

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

966



FROM: Department of Mental Health

SUBMITTAL DATE:
June 30, 2014

SUBJECT: Approval of the Substance Abuse Driving Under the Influence (DUI) and the Drug Diversion Program (DDP) Standards for the Blythe Substance Abuse Clinic. (District 4), [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Certification of the Department of Mental Health (DMH) Substance Abuse DUI, and PC1000 Deferred Entry of Judgment (DEJ) programs operated in the City of Blythe, Riverside County, and
2. Approve the Program Standards as described in Exhibit A.

BACKGROUND:

Summary

The mission of the DMH, Substance Abuse DUI program is to provide treatment and recovery resources to encourage individuals convicted of driving under the influence of alcohol to abstain from driving after drinking, promoting the health and safety of the drinking driver and the well being of society.

(Continued on Page 2)

JW:kjr

Jerry Wengerd

Jerry Wengerd, Director
Department of Mental Health

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ -0-	\$ -0-	\$ -0-	\$ -0-	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ -0-	\$ -0-	\$ -0-	\$ -0-	

SOURCE OF FUNDS: N/A	Budget Adjustment: No
	For Fiscal Year: 14/15

C.E.O. RECOMMENDATION:

APPROVE

BY: *Jennifer L. Sargent*

Jennifer L. Sargent

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: July 15, 2014
 xc: Mental Health

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*

Deputy

Prev. Agn. Ref.: | District: 4 | Agenda Number:

3-46

FORM APPROVED COUNTY CLERK
BY: LESLIE E. MURAD II
DATE: 7/2/14
Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approval of the Substance Abuse Driving Under the Influence (DUI) and the Drug Diversion
Program (DDP) Standards for the Blythe Substance Abuse Clinic. (District 4) [\$0]**

DATE: June 30, 2014

PAGE: 2 of 3

BACKGROUND:

Summary (continued)

The DUI program was developed to implement PC1000, DEJ, Assembly Bill (AB) 541, and Senate Bill (SB) 38. AB 541 became effective January 1982, and provides that a person convicted for a first time DUI may be granted probation on the condition that he/she participates in, and successfully completes, an alcohol and drug education and counseling program designated by the Court. SB 38, effective January 1978, provided that a person convicted of DUI for a second time in a seven year period may be granted probation on the condition that they participate in, and successfully complete, a State/County approved 12 month program of counseling and education.

Due to the demographic location and the strict standards and laws applicable to convicted DUI offenders, it is not feasible that the clients located in Blythe drive 90 miles one way to the nearest DUI services, which are located in Indio. It has been determined that the current Substance Abuse staff can begin to provide the DUI services in Blythe. Board of Supervisors approval is required for DMH to submit to DHCS the application for licensure to provide DUI services. Therefore, DMH is requesting approval of certification to provide such services, and approval of the Program Standards as described in Exhibit A.

Addiction Counseling and Education, Inc. (ACE, Inc.) has been operating the Blythe program since November 1, 2003, but has notified DMH that they do not intend to renew their license with the State and will no longer be providing DUI and PC1000, DEJ services in Blythe after June 30, 2014.

Exhibit A details the Program Standards. These standards adhere to the guidelines established in accordance with Health & Safety Code, Chapter 9, Section 11836 – 11838.11, PC1000, SB1176, AB541, AB1353, and SB38. Board of Supervisors approval is required as follows:

- SB 1176 (g) "This section is not operative in a county until the board of supervisors, by resolution adopted by majority vote, makes this section applicable in the county".
- AB1353 (2005) Chapter 164 "If the court grants probation to any person punished for driving under the influence of alcohol or drugs or for driving under the influence of alcohol or drugs and causing bodily injury to another person, and if the county board of supervisors has approved, and the State Department of Alcohol and Drug Programs has licensed, an alcohol and other drug education and counseling program, in addition to other terms and conditions imposed by the court, existing law requires the court to require as a condition of probation that the driver enroll and participate in, and successfully complete, a driving-under-the-influence program".

Impact on Citizens and Businesses

DUI and PC1000 DEJ services will be provided locally for citizens in Blythe. These services are a component of the Department's system of care aimed at improving the health and safety of Substance Abuse consumers and the community.

SUPPLEMENTAL:

Contract History and Price Reasonableness

This program is fully funded by DUI client fees and there is no county cost.

Exhibit A

The effective date of these Standards shall be determined by the County of Riverside ("County"), but shall take effect no later than July 1, 2014. These Standards apply to the County, Drinking Driver Program (DDP), certified by the County Program Administrator, and participants receiving services from these programs.

County Responsibilities:

- 1) Collect program participant data and program financial information to monitor program performance and compliance standards.
- 2) Establish a mechanism to reimburse, from participant program fees, County costs which are incurred pursuant to these standards.
- 3) Ensure program quality for all participants.
- 4) Obtain a list of all currently enrolled participants from the current contractor, Addiction Counseling and Education, Inc. ("ACE"), including names, addresses, birth dates and referring court. The County shall take possession of the list of participants and then notify them of the change. Participants will receive credit for all services received prior to the transfer; any money paid for services not received will be refunded immediately by ACE.
- 5) Participants will continue to pay the fee charged when originally enrolled. Upon reporting to the County program participants will sign new contracts.

Program Standards:

- **Wet & Reckless (SB1176)** A Wet & Reckless conviction is less than a Driving Under the Influence ("DUI") charge. Convicted of driving with a measurable amount of alcohol in individual's blood of less than .08. Complete a 12 hour education program.
 - 6 weeks of education, 2 hours each
- **First Offender (AB541)** Convicted of a first DUI within 10 years, blood alcohol content of 0.08-0.20. Complete a 30 hour alcohol and drug education and counseling program. The program duration is 3 – 4 months.
 - 18 hours of group counseling
 - 12 hours of education
 - 3 individual face-to-face sessions
- **First Offender (AB1353)** Convicted of a first DUI within 10 years, blood alcohol content of 0.20 or higher. Complete a 60 hour alcohol and drug education and counseling program. The program duration is 9 months.
 - 44hours of group counseling
 - 12 hours of education
 - 22 individual face-to-face sessions
- **Second Offender (SB38)** Convicted of DUI two or more times within 10 years, with a blood alcohol content of 0.20 or higher. Complete an 18 month multiple offender program. This program requires:
 - 52 hours of group counseling;
 - 12 hours of alcohol and drug education;
 - 6 hours of community reentry monitoring; and
 - Bi-weekly individual interviews during the first 12 months of the program.