AN ACT concerning health and healthcare; relating to the department of health and environment; establishing the advisory committee on harm reduction.

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

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

(b) The council shall consist of not fewer than 11 members, all citizens and residents of the state of Kansas, appointed not later than October 1, 2020. The members shall be appointed as follows:

1. The secretary of health and environment shall appoint: Two public health specialists; the state epidemiologist; one representative from law enforcement; one representative from a public health department; one physician licensed to practice medicine and surgery or osteopathy; one pharmacist; one mental health provider; and one substance use disorder treatment provider; and
2. the speaker of the house of representatives shall appoint one member; and
3. the president of the senate shall appoint one member.

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

(d) The advisory committee shall meet quarterly and at the call of the chairperson or at the request of a majority of the members. At the first
meeting of the advisory committee, and at the first meeting after July 1 of each year, the members shall elect a chairperson and vice-chairperson who shall serve for terms of one year. The vice-chairperson shall exercise all the powers of the chairperson in the chairperson's absence.

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

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

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

(3) The provisions of this subsection providing for the confidentiality of public records shall expire on July 1, 2025 unless the legislature reviews and continues such provisions in accordance with K.S.A. 45-229, and amendments thereto.

(g) The provisions of this section shall expire on July 1, 2025, unless the legislature reviews and reenacts these provisions prior to July 1, 2025.

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