

TITLE 37
FOOD, DRUGS, AND OIL

CHAPTER 31
NARCOTIC DRUGS -- TREATMENT OF ADDICTS

37-3101. DEFINITIONS. For the purposes of this act, unless the context clearly indicates a contrary intent:

1. "Physician" means a person licensed to practice medicine or surgery in this state as provided for under [chapter 18, title 54](#), Idaho Code.

2. "Hospital" means a public or private institution licensed pursuant to the laws of this state as provided for under [chapter 13, title 39](#), Idaho Code.

3. "Drug" means a narcotic or hallucinogenic drug as defined in sections [37-2702](#), [37-2703](#), and subsection (c) of section [37-3301](#), Idaho Code.

[37-3101, added 1971, ch. 340, sec. 1, p. 1325.]

37-3102. REQUEST FOR TREATMENT AND REHABILITATION -- INFORMATION CONFIDENTIAL. A person may request treatment and rehabilitation for addiction or dependency to any drug, as defined in section [37-3101](#), from a physician qualified to administer such treatment under the provisions of this act; and such physician or any employee or person acting under his direction or supervision shall not report or disclose the name of such person or the fact that treatment was requested or has been undertaken to any law enforcement officer or agency; nor shall such information be admissible as evidence in any court, grand jury, or administrative proceeding unless authorized by the person seeking treatment. A physician may undertake the treatment and rehabilitation of such person or refer such person to another physician or hospital for such purpose. If the person seeking such treatment or rehabilitation is sixteen (16) years of age or older, the fact that such person sought treatment or rehabilitation for such drug addiction or dependency, or that he is receiving such treatment or rehabilitation service, shall not be reported or disclosed to the parents or legal guardian of such person without his consent, and such person who may give legal consent to receive such treatment and rehabilitation under the provisions of this act shall be counseled as to the benefits of involving his parents or legal guardian in his treatment or rehabilitation.

[37-3102, added 1971, ch. 340, sec. 2, p. 1325; am. 1972, ch. 149, sec. 1, p. 323.]

37-3103. TREATMENT OR REHABILITATION -- PROCEDURES. A person seeking treatment or rehabilitation for drug addiction or dependency shall first be examined and evaluated by a physician. Such a physician shall prescribe a proper course of treatment and medication, if needed. The treating physician may further prescribe a course of treatment or rehabilitation and authorize another physician or hospital to provide the prescribed treatment or rehabilitation services. Treatment or rehabilitation services may be provided to a person individually or in a group. Any hospital participating in such treatment or rehabilitation shall not report or disclose to a law enforcement officer or agency the name of any person receiving or engaging in such treatment or rehabilitation, nor shall any person receiving or participating in such treatment or rehabilitation report or disclose the name of any

other person engaged in or receiving such treatment or rehabilitation, or that such a program is in existence, to a law enforcement officer or agency. However, any person engaged in or receiving such treatment or rehabilitation may authorize the disclosure of his name and individual participation.

[37-3103, added 1971, ch. 340, sec. 3, p. 1325.]

37-3104. USE OF DRUGS BY PHYSICIAN IN TREATMENT. A physician may use any drug or medicine which shall be authorized or released by a federal agency or authority with jurisdiction to so act; providing that the physician adheres to the criterion for the use of such drug or medicine as established by the federal agency or authority with jurisdiction to so act. Such drug or medicine may be used to treat any person addicted to or dependent on drugs as the physician or hospital deems appropriate, subject to the provisions of this act.

[37-3104, added 1971, ch. 340, sec. 4, p. 1325.]

37-3105. REPORTS -- FORM. Every physician that provides treatment or rehabilitation services to a person addicted to or dependent upon drugs shall each quarter of every year, commencing July 1, 1971, make a statistical report to the director of the department of health and welfare or his designee in such form and manner as the director of the department of health and welfare shall prescribe for each such person treated or to whom rehabilitation services were provided during the preceding quarter. The form of the report prescribed shall be furnished by the director of the department of health and welfare and be so designated that a carbon copy shall be sent quarterly to the director of the Idaho state police and the state board of pharmacy; the report shall include the doctor's signature. The name or address of any person treated or to whom rehabilitation services were provided shall not be reported.

[37-3105, added 1971, ch. 340, sec. 5, p. 1325; am. 1981, ch. 114, sec. 5, p. 173; am. 2000, ch. 469, sec. 94, p. 1548.]

CHAPTER 32
LEGEND DRUG CODE IMPRINT -- [REPEALED]