



Legislation Text

File #: 15-0471, **Version:** 1

Health and Human Services Agency, Mental Health Division, recommending the Board approve Tahoe Turning Point, Inc.'s "Penal Code 1000" program for the provision of drug education and counseling services. Pursuant to Penal Code 1211, the Health and Human Services Agency's Alcohol and Drug Program Manager has reviewed, approved and recommends the Board approve the program prior to implementation.

FUNDING: Per statute, the County receives five percent (5%) of client fees paid for participating in the PC 1000 program to provide oversight of the Drug Diversion Programs.

DEPARTMENT RECOMMENDATION

In accordance with Penal Code (PC) 1211, Health and Human Services Agency, Alcohol and Drug Program, (HHSA) recommends the Board of Supervisors approve Tahoe Turning Point, Inc.'s "Penal Code 1000" (PC 1000) program for the provision of drug education and counseling services. Tahoe Turning Point, Inc. (TTP) has been providing alcohol and drug treatment services for the County of El Dorado since 2012. The addition of a PC 1000 program on the East Slope of the county will provide greater access to drug education and counseling for defendants with a deferred entry of judgment.

DISCUSSION / BACKGROUND

Pursuant to PC Section 1000, et seq., specified defendants in court proceedings relative to narcotics and drug abuse are eligible for deferred entry of judgment at arraignment. In such cases, the defendant is ordered to participate in a drug education and counseling program that has been reviewed and approved by a county drug program administrator. In El Dorado County, HHSA's Alcohol and Drug Program is responsible for ensuring that providers of PC 1000 drug education and counseling programs meet all criteria as outlined in PC 1211.

In accordance with California Penal Code Section 1000, under specified limiting circumstances defendants may be eligible for Drug Diversion programs in lieu of sentencing (a deferred entry of judgment). These Drug Diversion Program providers collect fees from the defendant for participating in the program, and 5% of those fees are allocated to the County. These fees are retained in a special revenue fund and are to be used for the County to provide oversight of the Drug Diversion Programs within the County. The amount of the allocation varies based on the number of program participants.

On January 27, 2015, the Board of Supervisors approved the Chair's signature on a letter of recommendation for TTP to include in their Driving Under the Influence (DUI) and Drug Diversion licensure application packet for submission to the California State Department of Health Care Services (File ID 14-1558). Included in TTP's DUI and Drug Diversion program policies is a PC 1000 Policy. Upon approval and licensing by the State of the TTP DUI and Drug Diversion Program,

HHSA's Alcohol and Drug Program manager has reviewed and approved TTP's proposal to operate a PC 1000 program. Pursuant to PC 1211, the proposed program conforms to the regulations required to operate a PC 1000 program and will be monitored annually by the County's Alcohol and Drug Program. Also pursuant to PC 1211, the County Board of Supervisors must approve HHSA's Alcohol and Drug Program's manager's review and approval of the proposed PC 1000 program.

ALTERNATIVES

The Board of Supervisors may elect to not approve HHSA's Alcohol and Drug Program's review and approval of TTP's PC 1000 program. Currently, the County does not have a PC 1000 program on the East Slope.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

It is recommended that this item be approved if the Board wants greater access for the provision of drug education and counseling services on the East Slope of the County.

FINANCIAL IMPACT

TTP will forward to the County quarterly payments equal to 5% of the revenue generated from the PC 1000 Program participants, pursuant to California Penal Code Section 1463.16 and 1463.25, and Health and Safety Code Section 11372.70. No net county funds are involved in this program.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Clerk of the Board to forward one Certified Minute Order to HHSA at 3057 Briw Road.

STRATEGIC PLAN COMPONENT

Health and Human Services Agency Strategic Plan Project 3.2, "External/Community Collaboration."

CONTACT

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