

CHAPTER 136.

[Sub. H. B. 85.]

ALCOHOLISM—STUDY, TREATMENT, REHABILITATION.

AN ACT relating to intoxicating liquors and alcoholism; repealing sections 21, 22, 23 and 24, chapter 198, Laws of 1949 RCW 71.12.170 through 71.12.200; and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

Purpose of act—
Division of alcoholism created.

SECTION 1. The purpose of this act is to establish a statewide program for the study, treatment and rehabilitation of persons suffering from alcoholism and those addicted to the use of alcoholic beverages, research into the causes and prevention of alcoholism and associated health problems, and public education relating thereto, by creating a division on alcoholism within the state department of institutions. The division shall coordinate the efforts of all affected state, county and local agencies; develop educational and preventive programs, and promote the establishment of constructive agencies for treatment and reclamation, rehabilitation and reestablishment in society of persons suffering from alcoholism or addicted to the use of alcoholic beverages.

SEC. 2. As used in this act:

Definitions.
"Division."

(1) "Division" means the division on alcoholism of the state department of institutions.

"Alcoholism."

(2) "Alcoholism" includes the symptoms and problems of problem drinkers and alcoholics as herein defined.

"Problem drinkers."

(3) "Problem drinkers" are any drinkers of intoxicating liquors who indulge in drinking which in its extent habitually goes beyond the traditional and customary dietary use, or the ordinary compliance with social drinking customs.

"Alcoholics."

(4) "Alcoholics" are those persons addicted to the excessive use of alcohol, and those problem drinkers whose dependence upon or addiction to

alcohol has attained such a degree that it causes a noticeable mental disturbance or an interference with their bodily and mental health, their interpersonal relations, and their social and economic functioning.

Definitions.

(5) "Patients" is a general term meaning persons who are accepted for treatment under the provisions of this act.

"Patients."

SEC. 3. The state department of institutions through a division on alcoholism, shall establish a research, educational and treatment program for the rehabilitation of alcoholics and, for the purposes of this chapter, a treatment program includes both residential and outpatient facilities and services.

Division on alcoholism. Establish research, educational and treatment program.

SEC. 4. The division is hereby authorized and empowered:

Certain powers and duties.

(1) To study alcoholism and its problems, including private and public methods and facilities available for care, custody, detention, treatment, employment and rehabilitation of persons who are alcoholics.

(2) To promote meetings and programs for the discussion of alcoholism or any of its aspects, disseminate information on the subject of alcoholism for the guidance and assistance of individuals, courts, and public and private agencies in the state, and for the prevention of alcoholism.

(3) To conduct, promote and finance, in full or in part, studies, investigations and research on the use and effect of alcohol, independently or in cooperation with universities and colleges, scientific organizations, and other public or private agencies.

(4) To accept for examination, evaluation, diagnosis, guidance, referral and rehabilitation, insofar as funds permit, any resident of the state, coming to the division of his own volition or applying through his legal guardian if the applicant has been adjudicated incompetent. Resident, as used in this

Division on alcoholism. Certain powers and duties.

subdivision, means a person who has resided within the state for at least five years during the nine years immediately preceding the application and has resided herein continuously for one year immediately preceding the application.

(5) To contract for services not under its control for the emergency care, custody, treatment and rehabilitation of alcoholic patients.

(6) To study the advisability of using or establishing a farm or farms for alcoholics.

SEC. 5. The division shall utilize all available and suitable personnel and facilities under the jurisdiction of the department of institutions and endeavor to obtain the services and facilities of personnel skilled in the treatment of alcoholism throughout the state.

Additional facilities authorized.

Proviso.

SEC. 6. The division may acquire additional facilities for the purposes of this chapter by gift, loan, lease, or purchase: *Provided*, That prior to the acquisition of new or additional facilities the division shall conduct a survey of and search for potentially suitable facilities within the state and such survey and search shall include the investigation of federal, state, county, municipal and private facilities that are now or may in the future become available for state acquisition or use in connection with the division's alcoholism program.

Gifts and grants authorized—Moneys deposited in alcoholism account.

SEC. 7. The division may accept or refuse gifts or grants of property of every nature which are given by any federal, state, local or private agency or other source to promote the division's program on alcoholism, and any moneys donated or granted for this purpose shall be deposited into the alcoholism account in the general fund of the state treasury.

Cooperation with other agencies—Scope.

SEC. 8. The division shall cooperate with public and private agencies in its establishment of an alcoholism program and such cooperation may include the acceptance or grant of funds, acceptance or sup-

plying of facilities and personnel and participation in every reasonable manner in promoting public and private programs for the treatment of alcoholism.

SEC. 9. For the purpose of carrying into effect the provisions of this act, the division shall make such regulations not inconsistent with the spirit of this act as it deems necessary or advisable. All regulations so made shall be public records and filed in the office of the secretary of state.

Regulations—
Public records.

SEC. 10. Applications for voluntary admittance to the program on alcoholism shall be made to the division on forms to be provided by the division under such rules and regulations as the division shall prescribe. Such application shall provide for consent to be given by the applicant, or by his guardian if the applicant has been adjudicated incompetent, to detention for the purposes of evaluation, diagnosis or treatment of alcoholism for a period of not less than one hundred and twenty days, if required by the division.

Applications
for voluntary
admittance to
program.

SEC. 11. If the division is satisfied, after examination of the applicant, that he is in need of treatment for alcoholism and will be benefited thereby, the division may admit the applicant to the treatment program for such period of time as the division shall deem necessary for the treatment and rehabilitation of such applicant: *Provided*, That any voluntary patient who personally, or through his legal guardian if the patient has been adjudicated incompetent, makes written demand for release from the program shall be discharged no later than one hundred and twenty days after the date of making such demand.

Approval
necessary for
admittance.

Proviso.

SEC. 12. No officer or employee of the department of institutions shall be liable for the detention of any person voluntarily admitted to the program on alcoholism until the lapse of one hundred and

Liability upon
demand for
release—
When.

twenty days following written demand for release made by the patient or by his legal guardian if the patient has been adjudicated incompetent, and then liability shall be incurred only if it be established that such detention was unreasonable and arbitrary.

Division on alcoholism. Reimbursement for services.

SEC. 13. In respect to any or all items of expense incurred by the division in connection with the referral, examination, evaluation, guidance, or custody of any of its patients, the division, insofar as possible, shall seek to be reimbursed by the patient or persons liable for the support of the patient. The amount charged is to be in accordance with the schedule of charges made by other private or public institutions. The division may accept part payment in cases where there is satisfactory evidence that full payment cannot be paid; the division may accept any portion that can be paid and the balance arranged in payments when the patient is rehabilitated. The division is to pay such charges incurred and authorized by the division for the care of the patient: *Provided*, That this act shall not interfere with the right of licensed private physicians, hospitals and sanatoria to enter into contracts with patients for the treatment of alcoholism respecting conditions, terms and compensation for such services.

Proviso.

Unpaid charges enforceable in action at law.

SEC. 14. Collection of unpaid charges shall be enforceable by the state, through the department of institutions, by an action at law to be tried in the superior court of the county wherein the patient maintains his residence. All such charges and all collections by the division under this act shall be deposited into the alcoholism account in the general fund of the state treasury.

Admission not determined by financial ability.

SEC. 15. The division shall not refuse admission for diagnosis, evaluation, guidance or treatment to any applicant because it is determined that the applicant is financially unable to contribute fully or in

part to the cost of any services or facilities available under the program on alcoholism.

SEC. 16. There is established in the general fund of the state treasury an alcoholism account. Alcoholism account established.

SEC. 17. There is appropriated from the state liquor revolving fund to the division the sum of two hundred fifty thousand dollars for the biennium July 1, 1957 to June 30, 1959, or so much thereof as may be necessary to carry out the provisions of this act. Appropriation.

SEC. 18. No disbursements shall be made from the alcoholism account in the general fund of the state treasury in excess of the balance of such account. Disbursements contingent on account balance.

SEC. 19. The division, through the department of institutions, shall submit a concise, mimeographed report of its activities and recommendations to the governor and the legislature on or before January 1, 1959. Reports of division.

SEC. 20. If any provision of this act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end any section, sentence, or word is declared to be severable. Severability.

SEC. 21. Sections 21, 22, 23 and 24, chapter 198, Laws of 1949 and RCW 71.12.170 through 71.12.200 are each repealed. Repeal.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 20, 1957.