

ESB 5476 - H AMD TO APP COMM AMD (H-1622.1/21) **755**

By Representative Maycumber

OUT OF ORDER 04/24/2021

1 On page 53, line 8 of the striking amendment, after "2023" insert
2 ", unless notice as described in Section 31 of this act has not been
3 provided by that date, in which case these sections do not expire
4 until such notice is provided"

5
6 On page 53, line 9 of the striking amendment, after "**Sec. 31.**"
7 strike all material through "2023" on line 10 and insert "(1) Except
8 as provided in subsection (3) of this section, sections 13 through 17,
9 20, and 25 of this act take effect upon the director of the health
10 care authority providing notice to the chief clerk of the house of
11 representatives, the secretary of the senate, the office of the code
12 reviser, and others as deemed appropriate by the director that the
13 director has received confirmation of the criteria outlined in
14 subsection (2) of this section.

15 (2) The director of the health care authority shall provide
16 written notice as described in subsection (1) of this section once the
17 director has received confirmation from all behavioral health services
18 organizations that an adequate supply of behavioral health providers
19 and a sufficient behavioral health treatment services capacity exists
20 within their respective regions to meet the requirements of this act.

21 (3) If notice as described in subsection (1) occurs prior to July
22 1, 2023, sections 13 through 17, 20, and 25 of this act take effect on
23 July 1, 2023"

EFFECT: Makes the expiration of misdemeanor penalties for
possession of a controlled substance, possession of a counterfeit
substance, and possession of a legend drug, and the effective date
of provisions reclassifying those offenses as class 2 civil
infractions, contingent upon notice from the Health Care Authority

that there is an adequate supply of behavioral health providers and that sufficient behavioral health treatment services capacity exists to meet the requirements of the act.

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