

Kansas Administrative Regulations

Department of Corrections

Article 11.—Community Corrections

44-11-134. Urinalysis tests for controlled substances.

(a) Community corrections programs operating urinalysis testing equipment may seek exemption from department of health and environment requirements by making application for exemption to the secretary of corrections. Programs shall be required to document all testing procedures, the training of the personnel collecting the test samples, the training of the personnel operating the equipment, and a summary of their record keeping procedures. If the documentation review is found to be satisfactory, a designee of the secretary may personally inspect the testing site. If approval for exemption is granted, it shall be limited to approval for the test results to be used for management purposes only. Management decisions which can appropriately be based on these test results include:

- (1) Changes in levels of supervision;
- (2) movement from intensive supervised probation to house arrest or residential services;
- (3) imposition of community service sanctions; and
- (4) requirement to participate in treatment.

(b) Test results shall not be considered sufficient for purposes of revocation which result in commitment to the custody of the secretary of corrections. Urinalysis test results used for such purposes must be performed by a laboratory approved by the secretary of health and environment.

(Authorized by K.S.A. 75-5294, 75-5296, as amended by L. 1989, ch. 92; implementing K.S.A. 1988 Supp. 65-1,108, as amended by L. 1989, ch. 92; effective March 5, 1990.)

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