



RICHARD FIGUEROA  
ACTING DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

DATE: January 8, 2020

Behavioral Health Information Notice No.: 20-001

TO: Alcohol and/or Other Drug Programs Licensed and/or Certified by the  
Department of Health Care Services  
California Alliance of Child and Family Services  
California Association for Alcohol/Drug Educators  
California Association of Alcohol & Drug Program Executives, Inc.  
California Association of DUI Treatment Programs  
California Consortium of Addiction Programs and Professionals  
California Council of Community Behavioral Health Agencies  
California Opioid Maintenance Providers  
California State Association of Counties  
Coalition of Alcohol and Drug Associations  
County Behavioral Health Directors  
County Behavioral Health Directors Association of California  
County Drug & Alcohol Administrators

SUBJECT: Implementation of Assembly Bill (AB) 919

EXECUTIVE SUMMARY: This Information Notice (IN) provides guidance about the passage of AB 919, which went into effect on January 1, 2020.

REFERENCE: Health and Safety Code (HSC) Section 11831.6, 11831.65, 11831.7 and [MHSUDS Information Notice No.: 19-002](#).

### **Background**

Senate Bill (SB) 1228, which went into effect on January 1, 2019, prohibits licensed alcoholism or drug abuse recovery or treatment facilities, certified alcohol or other drug programs, as well as the owners, partners, directors, employees, or shareholders of these facilities and programs from giving or receiving anything of value for the referral of a person to a licensed alcoholism or drug abuse recovery or treatment facility or certified alcohol or other drug program. DHCS implemented provisions of SB 1228 through MHSUDS IN No. 19-002.

AB 919, which was effective January 1, 2020, expands on the prohibitions implemented by SB 1228.

## **Discussion**

### **Housing Prohibitions**

AB 919 requires certified outpatient treatment programs that lease, manage or own housing units offered to individuals receiving outpatient substance use disorder treatment services to maintain separate contracts for the housing. Certified outpatient programs' housing contracts shall:

- Clearly state that payment for housing is the responsibility of the individual and does not depend on insurance benefits;
- Include a repayment plan for any subsidized rent and that the treatment program shall make a good faith effort to collect the debt; and
- Specify that the offer for housing does not depend on the individual's agreement to receive services from the treatment program.

AB 919 prohibits licensed adult alcoholism or drug abuse recovery or treatment facilities from offering an individual discounted housing, unless the following conditions are met:

- The individual has been discharged from the licensed adult alcoholism or drug abuse recovery or treatment facility;
- The licensed adult alcoholism or drug abuse recovery or treatment facility and the individual enter into a written contract for housing that is separate from the contract for treatment, if the individual also pursues outpatient treatment;
- The housing contract includes a repayment plan for any subsidized rent, and the licensed adult alcoholism or drug abuse recovery or treatment facility makes a good faith effort to collect the debt; and
- The offer for housing is not dependent upon the individual's agreement to attend outpatient treatment at a program that is owned or operated by the licensed adult alcoholism or drug abuse recovery or treatment facility.

### **Transportation Prohibitions**

Licensed adult alcoholism or drug abuse recovery or treatment facilities shall only offer ground transportation services to an individual seeking to receive recovery or treatment services from that facility if the total distance traveled to the facility is less than 125 miles.

Licensed adult alcoholism or drug abuse recovery or treatment facilities shall only offer air transportation services to an individual seeking recovery or treatment services from that facility if:

- The individual is given a return ticket that may be used by the individual upon discharge; and

- The return ticket is made available to the individual, upon request, for a period of one year following the individual's discharge in the event the individual does not use the ticket upon discharge.

### **Compliance**

Licensed adult alcoholism or drug abuse recovery or treatment facilities and certified outpatient programs shall maintain records demonstrating compliance with all housing and transportation provisions in HSC Section 11831.65. The Director may assess civil penalties, suspend or revoke a certified outpatient or licensed residential facility for violations of Chapter 7 of the HSC and regulations adopted pursuant to that chapter.

Allegations of violations of Chapter 7 of the HSC may be submitted to DHCS via e-mail at [SUDComplaints@dhcs.ca.gov](mailto:SUDComplaints@dhcs.ca.gov) or by calling the toll free complaint line at 877-685-8333.

### **Resources**

Senate Bill 1228:

[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB1228](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1228)

Assembly Bill 919:

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB919](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB919)

Federal SUPPORT Bill:

<https://www.congress.gov/bill/115th-congress/house-bill/6/text?q=%7B%22search%22%3A%5B%22hr+6%22%5D%7D&r=1>

DHCS Information Notices:

[https://www.dhcs.ca.gov/formsandpubs/Pages/Behavioral\\_Health\\_Information\\_Notice.aspx](https://www.dhcs.ca.gov/formsandpubs/Pages/Behavioral_Health_Information_Notice.aspx)

Questions pertaining to this IN should be directed to the Licensing and Certification Division Officer of the Day at (916) 322-2911.

Sincerely,

Original signed by:

Janelle Ito-Orille, Chief  
Licensing and Certification Division