

**Driving Under the Influence Advisory Group
Meeting Minutes
July 26, 2013
10:00am – 2:00pm**

Members present:		
Marlies Perez	Nancy Taylor	Teri Kerns
Maleah Novak	Luky Maldonado	Patrice Rogers
Linda Bridgeman-Smith	Steve Bloch	Jayne Wise
Anna Flores	Bret O'Brien	

Note: Due to a system failure with the recording system, there was no official recording of the meeting. All information identified below is from hand written notes generated by DUI staff during the meeting. We regret the loss of this information and are working with our IT and Business Services staff to ensure future system failures will not occur.

1. Welcome and Introductions

Marlies Perez convened the meeting at 10:00 am. She welcomed members and guests. After introductions, she gave the following updates:

2. Department Update, Marlies Perez

- Marlies announced that Millicent Tidwell has accepted a position at the Department of Corrections and Rehabilitation and in her absence, Marlies is now the Acting Division Chief of the Substance Use Disorder Compliance Division. Michael Cunningham and Vanessa Baird have both retired and Karen Baylor is now the Deputy Director over the newly developed Mental Health and Substance Use Disorder Services Division.
- The transition to DHCS is now complete and the former ADP functions have been placed under the new Mental Health and Substance Use Disorder Services Division. This division is further broken down into three divisions: 1) Mental Health Services; 2) Substance Use Disorder Prevention, Treatment, and Recovery Services, which includes prevention, Drug Medi-Cal, SAPT Block Grant, and research, and 3) Substance Use Disorder Compliance Division, which includes three branches, DUI, Narcotic Treatment Programs, and Criminal Justice; Licensing and Certification; and Complaints and Counselor Certification. Kevin Wortell is the Branch Chief of the DUI, NTP, and Criminal Justice Branch and Syd Treat is the new DUI Program Supervisor.

- In June, the Department terminated four DUI program licenses in Los Angeles County, due to noncompliance with state laws and regulations. All three Aztec Driving Schools and the A-LA Driver Education Center in Beverly Hills. The closures were conducted jointly with Los Angeles County. All files were seized and participants were transferred to neighboring programs, free of charge. These closures signal a commitment from our department that programs who refuse to comply and remain in non-compliance with the statutes and regulations can and will face the possibility of closure. A list of the closed programs will be posted on the website. Luky Maldonado and Teri Kerns voiced their support of closing programs that give the DUI field a bad name.
- The Department has received approval to submit a Budget Change Proposal (BCP) to contract with SDSU, Sheldon Zhang to conduct a final two-year evaluation of the DUI Program. The contract will be at the same rate as previous contracts and will revisit prior recommendations, specifically those associated with establishing program performance benchmarks, outcomes, and future data sharing efforts. The most recent progress report submitted on the SDSU program comparison evaluation, continued to be data cleaning and getting the files ready for analysis. Because the data had been collected for more than a decade there were numerous errors and inconsistencies that need to be corrected before analysis can be carried out. The idea is to begin producing meaningful data-related reports in the 2nd half of the contract period.
- Syd Treat and Maleah Novak are continuing to work on regional training sessions for this fiscal year. Phase II of this training will be conducted in September 2013.
- The Department will be conducting a Substance Use Disorder Conference in Southern California, in August 2014. This conference will replace what was once known as the ADP Conference. A conference committee has been developed and they are in the early stages of planning. They are currently proposing, in addition to the regularly set plenary session, a series of four-hour trainings on the first morning of the conference. The conference would then begin with lunch at 12:00. Any suggestions on the types DUI related training should be e-mailed to Kevin at kevin.wortell@dhcs.ca.gov.
- We have continued our discussions with DMV regarding potential data sharing efforts. The group is looking to meet sometime in the near future, including Dr. Zhang, to work through different ideas that have been suggested. Current workload, resources and contract discussions are some things that are being considered at this point.
- Teri Kerns stated that she will share the data collection tool that is used in San Diego County.

3. Cost of A DUI, Steve Bloch

Steve Bloch, Ph.D., Automobile Club of Southern California, provided a presentation of the *Analysis of the Cost of a First Offense Misdemeanor Drinking and Driving Conviction in California*. He estimates the total cost for an adult over the age of 21 years to be \$15,649, and the cost for offenders under 21 years of age to be \$22,500. He stated that these costs do not include lost work and wages, property damages, etc. For a copy of the presentation, please send a request to ferol.upton@dhcs.ca.gov.

4. CADPAAC Criminal Justice Subcommittee Update, Brett O'Brien

Brett stated that the Criminal Justice Subcommittee is currently focusing on three DUI – related issues:

- 1) Definition of “Fiscal Integrity” – Statute and regulations requires the Board of Supervisors to ensure that the establishment of a new program will not jeopardize the fiscal integrity of existing programs. He stated that this language is affecting each county’s ability to open new programs because they are being threatened with lawsuits. Also, many counties believe that competition would weed out bad or mediocre programs. They are currently reviewing existing lawsuits and will work with DHCS if they decide to pursue a change in statute.
 - 2) Definition of Treatment for DUI – CADPAAC is reviewing the definition for the inclusion of DUI into the continuum of care. Many people consider DUI as an education only program, while others consider it to be treatment. CADPAAC is ready to move forward and put an end to the conflict. Brett stated that he personally views DUI as treatment, being an intervention that leads to behavioral change.
 - 3) The Criminal Justice Subcommittee plans to make DUI a part of the regular discussion because so many people pass through these programs. Orange County 2012 data shows there were 13,000 admissions into DUI programs, with 6,000 admissions into treatment. Of the 13,000 DUI Program admissions, 10,000 were first offenders. CADPAAC realizes that DUI Programs are saving many lives, not only through public safety of roadways, but also through behavioral changes. Since Title 9 requires assessment and referral to other services, the subcommittee is interested in helping providers with making appropriate referrals.
- Teri Kerns stated that court closures are having a tremendous impact on DUI offenders because many are not being referred to DUI Programs upon conviction, or being tracked to ensure they complete the program. This is another issue she would like the Criminal Justice Subcommittee to review. She distributed a notice from San Luis Obispo County Superior Court notifying all DUI Programs that they will no longer track enrollment and completion information and are requesting that providers discontinue

sending them that information. She stated that enrollments are down 25% in Contra Costa County, due to court closures. Patrice Rogers stated that she would review DMV data for failure to appear rates due to court closures.

Marlies stated that we will continue to work with Nancy Taylor and have further discussion of court closures at the next meeting. If any members have any items to share at the next meeting, please send them to Ferol at ferol.upton@dhcs.ca.gov.

5. Title 9 Regulations, Marlies Perez and Syd Treat

Marlies stated that staff has identified some areas in regulation that could be forwarded to the subcommittee for input and recommendations. Syd Treat provided a brief presentation and a handout which identified some of the areas. Subcommittee members are Syd Treat, Teri Kerns, Maleah Novak, and Anna Flores. The Department will consider subcommittee and CADPAAC recommendations in preparation of the next regulation change proposal it puts forth.

Syd noted that the following sections of Title 9 represent areas that have been identified by field analysts as causes for concern and should be considered by the Workgroup Subcommittee to be changed or updated:

6. Workforce Development, Margie Hieter

Margie Hieter, DHCS, gave an update on the report of Workforce Development Needs in the field of Substance use disorders in preparation of health care reform. The report contains an implementation strategy, assessment of the current workforce, and identifies changes emerging as a result of health care reform. Kevin Wortell explained that questions of how DUI fit into the report and findings were raised early in the process and the decision was that DUI was aligned with the treatment related aspects and issues of the report. He also stated they were in the report indirectly as part of the certifying organizations information in the report via CADDTP. Members also requested that a representative from the DUI field be involved in the future set up of the Workforce Development Workgroup. Kevin and Margie agreed they would discuss this as the group was forming and would work with the DHCS team to ensure a voice for DUI was at the table. For additional information, please contact Margie at Margie.hieter@dhcs.ca.gov.

7. Department of Motor Vehicles Update

Patrice Rogers reported that three of the legislative bills DMV has been following, SB 289, SB 55, and AB 725, have all died, but anticipate AB 60 to pass. She reported that there is no additional information regarding the Court Referral and Tracking Pilot Program yet.

They are still waiting for approval of the report written by Marchetta Dycus, prior to moving on to Phase II.

8. DUI Program Funding Opportunities

The Workgroup did not have any items to share and decided that this no longer needed to be a standing item on future agendas, and can be addressed on an as needed basis.

9. Online DUI Programs, Luky Maldonado

Luky Maldonado stated that Sacramento Bee ran an article that incorrectly stated that DUI offenders could complete online DUI Programs. CADDTP submitted a letter to the editor about the inaccuracy, but have not yet received a reply. She asked for support in creating a public education campaign to work at the local level with members from AOC, DHCS, DMV, Counties, and Providers to share the problems associated with online DUI programs. She suggested that letters could be disseminated to the courts and district attorneys. Nancy Taylor stated that the AOC is working on some information they could share with the Judges in the next few weeks but were not prepared to issue a joint letter from the AOC and DHCS. The Workgroup will follow-up on progress at the next meeting.

10. Logic Model Discussion, Strategy 2 (Data Collection), Kevin Wortell

Due to a lack of time to properly address this item, the discussion was tabled and will be held at the October meeting.

11. Future Meetings, Kevin Wortell

The next meeting date will be **October 21, 2013** at:

Safety Center, Inc.
3909 Bradshaw Road
Sacramento, CA 95827

Dates for the 2014 meetings were selected as follows:

- Thursday, January 16, 2014
- Friday, April 18, 2014
- Thursday, July 17, 2014
- Friday, October 17, 2014

*** The meeting adjourned at 2:10 p.m. ***