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ADP BULLETIN

Title:

Residents Driving Other Residents—Alcoholism or Drug Abuse Recovery or Treatment Facilities

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Deputy Director Approval:

DANIEL STEINHART
Deputy Director
Licensing and Certification Division

Function:
[ ]Information Management
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Expiration Date:

Supersedes Bulletin/ADP Letter No.:
"Policy on Residents Driving Other Residents" Memorandum dated January 10, 2006

PURPOSE

This bulletin will clarify Section 10564(g), Title 9, California Code of Regulations (CCR), and rescind a previous memorandum issued to all licensees of residential alcoholism or drug abuse recovery or treatment facilities on January 10, 2006, with the subject heading "Policy on Residents Driving Other Residents."

DISCUSSION

The Department of Alcohol and Drug Programs' (ADP) previous memorandum stated that facilities allowing current residents to drive other residents in facility-owned vehicles would be issued a Class B citation with a reference to Section 10564(g), which says "Residents shall not be used as substitutes for required staff but shall be permitted to participate in duties and tasks as a voluntary part of their program of activities."

The intent of ADP's previous directive was to keep facilities from shifting staff responsibilities to residents when the facility lacks adequate personnel. The transporting of residents is not necessarily a staff requirement within Title 9, CCR, and ADP acknowledges that facilities may elect to recognize significant benchmarks certain residents achieve on their path to recovery by giving them driving privileges. Therefore, ADP will no longer cite facilities under Section 10564(g) merely because residents are driving other residents.

ADP will continue to issue citations under Section 10565(a)(2), when the proper documentation for staff who transport residents is not in each personnel record. All facilities shall also ensure compliance with Section 10571(a), which states that only drivers

licensed for the type of vehicle operated shall be permitted to transport residents. ADP recommends that facilities follow the same guidelines for documentation of residents' driving privileges (such as keeping copies of driver's licenses in client records) as those required for staff members who transport residents.

REFERENCES

- Title 9, CCR, Sections 10564(g), 10565(a)(2), and 10571(a).

BACKGROUND

ADP has sole authority in California to license and certify alcoholism or drug abuse recovery or treatment facilities that provide 24-hour residential, nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services. (HSC §11834.02.)

ADP's regulations for residential alcoholism or drug abuse recovery or treatment facilities allow for the transportation of residents by drivers who are licensed for the type of vehicle operated for the activity. (Title 9, CCR, §10571(a).)

QUESTIONS/MAINTENANCE

If you have any questions about the clarification of ADP policy regarding residents driving other residents of alcoholism or drug abuse recovery or treatment facilities, please contact Cathy Sorenson, Supervisor, Policy and Planning Unit, Licensing and Certification Division, at (916) 322-4251 or csorenson@adp.ca.gov. An additional copy of this document may be requested through ADP's Resource Center at (800) 879-2772. This bulletin is also available on ADP's Web site at www.adp.ca.gov.

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