

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 70.—Nondiscrimination on the Basis of Disability by Public Accommodations

21-70-51. Illegal use of drugs.

(a) Except as provided in paragraph (c)(2), the act and these regulations shall not be construed as prohibiting discrimination against an individual based on that individual's current illegal use of drugs.

(b) A public accommodation shall not discriminate on the basis of illegal use of drugs against an individual who is not engaging in current illegal use of drugs and who:

(1) has successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully;

(2) is currently participating in a supervised rehabilitation program; or

(3) is erroneously regarded as engaging in such use.

(c) (1) A public accommodation shall not deny health services, or services provided in connection with drug rehabilitation, to an individual on the basis of that individual's current illegal use of drugs, if the individual is otherwise entitled to such services.

(2) Any drug rehabilitation or treatment program may deny participation to individuals who engage in the illegal use of drugs while they are in the program.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009; effective Dec. 19, 1994.)

***** Authenticated Kansas Administrative Regulation *****