

HOUSE BILL No. 2384

By Committee on Health and Human Services

2-12

1 AN ACT concerning health and healthcare; relating to the department of
2 health and environment; establishing the advisory committee on harm
3 reduction; prescribing membership and duties thereof.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) There is hereby created the advisory committee on
7 harm reduction within the division of public health of the department of
8 health and environment. The purpose of this committee shall be to develop
9 recommendations and advise the department of health and environment on
10 matters related to the establishment, maintenance and operation of
11 programs designed to reduce incidents of harm to individuals in the state,
12 including reducing the occurrence of infectious disease, a pandemic
13 disease or an epidemic disease. The committee shall also evaluate
14 initiatives designed to reduce incidents of harm to individuals in the state
15 and ensure that comprehensive and accurate information and education
16 about harm reduction is available to the public, healthcare providers and
17 healthcare facilities in the state.

18 (b) The council shall consist of not fewer than 11 members, all
19 citizens and residents of the state of Kansas, appointed not later than
20 October 1, 2021. The members shall be appointed as follows:

21 (1) The secretary of health and environment shall appoint: Two public
22 health specialists; the state epidemiologist; one representative from law
23 enforcement; one representative from a public health department; one
24 physician licensed to practice medicine and surgery or osteopathy; one
25 pharmacist; one mental health provider; and one substance use disorder
26 treatment provider;

27 (2) the speaker of the house of representatives shall appoint one
28 member; and

29 (3) the president of the senate shall appoint one member.

30 (c) Members of the advisory committee on harm reduction shall serve
31 for a term of three years and until a successor is appointed. If a vacancy
32 occurs on the advisory committee, the appointing authority for the position
33 that has become vacant shall appoint an individual with like qualifications
34 to fill the vacant position for the unexpired term.

35 (d) The advisory committee shall meet quarterly and at the call of the
36 chairperson or at the request of a majority of the members. At the first

1 meeting of the advisory committee, and at the first meeting after July 1 of
2 each year, the members shall elect a chairperson and vice chairperson who
3 shall serve for terms of one year. The vice chairperson shall exercise all the
4 powers of the chairperson in the chairperson's absence.

5 (e) Members of the advisory committee on harm reduction shall serve
6 without compensation but shall be reimbursed for their actual and
7 necessary expenses incurred in the performance of their duties, pursuant to
8 K.S.A. 75-3223(c) and (d), and amendments thereto.

9 (f) (1) Any meeting of the advisory committee, or any part of a
10 meeting of the advisory committee, during a review of a case in which an
11 individual may be identified shall be conducted in closed session. The
12 advisory committee and officers of the advisory committee, when acting in
13 their official capacity in considering incidents of harm and harm reduction,
14 shall constitute a peer review committee and peer review officers for the
15 purposes of K.S.A. 65-4915, and amendments thereto.

16 (2) The advisory committee or an officer thereof may advise, report
17 to and discuss activities, information and recommendations of the advisory
18 committee that relate to harm reduction with the secretary of health and
19 environment without waiver of the privilege pursuant to this subsection
20 and K.S.A. 65-4915, and amendments thereto, and the records of the
21 advisory committee or officer that are privileged under this subsection and
22 K.S.A. 65-4915, and amendments thereto, shall remain privileged.

23 (3) The provisions of this subsection providing for the confidentiality
24 of public records shall expire on July 1, 2026, unless the legislature
25 reviews and continues such provisions in accordance with K.S.A. 45-229,
26 and amendments thereto, prior to July 1, 2026.

27 (g) The provisions of this section shall expire on July 1, 2026.

28 Sec. 2. This act shall take effect and be in force from and after its
29 publication in the statute book.