

**Driving Under the Influence Advisory Group
Meeting Notes
May 2, 2014
10:00am – 2:00pm**

Members Present:		
Marlies Perez	Brett O'Brien	Larry Hearn
Maleah Novak	Linda Bridgeman-Smith	Patrice Rogers
Anna Flores – via phone	Courtney Tucker – via phone	Mark Hartzell

Department of Health Care Services (DHCS) Staff: Kelly Cowger, Syd Treat, Mary Skorka, Jose Gonzalez, Ferol Upton, Glenn Spellman, Amanda Mains, Elena Valencia, Sidney Davis, Jeannie Ho, Marisa Rey, Marilee Moon-Vanni

Guests: Douglas Carr, Bill Hayden, Nat Tolefson, Deborah Pagliuso, Bill McVay, Cristal Pizano, Scott Wise, Jr., Sheldon Zhang, Charles Horner

1. Welcome and Introductions

2. DHCS Update

- DHCS is creating a single website for the Mental Health and Substance Use Disorder Division with a focus on improved ease of access to all Department information.
- As of March 1, 2014, anyone interested in registering with a Certifying Organization is required to take a 9-hour class consisting of: 3 hours on Ethics; 3 hours on Boundaries; and 3 hours on Confidentiality.
- DHCS is in the process of filling the vacancy of the Prevention Treatment Recovery Services Division Chief, formerly held by Dave Neilsen. The Substance Use Disorder Compliance Division Chief is currently the Acting Division Chief for that Division. Filling this position will allow the Substance Use Disorder Compliance Division Chief to provide a single division focus.
- In an attempt to obtain current statewide DUI Coordinator information for each county, DHCS-DUI Unit is in the process of drafting correspondence for distribution. Once coordinators are identified, the DUI Unit will work to improve collaboration and access site visit report information completed at the county level.
- DHCS is in the process of hiring a graduate intern who will focus on assisting the research of potential assessment/screening tools and program curriculums proven effective for measurable outcomes in DUI programs nationwide.
- DHCS is pursuing a waiver for expansion of Drug/Medi-Cal services as one of several measures to improve treatment access and build a more cohesive delivery system of care. While not specifically affected by the waiver referenced, there are currently 28 licensed DUI providers who are also Drug/Medi-Cal certified, with potential for more DUI programs to

expand upon treatment services, improving access for those in need of a higher level of care. Additional waiver information is available via the website: www.dhcs.ca.gov

- The Budget Concept Proposal required for submission to continue San Diego State University DUI evaluation work is continuing to move forward. DHCS anticipates continuation of services beginning in July 2014, with a focus to expand on the recommendations made in the previous SDSU report.
- The Substance Use Disorders Statewide Conference is scheduled for August 11-13, 2014, at the Hilton Hotel in Orange County, 3050 Bristol Street, Costa Mesa 92626. They are now taking reservations on-line. DHCS will provide four 4-hour blocks of free training prior to the start of the conference, and one of those will be DUI Program related. Topics are currently in development and suggestions should be sent to syd.treat@dhcs.ca.gov.
- DUI unit management staff will be attending a MADD Victim Impact Panel (VIP) in Sacramento on May 14, 2014 to observe the process and potentially make recommendation on effective use of VIP's statewide.
- The Division Chief attended the CADPAAC/Criminal Justice Subcommittee meeting. The meeting was very productive. During the meeting a discussion occurred regarding the 30-month program. Ideas were discussed that third and subsequent offenders should be court ordered to treatment. Dr. Sheldon Zhang, from San Diego State University, provided a very informative presentation and handouts. Many county representatives were interested in providing information and feedback to the DUI regulations subcommittee in order to have input on any upcoming regulation change proposals.
- The Department's Mental Health and Substance Use Disorder Deputy Director recently attended the Governor's Prevention Advisory Council. Both presentations and input from advisory members confirmed potential to expand collaboration and education in regards to DUI related issues. The DUI unit looks forward to building a stronger collaboration with Prevention.

3. DMV/MAU Webinar Update

- Aaron Meaux from the Department of Motor Vehicles (DMV) has been promoted and no longer works with the Mandatory Actions Unit (MAU). DHCS staff has met with new DMV staff to discuss continuation of developing the technical assistance webinar, which DHCS committed to providing. Response from the call for input sent to DUI program providers and affiliates resulted in a list of 78 questions. Response to the questions will be compiled in a joint effort between DHCS and DMV and addressed in an informational webinar. The webinar is anticipated to take place no later than July, 2014. Additional DMV/MAU questions can be submitted on an on-going basis to Syd Treat, Supervisor, DUI Unit, at syd.treat@dhcs.ca.gov.

4. CADPAAC Update

- In July, the County Alcohol and Drug Program Administrators Association of California (CADPAAC) will merge with the California Mental Health Directors Association (CMHDA). The new name of the combined group has not been finalized. Membership in the combined group

will vary depending on the county's organizational structure as some county's Alcohol and Drug Program Administrators are also Mental Health Directors. CMHDA is set to meet on a monthly basis. CADPAAC's final quarterly meeting will occur in May 2014 and the newly formed association will begin meeting in June 2014.

- The new Association anticipates establishment of the Forensics Subcommittee with a continued focus, either directly or by workgroup, on issues that were the focus of CADPAAC's Criminal Justice Subcommittee (CJS), such as DUI related matters.
- CADPAAC's, CJS had begun specific focus on DUI related issues and many county stakeholders have expressed desire to continue that momentum. An area that is clearly a concern is DUI multiple offenders and how to best address the needs of these individuals who may be assessed and/or screened as benefitting from a higher level of treatment than currently required, available, or provided at some DUI programs.
- CADPAAC's, CJS expressed interest in creating a subcommittee to focus on legislation impacting and improving the delivery of care at DUI programs. Several current members volunteered to remain engaged even with the restructure of current CADPAAC membership.
- Tom Renfree will become employed by California Institute for Mental Health (CIMH), and he will be the point person for alcohol and drug issues.

5. SDSU Updates

- Ninety-seven (97) of 138 DUI Programs have completed the DUI Program survey conducted by the San Diego State University (SDSU) through the contract with DHCS. This constitutes a 70.3% completion rate. The purpose of the survey is to determine what types of data DUI programs are collecting, how they are collecting it, and what they are doing with it. The SDSU team is making ten separate attempts to get all programs to respond. The cutoff date is May 9. DHCS offered to provide county contact information to the SDSU team, who then could assist in contacting programs who have not responded to the survey. It is anticipated that the final survey results will be available by the end of May. Those results will be discussed at the next advisory meeting, scheduled for August 4, 2014.
- Discussion occurred relating to the existence and effectiveness of the 30-month program (as outlined in California Code of Regulations (CCR), Title 9, Section 9851(f)), specifically for those individuals who have been convicted of three or more DUI offenses. The completion rate of these programs stands at just 43.6%. Currently, they are only being utilized in five counties: Los Angeles, Stanislaus, San Joaquin, Butte, and Mendocino. Comparison of 18-month program completions, sorted by second and third offenders, and the completion rates of 30-month programs could help determine if third DUI offenders in 18-month programs have the same completion rate as third offenders attending 30-month programs. Sheldon and Patrice will collaborate on obtaining this data.
- The 2012 regulations increased participant assessment requirements, but did not mandate the use of a specific tool. The SDSU survey indicates that a wide variety of tools are being used

statewide. This is an indicator that more information needs to be gathered with regards to assessment tools in order to determine their effectiveness. Many programs are completing the participant assessments, but do nothing with the results. Even when the indicators are that the person has a problem, very few referrals to ancillary services are being made. Regulations currently prohibit a DUI Program from referring participants to their own treatment programs without approval by the County Alcohol and Drug Program Administrator. This is seen as a barrier to treatment, and will be discussed further in the regulations subcommittee.

- AB 1916 requires counties to conduct assessments on DUI program participants that are terminated from the program, to determine if the individual needs additional treatment. DUI offender fines include \$100 for this assessment, upon conviction. However, many counties have never implemented the requirement, and others have discontinued it.
- DHCS will research the use of other types of tools, e.g., the Driver Impairment Index (DII) and the Driver Impairment Index-Driver Risk (DII-DR), which are used to identify the risk of recidivism, not the degree of substance abuse or addiction. Also, to realize the difference between assessment and screening tools, as assessments are much more precise and lead to a diagnosis, where screening tools (i.e. Drug and Alcohol Screening Tools, Depression Screening Tools, etc.) are less precise, but identify a particular trait. Additional information on the topic of screening/assessment will be provided at the next DUI Advisory meeting.
- A recommendation was made to assemble a subcommittee to work on developing assessment/screening requirements, e.g., decide whether we should use an assessment or screening tool, identify desired outcome of using the tool, uniformity of use statewide, and being cost effective.

6. DMV Update

- AB 2500 (Frazier) has died. This bill established zero tolerance for drugs and set-up blood content limits for specific drugs, including marijuana. It is anticipated that another similar bill will be introduced again next year.
- AB 60 provides drivers licenses to undocumented immigrants. This requirement will be up and running by January 1, 2015. The DMV is planning to open four or five new field offices to accommodate the increased need.
- A handout was distributed, "Counties by Percentage of Reported BACs on DUI Abstracts in 2010", displaying a map of California counties that do/don't report BACs on the court abstracts submitted to DMV. The BAC data would be very informational, and DMV would like to encourage all counties to report it.
- The report of the Strategic Highway Safety Plan, Court Referral Process Pilot Project has been completed. For copies of the report, please e-mail Patrice at progers@dmv.ca.gov. The project was very successful in getting DUI offenders referred to a DUI program at sentencing. The project brought many players to the table, i.e., state, county, court, and providers. The Subcommittee will recommend expanding the pilot to additional counties, making modifications

based on what was learned in the original project. Also, the report will be updated to include all those individuals who contributed to the report.

- DMV is pushing to make California the first state to impose implied consent sanctions for those who refuse tests for drugs, including marijuana, like what is currently in use for alcohol.

7. California Association of DUI Treatment Programs (CADTP) Symposium Update

- CADTP recently held two symposiums, in the Bay Area and in Los Angeles, with a theme of strengthening partnerships. Wendy Warwick was elected as Chair of the Los Angeles Chapter of CADTP. The Bay Area symposium also focused on DUI offenders with high BAC's being plead down to wet reckless convictions. Both symposiums were well attended.

8. Open Discussion and Agenda Items for Next Meeting

- Due to the difficulty of travelling on Fridays, a request was made to change the dates of the future Friday meetings. [Note: The next meeting dates are now scheduled for Monday, August 4, 2014 and Monday, November 3, 2014.]
- DHCS will be reviewing the effectiveness of the 30-month program. It appears that these programs have much more success if the court/judges are involved, as is the case in Butte County. Bill McVay, with the High Road Program, will obtain data from the 30-month programs in Los Angeles County.
- DHCS will lead a discussion on the use of assessments and screening tools.
- Sheldon Zhang will lead a discussion on the San Diego State University (SDSU) survey findings, which will be included in the final study for the 2014 contract.
- DHCS will begin updating the workgroup membership, as some members are no longer with the representing agencies or are no longer active.
- DHCS will continue to capture advisory group highlights and post on the website as meeting notes.