



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



EDMUND G. BROWN JR.
GOVERNOR

DATE: December 28, 2018

MHSUDS INFORMATION NOTICE NO.: 18-061

TO: COUNTY BEHAVIORAL HEALTH DIRECTORS
COUNTY DRUG & ALCOHOL ADMINISTRATORS
COUNTY ADMINISTRATIVE OFFICERS
COUNTY BEHAVIORAL HEALTH DIRECTORS ASSOCIATION OF CALIFORNIA
CALIFORNIA COUNCIL OF COMMUNITY BEHAVIORAL HEALTH AGENCIES
COALITION OF ALCOHOL AND DRUG ASSOCIATIONS
CALIFORNIA ASSOCIATION OF ALCOHOL & DRUG PROGRAM EXECUTIVES, INC.
CALIFORNIA ALLIANCE OF CHILD AND FAMILY SERVICES
CALIFORNIA OPIOID MAINTENANCE PROVIDERS

SUBJECT: TREATING YOUTH WITH NARCOTIC REPLACEMENT THERAPY (NRT)

PURPOSE

This Department of Health Care Services (DHCS) Information Notice (IN) provides guidance for the use of authorized NRT to treat individuals under age 18 in a licensed Narcotic Treatment Program (NTP).

BACKGROUND

Health and Safety Code Section 11839.2 permits licensed NTPs to provide federally approved controlled substances to patients with an opioid use disorder (OUD) for the purpose of Narcotic Replacement Therapy (NRT). NRT is a treatment for opioid dependency. The goals of NRT are to prevent relapse, reduce cravings, and block the euphoric effects of opioid misuse. NRT is comprehensive treatment with medications approved by the Food and Drug Administration for patients with OUD. These NRT controlled substances include full agonist medication (methadone) and partial agonist medication (buprenorphine and buprenorphine products).

The two phases of NRT are detoxification and maintenance. Detoxification treatment provides patients with gradually reduced doses of NRT medication to prevent withdrawal symptoms. Detoxification may be short-term, lasting 21 days, or long-term, lasting up to 180 days. Maintenance treatment provides NRT medication to patients in sustained, stable, medically determined doses. The purpose is to reduce or eliminate OUD, while the patient is provided a comprehensive range of additional treatment services.

Code of Federal Regulations Title 42, Part 8 sets forth requirements for maintenance treatment for persons under age 18. In order to be eligible for maintenance treatment, a person under 18 years of age is required to have had two documented unsuccessful attempts at short-term detoxification or drug-free treatment within a 12-month period. No person under 18 years of age may be admitted to maintenance treatment unless a parent, legal guardian, or responsible adult designated by the relevant State authority consents in writing to such treatment.

California Code of Regulations (CCR), Title 9, Chapter 4 specifies requirements for both detoxification and maintenance treatment for persons under age 18. For detoxification treatment, in addition to meeting all other requirements outlined in Section 10270(c), patients under the age of 18 years shall have written consent of their parent(s) or guardian prior to the administration of the first medication dose for detoxification treatment. For maintenance treatment, a minimum age of 18 is required pursuant to the CCR. DHCS may grant temporary exceptions to CCR, Title 9, Chapter 4 if it determines that such action is justified and would improve treatment services or afford greater protections to the health, safety or welfare of patients, the community, or the general public. The program shall comply with all Departmental requirements for maintaining appropriate records or otherwise documenting and reporting activity. The Department's temporary exception approval shall contain an accurate description of the exception(s) granted and the terms and conditions to be observed by the licensee. All requirements of exceptions are outlined in CCR, Title 9, Chapter 4, Subchapter 6, Section 10425(a).

POLICY

Detoxification treatment for individuals who are under 18 years of age requires written consent of their parent(s) or guardian prior to the administration of the first medication dose (CCR, Title 9 10270(c)(3)). NTPs may seek an exception to this requirement on an individual patient basis by submitting a temporary exception request to DHCS.

State regulations do not allow maintenance treatment for individuals who are under 18 years of age (CCR, Title 9 10270(d)(3)). DHCS will review temporary exceptions to this rule with or without written consent of their parent(s) or guardian.

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Licensed NTPs may submit exception requests using Form SMA-168: Exception Request and Record of Justification. This form must be submitted to DHCS and the Substance Abuse and Mental Health Services Administration (SAMHSA) via the [SAMHSA OTP Extranet website](#). In order to access Form SMA-168, NTPs must be logged into the Extranet website.

QUESTIONS

For questions, please contact Crystal Sanchez at (916) 345-7482 or by email at Crystal.sanchez@dhcs.ca.gov.

Sincerely,

Original signed by

Brenda Grealish, Acting Deputy Director
Mental Health & Substance Use Disorder Services