue alcohol tax, used to fund the detox unit, would be \$122,680 in FY96 and \$123,209 in FY97 if the new proposal is adopted.

FISCAL IMPACT:

No additional fiscal impact.

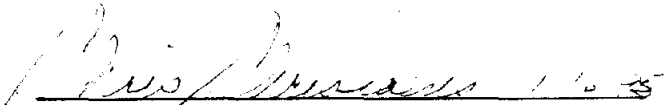
EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

If SB84 is not passed, the earmarked alcohol FY96 and FY97 appropriation will have to be increased for the MCDC. This would require a further reduction to community based programs from the alcohol tax account. The Department of Corrections and Human Services is currently projecting an \$800,000 earmarked distribution to counties for approved programs each year. Failure of SB84 would result in a decrease of the distribution to approximately \$700,000 each year.

Counties with a close proximity to Butte, i.e., Silver Bow, Lewis and Clark, and Missoula, will need a solution for their problem with revolving door alcoholics.

 1-17-95

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1-17-95

CHRIS CHRISTIAENS, PRIMARY SPONSOR DATE

Fiscal Note for SB0084, as introduced

SB 84

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SENATE BILL NO. 84

Sprague

INTRODUCED BY *Christiansen, Simon, Deb Kottel, Benedict, Hotaling*
BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SERVICES PROVIDED BY THE MONTANA CHEMICAL DEPENDENCY CENTER; ELIMINATING THE PROVISION OF EMERGENCY SERVICES AT THE MONTANA CHEMICAL DEPENDENCY CENTER FOR INTOXICATED PERSONS OR PERSONS INCAPACITATED BY ALCOHOL; AMENDING SECTIONS 53-21-603, 53-24-207, AND 53-24-303, MCA; AND REPEALING SECTION 53-24-304, MCA."

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(2) The Montana chemical dependency treatment center shall provide detoxification, evaluation, treatment, referral, and rehabilitation to persons in Montana who are referred for ~~the~~ inpatient treatment of alcoholism or other chemical dependency."

Section 2. Section 53-24-303, MCA, is amended to read:

"53-24-303. Treatment and services for intoxicated persons and persons incapacitated by alcohol. (1) ~~An intoxicated person may come voluntarily to an approved public treatment facility for emergency treatment.~~ A person who appears to be intoxicated in a public place and to be in need of help, ~~if he consents to the proffered help,~~ may be assisted to his the person's home, ~~an approved public treatment facility,~~ an approved private treatment facility, or other health facility by the police, if the person consents to an offer for help.

(2) A person who appears to be incapacitated by alcohol ~~shall~~ must be taken into protective custody by the police and ~~forthwith brought to an approved public treatment facility for emergency treatment.~~ ~~If no approved public treatment facility is readily available,~~ he shall must be taken to an

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 22 **Section 3.** Section 53-24-207, MCA, is amended to read:

23 **"53-24-207. Comprehensive program for treatment.** (1) The department shall establish a
 24 comprehensive and coordinated program for the treatment of chemically dependent persons, intoxicated
 25 persons, and family members.

26 (2) The program ~~shall~~ must include:

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3 (3) The department shall provide for adequate and appropriate treatment for alcoholics and
4 intoxicated persons admitted under 53-24-301 through ~~53-24-304~~ 53-24-303.

5 (4) All appropriate public and private resources ~~shall~~ must be coordinated with and ~~utilized~~ used
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7 (5) The department shall prepare, publish, and distribute annually a list of all approved public and
8 private treatment facilities."

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10 NEW SECTION. Section 4. Repealer. Section 53-24-304, MCA, is repealed.

11

-END-

SENATE BILL NO. 84

Spiegel

INTRODUCED BY

Christianson Simon Deb Kotik Benedict

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SERVICES PROVIDED BY THE MONTANA CHEMICAL DEPENDENCY CENTER; ELIMINATING THE PROVISION OF EMERGENCY SERVICES AT THE MONTANA CHEMICAL DEPENDENCY CENTER FOR INTOXICATED PERSONS OR PERSONS INCAPACITATED BY ALCOHOL; AMENDING SECTIONS 53-21-603, 53-24-207, AND 53-24-303, MCA; AND REPEALING SECTION 53-24-304, MCA."

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Section 2. Section 53-24-303, MCA, is amended to read:

"53-24-303. Treatment and services for intoxicated persons and persons incapacitated by alcohol. (1) ~~An intoxicated person may come voluntarily to an approved public treatment facility for emergency treatment. A person who appears to be intoxicated in a public place and to be in need of help, if he consents to the proffered help,~~ may be assisted to his the person's home, ~~an approved public treatment facility,~~ an approved private treatment facility, or other health facility by the police, if the person consents to an offer for help.

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10 **NEW SECTION. Section 4. Repealer.** Section 53-24-304, MCA, is repealed.

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-END-

SENATE BILL NO. 84

INTRODUCED BY CHRISTIAENS, SIMON, KOTTEL, BENEDICT, KEATING, SPRAGUE

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

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