

### **§20043. Acceptance for treatment of drug users and persons with substance use disorder**

The department shall adopt rules for acceptance of persons into a treatment program, considering available treatment resources and facilities, for the purpose of early and effective treatment of drug users and persons with substance use disorder. [PL 2017, c. 407, Pt. A, §37 (AMD).]

In establishing rules, the department must be guided by the following standards. [PL 2011, c. 657, Pt. AA, §37 (AMD).]

**1. Voluntary basis.** People must be treated on a voluntary basis. [PL 1991, c. 601, §20 (AMD).]

**2. Initial assignment.** A person must be initially assigned or transferred to outpatient or intermediate treatment, unless the person is found to require residential treatment. [PL 1991, c. 601, §20 (AMD).]

**3. Denial of treatment.** A person may not be denied treatment solely because that person has withdrawn from treatment against medical advice on a prior occasion or has relapsed after earlier treatment. [PL 1989, c. 934, Pt. A, §3 (NEW).]

**4. Individualized treatment plan.** An individualized treatment plan must be prepared and maintained on a current basis for each patient. [PL 1989, c. 934, Pt. A, §3 (NEW).]

**5. Coordinated treatment.** Provision must be made for a continuum of coordinated treatment services, so that a person who leaves a facility or a form of treatment has available and may utilize other appropriate treatment. [PL 1989, c. 934, Pt. A, §3 (NEW).]

**6. Denial of treatment services.** A person, firm or corporation licensed by the department as an approved substance use disorder treatment facility under section 20005 to provide shelter or detoxification services, and that receives any funds administered by the department to provide substance use disorder prevention and treatment services, may not deny treatment to any person because of that person's inability or failure to pay any assessed fees. [PL 2017, c. 407, Pt. A, §37 (AMD).]

**7. Community-based.** Treatment must be provided in the least restrictive setting possible and in the person's home community wherever possible. [PL 1991, c. 601, §20 (NEW).]

**8. Diagnosing.** Diagnosing of a person's mental capabilities, psychological or personality composition, or other nonalcohol-related or drug-related conditions or mental states may not be conducted until detoxification is complete and the person is judged to be medically no longer under the influence of a chemical or drug. [PL 2017, c. 407, Pt. A, §37 (AMD).]

#### SECTION HISTORY

PL 1989, c. 934, §A3 (NEW). PL 1991, c. 601, §20 (AMD). PL 2011, c. 657, Pt. AA, §§36-38 (AMD). PL 2017, c. 407, Pt. A, §37 (AMD).

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