

CHAPTER 85.

[S. B. 276.]

ALCOHOLISM.

AN Act relating to intoxicating liquors and alcoholism and transferring from the department of institutions to the department of health powers and duties relating thereto; creating a new chapter in Title 70 RCW; repealing sections 72.03.010 through 72.03.170, chapter 28, Laws of 1959, and RCW 72.03.010 through 72.03.170.

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

SECTION 1. The purpose of this act is to establish a state-wide 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 program on alcoholism within the state department of health. The department shall coordinate the efforts of all affected state, county and local agencies; stimulate and develop educational and preventive programs, and promote the establishment of constructive agencies for such educational, preventive or referral programs and for the establishment and development of constructive agencies for treatment, rehabilitation and re-establishment in society of persons suffering from alcoholism or addicted to the use of alcoholic beverages.

Purpose.

SEC. 2. As used in this act:

Definitions

(1) "Department" means the state department of health.

"Department."

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

"Alcoholism."

(3) "Problem drinkers" are any drinkers of intoxicating liquors who indulge in drinking which in its extent habitually goes beyond the traditional and

"Problem drinkers."

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.

"Patients."

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

Programs established.

SEC. 3. The state department of health shall establish a research, educational and treatment program for the rehabilitation of alcoholics and, for the purposes of this act, a treatment program includes both residential and outpatient facilities and services.

Powers and duties.

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

(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, treatment and rehabili-

tation, insofar as funds permit, any resident of the state, coming to the department of his own volition or applying through his legal guardian if the applicant has been adjudicated incompetent, or to contract for any and all of these services. Resident, as used in this subdivision, means a person who has resided within the state continuously for one year immediately preceding the application.

Resident defined.

(5) To contract for services not under its control for the guidance, referral, emergency care, custody, treatment or rehabilitation of problem drinkers or alcoholic patients.

(6) To establish institutions, farms, or homes for alcoholics, or to contract for the services or use of existing institutions, farms, or homes for alcoholics or problem drinkers.

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

Personnel.

SEC. 6. The department may, with the approval of the governor or his designated representative, acquire additional facilities for the purposes of this act by gift, loan, lease, or purchase: *Provided*, That prior to the acquisition of new or additional facilities the department 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 department's alcoholism program.

Additional facilities authorized.

SEC. 7. The department 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 department's

Gifts or grants.

program on alcoholism, and any moneys donated or granted for this purpose shall be deposited in the general fund of the state treasury.

Cooperation
with other
agencies.

SEC. 8. The department 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 supplying of facilities and personnel and participation in every reasonable manner in promoting public and private programs for the treatment of alcoholism.

Regulations—
Public
records.

SEC. 9. For the purpose of carrying into effect the provisions of this act, the state board of health 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.

Voluntary
admittance—
Application
for.

SEC. 10. Applications for voluntary admittance to the program on alcoholism shall be made to the department on forms to be provided by the department under such rules and regulations as the state board of health 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 department.

Admittance—
Release on
demand.

SEC. 11. If the department is satisfied, after examination of the applicant, that he is in need of treatment for alcoholism and will be benefited thereby, the department may admit the applicant to the treatment program for such period of time as the department 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.

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

Liability for detention, voluntary patients, when.

SEC. 13. In respect to any or all items of expense incurred by the department in connection with the referral, examination, evaluation, guidance, or custody of any of its patients, the department, 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 department may accept part payment in cases where there is satisfactory evidence that full payment cannot be paid; the department may accept any portion that can be paid and the balance arranged in payments when the patient is rehabilitated. The department is to pay such charges incurred 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 compensations for such services.

Expenses—Reimbursement in whole or part.

SEC. 14. Collection of unpaid charges shall be enforceable by the state, through the department of

Collection of unpaid charges—Disposition.

health, 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 department under this act shall be deposited in the general fund of the state treasury.

Financial
responsibility
unnecessary.

SEC. 15. The department 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.

Severability.

SEC. 16. 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.

Transfer
directed.

SEC. 17. The director of institutions is hereby authorized and directed to transfer to the department of health all books, documents, records, papers, files, furniture, cabinets, equipment, materials, and supplies now belonging to and used by the division on alcoholism of the department of institutions.

New chapter.

SEC. 18. Sections 1 through 17 shall constitute a new chapter in Title 70 RCW.

Repeal.

SEC. 19. Sections 72.03.010 through 72.03.170, chapter 28, Laws of 1959, and RCW 72.03.010 through 72.03.170 are each hereby repealed.

Passed the Senate February 17, 1959.

Passed the House March 3, 1959.

Approved by the Governor March 6, 1959.