

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



ITEM: 3.25  
(ID # 24516)

**MEETING DATE:**  
Tuesday, March 19, 2024

**FROM :** RUHS-BEHAVIORAL HEALTH:

**SUBJECT:** RIVERSIDE UNIVERSITY HEALTH SYSTEM - BEHAVIORAL HEALTH: Approve and Recommend A Better Community (ABC), as a DUI provider of First and Multiple Offender DUI Services in the County of Riverside, All Districts. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve and Recommend A Better Community (ABC), as a DUI provider of First and Multiple Offender DUI Services in the County of Riverside

**ACTION:**Policy


  
Matthew Chang, Director 3/12/2024

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington and Gutierrez  
Nays: None  
Absent: Perez  
Date: March 19, 2024  
xc: RUHS-BH

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 23/24</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

As part of its mission, Riverside University Health System - Behavioral Health (RUHS-BH) Substance Abuse Prevention & Treatment Program provides treatment and recovery resources for individuals convicted of driving under the influence of alcohol and other drugs to abstain from driving while impaired and promoting health and safety of the individual and the well-being of society.

The Driving Under the Influence (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 a DUI for the 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 eighteen-month program of counseling and education.

In November 2023 RUHS-BH conducted the annual countywide DUI Needs Assessment, which indicated that the closure of Community Settlement Association would leave a gap in services for the immediate area, and that another State Licensed DUI provider would need to take its place in the western region of the County. A Better Community (ABC) DUI provider has offered to fill this gap by opening a program in Corona. Therefore RUHS-BH SAPT IDP is recommending that the Riverside County Board of Supervisors provide a recommendation to DHCS Substance Use Disorder Division, that ABC is licensed as a First Offender and Multiple Offender DUI provider of services in Riverside County.

**Impact on Citizens and Businesses**

These services are a component of Behavioral Health's system of care aimed at improving the health and safety of consumers and the community.

**Contract History and Price Reasonableness**

This program is fully funded by DUI client fees and there are no County funds required. There is no cost associated with this approval and recommendation.

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Attachment

Attachment A. 2024 DUI Needs Assessment

*Jacqueline Ruiz*  
Jacqueline Ruiz, Principal Analyst 3/14/2024

*Gregg Gu*  
Gregg Gu, Chief Deputy County Counsel 3/14/2024



## **Impaired Driver Program DUI Needs Assessment for January 2024**

### **Introduction**

Riverside University Health System - Behavioral Health (RUHS-BH) Substance Abuse Prevention and Treatment (SAPT) Impaired Driver Program (hereinafter "RUHS-BH SAPT IDP") completed a countywide driving under the influence (DUI) Needs Assessment in response to an increase of inquiries for becoming a Licensed DUI Provider in Riverside County. The Needs Assessment was conducted during October and November of 2023. Data was collected from Riverside County Business and Community Services Department and the 2019 California Department of Motor Vehicles (DMV) Management Information System (MIS) Report. All data is the most current information available.

### **Regulatory Requirements**

DUI program operations are regulated by Title 9 California Code of Regulations, Chapter 3: Programs for Alcohol and Drug-Impaired Drivers (Title 9). Title 9 incorporates Health and Safety Code(s) and Vehicle Code(s), and issues the regulatory requirements for California Department of Health Care Services (DHCS), counties, and DUI program providers.

Title 9 requires a license to be issued by DHCS prior to the operation of a DUI program. The requirements for obtaining a license include a Riverside County Board of Supervisors' resolution or minute order that recommends licensure. Title 9, §9801.5 states the County Board of Supervisors shall review, at its option, any new applications for licensure and forward all applications recommended for licensure through the county alcohol and drug program (RUHS-BH SAPT). As part of the recommendation, in accordance with Section 9805, the County Board of Supervisors shall include a statement assuring there is a need for a new DUI program in the county and assuring that the establishment of an additional DUI program will not jeopardize the fiscal integrity of existing licensed DUI programs.

RUHS-BH SAPT IDP, in accordance with California Code of Regulations Title 9, §9805, has conducted a Needs Assessment based on objective measurable criteria to include:

1. Increased population in the County as a whole.
2. Increased DUI arrests and convictions.
3. Access to services for participants located in areas where services are not accessible based on extensive distance, or where service capacity is reached.
4. Caseload review and impact on other surrounding DUI providers.

In addition to the above criteria, RUHS-BH SAPT IDP assessed the current need on the following:

1. Access to services for participants located in the county using the "extensive distance" test of more than ten (10) miles.

2. Access to services for participants where the current DUI licensed providers have reached service capacity.
3. Availability for the consumer to access any of the State Licensed DUI providers of their choice.
4. Provider caseload and impact on other surrounding DUI providers.

**Criteria One: Increased Population in the County**

RUHS-BH SAPT IDP evaluated the population of Riverside County. This table is based on the latest population data available.

<b>Western Region</b>	<b>2020</b>	<b>2021</b>	<b>Growth Amount</b>
Corona	156,637	157,182	545
Riverside	316,307	309,598	-6,709
Norco	26,659	24,680	-1,979
Moreno Valley	208,237	208,387	150
<b>Western Total</b>	<b>707,840</b>	<b>699,847</b>	<b>-7993</b>
<b>Mid County</b>	<b>2020</b>	<b>2021</b>	<b>Growth Amount</b>
Hemet	89,325	89,302	-23
Canyon Lake	11,069	11,082	18
Lake Elsinore	70,572	71,225	653
Murrieta	110,702	111,024	322
Perris	78,614	78,867	253
San Jacinto	53,835	54,186	351
Temecula	109,820	109,881	61
<b>Mid County Total</b>	<b>523,937</b>	<b>525,567</b>	<b>1,630</b>
<b>Desert</b>	<b>2020</b>	<b>2021</b>	<b>Growth Amount</b>
Banning	30,621	30,592	-29
Beaumont	53,318	53,945	627
Blythe	18,586	17,376	-1,210
Calimesa	10,028	10,588	560
Cathedral City	51,356	51,599	243
Coachella	41,900	41,931	31
Desert Hot Springs	32,415	32,457	42
La Quinta	37,504	37,727	223
Indian Wells	4,759	4,791	32
Palm Desert	50,696	50,683	-13
Palm Springs	44,206	44,312	106
Rancho Mirage	16,588	16,692	104
Indio	88,795	89,303	508
<b>Desert Total</b>	<b>480,772</b>	<b>481,996</b>	<b>1,224</b>

The data indicates an estimated small increase in the population countywide between 2020 and 2021, specifically in the Mid-County and Desert regions over a two (2) year period.

**Criteria Two: DUI Convictions**

Through caseload review, RUHS-BH SAPT IDP saw a drop in DUI referrals in FY 2020/2021 and 2021/2022. However, in FY 2022/2023 DUI referrals increased to higher levels than pre-pandemic enrollment in FY 2019/2020, which may be related to the COVID-19 stay-at-home orders being lifted in Riverside County during in FY 22/23.

- **FY19/20 = 4257**
- **FY20/21 = 1785**
- **FY21/22 = 439**
- **FY22/23 = 4503**

**Criteria Three: Voluntary De-Licensure of Existing Programs**

RUHS-BH SAPT IDP meets the service needs of DUI participants by the licensure of 15 DUI providers. The providers are located throughout all geographic areas of the County. RUHS-BH SAPT IDP ensures that remote areas are covered to include the high desert and low desert regions. Two (2) voluntary de-licensures of DUI providers occurred in Riverside County, the ACE Programs Management located in Beaumont in February of 2021 and Community Settlement Associations on July 31, 2023.

RUHS-BH SAPT IDP has experienced negative implications due to the voluntary de-licensure of Community Settlement Associations' Riverside location. There is a current need for a DUI program to replace Community Settlement Associations.

**Criteria Four: An identified Demographic Segment or Population of the County that is not Served by Existing Licensed Programs**

All DUI certified providers offer a curriculum that is absent from biases to age and gender. DUI providers do not refuse services based on race or ethnicity and accommodate language preferences, with all programs capable of providing services in the threshold language of Spanish. When other language preferences are requested, the DUI program accommodates the participant by procuring an interpreter at no added expense to the participant, or allows the participant to provide an interpreter who meets State standards (an adult who signs proper documentation).

All licensed DUI providers are required to provide services without regard to gender, race, ethnicity, religious preference, language needs, sexual orientation, and/or physical, emotional, or psychological challenges. RUHS-BH SAPT IDP is utilized for participant grievances, including those grievances based on inability to serve the needs of the DUI participant. Since 2000 no grievances have been filed based on DUI provider's inability or unwillingness to provide services for all identified populations.

In summary, the DUI providers are currently serving all demographic segments and populations.

**Criteria Five: Access to Services for Participants Located in Areas Where Services are not Accessible Based on Extensive Distance or Where Service Capacity is Reached**

RUHS-BH SAPT IDP examined the need for additional DUI programs by utilizing the "extensive distance" test. This test, incorporated in Title 9, applies to providers requesting a satellite location as an extension of their existing program. The test requires a distance of at least 10 miles between a DUI provider and a satellite location for the protection of the fiscal integrity of existing DUI programs.

On November 07, 2018, the Board of Supervisors made a recommendation to DHCS to fully license RUHS-BH's remaining first offender DUI providers to provide first offender and multiple offender services in the County of Riverside. By making this recommendation, it reduced the risk

of consumers violating court orders by driving on a suspended license due to a lack of services within their immediate community. It is determined that Riverside County is not fully served for first offender and multiple offender providers based on the voluntary de-licensure of Community Settlement Associations.

In March of 2020, the State of California implemented the stay-at-home order for all non-essential services due to the COVID-19 pandemic. The risk for exposure and increased rate of infection caused several local DUI providers to temporarily shut down to be compliant with the State directives. The State closed local superior courts and halted court proceedings from March through July 2020 leading to a significant decrease in DUI enrollments.

In April of 2020, DHCS authorized the temporary use of telehealth services for the remainder of the COVID-19 pandemic, and at the time of this analysis is still allowing its use. However, the DUI program's capacity has yet to fully return to in-person services and some providers are still utilizing telehealth services, on a limited basis, as the goal is to return to in-person services at 100 percent capacity.

### **Conclusion**

The countywide DUI needs assessment resulted in the following findings:

1. The population experienced a minor growth from 2020 to 2021, services are being provided in the same manner as they were prior to the increased population.
2. There were two (2) voluntary de-licensures of DUI providers in the County since February 2021. RUHS-BH SAPT IDP was able to successfully transition all participants from ACE Banning in February 2021 to other providers without interruption to services. However, due to the unexpected closure of Community Settlement Associations, not all enrollees were successfully transitioned to other DUI providers. Community Settlement Associations did not adequately keep records of consumers that dropped out during the COVID-19 pandemic.
3. All populations are currently being served by the existing Riverside County DUI providers. The County is compliant by giving the consumer choice of program as established in Health and Safety Code Section 11837.2 (d) and Title IX Section 9848 Participant Enrollment. The closure of Community Settlement Associations has caused hardship to consumers located in Riverside/Western Region that were attending their program.
4. DUI enrollments decreased due to COVID-19 stay-at-home orders, spikes in COVID-19 cases, and DUI providers temporarily closing down and placing consumers on leave of absences in FY20/21 and 21/22. DUI referrals in FY 22/23 surpassed pre-pandemic FY 19/20.

### **Recommendations**

For reasons indicated above, it is recommended that an additional State Licensed DUI provider is needed in Western Region of Riverside County to replace the closure of Community Settlement Associations. A Better Community (ABC) DUI provider has offered to replace Community Settlement Associations to serve those consumers. It is recommended by RUHS-BH SAPT IDP to make a request to the Riverside County Board of Supervisors to provide a recommendation to DHCS Substance Use Disorder Division, that A Better Community (ABC) be licensed as a First Offender and Multiple Offender DUI provider of services in Riverside County.