

STANDARDS

FOR THE OPERATION OF ORANGE COUNTY

DRIVING-UNDER-THE-INFLUENCE (DUI) PROGRAMS



AUTHORITY & QUALITY IMPROVEMENT SERVICES (AQIS)

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TABLE OF CONTENTS

I.	PURPOSE	1
II.	DEFINITIONS	1
III.	FEES.....	2
IV.	RECORDS	4
V.	REPORTS.....	6
VI.	MONITORING OF DUI PROGRAMS.....	6
VII.	GENERAL DUI PROGRAM STANDARDS.....	7
VIII.	DUI PROGRAM SERVICES STANDARDS.....	7
IX.	DUI PROGRAM FACILITY REQUIREMENTS.....	8
X.	PARTICIPANTS RIGHTS	8
XI.	PARTICIPANT INTAKE PROCESS	8
XII.	PARTICIPANT ENROLLMENT PROCESS	9
XIII.	PARTICIPANT ASSESSMENT	10
XIV.	EDUCATIONAL SESSIONS.....	10
XV.	GROUP COUNSELING SESSIONS.....	11
XVI.	INDIVIDUAL COUNSELING SESSIONS	11
XVII.	FACE-TO-FACE INTERVIEWS	12
XVIII.	ADDITIONAL COUNTY REQUIREMENTS (ACR)	12
XIX.	REFERRAL TO ANCILLARY SERVICES	13
XX.	PARTICIPANT TRANSFERS.....	13
XXI.	PARTICIPANT PROGRAM SOBRIETY	13
XXII.	PARTICIPANT PROGRAM PROGRESS.....	14
XXIII.	NOTIFICATION TO ALCOHOL LIAISON OR SUPERIOR COURT	14
XXIV.	PERFORMANCE OUTCOMES.....	14
XXV.	DUI PROGRAM STAFFING.....	14
XXVI.	PROGRAM SPECIFICATIONS.....	16
XXVII.	ADULT FIRST OFFENDER TWELVE-HOUR ALCOHOL AND DRUG EDUCATION (WET RECKLESS)	16
XXVIII.	ADULT FIRST OFFENDER THREE (3) MONTH	16
XXIX.	ADULT FIRST OFFENDER SIX (6) MONTH.....	17
XXX.	ADULT FIRST OFFENDER NINE (9) MONTH.....	18
XXXI.	ADULT FIRST OFFENDER TWELVE (12) MONTH.....	18
XXXII.	ADULT MULTIPLE OFFENDER EIGHTEEN (18) MONTH.....	19
	APPENDIX A – ADDITIONAL COUNTY REQUIREMENTS (ACR)	i
	APPENDIX B – ADMINISTRATIVE/COURTESY TRANSFER	ii
	APPENDIX C – GENERAL RELIEF/GENERAL ASSISTANCE (GR/GA)	iii

I. PURPOSE

These standards describe and prescribe the roles and responsibilities of the County of Orange Health Care Agency (HCA) and the providers of Driving Under the Influence Programs (DUI Program) operating in Orange County pursuant to and in accordance with Chapter 9 of Part 2 of Division 10.5 of the Health and Safety Code (H&SC) (commencing with Section 11836), and Chapter 3 of Division 4 of Title 9 of the California Code of Regulations (Title 9 Regulations) (commencing with Section 9795).

The following DUI Programs are subject to the guidelines described and prescribed herein:

- Adult First Offender Twelve-Hour Alcohol and Drug Education (Wet Reckless)
- Adult First Offender Three Month
- Adult First Offender Six Month
- Adult First Offender Nine Month
- Adult First Offender Twelve Month
- Adult Multiple Offender Eighteen Month

II. DEFINITIONS

The following definitions shall control the interpretation of these guidelines:

Additional County Requirements (ACR) means those DHCS approved requirements the county has selected to include as part of the DUI program requirements for that county, which exceed the program services required in Title 9 Regulations. Current ACR are incorporated into these standards in Appendix A.

Alcohol Liaison means designated HCA personnel who provides referrals and tracking services to the Participants, Court and DUI Program.

Ancillary Services means those additional services to which the DUI Program may refer the Participant on a voluntary basis. Such services may include, but need not be limited to, detoxification, recovery or treatment services, or family counseling.

Court means any of the four (4) Orange County Superior Courts: West Justice Center (Westminster), Central Justice Center (Santa Ana), North Justice Center (Fullerton), and Harbor Justice Center (Newport Beach).

Educational Session means instruction and information presented by a certified or registered Alcohol and Other Drug (AOD) counselor in a Facilitated group setting.

Enrolled means that a Participant has completed all intake documentation and/or made a payment to the DUI Program of a minimum of \$1.00, whichever occurs first.

Face-to-Face Interview means a private, facilitated individual discussion between the DUI Program counselor and the Participant to monitor Participant's progress in the DUI Program, including the identification of problems which may be barriers to DUI Program completion, including payment of fees, and referrals of the Participant to Ancillary Services when appropriate, based upon the Participant's needs.

Facilitated means program activities that the DUI Program directs or conducts.

First Offender means an individual who received a first driving-under-the-influence offense, and the offense did not occur within ten (10) years of: (i) another driving-under-the influence offense; (ii) a violation of California Vehicle Code Division 11, Chapter 12, Article 2, Section 23152 (as specified in Section 23103.5); or (iii) a violation of California Penal Code Section 191.5 or Section 192 (c)(3).

Gross Family Taxable Income means the combined earned and/or non-wage income of married spouses or of oneself, if single, before deductions for taxation purposes.

Group Counseling Session means a Facilitated group meeting in which Participants meet to exchange ideas, to discuss their own behavior and attitudes, and to support and encourage positive changes in each other's lifestyle to facilitate resolution of problems related to the use of alcohol and drugs.

Individual Counseling Session means an individual one-on-one meeting that discusses the Participant's behavior, attitudes, and supports and encourages positive changes in the Participant's lifestyle to facilitate resolution of problems related to the use of alcohol and drugs.

Juvenile Offender means a juvenile male or female, sixteen (16) to twenty (20) years of age, arrested and convicted of a first offense for driving-under-the-influence of alcohol, as defined under California Vehicle Code Sections 23140, 23152 and/or 23153, and who is required to participate in, and successfully complete, an approved Juvenile First Offender DUI Education Program.

Multiple Offender means an individual who received a second driving-under-the-influence offense, and the offense occurred within ten (10) years of (i) another driving-under-the influence offense; (ii) a violation of California Vehicle Code Division 11.5, Chapter 2, Article 2, Section 23540; or (iii) a violation of California Penal Code Section 191.5 or Section 192 (c)(3).

Participant means an adult, age eighteen (18) years of age or above, arrested or convicted of either first time or multiple offenses of driving-under-the-influence of alcohol or drugs, as defined under California Vehicle Code Division 11, Chapter 2, Section 23152 and who is required to participate in, and successfully complete, a licensed DUI Program.

Profit means the return received on a business undertaking after all operating expenses have been met, as allowed in normal accounting procedures which accrues to entrepreneurs as compensation for the assumption of risk in business.

Program Sobriety means the absence of any measurable amount of alcohol or drugs on the part of the Participant when driving a motor vehicle or while attending a DUI Program.

Runner or Capper means any person acting in any capacity as an agent for an attorney at law or law firm.

Surplus means the difference between revenues and operating expenses in a non-profit corporation or public agency.

Title 9 Regulations (commencing with section 9795) means those requirements and standards established by Chapter 3 of Division 4 of Title 9 of the California Code of Regulations, delineating administrative, program and Participant standards, and licensure requirements including evaluation and corrective action necessary for the operation of a licensed DUI Program.

III. FEES

FEE PAID BY PARTICIPANT TO DUI PROGRAM. All DUI Programs are required to comply and meet the following requirements with respect to fees the Participants pay to the DUI Program:

1. Fees charged to the Participants shall be based on unit costs as approved in advance and in writing by County.
2. The DUI Program shall not authorize any Participant to perform any service in lieu of payment for any portion of the Participant fee, or in exchange for services provided to the Participant by the DUI Program.
3. Participants who live with their parent(s) or legal guardian(s) shall not include their parent(s) or legal guardian(s) income as part of the Participant's total gross family income, unless the parents are claiming them as dependents for purposes of taxation.
4. Income of persons the Participant is living with shall not be considered part of the Participant's family income unless the Participant is married to that person or a Court has determined them to be a family unit.
5. Participant fee may be assessed based upon the Participant's Gross Family Taxable Income for that month.
6. The DUI Program shall implement a standardized payment schedule with an extended payment option or a reduced fee option as described in Title 9 Regulations Section 9878. The standardized payment schedule is for services provided to the Participants.
7. The DUI Program's Profit or Surplus for services provided to the Participants shall not exceed ten percent (10%) of gross revenue from Participant fees per year.
8. If the Participant transfers to a different DUI Program, the current DUI Program must refund to the Participant within sixty (60) calendar days a pro-rated portion of the fee based on the services not completed with the DUI Program. The DUI Program shall assign a unit cost to each program component (as applicable) as follows:
 - Intake interview;
 - Educational Sessions;
 - Group Counseling Sessions;
 - Face-to-Face Interview;
 - Transfer if approved by the California Department of Health Care Services (DHCS); and
 - Additional County Requirements (ACR) shall not incur additional fees by the DUI Program
9. The DUI Program shall submit a list of the specific costs for each program component specified above to Orange County Health Care Agency (HCA) Behavioral Health Services (BHS) for initial approval prior to submission to DHCS for final approval prior to implementing any changes to Participant program costs.
10. The following documentation shall be maintained on-site at the DUI Program's office:
 - A signed copy of each Participant's financial assessment;
 - A signed copy of each Participant fee agreement;
 - Payments made by each Participant, including dates and amounts;
 - Documentation of any additional charges incurred by the Participant for any approved additional services or violations; and
 - Documentation of any monies owed to or paid to the Participant for services not rendered.

FEE PAID BY THE DUI PROGRAM TO COUNTY. The DUI Program shall remit the fee, as specified below, to County for each Participant Enrolled in DUI Program, except as otherwise noted.

1. The DUI Program shall pay a portion of the fee charged for each Participant Enrolled in the DUI Program in an amount not in excess of that specified and approved by the California Department of Health Care Services (DHCS) and Orange County Board of Supervisors. The fee shall reimburse the County for the costs and expenses the County reasonably incurs in discharging its duties pursuant to H&SC, Division 10.5, Part 2, Chapter 9 (commencing with Section 11836) and Title 9 Regulations, as set forth in Section [X] (“MONITORING OF DUI PROGRAM”), below. The fee rate is established based on a fee study to reimburse the County for the costs and expenses the County reasonably incurs in discharging its duties under H&SC and Title 9 Regulations and may change from time to time as approved by Orange County Board of Supervisors and DHCS. County shall notify the DUI Programs in writing at least thirty (30) calendar days prior to effective date of any change in the fee rate.
2. The DUI Program shall pay the fee on or before the twentieth (20th) calendar day of the month following the month in which the Participants were enrolled including the Participants converted from fee waived to full fee, transfers from other counties and those enrolled as volunteers, or enrolled for DMV purposes.
3. County may waive the fee due to County for the Participants assessed as having no financial liability for program fees at the time of their enrollment. However, in the event the DUI Program subsequently receives any monies from such Participants, the DUI Program shall pay the fee within thirty (30) days of having received such monies.
4. If County does not receive any payment by the due date, as specified above, unpaid notice of deficiency will be issued. Late payments on three (3) occasions during any fiscal year may result in reporting of the DUI Program to DHCS for further enforcement, and the County will take any actions deemed necessary to collect the fee owed to County.
5. The DUI Program shall pay County monthly, in arrears. The DUI Program’s invoice shall be on a form approved or supplied by County and provide such information as required by County. Invoices are issued to the DUI Program by County by the tenth (10th) day of each month.
6. All payments to County shall be made payable to the “County of Orange, Treasurer-Tax Collector, P.O. Box 4005, Santa Ana, California 92702.”

IV. RECORDS

PARTICIPANTS’ RECORDS. The following minimum requirements shall apply to the Participants’ records maintained by the DUI Programs:

1. The DUI Program shall implement a written confidentiality policy in accordance with Title 42 of the Federal Code of Regulations (42 CFR) Part 2 to assure the confidentiality of the Participants’ record maintained by the DUI Program.
2. All documents in the Participant records shall be maintained securely as part of the Participants’ records.
3. Use of correction fluid or correction tape is prohibited on any document in the Participants’ record.
4. Corrections made to the Participants’ record shall show a line through the correction and include the date of the correction and the initials of person making the correction.
5. All entries to any document in the Participants’ record shall be made in ink or typed.

6. All entries to any document in the Participants' record shall be legible or typed.
7. All entries to any document in the Participants' record shall be signed by DUI Program staff member and shall include at least the first initial and last name of the person signing. If staff member signatures are not generally legible, the DUI Program shall maintain a separate document that identifies each staff member's signature.
8. All Participants' records are to be kept in a locked cabinet at the DUI Program's office.

DUI PROGRAM PARTICIPANT RECORDS. DUI Programs shall maintain adequate records in accordance with the Title 9 Regulations on each individual Participant and in sufficient detail to permit an evaluation of services provided by the DUI Program. At a minimum, individual Participant records shall include:

1. Arrest and arraignment data, and conditions of Orange County Probation Department (OCPD).
2. Drinking and driving history.
3. Demographic information, to include at least age, sex, ethnicity.
4. A signed program agreement for each Participant, specifying at least the following: (i) class and activity attendance, dates and time; and (ii) acknowledgment of an agreement to adhere to requirement that the Participant not be under the influence of alcohol or other intoxicants during program activities.
5. Documentation of participation in Individual and Group Counseling and Educational Sessions. A sign-in roster for Group Counseling and Educational Sessions shall be maintained in sufficient detail to document Participant attendance, time, topic and facilitator name and signature for the session. In addition, for Group Counseling Sessions, the DUI Program shall document participation and progress for each Participant.
6. Documentation of Face-to-Face Interview. Documentation in the Participant's record shall sufficiently identify the Participant's progress, attendance, any barriers to program completion including payment of fees, referral to ancillary services, and any missed activities.
7. A completed alcohol and drug assessment, using a County approved form.
8. Documentation that there has been discussion with the Participant within the first sixty (60) calendar days of DUI Program participation on the results of the alcohol and drug assessment conducted as part of the Program.
9. The DUI Program shall implement and maintain a procedure for correcting any noted deficiencies in the Participants' records.

DUI PROGRAM FINANCIAL RECORDS. The DUI Program shall prepare and maintain accurate and complete financial records of its costs and operating expenses in accordance with generally accepted accounting principles (GAAP), as follows:

1. The DUI Program shall prepare and maintain a record of the Participants' financial assessment and fee agreement, fees charged to, and payments collected from the Participants, together with a record of all billings to and revenues received from any source on behalf of the Participants.
2. The DUI Program is responsible for establishing and maintaining an adequate system of internal accounting control, which should include but not be limited to the proper segregation of duties related to the handling of cash receipts and preparing related accounting records.

V. REPORTS

1. The DUI Programs shall notify the Alcohol Liaison of the following information regarding each Participant (including admin per se volunteers, out of county cases and those enrolled for DMV purposes only):
 - Proof of enrollment in a DUI Program;
 - Proof of completion of a DUI Program;
 - Reinstatement in a DUI Program;
 - Termination from a DUI Program; and
 - Transfer from or to a DUI Program.
2. The DUI Program shall regularly provide to County, on forms approved by the County, a monthly summary of the number of the following:
 - Persons Enrolled in the DUI Program;
 - Participant program completions;
 - Participant program terminations;
 - Transfers;
 - Other/Deaths;
 - Court Void; and
 - A roster of all Participants going into the DUI program or converting to full fee each month.
3. The DUI Program shall make and or provide reports as required by the County and DHCS on forms provided by either of these entities.
4. The County will be specific as to the nature of any other information requested and allow thirty (30) calendar days for the DUI Program to respond.

VI. MONITORING OF DUI PROGRAMS

1. The DUI Program shall provide County access to all programmatic and fiscal records necessary to conduct County monitoring and State approval activities, including evaluation. County shall monitor all DUI Programs to ensure compliance, at the minimum, with Title 9 Regulations and the requirements in H&SC, Division 10.5, Part 2, Chapter 9 (commencing with Section 11836). The County will conduct a minimum of two (2) compliance reviews of the DUI Programs per year, which may be planned or unannounced. Upon completion of each compliance review, the County will issue monitoring results reports to the DUI Program within thirty (30) days.
2. If the compliance review results in deficiencies, the DUI Program shall submit a Corrective Action Plan (CAP) to and for approval by the County within thirty (30) days of receipt of monitoring reports. Corrective actions shall be completed within thirty (30) days from the CAP approval unless County grants an extension thereof.
3. Failure to adhere to or timely complete the CAP may result in reporting of the DUI Program to DHCS for further enforcement action.

VII. GENERAL DUI PROGRAM STANDARDS

1. Services shall be designed to increase the awareness and change the behavior of adults who have pled nolo contendere or been convicted of driving-under-the-influence of alcohol and/or drugs.
2. Services shall be provided in accordance with the County Program Requirements and as authorized and provided for pursuant to:
 - California Vehicle Code of Regulations, Division 11, Chapter 12, Article 2, Sections 23103 to 23103.5
 - California Vehicle Code of Regulations, Division 11, Chapter 12, Article 2, Sections 23152.
 - California Vehicle Code of Regulations, Division 11.5, Chapter 2, Article 2, Section 23540
 - California Code of Regulations, Title 9, Division 4, Chapter 3 Regulations
3. The DUI Program shall utilize the attorney referral service of all those Bar Associations within the County that have such a service.
4. The DUI Program employees may not act as a Runners or Cappers for the DUI Program or any other agency performing the same or similar services.
5. All Program forms that require the Participants' signature shall be signed by the Participants and made available to the Participants in English and Spanish or the language in which any sessions are being conducted. A copy of all forms signed by the Participant shall be made available to the Participant.

VIII. DUI PROGRAM SERVICES STANDARDS

1. The DUI Program goals and objectives shall relate to addressing knowledge and behavior change among the Participants, including a goal to educate adult offenders on the risks of abuse of alcohol and/or drugs and impairment of driving skills, which results from the consumption of alcohol and/or drugs.
2. Services shall be provided in a manner that is culturally and linguistically appropriate for the population(s) served. The DUI Program shall maintain documentation to that effect, which may include, but not be limited to: records of participation in County sponsored Cultural Competence or other applicable trainings; recruitment and hiring policies and procedures; copies of literature in multiple languages and formats, as appropriate; and descriptions of measures taken to enhance accessibility for, and sensitivity to the Participants who are physically challenged.
3. The DUI Program shall complete all necessary Participant registration documents, conduct a financial assessment and provide explanation to all required program activities.
4. All sessions with the Participants shall start on time and not end before the allotted time has elapsed. Breaks may be given. Any breaks provided to the Participants must be in addition to the minimum required hours.

IX. DUI PROGRAM FACILITY REQUIREMENTS

1. The following minimum facility standards shall apply to all locations DUI Program services are provided to the Participants:
 - The DUI Program shall ensure that all services provided meet, at a minimum, the following standards as defined by County:
 - Safe and sanitary in condition.
 - Cooled or heated to an appropriate temperature whenever the Participants are present.
 - Soundproofed such that external noises are significantly reduced and privacy is protected.
 - Rooms where Group and Individual Counseling Sessions and Educational Sessions take place shall have walls from floor to ceiling.
 - All locations:
 - Shall be approved in writing and in advance by the County; and
 - May not be moved without prior written approval of the County; and
 - Shall be located no closer than a minimum of five (5) miles from the nearest site that provides the same service, unless approved in advance and in writing by the County, for the purposes of supporting the fiscal integrity of existing programs.
 - Shall provide access to the Participants with disabilities in compliance with the Americans with Disabilities Act of 1990, as amended and Section 504 of the Rehabilitation Act 1973, as amended.
 - An emergency evacuation plan shall be posted onsite in a conspicuous location.
 - All fire extinguishers shall display a current inspection notice.

X. PARTICIPANTS RIGHTS

1. The DUI Program shall post Participant grievance procedures in a conspicuous location at the entrance or in the waiting room of each location DUI Program provides services.
2. Participant grievance procedures shall be written in English and Spanish, or the language in which services are provided.
3. All Participants have the right to attend the DUI Program of their choice unless otherwise specified by the Court.

XI. PARTICIPANT INTAKE PROCESS

The DUI Program shall ensure that persons referred by the Court to the DUI Program complete the Participant intake process within the number of days specified by the Court, excluding any days of incarceration. The intake process shall include, but not limited to, information regarding the following:

1. Goals and objectives for participation in the DUI Program, including abstinence from the use of alcohol and/or drugs as a goal during the duration of participation in the DUI Program. The DUI Program shall provide the Participant with materials which describe how abstinence contributes to a healthy lifestyle;

2. Educational Session requirements;
3. Attendance requirements and procedure for requesting a leave of absence;
4. DUI Program participation fees, payment schedules and how to request a financial assessment;
5. Location and schedule of DUI Program services;
6. Grounds for dismissal from the DUI Program; and
7. DUI Program's Participant rules. The DUI Program shall ensure the Participant will sign and date a copy of the program rules and retain the signed copy in the Participant's record.

XII. PARTICIPANT ENROLLMENT PROCESS

1. The DUI Program shall enroll each Participant with intake forms approved by County, DHCS, and the California Department of Motor Vehicles (DMV).
2. The DUI Program shall complete all necessary intake paperwork and processes as described below.
 - The DUI Program shall complete a Participant contract, which shall list the services to be provided; including procedures to request leave of absence, DUI Program participation fees, payment schedule, attendance requirements, and reasons for dismissal from the program.
 - DUI Program staff shall explain and date the contract.
 - DUI Program staff and the Participant shall sign and date the contract.
 - DUI Program staff shall give one (1) copy of the signed, dated contract to the Participant and shall retain one (1) copy in the Participant's record.
 - DUI Program staff who conduct the intake interview and explain the Participant contract shall meet the staffing qualification standards set forth in Title 9 Regulations.
 - At the time the Participant enrolls into the DUI Program, the DUI Program shall give the Participant a written list of the date, time, and location of DUI Program's activities the Participant is scheduled to attend. The DUI Program shall begin providing services within twenty-one (21) calendar days of the date a Participant is enrolled.
3. PARTICIPANT RELEASE OF INFORMATION – To the extent DUI Program is subject to Title 42 of the Federal Code of Regulations (42 CFR) Part 2, the DUI Program shall not disclose any Participant's identifying information unless permitted under 42 CFR Part 2. All disclosure of Participant's identifying information shall be recorded in the Participant's record. All disclosures pursuant to a signed written authorization by the Participant shall be legible and contain all elements as required by law.
4. The DUI Program shall only accept for enrollment
 - Orange County Superior Court ordered persons;
 - Persons who state that they seek enrollment in the DUI program in order to meet DMV requirements for a restricted license;
 - Persons seeking voluntary admin per se enrollment; and
 - Persons referred by Court jurisdictions outside of Orange County.
5. The DUI Program shall not solicit enrollees for participation from any other source.
6. The DUI Program shall not extend the deadline for a Participant to enroll in DUI Program without written authorization of the Court.

XIII. PARTICIPANT ASSESSMENT

1. The DUI Program shall complete an assessment of each Participant's alcohol and/or drug problems within the first sixty (60) calendar days of enrollment.
2. Alcohol and drug assessments shall be conducted by DUI Program staff who meet the staffing qualification standards set forth in Title 9 Regulations.
3. Individual assessment shall include an assessment of the level of involvement of the Participant in inappropriate use of intoxicating substances.
4. The DUI Program shall discuss, sign and date the results of the alcohol and drug assessment with the Participant.
5. The DUI Program shall record the results of the Participant's alcohol and drug assessment in the Participant's record.

XIV. EDUCATIONAL SESSIONS

1. The DUI Program shall provide Educational Sessions according to specific DUI Program requirements.
2. Time allowed for breaks shall not be counted as part of the minimum time requirement for Educational Sessions.
3. Educational Sessions shall be informational in content and instructional in manner of presentation. Educational Sessions may consist of lectures, seminars, appropriate films discussions, written exercises, or any combination thereof as approved by County. If film clips are used to meet this requirement, meaningful discussion must follow and under no circumstances can the mere viewing of film be used to fulfill this requirement. Educational Sessions shall include, but are not limited to, information on the following topics:
 - The use and effects of alcohol and other drugs.
 - The nature of alcoholism and addiction.
 - Impairment of driving abilities, skills, and judgment resulting from consumption of alcohol or drugs.
 - Alternatives to the abuse of alcohol, and the use of drugs, including discussion of how abstinence and ancillary services can assist the Participant in recognizing the effects of chemical dependency and understanding the recovery process.
 - The effects of alcohol or other drug use on the individual, the family, and society.
4. Educational Sessions shall be a minimum of one (1) hour and no more than (2) hours in length.
5. The Participant shall not attend more than one (1) Educational Session per calendar day.
6. Educational Sessions shall be facilitated by certified or registered Alcohol and Other Drug (AOD) counselors.
7. The DUI Program shall document attendance at Educational Sessions in each Participant's record.
8. Each Educational Session shall be limited to no more that thirty-five (35) Participants.
9. The DUI Program shall not allow outside persons, families, or friends, except authorized interpreters to participate in Educational Sessions conducted for Participants. The DUI Program may provide additional Educational Sessions for family and friends of Participants in accordance with Title 9 Regulations.

XV. GROUP COUNSELING SESSIONS

1. The DUI Program may substitute one (1) hour of Individual Counseling Sessions for every two (2) hours of Group Counseling Sessions if the Participant is unable to participate in or benefit from Group Counseling Sessions because of a language barrier, an emotional problem, or other difficulty.
2. Time allowed for breaks shall not be counted as part of the minimum time requirement for Group Counseling Sessions.
3. Group Counseling Sessions shall be conducted by DUI Program staff that:
 - Encourages the Participants to talk and share ideas and information in order to identify and resolve alcohol or drug related problems,
 - Provides an opportunity for the Participants to examine their own personal attitudes and behavior, and that
 - Provides support for positive changes in lifestyle to facilitate reduction or elimination of alcohol or drug problems.
4. Group Counseling Sessions may emphasize a specific topic or may be less structured in nature.
5. The DUI Program shall not use films or lectures to meet the minimum hours of Group Counseling Sessions.
6. Group Counseling Sessions shall be limited to fifteen (15) Participants except as noted below:
 - Seventeen (17) Participants may be included in Group Counseling Sessions on an emergency basis. The DUI Program shall not include more than seventeen (17) Participants per Group Counseling Sessions for any reason.
 - Whenever a Participant is added to a Group Counseling Session on an emergency basis, DUI Program shall document the nature of the emergency in the Participant's record.
7. Educational Sessions shall be facilitated by certified or registered Alcohol and Other Drug (AOD) counselors. The DUI Program shall not allow outside persons except authorized interpreters, to participate in Group Counseling Sessions conducted for the Participants.
8. The DUI Program shall document attendance, participation, and progress at Group Counseling Sessions in each Participant's record.

XVI. INDIVIDUAL COUNSELING SESSIONS

1. The DUI Program shall provide, or shall have the capability of referring to other providers of DUI Programs, without additional charge to the Participant, for Individual Counseling Sessions when the Participant is not able to benefit from Group Counseling Sessions due to a language barrier or special problems that preclude group participation.
2. One (1) hour of Individual Counseling may be substituted for two (2) hours of Group Counseling under these circumstances. The reasons for Individual Counseling shall be documented in the Participant's record.
3. Participation and progress in Individual Counseling shall be documented in the Participant's record.
4. Individual counseling sessions shall be provided by qualified professional staff working within their scope of practice.

XVII. FACE-TO-FACE INTERVIEWS

1. The DUI Program shall conduct private, Face-to-Face Interviews with each Participant to:
 - Monitor payment of participation fees;
 - Discuss and encourage the Participant attendance in Educational and Group Counseling Sessions;
 - Identify problems which may be barriers to program completion, including payment of participation fees; and
 - Evaluate the Participant's need for referral to Ancillary Services.
2. Face-to-Face Interviews shall be at least fifteen (15) minutes in length and shall be longer whenever DUI Program staff or the Participant determine that additional time is needed.
3. The DUI Program shall conduct Face-to-Face Interviews on a regularly scheduled basis, rather than on a drop-in-basis.
4. Whenever possible, Face-to-Face Interviews shall be conducted by the same DUI Program staff for the duration of the program.
5. The DUI Program shall document in each Participant's record the date, time, and length of each Face-to-Face Interview and the issues discussed during the interview.

XVIII. ADDITIONAL COUNTY REQUIREMENTS (ACR)

1. County has selected the following DHCS approved activities for purposes of mandating additional requirements. Such activities shall be the same for all Adult DUI Programs within the County.
2. The Participants shall complete self-help meetings or alternatively, personal growth and development activities in the event that non-sectarian groups are not accessible or available to the participants according to specific program requirements, as stated in 9 CCR section 9860(c)(2)(B).
3. The following "personal growth and development" activities are acceptable for the additional "self-help" requirement, as long as the event occurs after the Participant's enrollment in DUI Program.
 - Psychotherapy focused on substance use obtained elsewhere;
 - Wellness or life coaching obtained elsewhere;
 - Attendance to health fairs or health promotion events emphasizing the effects of alcohol/drugs and alternatives to use;
 - Attendance to college or continuing education workshops on the topic of alcohol and/or drug use; and
 - A limited number of relevant activities approved by the County in advance on a case-by-case basis. Contact the County for each case to establish eligibility for this category.
4. The County may increase the number of hours of additional County requirements an individual Participant is required to complete if said the Participant is reinstated following dismissal from a DUI Program. Each time the Participant is reinstated, the number of hours of additional County requirements may be increased by one (1) hour per week for the remainder of the time the Participant is enrolled in a DUI Program, as long as the Participant is not required to complete a total of more than five (5) hours of additional County requirements per week.

5. The DUI Program shall not impose any additional fee for ACR.

XIX. REFERRAL TO ANCILLARY SERVICES

1. The DUI Program may refer the Participants to Ancillary Services, such as family counseling, recovery home, inpatient services, and additional outpatient services.
2. Such referrals shall be voluntary, and the reasons for referral shall be included in the Participant's record.
3. The cost of Ancillary Services shall not be part of the fee DUI Program remits to County, but may be part of the funds allocated to County by DHCS pursuant to H&SC Section 11818..
4. Referral to Ancillary Services shall not result, directly or indirectly, in increased revenues for the referring DUI Program. County may grant exceptions for good cause on a case-by-case basis.
5. Ancillary services referral shall be appropriate for the level of care required by the Participants as indicated by results of the Participant assessment and should not simply reflect the existing additional county requirements.

XX. PARTICIPANT TRANSFERS

1. The DUI Program may transfer Participants to other DUI Programs within County without additional fees from the Participants, in accordance with Title 9 Regulations procedures. The referring DUI Program shall not remain responsible to the referring Court for reporting completion or non-completion of those persons transferred. The DUI Program shall notify the referring Court, through the Alcohol Liaison, in writing, using County approved forms by the next business day of such transfer.
2. The DUI Program shall accept transfers authorized by County.
3. The DUI Program may transfer Participants to other DUI Programs outside the County. Such transfers shall be allowed if the Participant's place of residence or employment is not located within the boundaries of the County. A transfer fee in the amount approved by DHCS may be charged to the Participant.
4. The DUI Program shall process Administrative Transfers and Courtesy Transfers for non-enrolled Participants who want to enroll with a different DUI Program at no additional fee and without requiring Participants to first enroll into a DUI Program. Upon completion of the non-enrolled transfer form, the DUI Program shall send one (1) copy to the receiving DUI Program and one (1) copy to the referring Alcohol Liaison, and shall provide one (1) copy to the Participant.

XXI. PARTICIPANT PROGRAM SOBRIETY

1. The DUI Program shall implement procedures approved by County, used to maintain the Participant's sobriety during DUI Program participation, including the type of test to be used to measure detectable amounts of alcohol of drugs in Participants in accordance with Title 9 Regulations.
2. In accordance with Title 9 Regulations, the DUI Program shall not admit a Participant into DUI

Program session if the Participant is in an apparent intoxicated state. The DUI Program shall develop and implement a policy for responding to intoxicated Participants.

3. The DUI Program shall implement procedures that include a description of the action that will be taken if a Participant is found to have violated the sobriety requirement for DUI Program participation. The procedure shall be included in the agreement the Participant signed to attend a DUI Program.

XXII. PARTICIPANT PROGRAM PROGRESS

The DUI Program shall document notification to the referring Court, regarding unsatisfactory DUI Program performance and other information requested by the Court. The DUI Program shall implement procedures, approved by County, for Participant termination from the DUI Program.

XXIII. NOTIFICATION TO ALCOHOL LIAISON OR SUPERIOR COURT

1. The DUI Program shall inform the Alcohol Liaison, or as otherwise directed by County or Superior Court, of the Participant's enrollment in a DUI Program and of the Participant's successful completion of a DUI Program. If at any point, the Participant fails to meet DUI Program requirements, the Alcohol Liaison, or as otherwise directed by County or Superior Court, shall be informed by written documentation.
2. Notifications shall be transmitted via secure Electronic File Transfer (EFT) by next business day. Notifications shall be made for the Participants who are:
 - Referred by the Orange County Superior Court
 - Enrolled as volunteers admin per se (MIS)
 - Enrolled to satisfy DMV requirements for obtaining a restricted license (MIS)
 - Referred to and enrolled into a DUI Program by another Court jurisdiction (MIS)

XXIV. PERFORMANCE OUTCOMES

The DUI Program shall be required to achieve performance objectives for the purpose of evaluating the impact or contribution of DUI Program's services on the well-being of the County residents being served. The DUI Program shall develop a survey, as approved by County, which shall be administered once per year to assess the Participants' satisfaction with the program targeting a seventy-five percent (75%) response rate. Response rates shall be calculated by the number of completed surveys returned divided by the number of surveys distributed.

XXV. DUI PROGRAM STAFFING

1. The DUI Program shall ensure that administrative and program staffing is sufficient to support the performance of services provided by DUI Program.
2. The DUI Program shall include bilingual/bicultural services to meet the needs of threshold languages determined by County. Whenever possible, bilingual/bicultural staff should be

retained.

3. STAFF CONDUCT – The DUI Program shall establish written policies and procedures for employees and members of the Board of Directors which shall include, but not limited to, standards related to the use of drugs and/or alcohol; staff-Participant relationships; prohibition of sexual conduct with the Participants; prohibition of forging or falsifying documents or drug tests; and real or perceived conflict of interest. Situations that may be perceived as a conflict of interest shall be brought to the County’s attention prior to the occurrence. Prior to providing any services, all employees shall agree in writing to maintain the standards set forth in the said policies and procedures. A copy of the policies and procedures shall be posted in writing in a prominent place at the location DUI Program services are provided.
4. The DUI Program shall make its best efforts to have at least the following positions filled and shall provide current job description for each position, clearly describing the responsibilities, skills and experience needed for that position, including, but not be limited to:
 - A Program Administrator, with at least:
 - Two (2) years of experience providing alcohol and/or other drug treatment or recovery services,
 - One (1) year of experience supervising personnel, and
 - One (1) year of experience managing an accounting system or preparing or directing the preparation of budgets or cost reports. Satisfactory completion of two (2) college-level courses in accounting may be substituted for the one (1) year of experience required. “Satisfactory completion” means attainment of a grade “C” or better.
 - DUI Program staff who conducts Educational and Group Counseling Sessions shall have AOD counselor certification from a DHCS approved certifying organization (CO) or be an AOD registrant.
 - DUI Program staff who provide counseling services (as defined in 9 CCR Section 13005) shall be Licensed Professional of the Healing Arts (LPHA)(or be certified, or registered to obtain certification pursuant to Title 9 of California Code of Regulations, Division 4, Chapter 8 (commencing with Section 13000).
 - DUI Program staff who provides counseling services (as defined in 9 CCR Section 13005) shall comply with the code of conduct, pursuant to 9 CCR Section 13060, developed by the organization by which they were certified or registered.
5. The DUI Program shall submit to County, on a quarterly basis, a list of persons and any changes thereto, by name, title, professional degree, license, certification or registration and/or experience who are to provide services.
 - Repeated failure submit required staffing reports shall result in notices of deficiency to the DUI Program and may result in reporting to DHCS for further enforcement.
6. The DUI Program shall maintain personnel records of all staff involved in providing direct services including:
 - Name, address, telephone number, position, duties, and date of employment; and
 - Resumes, applications, and/or transcripts documenting work experience and education used to meet the requirements; and
 - Copy of current license, certification or registration with a DHCS approved certifying organization (CO) or licensing board.

7. The DUI Program shall ensure that there is staff with bilingual capabilities to DUI Program services to the Participants Enrolled in a DUI program if ten percent (10%) or more of the Participants served use a first language other than English, or as directed by County.

XXVI. PROGRAM SPECIFICATIONS

Each DUI Program type shall be provided in accordance with Title 9 Regulation requirements, as summarized below.

XXVII. ADULT FIRST OFFENDER TWELVE-HOUR ALCOHOL AND DRUG EDUCATION (WET RECKLESS)

1. These services shall be designed to increase the awareness and change the behavior of adult First Offenders who have pled nolo contendere or been convicted on one occasion of reckless driving, in substitution for a driving under the influence charge.
2. PERSONS TO BE SERVED. The DUI Program shall serve adults, ages eighteen (18) years and older, who are arrested on a first offense for reckless driving in satisfaction of, or as a substitute for, an original charge of driving-under-the influence. The resulting conviction is required to be treated as a prior offense for violation of driving-under-the-influence when the prosecution states that there is a factual basis for determining that the defendant's consumption of any alcoholic beverage or ingestion or administration of any drug, or both contributed to the impaired driving. A Court ordered condition of probation is enrollment in an alcohol and drug education program. These persons are also, First Offenders whose blood alcohol concentration was below .08 percent, by weight, of alcohol in his or her blood when arrested, or as otherwise directed by the Court.
3. The DUI Program acknowledges that said Twelve-Hour Alcohol and Drug Education DUI program may be identified as the "Wet Reckless" program by DHCS, DMV, the Court, and others.
4. The DUI Program shall provide at least twelve (12) hours of DUI Program services to each Participant and include all DUI Program requirements.
5. The DUI Program shall provide a minimum of twelve (12) hours of Educational Sessions.

XXVIII. ADULT FIRST OFFENDER THREE (3) MONTH

1. These program services shall be designed to increase the awareness and change the behavior of adult First Offenders arrested or convicted on one occasion of driving under the influence of alcohol and/or drugs.
2. PERSONS TO BE SERVED. The DUI Program shall serve adults, ages eighteen (18) years and older, who are First Time Offenders whose blood alcohol concentration are .08 percent or above, by weight, of alcohol in his or her blood when arrested, or as otherwise directed by the Court.
3. The DUI Program shall provide at least thirty (30) hours of program services to each Participant and include all program requirements.

- A minimum of twelve (12) hours of Educational Sessions.
 - A minimum of ten (10) hours of Group Counseling Sessions.
 - A minimum of three (3) Face-to-Face Interviews with each Participant.
 - One (1) Face-to-Face Interview shall be conducted at the commencement of enrollment.
 - One (1) at the midpoint.
 - One (1) at the end of the DUI Program.
4. One (1) hour of Individual Counseling may be substituted for two (2) hours of Group Counseling under these circumstances. The reasons for Individual Counseling shall be documented in the Participant's record.
 5. In addition to the minimum number of hours of Educational Sessions identified above, the DUI Program shall provide an additional eight (8) hours of program services either in Educational Sessions in a group setting or in Group Counseling Sessions, at the DUI Program's discretion.
 6. Participants shall complete an additional twelve (12) hours of self-help meetings or alternatively, personal growth and development activities in the event that non-sectarian groups are not accessible or available to the Participants, as stated in 9 CCR Section 9860(c)(2)(B).

XXIX. ADULT FIRST OFFENDER SIX (6) MONTH

1. These program services shall be designed to increase the awareness and change the behavior of adult First Offenders arrested or convicted on one occasion of driving-under-the-influence of alcohol and/or drugs.
2. PERSONS TO BE SERVED. The DUI Program shall serve adults, ages eighteen (18) years and older, who have been arrested or convicted of a first offense for driving-under-the-influence
 - Whose blood alcohol concentration was .15 percent or above, by weight, or
 - Who refused to take a chemical test, or
 - As otherwise directed by the Court.
3. The DUI Program shall provide at least forty-five (45) hours of program services to each Participant. Such services shall include, but are not limited to, the following:
 - A minimum of twelve (12) hours of Educational Sessions.
 - A minimum of twenty-eight (28) hours of Group Counseling Sessions.
 - A minimum of four (4) Face-to-Face Interviews with each Participant.
 - One (1) Face-to-Face Interview shall be conducted within 21 days of enrollment.
 - One (1) Face to Face interview at the end of the second month.
 - One (1) at the end of the fourth month.
 - One (1) final face to face interview shall serve as the exit interview.
4. One (1) hour of Individual Counseling may be substituted for two (2) hours of Group Counseling under these circumstances. The reasons for Individual Counseling shall be documented in the Participant's record.
5. The DUI Program shall provide an additional four (4) hours of DUI Program services either in Face-to-Face Interviews or Educational Sessions in a group setting, at the DUI Program's discretion.
6. Participants shall complete an additional twenty six (26) hours of self-help meetings or

alternatively, personal growth and development activities in the event that non-sectarian groups are not accessible or available to the Participants, as stated in 9 CCR Section 9860(c)(2)(B).

XXX. ADULT FIRST OFFENDER NINE (9) MONTH

1. These program services shall be designed to increase the awareness and change the behavior of adult First Offenders arrested or convicted on one occasion of driving-under-the-influence of alcohol and/or drugs.
2. PERSONS TO BE SERVED. The DUI Program shall serve adults, ages eighteen (18) years and older, who have been arrested or convicted of a first offense for driving-under-the-influence
 - Whose blood alcohol concentration was .20 percent or above, by weight, or
 - Who refused to take a chemical test, or
 - As otherwise directed by the Court.
3. The DUI Program shall provide at least sixty-one hours and fifteen minutes (61.15) of DUI Program services to each Participant. Such services shall include, but are not limited to, the following:
 - A minimum of twelve (12) hours of Educational Sessions.
 - A minimum of forty four (44) hours of Group Counseling.
 - A minimum of five (5) Face-to-Face Interviews with each Participant.
 - One (1) Face-to-Face Interview shall be conducted within 21 days of enrollment.
 - One (1) Face to Face interview every other month thereafter.
 - One (1) final face to face interview shall serve as the exit interview.
4. One (1) hour of Individual Counseling may be substituted for two (2) hours of Group Counseling under these circumstances. The reasons for Individual Counseling shall be documented in the Participant's record.
5. The DUI Program shall provide an additional four (4) hours of program services either in Face-to-Face Interviews or Educational Sessions in a group setting, at the DUI Program's discretion.
6. Participants shall complete an additional thirty eight (38) hours of self-help meetings or alternatively, personal growth and development activities in the event that non-sectarian groups are not accessible or available to the Participants, as stated in 9 CCR Section 9860(c)(2)(B).

XXXI. ADULT FIRST OFFENDER TWELVE (12) MONTH

1. These program services shall be designed to increase the awareness and change the behavior of adult First Offenders arrested or convicted on one occasion of driving-under-the-influence of alcohol and/or drugs and ordered to complete a longer program at the discretion of the Court.
2. PERSONS TO BE SERVED. The DUI Program shall serve adults, ages eighteen (18) years and older, who have been arrested or convicted of a first offense for driving-under-the-influence
 - Whose blood alcohol concentration was above the legal limits, by weight, or
 - Who refused to take a chemical test, or
 - As otherwise directed by the Court.

3. The DUI Program shall provide at least seventy (70) hours of DUI Program services to each Participant. Such services shall include, but are not limited to, the following:
 - A minimum of twelve (12) hours of Educational Sessions.
 - A minimum of fifty two (52) hours of Group Counseling Sessions.
 - A minimum of twenty six (26) Face-to-Face Interviews with each Participant.
 - One (1) Face-to-Face Interview within 21 days of enrollment.
 - One (1) Face to Face interviews shall occur every other week from initial date of enrollment until completion of educational and group counseling sessions.
 - One (1) final face to face interview shall serve as the exit interview.
4. One (1) hour of Individual Counseling may be substituted for two (2) hours of Group Counseling under these circumstances. The reasons for Individual Counseling shall be documented in the Participant's record.
5. Participants shall complete an additional fifty two (52) hours of self-help meetings or alternatively, personal growth and development activities in the event that non-sectarian groups are not accessible or available to the Participants, as stated in 9 CCR Section 9860(c)(2)(B).

XXXII. ADULT MULTIPLE OFFENDER EIGHTEEN (18) MONTH

1. These program services shall be designed to change the behavior of adult Multiple Offenders arrested or convicted on multiple occasions of driving-under-the-influence of alcohol and/or drugs.
2. PERSONS TO BE SERVED. The DUI Program shall serve adults, ages eighteen (18) years and older, who are Multiple Offenders whose Blood Alcohol Concentration was .08 percent or above, by weight, of alcohol in his or her blood when arrested, or as otherwise directed by the Court.
3. The DUI Program shall provide at least seventy (70) hours and thirty (30) minutes of DUI Program services to each Participant. Such services shall include, but are not limited to, the following:
 - A minimum of twelve (12) hours of Educational Sessions.
 - A minimum of fifty-two (52) hours of Group Counseling Sessions.
 - A minimum of twenty-six (26) Face-to-Face Interviews with each Participant.
 - One (1) Face-to-Face Interviews shall be conducted bi-weekly for the first twelve (12) months of the eighteen (18) month program.
4. One (1) hour of Individual Counseling may be substituted for two (2) hours of Group Counseling under these circumstances. The reasons for Individual Counseling shall be documented in the Participant's record.
5. Participants shall complete an additional fifty eight (58) hours of self-help meetings or alternatively, personal growth and development activities in the event that non-sectarian groups are not accessible or available to the Participants, as stated in 9 CCR Section 9860(c)(2)(B).

APPENDIX A – ADDITIONAL COUNTY REQUIREMENTS (ACR)

See attachment.



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DIRECTOR

RICHARD SANCHEZ
ASSISTANT DIRECTOR

MARY R. HALE
DEPUTY AGENCY DIRECTOR
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DAVID HORNER
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BEHAVIORAL HEALTH SERVICES
Authority and Quality Improvement Services

05/24/2016

Dear DUI Program Provider,

The Orange County Driving Under the Influence (DUI) licensed programs currently require an inconsistent number of self-help hours as part of their programs. In an attempt to standardize participation in self-help and personal growth related to the use of alcohol and other drugs, the County has obtained approval from the Department of Health Care Services (DHCS) to implement the following additional county requirements (ACR) for DUI Programs, as stated in Title 9, Section 9860.

Program level	Any combination of any self-help meetings and approved personal growth hours as follows (referred to as “self-help”)
3 months	12 hours
6 months	26 hours
9 months	38 hours
12 months	52 hours
18 months	58 hours

The State’s approval for these ACR for our County is effective 05/17/2016. In consideration of the required administrative steps necessary to implement this change at your program, **the effective date for the additional County requirements for all Orange County DUI programs is 06/08/2016, and the updated ACRs shall be reflected on all contracts dated thereafter.**

This requirement is not retroactive to your existing participants. Existing participants are permitted to complete self-help requirements as stated in your existing contract with them.

Because the County is selecting self-help groups as part of the additional requirements, the County is making available to DUI providers and program participants the attached list of sectarian and non-sectarian organizations offering self-help groups. Participants may elect to attend any meeting of their choice.

DUI Programs – Orange County
Additional County Requirements Announcement

05/24/2016

Page 2 of 3

Additionally, alternative “personal growth and development” activities shall be allowed in the event that non-sectarian groups are not accessible or available to the participants, as stated in section 9860(c)(2)(B) of Title 9.

The following “personal growth” activities are acceptable for the additional “self-help” requirement, as long as the event occurs after the participant’s enrollment in the DUI program.

- 1) psychotherapy focused on substance use obtained elsewhere;
- 2) wellness or life coaching obtained elsewhere;
- 3) attendance to health fairs or health promotion events emphasizing the effects of alcohol/drugs and alternatives to use;
- 4) attendance to college or continuing education workshops on the topic of alcohol and/or drug use; and
- 5) a limited number of relevant activities approved by the County in advance on a case by case basis. Contact the County for each case to establish eligibility for this category.

It is expected that DUI providers will notify all participants of the additional County requirement at the time of enrollment, and the additional requirements will be listed in the participants’ contracts with the provider.

DUI providers shall monitor compliance with the additional County requirements by collecting signatures of verification of the activity by a facilitator or organizer of the activity, on a pre-printed “self-help” card. This card is provided to you with this packet. Other official verifications of completion, such as transcripts or certificates, will also be acceptable, and credit shall be recorded on the self-help card.

Each credit hour shall be logged in each participant’s file. Participants shall receive no more than 1 hour of credit for each activity completed per day, and participants may not receive credit for more than 2 hours in any given week. No credit shall be given for more than 1 “self-help” activity per day. Only in person or one to one activities will count toward this requirement, and no credit shall be granted for online activities.

It is expected that the personal growth activities will not incur any additional costs beyond those that would have normally been incurred by the participants who elect to participate in those alternative activities instead of traditional self-help meetings.

Credit for personal growth activities to fulfill the self-help requirement will be an available option only and can be used in any combination to fulfill the requirements for “self-help” for Orange County DUI programs.

DUI Programs – Orange County
Additional County Requirements Announcement

05/24/2016

Page 3 of 3

In compliance with DHCS requirements, update all your program contracts to reflect the above requirements and guidelines and submit the updated contract to me by 06/15/2016.

We appreciate your prompt response to this item. If you have additional questions, please contact me at (714) 796-0208 or via email at AzLopez@ochca.com, or you may also contact your Program Evaluation Specialist for technical assistance.

Sincerely,



Azahar V. López, PsyD
DUI Programs Manager

Attachment / Enclosure
NA meetings list (2016)
Self-Help meetings list 2016
Self Help card

cc:

David Horner, PhD

Merida Hughes, Program Evaluation Specialist

Kristin Alix, Program Evaluation Specialist

Anthony Scott, Department of Health Care Services, DUI Programs

Holly Alvarez, Department of Health Care Services, DUI Programs

APPENDIX B – ADMINISTRATIVE/COURTESY TRANSFER

See attachment.



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BEHAVIORAL HEALTH SERVICES

Authority and Quality Improvement Services

April 29, 2016

Dear DUI Program Providers:

This communication is provided to you as clarification of the DUI Programs' Administrative/Courtesy transfer process. As permitted by Title 9, DUI providers are required to process transfers of participants to other providers, upon request. In the past, Orange County providers have required non-enrolled participants to first enroll into their program before processing such transfer requests. A similar process has been practiced for reinstated clients wishing to transfer elsewhere. This additional enrollment step prior to transfer of non-enrolled participants is unnecessary, as previously indicated by the Department of Alcohol and Drug Programs (now Department of Health Care Services), dating back to at least 2002. For reference, see the attached memos from the State.

Effective May 2nd, 2016, Orange County DUI Providers are instructed to process Administrative and Courtesy transfers as follows. An **Administrative Transfer** is also known as a "Non-Enrolled" or "Dismissed" transfer. These type of transfer if for participants who have been previously terminated from your program and reinstated by the Court, but who no longer wish to re-enroll in your program. Instead, they would like to enroll with a different provider. A **Courtesy Transfer**, is also a "Non-Enrolled" transfer. In this case, the participant has never attended your program and wishes to go elsewhere instead. This could occur when a participant changes his/her mind about which program to attend after the referral has already been issued by the Alcohol Liaison Office (ALO) at the Court. In either case, providers are now required to process a "Non-Enrolled" transfer, using the attached form issued by the Department of Health Care Services (DHCS), revised in 2015.

As recommended by DHCS, there is to be no fee for this service. However, you may require reinstated participants to first settle all fees due to your program before processing the administrative transfer. When a participant requests a transfer to another provider, anywhere in the State of California, we recommend that you make contact with the receiving provider prior to completing the transfer form to ensure proper linkage.

Upon completion of the non-enrolled transfer form, send one copy to the receiving provider. Send one copy to the referring ALO, and provide one copy to the participant. There is no need for the participant to appear at your location in person to complete this transfer, provided

DUI Programs – Orange County
Courtesy/Administrative Transfer procedures

04/29/2016

Page 2 of 2

that the participant can offer sufficient information to verify his/her identity and he/she accepts for his/her copy of the form to be mailed to the address on the original referral form. Out of State transfers still require a Court order and any such transfer requests should be referred back to the Court.

All other active participants requesting transfers will continue to follow the existing procedures as set forth in Title 9, California Code of Regulations, Section 9884. If you have questions or would like technical assistance regarding this procedure, please do not hesitate to contact your County Program Evaluation Specialist.

Sincerely,



Azahar López, PsyD
Authority and Quality Improvement Services
Program Manager, Court programs

Attachment / Enclosure

cc:

David Horner, PhD, AQIS Division Director
Anthony Scott, DHCS, DUI Programs compliance unit
Jeannie Ho, DHCS, DUI Programs compliance unit

APPENDIX C – GENERAL RELIEF/GENERAL ASSISTANCE (GR/GA)

See attachment.



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BEHAVIORAL HEALTH SERVICES Authority and Quality Improvement Services

April 7, 2016

Dear DUI Providers:

As a result of the recent DUI Audits, it became evident that each provider has a somewhat different approach to the financial assessment requirements under Title 9 and the granting of General Relief/General Assistance (GR/GA) and reduced fee pricing to participants (Standardized Payment Schedule). In order to ensure consistency with the requirements of Title 9 and your County contract, we are offering the following clarification for the standards of application of Sections 9878 and 9879 of Title 9.

Pursuant section 9878 (f) (1), *if the participant's monthly income is equal to or less than the general assistance benefit level for one person, established by the county board of supervisors...., the DUI program shall assess the participant a maximum program fee of no more than \$5 per month for each month in which the participant's income is equal to or less than the general assistance benefit level for the county.* The current GR level for Orange County for one person is **\$350**. Please refer to page 3 of this announcement for the full GR benefit chart.

All financial assessments dated 04/11/2016 and subsequent will be required to demonstrate this amount and practice. Participants already enrolled in your program who qualify for the GR/GA program rate based on the current limits must be given an opportunity to request the reduced rate.

Pursuant section 9878 (f) (3), *if a participant's monthly income is greater than the general assistance benefit level for the county but equal to or less than 35% of the monthly median family income for the county, the DUI program shall allow the participant to extend payment for the program fee or shall reduce the participant's assessed program fee.* As provided in section 9878 (f) (2), the median family income for the County as shown on the most recent [decennial census is \\$75,998](#).

Based on this figure, participants who earn \$26,599 or less are eligible for either an extended payment plan or a reduced program fee. If your program has elected the reduced fee option, then your program should adjust its fees based on this level by establishing the percentage of \$26,599 that the participant earns. For example, if a participant earns \$23,000 per year, you would divide 23,000 by 26,599 to establish that the participant should pay 86% of the program fees. All financial assessments dated 04/11/2016 and subsequent will be required to

DUI Programs
Standardized Payment Schedule

04/07/2016

Page 2 of 3

demonstrate this standard. Participants already enrolled in your program who qualify for a reduced or extended program fee based on the current limits must be given an opportunity to request the reduced rate or extended option.

To avoid further delays in responding to inquiries about this issue, please send the County the attached form reporting which option your program has elected and currently has on file with DHCS as required in Section 9878 (f) (3) (B).

If you would like to request technical assistance on this, or any other issue, please do not hesitate to contact your Program Evaluation Specialist.

Sincerely,



Azahar López, PsyD
DUI Programs Manager
Authority & Quality Improvement Services
Behavioral Health Services

cc: David Horner, PhD, CHC, CHPC, Director
Department of Health Care Services (DHCS)

County of Orange
 Effective: April 2015

**GENERAL RELIEF (GR) PROGRAM
 MONTHLY MAXIMUM AID PAYMENT (MAP) TABLE
 EFFECTIVE APRIL 1, 2015**

GR-EU SIZE	MAP No Shared Housing Situation	MAP Shared Housing with 1 other person	MAP Shared Housing with 2 other persons	MAP Shared Housing with 3 or more persons
1	350	298	280	263
2	569	484	455	427
3	704	598	563	528
4	840	714	672	630
5	954	811	763	716
6	1,072	911	858	804
7	1,178	1,001	942	884
8	1,283	1,091	1,026	962
9	1,387	1,179	1,110	1,040
10	1,490	1,267	1,192	1,118

GR-EU: General Relief – Economic Unit, defined as the number of people dependent on each other financially. For example a couple and their 2 children compose an economic unit of 4.

Shared Housing: number of individuals with whom an Economic Unit shares a home (roommate situation).

For example, an Economic Unit of 4 sharing housing with one other couple would qualify for a GR/GA benefit of \$672.