

533.278 Treatment -- Case management.

- (1) Upon initiation of treatment, the designated behavioral health treatment provider may assign a case manager in accordance with criteria established by the Cabinet of Health and Family Services in administrative regulations promulgated under KRS Chapter 13A. The case manager, or the treatment provider if no case manager has been assigned, shall notify the Office of Adult Education within the Department of Workforce Development of the Education and Labor Cabinet of the individual's participation in a behavioral health conditional dismissal program.
- (2) Any assigned case manager, working in collaboration with the individual referred for treatment and the treatment team and provider, or the treatment provider if there is no case manager, shall:
 - (a) Obtain all releases from the individual served that may be required to confirm compliance with the program requirements;
 - (b) Coordinate all services and testing required under the program, including transportation if needed and available;
 - (c) Receive and maintain copies of all necessary documentation to ensure compliance with the program requirements, including but not limited to:
 1. Treatment records;
 2. Drug tests;
 3. Educational assessments and advancements, if applicable;
 4. Employment status and employment training;
 5. Community service, if applicable; and
 6. Housing status;
 - (d) Meet or conference with providers of any program requirements on a regular basis to address the participant's progress, including restitution, and any required adjustment that may be needed to the participant's program; and
 - (e) Provide periodic progress reports to the attorney for the Commonwealth and the attorney for the participant according to the following schedule:
 1. An initial report within fourteen (14) days of the initiation of treatment;
 2. A follow-up report within twenty-eight (28) days after submission of the initial fourteen (14) day report;
 3. Subsequent reports on a quarterly basis throughout the course of treatment beginning April 15, 2023, with reports due thereafter on January 15, April 15, July 15, and October 15 of each year of the participation in the pilot program; and
 4. A final report within thirty (30) days of the successful completion of the program.
- (3) Any assigned case manager, treatment provider, or member of the treatment team, is encouraged to:
 - (a) Utilize digital notification or reminder services for participants throughout the treatment program period; and

- (b) If digital services under paragraph (a) of this subsection are utilized, include in each quarterly report required under subsection (2)(e) of this section the following data:
 - 1. The number of participants;
 - 2. The type of digital services provided;
 - 3. The costs of providing the digital services;
 - 4. Health and social outcomes from the use of the digital services; and
 - 5. Any other information pertaining to outcomes related to the use of the digital services.
- (4) The treatment provider shall:
 - (a) Recommend modifications to the treatment program to the attorney for the Commonwealth, and the attorney for the participant;
 - (b) Review the individual's progress and recommend continued participation in the program or dismissal from the program due to an inability or unwillingness to meet the terms and conditions of the program;
 - (c) Immediately report dismissal from the treatment program based upon lack of compliance with the terms and conditions of the program to the attorney for the Commonwealth, the court, and the attorney for the participant; and
 - (d) Advise the attorney for the Commonwealth, the court, the attorney for the participant, and the victim, if there is an identified victim, of the participant's successful completion of the program requirements.

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History: Created 2022 Ky. Acts ch. 230, sec. 5, effective July 14, 2022.

Legislative Research Commission Note (7/14/2022). 2022 Senate Bill 180 (2022 Ky. Acts ch. 236) merged the Education and Workforce Development Cabinet and the Labor Cabinet into the Education and Labor Cabinet. Under the authority of KRS 7.136(2), the Reviser of Statutes has removed references to the Education and Workforce Development Cabinet and Department of Workforce Investment and inserted the Education and Labor Cabinet and Department of Workforce Development, respectively.