

MEMORANDUM



DATE: November 17, 2023

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 Association of Social Rehabilitation Agencies
California Consortium of Addiction Programs and Professionals
California Council of Community Behavioral Health Agencies
California Hospital Association
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

FROM: Janelle Ito-Orille
Division Chief
Licensing and Certification Division

SUBJECT: [Assembly Bill \(AB\) 1360 Hope California: Secured Residential Treatment Pilot Program](#) (Penal Code Sections 4019, 1203.44 and 11105)

The Department of Health Care Services (DHCS) has sole authority to license adult alcoholism or drug abuse recovery or treatment facilities that provide residential nonmedical treatment or recovery services to eligible adults addressing issues related to substance use disorder (SUD). (Chapter 7.5 of Part 2 of Division 10.5 of the Health and Safety Code.)

On October 10, 2023, AB 1360 was chaptered, and Section 1203.44 was added to the Penal Code. AB 1360 authorizes the counties of Sacramento and Yolo to participate in

a pilot program known as “Hope California”. Hope California offers residential treatment for eligible individuals with SUDs who have been convicted of qualifying drug-motivated felony crimes as outlined in AB 1360. The residential treatment pilot program facilities are a secured and clinical setting, managed and staffed by each county’s health and human services agency with oversight from the county’s probation department. Each county is limited to operating one program facility.

AB 1360 requires the residential treatment pilot program facilities to be licensed by DHCS pursuant to Chapter 7.5 (commencing with Section 11834.01) of Part 2 of Division 10.5 of the Health and Safety Code and the California Code of Regulation (CCR), Title 9. (Penal Code Section 1203.44(a)(1).) DHCS has authority to access the program facilities to investigate complaints by program participants and to ensure the facilities comply with applicable statutes and regulations. (Penal Code Section 1203.44(a)(6).)

AB 1360 requires the counties to report all the following information annually to DHCS and, in compliance with Section 9795 of the Government Code, to the Legislature (excluding any personally identifiable information of participants):

- 1) The risk, needs, and biopsychosocial assessment tool used for the program.
- 2) The curriculum used by each program.
- 3) The number of participants with a program length other than one year and the alternative program lengths used.
- 4) Individual data on the number of participants participating in the program.
- 5) A one-and three-year evaluation of the number of subsequent arrests and convictions of the participants. (Penal Code Section 1203.44(a)(20).)

Specific information on DHCS Licensing and Certification functions is available at [DHCS Licensing and Certification Division](#) website, and the [Substance Use Disorder Licensing and Certification Toolkit](#).

Questions regarding the DHCS application process should be directed to the SUD Licensing and Certification Section by email at LCDQuestions@DHCS.CA.GOV or by phone at (916) 322-2911.