

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

Chapter 2.5 (commencing with Section 9500),
Division 4, Title 9, California Code of Regulations

SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000 AND
SUBSTANCE ABUSE TREATMENT AND TESTING ACCOUNTABILITY PROGRAM

Text of Permanent Regulations Effective January 17, 2002 and
Emergency Amendments Effective July 1, 2002 implementing
Senate Bill 223, Chapter 721, 2001 Statutes (with ~~strikeout~~ and underline)

Section	Title
9500	Application of Chapter.
9505	Definitions.
9510	Administration of the State Substance Abuse Treatment Trust Fund.
9515	County Plan.
9517	Establishment of County Trust Fund.
9520	Responsibilities of County Lead Agency.
9525	Distribution of SATTF Funds.
9526	Distribution of SATTA Funds.
9530	Allowable Costs and Activities for SATTF Funds.
9531	Allowable Costs and Activities for SATTA Funds.
9532	Client Fees.
9533	Drug Medi-Cal Services.
9535	County Records and Reporting Requirements.
9540	Departmental Audit of Expenditures and Audit Appeals.
9545	County Audit of Public or Private Contractors

§ 9500. Application of Chapter.

- (a) The regulations in this Chapter shall apply to all counties, county agencies, and public or private contractors ~~receiving~~:
- (1) Receiving substance abuse treatment trust fund (SATTF) funds, pursuant to Section 11999.4 of the Health and Safety Code, or
 - (2) Receiving Substance Abuse Treatment and Testing Accountability (SATTA) Program funds, pursuant to Section 11999.20 of the Health and Safety Code, or
 - (3) e~~C~~laiming reimbursement pursuant to the Substance Abuse and Crime Prevention Act of 2000 (hereinafter referred to as "SACPA" or "the Act") or SATTA.

- (b) All counties, county agencies, and public or private contractors receiving SATTf or SATTA funds or claiming reimbursement pursuant to the Act or SATTA shall comply with the provisions of this Chapter, and the Act, and SATTA.

NOTE: Authority cited: Section 11755, Health and Safety Code; and Statutes of 2001, Chapter 721, Section 10. Reference: Substance Abuse and Crime Prevention Act of 2000, and Sections 11999.4 and 11999.20, Health and Safety Code.

§ 9505. Definitions.

- (a) The definitions shown below shall apply to terminology used throughout this Chapter and in the Act. Terms used in only one section are defined where they are used.
- (1) "Allowable costs" means the costs specified in Section 9530.
 - (2) "Additional services supplemental to treatment" means vocational training, literacy training, and family counseling services.
 - (3) "Client" means defendant, probationer, parolee, and any other individuals eligible to receive services pursuant to the Act.
 - (4) "County trust fund" means a special trust fund established at the county level in accordance with Section 9517, for receipt and expenditure of SATTf funds pursuant to the Act.
 - (5) "Days" means calendar days unless noted otherwise.
 - (6) "Department" means Department of Alcohol and Drug Programs.
 - (7) "Department's administrative costs" means the Department's reasonable and necessary costs incurred in administration and implementation of the Act, as approved through the annual State budget process.
 - (8) "Drug treatment program" means a program which is:
 - (A) Licensed pursuant to Chapter 7.5 (commencing with Section 11834.01), Part 2, Division 10.5 of the Health and Safety Code; or Chapter 1 (commencing with Section 11876), Part 3, Article 3, Division 10.5 of the Health and Safety Code; or
 - (B) Certified as a substance abuse clinic or satellite clinic pursuant to Section 51200, Title 22, CCR, and which has submitted claims for Medi-Cal reimbursement pursuant to Section 51490.1, Title 22, CCR, within the last two calendar years; or
 - (C) Certified pursuant to Section 11831.5 or Section 11994 of the Health and Safety Code. In order to accommodate the needs of clients residing in California border counties, programs providing residential drug treatment services in states bordering California may be certified pursuant to Section 11831.5 or Section 11994 of

the Health and Safety Code so long as those programs are licensed to provide drug treatment services in the state in which they are located.

- (9) "Drug treatment services" means the services described in Section 1210(b) of the Penal Code provided by drug treatment programs.
- (10) "Equitable distribution formula" means the formula for distribution of SATTF funds specified in Section 9525.
- (11) "Fair and equitable distribution formula" means the formula for distribution of SATTA funds specified in Section 9526.
- (12)-(11) "Family counseling" means counseling with individuals, couples, or groups which examines interpersonal and family relationships. Such counseling shall be provided by an individual licensed or certified in accordance with Business and Professions Code Sections 2836 (Psychiatric Nurse Practitioner), 2838.1 (Clinical Nurse Specialist), 2903 (Clinical Psychologist), 4980 (Marriage and Family Therapist), and 4996 (Licensed Clinical Social Worker); or in accordance with Insurance Code Section 10176 (Mental Health Nurse); or by a psychiatrist certified by the American Board of Psychiatry and Neurology, Inc.; or by an intern providing services under the direct supervision of the holder of one of the aforementioned credentials.
- (13)-(12) "Literacy training" means instruction and information presented in an individual or group setting to increase literacy skills and reading comprehension.
- (14)-(13) "Other funds" means funds received from client fees or from any other source other than from the trust fund established in accordance with Section 11999.4 of the Health and Safety Code.
- (15)-(14) "Other services" means probation, court monitoring, and miscellaneous services provided pursuant to the Act.
- (16)-(15) "Parole authority" means the State Board of Prison Terms.
- (17)-(16) "Public or private contractors" means any entities receiving SATTF funds pursuant to the Act.
- (18) "Substance abuse testing" means laboratory testing to determine whether a client is using, or has used, alcohol and/or other drugs. Testing methods may include, but are not limited to, urine, blood, saliva, and breath alcohol testing.
- (19)-(17) "Substance abuse treatment trust fund funds (or SATTF funds)" means all funds received from the State trust fund established in accordance with Section 11999.4 of the Health and Safety Code.

(20) "Substance Abuse Treatment and Testing Accountability Program funds (or SATTA funds)" means all funds received pursuant to Health and Safety Code Section 11999.20.

(21)(18) "State trust fund" means a special trust fund established at the state level, pursuant to Section 11999.4 of the Health and Safety Code, for allocation and expenditure of State funds pursuant to the Act.

(22)(19) "Vocational training" means instruction and information presented in a group setting to increase opportunities for gainful employment.

NOTE: Authority cited: Section 11755, Health and Safety Code; and Statutes of 2001, Chapter 721, Section 10. Reference: Substance Abuse and Crime Prevention Act of 2000 and Sections 11999.4, 11999.5, 11999.6, 11999.7, 11999.8, 11999.9, 11999.10, 11999.11, 11999.12, 11999.13, 11999.20, and 11999.25 of the Health and Safety Code; and Sections 1210 and 3063.1 of the Penal Code.

§ 9510. Administration of the State Substance Abuse Treatment Trust Fund.

The Department shall administer a special fund known as the "Substance Abuse Treatment Trust Fund" (hereinafter referred to as the "state trust fund") pursuant to Section 11999.4 of the Health and Safety Code. These SATTF funds shall be used to:

- (a) Fund the Department's administrative costs associated with implementation of the Act;
- (b) Increase collaboration and coordination among county alcohol and drug program administrators, probation departments, courts, and impacted community parties, to demonstrate that substance abuse treatment has a positive effect on public safety; and
- (c) Fund provision of and placement in drug treatment services, vocational training, family counseling, and literacy training at the county level for adult offenders convicted of nonviolent drug possession offenses pursuant to Sections 1210(a) of the Penal Code or found to have committed a nonviolent drug possession offense pursuant to Section 3063.1 of the Penal Code and related administrative costs.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Section 11999.4 through Section 11999.6, Health and Safety Code.

§ 9515. County Plan.

- (a) All counties in California shall request SATTF and SATTA funds ~~pursuant to the Act.~~
- (b) In order to receive SATTF and SATTA funds for Fiscal Years 2001-2002 through 2005-2006, the county lead agency shall submit to the Department:

- (1) A copy of a county board of supervisors' resolution, minutes, order, motion, or ordinance that:
 - (A) Identifies a county lead agency responsible for administration of the funds, and
 - (B) States that the county agrees to comply with the provisions of the Act and the requirements of this Chapter.
- (2) A county plan, developed in collaboration with all county agencies and any other entities responsible for administering the Act, including but not limited to the office of the county alcohol and drug program administrator, the probation department, the parole authority, and the courts, with input from providers of drug treatment services in the community, representatives of drug treatment associations in the community, impacted community parties and federally recognized American Indian tribes. The county may submit the county plan electronically or on paper. The county plan shall include the information specified on County Reporting Requirements (Form ADP 10095, New 4/01) and the following:
 - (A) A brief narrative describing how the county services funded pursuant to the Act will be coordinated, including the collaborative process used to plan services and a list of entities participating in the development of the plan;
 - (B) A brief narrative describing how the county plans to provide and fund services pursuant to the Act;
 - (C) The responsible entity(ies) and the process used to determine clients' level of need for, placement in, and referral to drug treatment and additional services supplemental to treatment provided pursuant to the Act; and
 - (D) Plans for expenditure of excess SATTF funds pursuant to Section 11999.13 of the Health and Safety Code.
- (3) To be eligible to receive SATTA funds awarded pursuant to Health and Safety Code Section 11999.20, counties shall include the following information in their county plans:
 - (A) A description of the process to be used for drug treatment services and substance abuse testing of probationers consistent with Penal Code Sections 1210.1 and 1210.5 and substance abuse testing of parolees consistent with Penal Code Sections 3063.1 and 3063.2;
 - (B) A description of the assessment process that will be used to determine the placement for treatment of eligible clients, including the need for additional services that may improve the effectiveness of treatment;

- (C) The criteria used by the county, utilizing the tools available through contract enforcement, to monitor and enforce the quality of drug treatment and other services provided;
 - (D) How substance abuse testing will be used as a treatment tool;
 - (E) The county's treatment goals for eligible parolees and probationers, as well as the process the county will use to track the provision of drug treatment and additional services supplemental to treatment as determined by individual assessment of eligible parolees and probationers;
 - (F) Total planned SATTA expenditures for substance abuse testing of SACPA clients and other purposes consistent with Title 42, U.S.C., Section 300x-21(b);
 - (G) Projected number of SACPA clients tested using SATTA funds; and
 - (H) Projected number of tests administered to SACPA clients using SATTA funds.
- (3)(4) A copy of a county board of supervisors' resolution, minutes, order, motion, or ordinance approving the county plan, unless the county lead agency attaches to the plan a written delegation of approval authority from the county board of supervisors.
- (c) The county shall submit the documents required in (b) of this regulation to the Director, Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95814, no later than June 1, 2001, for fiscal year 2001-2002, and by May 1 for subsequent fiscal years 2002-2003 through 2005-2006.
 - (d) The Department shall review and approve the county's request for funds if it complies with the requirements of this regulation and the provisions of the Act. Within 15 working days of receipt of the documents required in (b) of this regulation, the Department shall notify the county in writing if its plan has been approved or is not in compliance with the requirements of this regulation and the provisions of the Act. Minimum time for approval of a county's request for funds is ten days, median is 15 days, and maximum is 20 days.
 - (e) The county shall submit to the Department an update to its county plan whenever the county makes a singular or cumulative shift of ten percent (10%) or more between county entities or types of services or between services and administrative costs (e.g. between services and probation).

NOTE: Authority cited: Sections 11755 and 11999.20; and Statutes of 2001, Chapter 721, Section 10, Health and Safety Code. Reference: Sections 11999.6, 11999.7, 11999.11, and 11999.20, and 11999.25, Health and Safety Code.

§ 9517 Establishment of County Trust Fund.

- (a) The county shall establish a trust fund at the county level and shall deposit into such county trust fund all SATTf funds and all other funds received pursuant to the Act, and any other funds designated by the county for expenditure related to the Act.
- (b) Separate sub-accounts shall be established in the county trust fund for SATTf funds and for other funds. Additional sub-accounts may be established at the county's discretion. SATTf funds shall not be commingled with any other funds.
- (c) All SATTf funds shall be maintained in an interest bearing account.
- (d) All interest accruing to each sub-account shall be utilized for expenditures permitted for funds in that sub-account.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Sections 11999.6 and 11999.7, Health and Safety Code.

§ 9520. Responsibilities of County Lead Agency.

The county lead agency identified in the county board of supervisors' resolution, minutes, order, motion, or ordinance, as specified in Section 9515(b), shall:

- (a) Coordinate the development and ongoing implementation of a county plan for administration of the Act in accordance with Section 9515. Coordination meetings shall be held at least once every three months and shall include representatives of all county agencies and any other entities responsible for administering the Act, including but not limited to the office of the county alcohol and drug program administrator, the probation department, the parole authority, and the courts, with input from providers of drug treatment services in the community, representatives of drug treatment associations in the community, impacted community parties and federally recognized American Indian tribes.
- (b) Directly provide and/or contract for the provision of authorized services specified in the Act;
- (c) Administer the county trust fund established pursuant to Section 9517;
- (d) Coordinate provision of services with all county agencies and any other entities involved in the administration of the Act. Such coordination shall include:
 - (1) Coordinating and tracking client flow through the local service systems,
 - (2) Sustaining existing services and expanding capacity as needed, and
 - (3) Monitoring the provision of services;
- (e) Submit data and reports to the Department in accordance with the requirements of Section 9535;

- (f) Collect data as necessary for the evaluation of county programs in accordance with the requirements of Sections 11999.9 and 11999.10 of the Health and Safety Code; and
- (g) Participate in surveys and data collection activities developed for the purpose of the annual and long-term statewide evaluation conducted pursuant to Sections 11999.9 and 11999.10 of the Health and Safety Code. Data to be collected may include client assessment information about drug and alcohol use; health and mental health needs; criminal behavior and risk of criminal behavior; employment; family and social supports; and services provided. The county shall retain data for five years from the date of collection, beginning July 1, 2001.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Sections 11999.6, 11999.9, and 11999.10, Health and Safety Code.

§ 9525. Distribution of SATTF Funds

- (a) The Department shall reserve up to one half of one percent (0.5%) of total funds available in the state trust fund for a long-term evaluation as specified in Section 11999.10 of the Health and Safety Code.
- (b) The Department may reserve, subject to annual approval by the State Department of Finance, up to five percent (5.0%) of total funds available to counties in the state trust fund pursuant to Section 11999.6 of the Health and Safety Code.
- (c) The Department shall deduct any amounts withheld pursuant to (a) and (b) of this regulation, as well as its administrative costs, from the funds available in the state trust fund to determine the amount of State funds available to counties.
- (d) Fifty percent (50%) of available SATTF funds shall be distributed as follows:
 - (1) Each county shall receive a base allocation of \$2,500 for every \$1 million available after the adjustments in (c) above.
 - (2) The Department shall increase each county's base allocation by an amount to be determined as follows:
 - (A) The Department shall compute the total of statewide base allocations as described in (d)(1) for all counties receiving funds and subtract this total amount from the available funds.
 - (B) After calculating the amount in (d)(2)(A) and subtracting the total from (d), the Department shall distribute the remaining balance by a proportion for each county, which shall be determined by dividing the county's total population by the total statewide population as shown in annual statistics obtained from the California Department of Finance.

- (e) Twenty-five percent (25%) of available funds shall be distributed in accordance with the formula shown below:
 - (1) The Department shall divide total drug arrests in each county for the most recent calendar year for which data is available by the total number of drug arrests statewide for the same time period. The Department shall obtain drug arrest statistics from the California Department of Justice's Bureau of Criminal Statistics.
 - (2) The Department shall multiply the proportion determined for each county by the formula shown in (e)(1) by twenty-five percent (25%) of available funds.
- (f) Twenty-five percent (25%) of available funds shall be distributed as follows:
 - (1) The Department shall divide the number of individuals receiving drug treatment services in each county, using the most recent statistically valid daily caseload data available to the Department, by the total number of individuals receiving drug treatment services statewide on the same date. The Department shall determine how many individuals are receiving drug treatment statewide and in each county based on statistics obtained by the Department through its client data collection system.
 - (2) The Department shall multiply the proportion determined for each county by the formula shown in (f)(1) by twenty-five percent (25%) of available SATTf funds.
- (g) If any county fails to submit plans and reports required pursuant to this Chapter that were due on or before January 31 of the current fiscal year, the Department shall withhold in the state trust fund twenty-five percent (25%) of the SATTf funds available for distribution to that county for the next fiscal year. The Department shall distribute those funds to the county after it receives the outstanding plans and reports.
- (h) Except as specified in (g) of this regulation, the Department shall distribute funds to counties annually via warrant (check) issued by the State Controller. The funds shall be released upon approval of the county plan submitted in accordance with Section 9515, but no earlier than July 1 of each year.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Section 11999.6, Health and Safety Code.

§ 9526. Distribution of SATTA Funds

- (a) SATTA funds for Fiscal Year 2001-2002, shall be distributed using the formula specified in Section 9525 (d), (e), (f), and (g), after deducting any amounts, which the Department is allowed to retain for administrative or other purposes.
- (b) If SATTA funds are available under Title 42, U.S.C., Section 300x-21(b), for fiscal years subsequent to Fiscal Year 2001-2002, they shall be distributed based upon

the amounts allocated for Fiscal Year 2001-2002. If the amount of funds available for a subsequent fiscal year is greater than the amount allocated for Fiscal Year 2001-2002, the increase shall be distributed using the formula specified in Section 9525(d), (e), (f), and (g).

- (c) The Department shall release SATTA funds pursuant to the county contracts required by Sections 11758.20 et seq. of the Health and Safety Code.

NOTE: Authority cited: Section 11755, Health and Safety Code; and Statutes of 2001, Chapter 721, Section 10. Reference: Sections 11999.6, 11999.20, and 11999.25, Health and Safety Code.

§ 9530. Allowable Costs and Activities for SATTF Funds.

- (a) The county and any public or private contractors shall use SATTF funds in accordance with the provisions of the Act and the requirements of this regulation.
- (b) SATTF funds shall be used to cover the costs of placing clients in and providing drug treatment services pursuant to the Act provided by drug treatment programs, as defined in Section 9505, and additional services supplemental to treatment, as defined in Section 9505. SATTF funds shall not be used to pay for drug testing, ~~although non-State funds may be used for that purpose.~~ SATTF funds may be used for other services, which may include probation department costs; court monitoring costs; and miscellaneous costs. As used in this regulation "miscellaneous costs" means any costs associated with implementation of the Act.
- (1) Miscellaneous costs may include the cost of housing only if:
- (A) The client is concurrently receiving drug treatment services as defined in Section 9505;
- (B) The facility providing housing is affiliated with a drug treatment program as defined in Section 9505 and has a contract with the county lead agency to provide housing pursuant to the Act; and
- (C) The combined cost of housing and drug treatment services provided to the client does not exceed the median cost of residential drug treatment services paid for by the same county pursuant to the Act.
- (2) Drug education may be provided as the sole service pursuant to the Act under the following conditions:
- (A) The county has determined through an assessment conducted in accordance with its county plan that the client requires only drug education; and
- (B) The client is receiving drug education services from a drug treatment program as defined in Section 9505.

- (c) Prior to July 1, 2001, SATTF funds shall be used for activities needed to implement the Act. Such activities shall include, but shall not be limited to the following:
 - (1) Planning and coordinating county activities needed to begin providing drug treatment, literacy training, family counseling, vocational training, and other services in order to implement the Act by July 1, 2001; and
 - (2) Expanding existing drug treatment programs or developing new drug treatment programs.
- (d) Commencing July 1, 2001, SATTF funds may be used until expended for the purposes specified in (c) of this regulation or to provide services as identified in the county plan developed in accordance with Section 9515.
- (e) SATTF funds shall not be used for the purchase of land, purchase or construction of buildings, or additions to buildings. The Department shall not grant waivers to this prohibition.
 - (1) As used in this regulation, "additions to buildings" means structural changes that require the relocation of exterior walls, roofs, or floors, regardless of cost.
 - (2) Non-State costs of purchase or construction of buildings or additions to buildings may be recovered only through straight line depreciation over the class life of the property, as specified in the "Table of Class Lives and Recovery Periods" in federal IRS Publication 946, "How to Depreciate Property", which is available from any office of the IRS.
- (f) With the exception of specific requirements included in (g), (h), and (i) of this regulation, determination of allowable and allocable costs under the Act shall be made utilizing the guidelines contained in the Act and in cost principles published by the federal Office of Management and Budget (OMB). The county shall follow OMB Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments". Public and private contractors shall follow OMB Circular A-122, "Cost Principles for Non-Profit Organizations". Both OMB circulars are available from the Executive Office of the President, Office of Management and Budget, Washington, D.C. 20503.
- (g) Purchase of equipment. As used in this regulation, "equipment" means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more, or the capitalization level established by the county auditor-controller, whichever is less.
 - (1) Any equipment purchased with SATTF funds shall be used for activities and services allowed in Section 11999.6 of the Health and Safety Code.
 - (2) Expenditures which are less than \$5,000 may be reimbursed as allowable costs in the year incurred.

- (3) Expenditures of \$5,000 or more may be recovered only through straight line depreciation over the class life of the property, as specified in the "Table of Class Lives and Recovery Periods" in federal Internal Revenue Service (IRS) Publication 946, "How to Depreciate Property", which is available from any office of the IRS.
 - (4) When replacing equipment, the equipment to be replaced shall be used as a trade-in, or the equipment shall be sold and the proceeds shall be used to offset the cost of the replacement property.
 - (5) Public or private contractors shall obtain written approval from the county prior to purchasing equipment.
- (h) Alteration and/or renovation
- (1) As used in this regulation, "alteration and/or renovation" means work required to change installed equipment or the interior arrangements or other physical characteristics of an existing facility so that it may be more effectively utilized for its currently designated purpose or adapted to an alternative use to meet a programmatic requirement.
 - (2) Costs of alteration and/or renovation required to provide services necessary to implement the Act may be reimbursed as allowable costs in the year(s) incurred up to \$150,000 per project.
 - (3) If the total costs of an alteration and/or renovation project exceed \$150,000 over a three-year period, those costs shall be capitalized and depreciated unless the Department grants a waiver allowing for full reimbursement as described below:
 - (A) The Department shall grant a waiver if the county submits a written request for waiver accompanied by a description of the project and a county board of supervisors' resolution that approves the project.
 - (B) If the Department does not grant a waiver, the costs may be recovered only through straight line depreciation over the class life of the property, as specified in the "Table of Class Lives and Recovery Periods" in federal IRS Publication 946, "How to Depreciate Property", which is available from any office of the IRS.
 - (4) If a building is leased, alteration and/or renovation costs shall be allowable provided that the program is responsible under the lease for paying for the alteration and/or renovation, and the alteration and/or renovation meets the criteria contained in this regulation.
 - (A) If the total cost of the alteration and/or renovation project exceeds \$150,000 without Departmental waiver, the alteration and/or renovation shall be considered a leasehold improvement.

- (B) The cost of leasehold improvements shall be amortized and may be recovered over the term of the lease(s), but no earlier than June 30, 2006.
- (5) Any county contract for drug treatment services containing costs for alterations and/or renovations funded pursuant to the Act shall require such alterations and/or renovations to be used to provide services pursuant to the Act.
- (6) If a public or private contractor ceases to provide services pursuant to the Act prior to July 1, 2006, the county shall collect a prorated portion of funding used for alterations and/or renovations from the public or private contractor and shall return such funding to the county trust fund. The amount to be collected shall be prorated by dividing the number of months remaining until June 30, 2006, by the total number of months from approval of the project until June 30, 2006, and multiplying the resulting amount by the total cost of alterations and/or renovations funded pursuant to the Act.
- (7) Any alteration and/or renovation that is done shall ensure that the altered portions of the facility comply with ~~(m)~~ (l) of this regulation.
- ~~(i)~~ ~~Counties and public or private contractors shall not use SATTF funds for costs of drug testing.~~
- ~~(i)~~(i) Public or private contractors shall obtain written approval from the county lead agency, in accordance with county requirements, prior to commencement of alterations and/or renovation, construction, leasehold improvements, and equipment purchases, to the extent that SATTF funds will be used to pay for these costs, either in full or through depreciation or amortization. The county shall ensure that reimbursement is in accordance with the limitations and requirements contained in this regulation. Nothing in this regulation shall be construed to limit the county's discretion to be more restrictive in its policies regarding such expenditures.
- ~~(k)~~(i) The county shall monitor and document activities to ensure that:
- (1) Use of SATTF funds:
- (A) Complies with the provisions of the Act and this regulation, and
- (B) Complies with county procedures for procuring property, obtaining consulting services, and awarding contracts; and
- (2) SATTF funds are not used to supplant funds from any existing fund source or mechanism currently used to provide drug treatment services in the county.

(k) In providing services reimbursed with SATTf funds under this Chapter, the county shall comply with Article 9.5 (commencing with Section 11135), Chapter 1 of the Government Code.

(l) All programs and services funded pursuant to the Act shall be accessible to persons with disabilities as provided for in the Rehabilitation Act of 1973 as amended (Section 794, Title 29, United States Code) and implementing regulation Title 45, Code of Federal Regulations, Part 84, and the Americans with Disabilities Act of 1990 (Sections 12131 through 12134, Title 42, United States Code) and implementing regulation Title 28, Code of Federal Regulations, Part 35, and the provisions of Assembly Bill 2222 (Chapter 1049, Statutes of 2000). The county and any other entity that receives SATTf funds under the provisions of the Act shall not contract with any entity or expend funds for any program or service that is not in compliance with the disability laws and regulations cited in this subsection.

(m) The county and all entities providing services pursuant to the Act shall maintain confidentiality of client records and information in accordance with Title 42, Code of Federal Regulations, Part 2.

(n) The county shall include the requirements stated in this regulation in all agreements with public or private contractors receiving funds under this Chapter.

NOTE: Authority cited: Section 11755, Health and Safety Code; and Statutes of 2001, Chapter 721, Section 10. Reference: Section 11999.12, Health and Safety Code; and Section 1210(b), Penal Code.

§ 9531. Allowable Costs and Activities for SATTA Funds.

(a) Counties and public or private contractors may use SATTA funds for substance abuse testing. SATTA funds provided under Title 42, U.S.C. Section 300x-21(b) may be used for drug testing or other purposes consistent with Title 42, U.S.C. Section 300x-21(b).

(b) The county shall monitor and document activities pursuant to Section 9535 to ensure that the use of SATTA funds:

(1) Complies with the provisions of SATTA and this regulation and, to the extent applicable, Title 42, U.S.C., Section 300x-21(b).

(2) Complies with applicable county procedures for procuring property, obtaining consulting services, and awarding contracts.

NOTE: Authority cited: Section 11755, Health and Safety Code; and Statutes of 2001, Chapter 721, Section 10. Reference: Section 11999.20, Health and Safety Code.

§ 9532. Client Fees.

- (a) The county shall utilize any fee it collects from clients pursuant to the Act as the result of an assessment by a trial judge, toward the cost of placing clients into drug treatment
 - (1) For purposes of this regulation, the "cost of placing clients into drug treatment programs" means court or probation department costs incurred in ensuring that a client is enrolled in the selected drug treatment program and has a treatment plan in place, costs of drug treatment services, and other related costs for clients eligible pursuant to the Act.
 - (2) The county shall deposit all fees it collects from clients into the sub-account established for other funds pursuant to Section 9517(b).
 - (3) The county shall report such fees on the Annual Financial Status Report (Form ADP 10096, Rev. 10/01).
- (b) Drug treatment programs in which clients are placed shall assess fees toward the cost of treatment based on their determination of a client's ability to pay in accordance with Section 11991.5 of the Health and Safety Code.
 - (1) Such fees shall be deducted from the drug treatment program's cost of providing services in accordance with Health and Safety Code Section 11987.9.
 - (2) Such fees shall be identified on the Annual Financial Status Report (Form ADP 10096, Rev. 10/01).
 - (3) The county shall pay the drug treatment program the remaining cost of providing services from the county trust fund, in accordance with either the actual cost of the service or the negotiated rate method, as specified in Section 11987.5 of the Health and Safety Code.
- (c) Fees may be assessed and collected by the court, the drug treatment program, or a third party (at the county's option), so long as all fees collected are separately identified for audit purposes and treated as placement fees, collected pursuant to (a) of this regulation, or treatment fees, collected pursuant to (b) of this regulation.
- (d) The county lead agency shall monitor to assure that assessment and collection of fees, however executed, are coordinated in a manner that avoids duplication and ensures that all fees are accounted for and used to offset the cost of services allowed in accordance with this Chapter.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Section 11991.5, Health and Safety Code; and Sections 1210.1(a) and 3063.1(a), Penal Code.

§ 9533. Drug Medi-Cal Services

- (a) If a client referred to treatment under the Act is eligible for Medi-Cal and is referred to a clinic certified to participate in the Drug Medi-Cal Program pursuant to interagency agreement between the Department and the Department of Health Services and the provisions of Title 42, Code of Federal Regulations, Section 442.10 et seq., the clinic shall seek Medi-Cal reimbursement for medically necessary services rendered pursuant to Section 51341.1, Title 22, CCR, and Section 11758.46 of the Health and Safety Code.
 - (1) The program shall follow Drug Medi-Cal admission procedures as specified in Section 51341.1, Title 22, CCR, including determination of medical necessity, prior to accepting the client as a Drug Medi-Cal client. If not admitted as a Drug Medi-Cal client, reimbursement shall be made from the county's trust fund established pursuant to Section 9517.
 - (2) The program shall not charge a Drug Medi-Cal client a fee for services provided other than a share of cost assessed pursuant to, Article 12 (commencing with Section 50651), Chapter 2, Division 3, Title 22, CCR.
 - (3) The program shall identify on Drug Medi-Cal claims that the client is receiving services pursuant to the Act.
- (b) Counties shall not use county trust funds to match Drug Medi-Cal federal financial participation.

NOTE: Authority cited: Section 11755, Health and Safety Code; Reference: Section 11758.42, Health and Safety Code; and Sections 14019.3 14019.4, Welfare and Institutions Code.

§ 9535. County Records and Reporting Requirements.

- (a) For SATTf funds received for Fiscal Year 2000-01, within 30 days from the end of each quarter, the county shall submit to the Department a written financial status report describing how the county's funds were spent during the three-month period immediately preceding the report. The county shall submit the written reports on the Quarterly Financial Status Report, Substance Abuse and Crime Prevention Act (ADP10086, Rev. 4/01), which is hereby incorporated by reference. The quarterly financial status reports shall be due on April 30 for the period January 1 through March 31, 2001, and on July 31, 2001 for the period January 1 through June 30, 2001.
- (b) For SATTf funds distributed ~~for fiscal years 2001-2002~~ through fiscal years 2005-2006, the county shall submit the following:
 - (1) County SATTf expenditures as specified on County Reporting Requirements (Form ADP 10095, New 4/01). The reports shall be submitted by January 31 for the period July 1 through December 31, and by July 31 for the period July 1 through June 30. Reports may be submitted electronically or on paper.

- (2) Client counts and characteristics and capacity/waiting list, as specified on County Reporting Requirements (Form ADP 10095, New 4/01). The reports shall be submitted semi-annually by January 31 and July 31. Reports may be submitted electronically or on paper.

(c) For SATTA funds, the county shall electronically submit:

- (1) Total actual SATTA expenditures for substance abuse testing of SACPA clients and other purposes consistent with Title 42, U.S.C., Section 300x-21(b);
- (2) Actual number of SACPA clients tested using SATTA funds; and
- (3) Actual number of tests administered to SACPA clients using SATTA funds.

(d) For both SATTF and SATTA funds, the county shall submit:

- ~~(3)~~(1) An annual county budget, to be submitted with the county contracts required pursuant to Sections 11758.20, 11785.40 et seq., and 11758.46 of the Health and Safety Code. The annual county budget shall include planned expenditures for drug treatment services, vocational training, literacy training, family counseling, court monitoring, supervision, assessment and placement, etc.
- ~~(4)~~(2) Annual cost reports pursuant to Section 11991.5 of the Health and Safety Code, showing actual expenditures, itemized by provider, for drug treatment services, vocational training, literacy training, family counseling, court monitoring, supervision, assessment and placement, etc.; The county shall submit annual cost reports by November 1 of each year.
- ~~(5)~~(3) Annual Financial Status Report, Substance Abuse and Crime Prevention Act of 2000 (ADP 10096, Rev. 10/01), which is hereby incorporated by reference. The county shall submit the form electronically or on paper by September 30 each year.
- ~~(e)~~(e) The county shall establish and maintain accounting and fiscal records that identify the source and expenditure of all SATTF and SATTA funds. The county shall maintain documentation such as cancelled checks, paid bills, payrolls, time and attendance records, contract and award documents, etc., to support such records and shall make such records available to the Department for audit upon request.
- ~~(d)~~(f) The county shall maintain fiscal control and accounting procedures in accordance with generally accepted accounting principles. Such accounting procedures shall be sufficient to:
 - (1) Permit the preparation of the reports required in this regulation, and
 - (2) Track expenditure of SATTF and SATTA funds to ensure that such funds were used in accordance with the requirements of this Chapter and the Act.

- (e)(g) The county shall retain all records documenting use of SATTF and SATTA funds for a period of five years from the end of the fiscal year or until completion of the Department's annual audit and resolution of any resulting audit issues if the audit is not resolved within five years.
- (f)(h) The county shall include the record keeping and reporting requirements established in this regulation in every agreement for services to implement the Act and SATTA.

NOTE: Authority cited: Section 11755, Health and Safety Code; and Statutes of 2001, Chapter 721, Section 10. Reference: Sections 11991.6, and 11999.12, and 11999.20, Health and Safety Code.

§ 9540. Departmental Audit of Expenditures and Audit Appeals.

- (a) The Department shall audit county expenditure of SATTF funds annually to monitor compliance with the provisions of this Chapter and the Act.
- (b) The Department shall audit county expenditure of SATTF funds in accordance with generally accepted governmental auditing standards as described in "Government Auditing Standards (1994 Revision)" published for the United States General Accounting Office by the Comptroller General of the United States. "Government Auditing Standards (1994 Revision)" is available upon written request from the United States General Accounting Office, Washington, DC 10548.
- (c) Counties and public or private contractors shall make available all accounting and fiscal records pertaining to expenditure of SATTF funds upon written request from the Department for auditing purposes in accordance with this Chapter.
- (d) Counties may appeal audit findings in accordance with the provisions of Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2 of the Government Code.
- (e) Counties shall repay to the Department amounts found by audit to have been spent in violation of this Chapter or the Act.
- (1) Amounts repaid to the Department shall be deposited into the Department's Substance Abuse Treatment Trust Fund.
- (2) If an audit discloses errors in recording or reporting of revenues and/or costs that affect ongoing reconciliation of a county's trust fund balance, the county shall make appropriate adjustments to its trust fund records and/or its financial reports to bring both into agreement.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Sections 11991.6 and 11999.12, Health and Safety Code.

§ 9545. County Audit of Public or Private Contractors.

- (a) Counties shall annually audit any public or private contractors with whom they have agreements and who expend \$300,000 or more in funds to ensure compliance with the provisions of the Act, the requirements of this Chapter, and the county terms and conditions under which the SATTf funds were awarded. Counties may, at their discretion, conduct such audits, contract for the performance of such audits, or require the public or private contractors to obtain such audits.
- (b) The audit shall be conducted in accordance with generally accepted government auditing standards as described in "Government Auditing Standards (1994 Revision)", published for the United States General Accounting Office by the Comptroller General of the United States.
- (c) The annual audit shall be completed and the county shall submit a written audit report to the Department within 30 days of completion of the audit but, no later than nine months after the end of each state fiscal year ending June 30th.
- (d) The written audit report shall establish whether the contractor expended SATTf funds in accordance with the provisions of the Act, the requirements of this Chapter, and the county terms and conditions under which the funds were awarded.
- (e) When a county audit finds that a public or private contractor has misspent SATTf funds based on the requirements of Section 9530, the county shall demand repayment from the contractor in the amount of such audit findings and shall deposit the recovered funds into the county's trust fund established pursuant to Section 9517. Such recovery of funds shall be reported to the Department on the "Annual Financial Status Report, Substance Abuse and Crime Prevention Act of 2000" (Form 10096, Rev. 10/01), which is hereby incorporated by reference, and the specific amount recovered shall be identified in the "Comments/Remarks" line on the same report. The county shall maintain an audit trail to identify the specific audit periods for which recoveries are reported.
- (f) The county shall establish a process to resolve disputed findings resulting from its own audit of public or private contractors.
- (g) Notwithstanding subsection (a) of this regulation, any public or private contractor who is required to obtain a single audit pursuant to OMB Circular A-133 and who receives funding under the Act, shall ensure that the single audit addresses compliance with the requirements of the Act. The county may rely on the single audit as fulfilling its responsibilities in Section 9545(a).
- (h) Audit work papers supporting the report shall be retained for a period of five years from the issuance of the audit report and the county shall make such work papers available to the Department upon request.

NOTE: Authority cited: Section 11755, Health and Safety Code. Reference: Sections 11991.6 and 11999.12, Health and Safety Code.

QUARTERLY FINANCIAL STATUS REPORT FOR 2000-2001
SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000
 Department of Alcohol and Drug Programs

1. Submit Completed Report to: Department of Alcohol and Drug Programs Audit Services Branch 1700 K Street, 5 th Floor Sacramento, CA 95814	2. Funding Period (State Fiscal Year) 2000-2001
3. Name and address of County Lead Agency [as required by the California Code of Regulations (CCR), Title 9, Division 4, Chapter 2.5, Section 9515(b)]	
4. Employer ID Number	5. Accounting Basis () Cash () Accrual
6. Period Covered by this Report () January 1 to March 31, 2001 () January 1 to June 30, 2001	
Transactions	Cumulative Amounts
7. Total Funds Available During Funding Period	
8. Outlays (Expenditures) for Drug Treatment Services	
9. Outlays (Expenditures) for Additional Services	
10. Outlays (Expenditures) for Other Services	
11. Total Outlays (Expenditures)	
12. Other Income (Interest, Sale of Equipment, etc.)	
13. Funds Received from Client Fees	
14. Funds Received from Providers for Audit Exceptions	
15. Funds Received from County/Local Agencies	
16. Total Program Income	
17. Net Outlays (Expenditures)	
18. Excess Funds	
19. Comments/Remarks	
20. Certification: I certify to the best of my knowledge and belief that this report is correct and complete, and that all outlays and obligations are for the purposes set forth in Division 10.8 of the Health and Safety code; Chapter 2.5, Division 4, Title 9, CCR; and in the award documents.	
Name and Title	Telephone
Signature of Authorized Certifying Official	Date Report Submitted

ADP 10086 (Rev 04/01)

**INSTRUCTIONS FOR QUARTERLY FINANCIAL STATUS REPORT
FOR 2000-2001
SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000
Department of Alcohol and Drug Programs**

1. No entry is necessary as the Department's name is preprinted on the form.
2. No entry is necessary as the funding period (State Fiscal Year) is preprinted on the form.
3. Enter the name and address of the county lead agency.
4. Enter the employer identification number assigned by the U.S. Internal Revenue Service.
5. Check the box which describes the accounting basis on which the report was prepared.
6. Check the box for the period covered by the report.
7. Enter the total allocation received by the county of the \$60 million statewide amount.
8. Enter the total outlays (expenditures) for drug treatment services.
9. Enter the total outlays (expenditures) for additional services supplemental to treatment pursuant to the Act, i.e., family counseling, vocational training, and literacy training.
10. Enter the total outlays (expenditures) for other services, i.e., probation, court monitoring, and miscellaneous services pursuant to the Act.
11. Add amount reported on line 8, line 9, and line 10, and enter the sum.
12. Enter other income (interest, sale of equipment, etc.) for the period for which the report is being submitted.
13. Enter funds received from client fees that have not already been offset against service costs prior to making payment. This may include fees assessed by trial judges or the parole authority.
14. Enter funds received from providers as a result of county audit exceptions or audit findings identified by the state which necessitated the recovery. This does not include amounts recovered through offset of payments to service providers.
15. Enter any funds received from county/local agencies for purposes of the Act.
16. Add lines 12 through 15 and enter the total program income.
17. Subtract the amount on line 16 from the amount on line 11 and enter the result.
18. Subtract line 17 from line 7 and enter the result. THE AMOUNT REPORTED ON LINE 18 ON THE JUNE 30 REPORT REPRESENTS THE UNSPENT FUNDS WHICH, IF APPROVED BY THE DEPARTMENT, MAY BE RETAINED BY THE COUNTY AND EXPENDED IN ACCORDANCE WITH SECTION 11999.13 OF THE HEALTH AND SAFETY CODE. TO RETAIN AND EXPEND THESE FUNDS, A COUNTY SHALL AMEND ITS COUNTY PLAN.
19. and 20. Self-explanatory.

ADP 10086 (REV. 4/01)

ADP 10095 (New 4/01)

Report Type	Header Information	Comments/Detail Information
I. COUNTY PLANNED EXPENDITURES		
County Plan	* County Name	Does NOT include provider detail.
	* Lead Agency	
Section	* Contact	* County Entity Type
9515(b)(2)	- Name	- Drug Treatment
	- Title	- Other Service
	- Telephone	- Criminal Justice
	- Email	* Entity Name (AOD, Behavioral Health, Public Health, Mental Health, Education, Probation, Courts, and so forth)
	* Submission Type	* Planned SACPA Dollars for Named Entity
	* Funding Period	- Direct Services
	* Allocation for FY	- Administrative Activities
	* Excess Funds	- Total for Named Entity
	Carried Over from	- % Entity Comprises of County Total
	Prior Year	* Subtotals by Entity Type
	* Total for County	* Totals for County
		* Projected # of Clients by Referral Source
		* Total Projected # Clients
		* Service Type
		- Drug Treatment Modalities
		- Literacy Training
		- Family Counseling
		- Vocational Training
		- Other Client Services
		* Planned SACPA Dollars for Service Type
		- Direct Services
		- Administrative Activities
		- Total for Service Type
		- Percentage Service Type Comprises of County Total
		* Totals for County
		* Planned # Clients to be Served by Service Type
		* Existing Capacity by Service Type
		* Planned Additional Capacity by Service Type
		* Total Capacity by Service Type
		* Totals for County
		* Case Management Activity Type
		- Referral/Assessment
		- Placement
		- Court Monitoring
		- Supervision
		- Miscellaneous
		* Planned SACPA Dollars for Case Management Activity Type
		- Direct Services
		- Administrative Activities
		- Total for Case Management Activity Type
		- Percentage Case Management Activity Type Comprises of County Total
		* Totals for County
		* Total for Services and Case Management Activities

Report Type	Header Information	Comments/Detail Information
II. COUNTY EXPENDITURES		
County Expenditure Report Section 9535(b)(1)	* County Name * Lead Agency * Contact - Name - Title - Telephone - Email * Submission Type * Reporting Period	Does NOT include provider detail. * County Entity Type - Drug Treatment - Other Service - Criminal Justice * Entity Name (AOD, Behavioral Health, Public Health, Mental Health, Education, Probation, Courts, and so forth) * SACPA Dollars Spent by Named Entity - Direct Services - Administrative Activities - Total for Named Entity - % Entity Comprises of County Total Spending * Subtotals by Entity Type * Totals for County * County Service Type - Drug Treatment Modalities - Literacy Training - Family Counseling - Vocational Training - Other Client Services * SACPA Dollars Spent by Service Type - Direct Services - Administrative Activities - Total for Service Type - Percentage Service Type Comprises of County Total * Totals for County * Case Management Activity Type - Referral/Assessment - Placement - Court Monitoring - Supervision - Miscellaneous * SACPA Dollars Spent by Case Management Activity Type - Direct Services - Administrative Activities - Total for Case Management Activity Type - Percentage Case Management Activity Type Comprises of County Total * Totals for County * Totals for Services and Case Management Activities
III. CLIENT COUNTS AND CHARACTERISTICS		
Other Services Client Counts and Characteristics Section 9535(b)(2)	* County Name * Lead Agency * Contact - Name - Title - Telephone - Email * Submission Type * Reporting Period	Client counts and demographics similar to CADDS, but at a summary level. By Service Type or Case Management Activity Type: - Literacy Training - Family Counseling - Vocational Training - Other Client Services - Referral/Assessment - Placement - Court Monitoring - Supervision - Miscellaneous Case Management

Report Type	Header Information	Comments/Detail Information
		By Client Characteristic: - Gender - Children under 18 - Age at Admission - Race - Ethnicity - Referral Source (Court/Probation or Parole) - Living Arrangement at Admission - Pregnant at Admission
IV. CAPACITY/WAITING LIST		
Other Services Waiting List Client Counts Section 9535(b)(2)	* County Name * Lead Agency * Contact - Name - Title - Telephone - Email * Submission Type * Reporting Period	Client counts by service type similar to DATAR. By Service Type: - Literacy Training - Family Counseling - Vocational Training - Other Client Services By Days on Wait: - 0 days - 1-6 days - 7-13 days - 14-20 days - 21-30 days - 31-60 days - Over 60 days

ANNUAL FINANCIAL STATUS REPORT
SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000
Department of Alcohol and Drug Programs

1. Submit Completed Report to: Department of Alcohol and Drug Programs Office of Criminal Justice Collaboration 1700 K Street, 5 th Floor Sacramento, CA 95814	2. Funding Period (State Fiscal Year)
3. Name and address of County Lead Agency [as required by the California Code of Regulations (CCR), Title 9, Division 4, Chapter 2.5, Section 9515(b)]	
4. Employer ID Number	5. Accounting Basis () Cash () Accrual
Transactions	Amount
6. Total SATTF Funds Allocated	
7. Approved Excess Funds Carried Over from Prior Fiscal Year	
8. Total SATTF Funds Available During Funding Period	
9. Expenditures for Drug Treatment Services	
10. Expenditures for Additional Services	
11. Expenditures for Other Services	
12. Total Expenditures	
13. Other Income (Interest, Sale of Equipment, etc.)	
14. Client Fees Assessed by Trial Judges and Received by the County	
15. Client Fees Assessed by Trial Judges and Collected by Treatment Programs	
16. Client Fees Assessed and Collected by Treatment Programs for the Costs of Treatment.	
Note: These funds are not totaled in Total Program Income.	
17. Funds Received from Providers for Audit Exceptions	
18. Funds Received from County/Local Agencies	
19. Total Program Income (Add lines 13-15 and lines 17-18)	
20. Net Expenditures (Line 19 minus Line 12)	
21. Funds Available at End of Period (Line 8 minus Line 20)	
22. Comments/Remarks	
23. Certification: I certify to the best of my knowledge and belief that this report is correct and complete, and that all outlays and obligations are for the purposes set forth in Division 10.8 of the Health and Safety code; Chapter 2.5, Division 4, Title 9, CCR; and in the award documents.	
Name and Title (Please print)	Telephone Number
Signature of Authorized Certifying Official	Date Report Submitted

INSTRUCTIONS FOR ANNUAL FINANCIAL STATUS REPORT
SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000
Department of Alcohol and Drug Programs

1. No entry is necessary as the Department's name is preprinted on the form.
2. Enter the funding period (State Fiscal Year) to which the report applies.
3. Enter the name and address of the county lead agency.
4. Enter the employer identification number assigned by the U.S. Internal Revenue Service.
5. Check the box which describes the accounting basis on which the report was prepared.
6. Enter the total allocation received by the county from the state Substance Abuse Treatment Trust Fund. Do not include funds received pursuant to Chapter 721, Statutes of 2001 (SB 223).
7. Enter the total prior year excess funds carried over for use in this fiscal year.
8. Add lines 6 and 7 to determine the total funds available during the State Fiscal Year.
9. Enter the total expenditures for drug treatment services (net of client fees for treatment services, whether assessed by a trial judge or the treatment program).
10. Enter the total expenditures for additional services supplemental to treatment pursuant to the Act, i.e., family counseling, vocational training, and literacy training.
11. Enter the total expenditures for other services pursuant to the Act, i.e., probation, court monitoring, and miscellaneous services.
12. Add amount reported on lines 9 through 11, and enter the sum.
13. Enter other program income (interest, sale of equipment, etc.).
14. Enter client fees assessed by trial judges and received by the county, as described in 9 CCR 9532(a).
15. Enter client fees assessed by trial judges, but collected by treatment programs. (Counties must instruct providers to separately account for such fees.) Do not enter client fees offset by treatment programs against treatment costs (excluding drug testing) prior to reimbursement, in accordance with 9 CCR 9532(b) and H&S Code 11991.5. Regardless of where and by whom fees are assessed and collected, fees must be identified to either CCR Section 9532(a) or (b). 9 CCR Section 9532(a) fees pass through the county trust fund. 9 CCR Section 9532(b) fees do not.
16. Enter client fees assessed and collected by treatment programs toward the cost of treatment pursuant to 9 CCR Section 9532(b). These funds are not totaled in the Total Program Income on line 19.
17. Enter funds received from providers as a result of county audit exceptions or audit findings identified by the state which necessitated the recovery. This does not include amounts recovered through offset of payments to service providers.
18. Enter any funds received from county/local agencies for purposes of the Act.
19. Add lines 13-15 and 17-18 and enter the total program income.
20. Subtract the amount on line 19 from the amount on line 12 and enter the result.
21. Subtract line 20 from line 8 and enter the result. THE AMOUNT REPORTED ON LINE 20 REPRESENTS THE UNSPENT FUNDS, WHICH IF APPROVED BY THE DEPARTMENT, MAY BE RETAINED BY THE COUNTY AND EXPENDED IN ACCORDANCE WITH SECTION 11999.13 OF THE HEALTH AND SAFETY CODE. TO RETAIN AND EXPEND THESE FUNDS, A COUNTY SHALL AMEND ITS COUNTY PLAN.
22. and 23. Self-explanatory.

EXHIBIT B DEFINITION OF SERVICES

A. Core Services

The following core services shall be available to SACPA Program participants.

1. Assessment and reassessment to appropriate service levels using the Addiction Severity Index (ASI) assessment tool, the American Society of Addiction Medicine Patient Placement Criteria tool (ASAM), or a related county approved assessment tool.
2. Recovery and treatment planning
3. Individual outpatient sessions
4. Group outpatient sessions
5. Case management
6. Crisis intervention
7. Addiction education
8. Health education
9. Residential treatment
10. Drug testing
11. Discharge planning and referrals

(Note: El Dorado County will provide SACPA services under Drug Medi-Cal to all eligible participants. For this reason, the lengths of groups and individual sessions must conform to Drug Medi-Cal standards regardless of the funding source.)

B. Service Levels

Core services, as defined above, shall be delivered through a treatment program that offers differing service levels appropriate to individual client needs. Following is a description of the required service levels.

1. Level I: *Low intensity outpatient education and treatment services* are those services or activities provided to adults who are willing to cooperate in their own treatment but need motivating and monitoring to sustain the recovery process. Level I services are appropriate for participants who are able to maintain abstinence or control their substance use and to pursue recovery goals with minimal support. Participants placed in this service level are in a supportive recovery environment or have the necessary coping skills to deal with a non-supportive recovery environment. Services at this level shall exist for a minimum of 3 months with, 1-3 months of additional services available upon request from the treatment provider and subsequent approval by the County Referral Team.

Level I services shall include: one intake appointment, once weekly attendance at an outpatient group session and referral to ancillary services as needed. All ancillary services must be prior authorized by the County Referral Team to be eligible for payment.

- 1.1 Level I: *Dual diagnosis services* means outpatient group sessions for participants with co-occurring substance abuse and mental health diagnoses. For participants who can benefit

from this specialized service, and with approval from the County Referral Team, dual diagnosis group sessions may be substituted for Level I core outpatient group sessions, but may not be offered in addition to core outpatient group sessions.

2. Level II: *High intensity outpatient education and treatment services* are those services provided to adults whose resistance to treatment is high enough to require a structured program, but not so high as to render outpatient treatment ineffective. This level of service may also be indicated for individuals whose addiction symptoms intensify while participating in low intensity outpatient services. Services at this level shall exist for a minimum of 6 months, with 1-3 months of additional services available upon request from the treatment provider and subsequent approval by the County Referral Team

Level II services shall include: one intake appointment; once weekly attendance at group education for the first 6 weeks, for a maximum of 6 classes; once weekly attendance at an outpatient counseling group for the first 6 weeks, then twice weekly attendance at outpatient group counseling and referral to ancillary services as needed. All ancillary services must be prior authorized by the County Referral Team to be eligible for payment.

- 2.1 Level II: *Dual diagnosis services* means outpatient group sessions for participants with co-occurring substance abuse and mental health diagnoses. For participants who can benefit from this specialized service, and with approval from the County Referral Team, dual diagnosis group sessions may be substituted for Level II core outpatient group sessions, but may not be offered in addition to core outpatient group sessions.

***Clients receiving Level 1 or Level 2 services shall be held to the following participation protocol:**

- a. Client is permitted three absences throughout the course of Level 1 treatment services. If client exceeds three absences, treatment provider must send a drop form to Probation and the Project Coordinator.
 - b. Client is permitted eight absences throughout the course of Level 2 treatment services. If client exceeds eight absences, treatment provider must send a drop form to Probation and the Project Coordinator.
 - c. Clients receiving Level 1 or Level 2 treatment services who fail to show for three consecutive classes are to be dropped from the current program. Treatment provider must send a drop form to Probation and the Project Coordinator
3. Level III: *residential treatment* means delivery of services to adult males, females, and/or women with children in an inpatient setting for a maximum of 30 days. Participants placed at this level must have a demonstrated need for a highly structured living environment to achieve and maintain control of addiction symptoms. Residential treatment extending beyond 30 days may only be provided with prior approval from the County Referral Team. Such approval will only be granted if clear justification exists, has been documented in writing, and submitted to the County Referral Team for consideration. Perinatal residential services are limited to clients who meet the Drug Medi-Cal perinatal definition, or who have children age 12 or under with them at the residential facility.

Residential treatment shall include a minimum of 20 hours per week of group education on health and/or addiction topics; 5 hours per week of process group; 1 one-hour individual session at least once every other week, 5 hours per week of recreational activities, and 1 hour per week of family therapy for those clients with intact family systems. Residents shall be included in day-to-day housekeeping activities of the facility and privileges shall be earned for successful completion of program goals. Women's group and individual therapy programs shall be focused upon the unique needs of women in recovery.

4. Individual treatment sessions must be used for "crisis" services only with services focusing on alleviating crisis problems. When possible, such services must be preauthorized by the County Referral Team.
5. Aftercare consists of 12 step meetings as recommended by the treatment provider for a maximum of 6 months. Aftercare services must receive prior approval from the County Referral Team and shall not exceed 6 months in duration.
6. Participants are eligible for 12 months of treatment funding under Proposition 36 and as a result, can be re-referred based on treatment funding eligibility for modified periods of treatment services upon the request of any of the participating agencies of the El Dorado County Proposition 36 program, with subsequent approval from the County Referral Team.

C. Ancillary Services

Ancillary services supplement core treatment services, and must receive prior authorization from the County Referral Team to be eligible for payment. Allowable ancillary services are described below.

1. *Family counseling* means counseling with individual couples or groups which examines interpersonal and family relationships. Such counseling shall be provided by an existing community resource staffed with therapists licensed in accordance with sections 4980 through 4981 of the Business and Professions Code. Upon authorization for services, the identified participant and/or family member(s) are eligible for 3 counseling sessions. The County Referral Team may authorize extensions up to a 15-session limit.
2. *Vocational training* means instruction and information presented in a group setting to increase opportunities for gainful employment. Such instruction shall be provided by an existing, already funded community resource such as the Job One program.
3. *Literacy training* means instruction and information presented in an individual or group setting to increase literacy skills and reading comprehension. Such instruction shall be provided by an existing, already funded community resource such as the Literacy Council.
4. *Perinatal Services (other than residential)* means supportive services in an agency setting or home visitation for pregnant or parenting women to support their recovery with

specific interventions designed for the needs of women developing new life skills while in recovery. Interventions shall be provided by an existing community resource. Upon authorization for services, the identified participant is eligible for 3 service sessions with extensions possible up to a 15-session limit.

5. *Transitional Housing* means a supervised clean and sober living environment that provides no treatment program component. A clean and sober living environment shall meet the requirements of the California Association of Recovery Homes voluntary certification process. Transitional housing is only available to clients who are actively participating in Level II or Aftercare services, and must be pre-authorized by the County Referral Team. If approved, transitional housing may be provided for thirty days with extensions in 30 day increments available at the discretion of the County Referral Team. Clients residing in transitional housing must:

- 5.1 Be actively seeking permanent housing.
- 5.2 If not a high school graduate or in possession of a GED, be working toward a high school diploma or GED.
- 5.3 If unemployed, begin an intensive job search within 72 hours of entering transitional housing.
- 5.4 Furnish proof of the above three activities to Probation upon request.

The transitional housing supervisor is responsible for informing clients of their obligation to participate in these activities, and the importance of providing Probation with acceptable verification substantiating compliance.

6. *Detoxification* may be offered as an ancillary service through a local treatment center.

D. Drug Testing

Drug tests shall be conducted randomly throughout the term of treatment by permanent or part-time salaried staff members only. A random call-in protocol for testing schedules shall be in place and offered to clients. Drug testing plans must be documented in clients' individual treatment plans. Drug testing results must also be documented in the client's individual treatment plan, and reported on progress reports and quarterly reports. Positive drug tests shall be reported to Probation and the Project Coordinator within 24 hours after receiving confirmation of a positive test result. Additionally, the failure of a participant to call-in according to testing schedules shall be reported to Probation and the Project Coordinator within 72 hours of the failed call-in date. Drug testing shall be used as a treatment tool in the following ways:

- Drug testing results measure the client's success in remaining drug-free,
- Drug testing results help to determine the appropriateness of the recommended treatment plan,
- Drug testing results are not to be used as a treatment penalty,
- Drug testing results are used to identify modifications that could make treatment plans more effective, and
- Drug testing results are used as a clinical tool to assess clients' relapse potential.

At service levels I, II, III, and in the aftercare phase, clients are subject to drug testing as follows:

- Level I – Low intensity outpatient education and treatment services:
 - Minimum of once per month, up to 8 times during course of treatment, unless otherwise directed by the County Referral Team.
 - Type of testing → urinalysis and five panel screens.
- Level II – High intensity outpatient education and treatment services:
 - Minimum of once per month, up to 12 times during course of treatment, unless otherwise directed by the County Referral Team.
 - Type of testing → urinalysis and five panel screens.
- Level III – Residential treatment services:
 - Minimum of two times per month, up to 4 times per month during course of treatment, unless otherwise directed by the County Referral Team.
 - Type of testing → urinalysis and five panel screens.
- Aftercare
 - Maximum of once per month, unless otherwise directed by the County Referral Team. Increases in frequency only with preauthorization from the County Referral Team.
 - Type of testing → urinalysis and five panel screens.

The above testing frequencies may be modified with preauthorization from, or at the direction of, the County Referral Team.