



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



GAVIN NEWSOM  
GOVERNOR

DATE: June 24, 2020

Behavioral Health Information Notice No: 20-039

TO: 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: Approval of Regulations Package 14-026 for Narcotic Treatment Programs (NTPs)

REFERENCE: These regulations were proposed under the following authorities: Sections 20, 11750, 11755, 11835, 11839.3, 11839.6 and 11839.20, Health and Safety Code (HSC). These updated regulations implement, interpret, or make specific the following: Sections 11217, 11839.2, 11839.3, 11839.4, 11839.5, 11839.6, 11839.7, 11839.9, 11839.10, 11839.12, 11839.16, 11839.19, 11839.20, 11839.22 and 11839.24, Health and Safety Code; and Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code.

PURPOSE: The purpose of this Information Notice is to inform all NTPs licensed by the Department of Health Care Services (DHCS) that Title 9, California Code of Regulations (CCR), Division 4, Chapter 4, Subchapter 1 commencing with Section 10000 (revised March 1, 2020) replaces the previous Title 9, CCR, Division 4, Chapter 4, Subchapter 1 commencing with Section 10000 (revised April 21, 2006). These regulations have been amended in order to align state and federal regulations and ensure compliance with recently enacted statutes in order to enhance oversight of the NTPs and improve the health and safety of NTP patients.

**BACKGROUND:**

Title 9, CCR, Division 4, Chapter 4, Subchapter 1 commencing with Section 10000 are the primary regulations governing NTPs. These regulatory provisions address numerous topics including program licensure, evaluation and administration, medication security and patient treatment. Many of these regulations have been amended following the approval of regulations package 14-026.

Senate Bill (SB) 973 (Hernandez, Chapter 484, Statutes of 2014) amended HSC Section 11839.3 to authorize NTPs to admit patients to narcotic maintenance or narcotic detoxification treatment at the discretion of the medical director by removing the requirement that patients wait seven days in-between treatment episodes. SB 973 also allows patients to qualify for self-administered take-home medication under specified circumstances, requires a medical director to determine whether or not to dilute self-administered take-home medication, and requires a unique patient identifier for record keeping. Regulatory amendments to Title 9, CCR, Division 4, Chapter 4, Subchapter 1 commencing with Section 10000 implement SB 973 in order to remove barriers to access treatment and prevent unnecessary discomfort for patients in addiction recovery.

HSC Section 11839.2(c) identifies the controlled substances that are authorized for use in Narcotic Replacement Therapy (NRT) by NTPs. Buprenorphine and buprenorphine combination products are approved medications for use in NTPs to treat opioid use disorder. Amendments to the regulations include buprenorphine and buprenorphine combination products for use in NRT.

**POLICY:**

NTPs are subject to all regulations in Title 9, CCR Division 4, Chapter 4, Subchapter 1 commencing with Section 10000. Compliance with the updated regulations is mandatory for all licensed NTP providers. The regulations become effective on July 1, 2020.

In order to provide stakeholders an overview of key changes to the regulations, DHCS will be hosting an external webinar on Thursday July 30, 2020. DHCS has sent out invitations to this webinar via email to its network of NTP providers. You may also access the webinar by following this link:

<https://dhcs.webex.com/dhcs/j.php?MTID=mfa42c7d7e5d953570f19494d73f5f95b>

**REGULATORY CHANGES TITLE 9, CCR, DIVISION 4, CHAPTER 4,  
SUBCHAPTER 1**

**Adopted Sections**

10021, 10036, 10037, and 10386

**Amended Sections**

10000, 10010, 10020, 10025, 10030, 10035, 10040, 10045, 10055, 10056, 10057,  
10060, 10095, 10125, 10130, 10145, 10160, 10165, 10190, 10195, 10240, 10260,  
10270, 10280, 10315, 10320, 10330, 10345, 10355, 10360, 10365, 10370, 10375,  
10380, 10385, 10410, and 10425

**Repealed Sections**

10015 and 10340

**Required Forms**

The following forms are incorporated by reference in regulatory text:

1. Application for License Renewal form DHCS 4029 (04/16)
2. Initial Application Coversheet form DHCS 5014 (04/16)
3. Guarantor Agreement form DHCS 5020 (04/16)
4. Facility and Geographical Area form DHCS 5025 (04/16)
5. Staff Information form DHCS 5026 (04/16)
6. County Certification form DHCS 5027 (04/16)
7. Organizational Responsibility form DHCS 5031 (04/16)
8. Patient Death Report form DHCS 5048 (04/16)
9. Affiliated and Associated Acknowledgment form DHCS 5134 (04/16)
10. Application for Protocol Amendment form DHCS 5135 (04/16)

If you have questions regarding this Information Notice, please contact the Counselor and Medication Assisted Treatment Section at [DHCSNTP@dhcs.ca.gov](mailto:DHCSNTP@dhcs.ca.gov) or (916) 322-6682.

Sincerely,

Original signed by

Janelle Ito-Orille, Division Chief  
Licensing and Certification Division