

DATE: [Date]

Behavioral Health Information Notice No: 25-XXX

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

SUBJECT: Guidance for Requesting Inactive Status for Alcohol or Other Drug (AOD) Licenses and Certifications Following Declared Emergencies or Disasters

PURPOSE: To provide guidance to licensed AOD recovery or treatment facilities and certified alcohol or other drug programs regarding the process for requesting inactive license or certification status following a declared emergency or disaster.

REFERENCE: [Senate Bill \(SB\) 582, \(Stern, Chapter 546, Statutes of 2025\)](#)

BACKGROUND:

The Department of Health Services (DHCS) is responsible for licensing, certifying, and monitoring alcohol or other drug (AOD) recovery or treatment facilities and AOD programs, as defined in Health and Safety Code, Division 10.5, Part 2, Chapter 7.1 and Chapter 7.5.

On January 7, 2025, two massive wildfires swept through the Los Angeles area, destroying thousands of homes and businesses and severely impacting the operations of numerous state-licensed entities. These state-licensed entities included AOD recovery or treatment facilities and AOD programs. In many cases, AOD recovery or

treatment facilities and AOD programs were rendered uninhabitable or unsafe, forcing them to cease operations.

Pursuant to SB 582, Health and Safety Code, Division 10.5, Part 2, Chapter 7.6 authorizes DHCS to establish a process for AOD recovery or treatment facilities and AOD programs to request that their license or certification be placed on inactive status within 90 days of a proclaimed or declared emergency or disaster. It also outlines requirements for reactivation and provides for the waiver of associated licensing and certification fees during the inactive period.

POLICY:

Eligibility to Request Inactive Status

A licensed AOD recovery or treatment facility or a certified AOD program may request that DHCS places its license or certification on inactive status as a result of a proclaimed or declared emergency or disaster when both of the following conditions are met:

- (1) The AOD recovery or treatment facility or AOD program is forced to close because the destruction or damage to the building and/or surrounding property renders the building uninhabitable or threatens the health and safety of the residents or clients; and
- (2) The AOD recovery or treatment facility or AOD program intends to become operational at the same location.¹

For the purposes of this guidance, a “proclaimed or declared emergency” means a condition identified by the Governor of California or the President of the United States through a formal proclamation or declaration of emergency, as defined in Health and Safety Code Section 1797.81.

The “same location” refers to the physical address listed on the valid license or certification.

The AOD recovery or treatment facility or AOD program must submit its request for an inactive license or certification to DHCS within 90 days of the applicable proclamation or declaration.²

AOD recovery or treatment facilities or AOD programs intending to relocate to a different location may not apply for an inactive license or certification. If an AOD recovery or treatment facility or AOD program plans to continue to operate at a new address, that facility or program shall submit a license or certification amendment according to applicable regulations.

Submission Requirements

¹ Health & Safety Code, § 11834.61, subd. (a) (“hereafter H&S Code”).

² *Id.*, subd. (b).

Requests for an inactive status must include all of the following information and be submitted to DHCS by mail or email:

- (1) The name of the licensed AOD recovery or treatment facility or certified AOD program,
- (2) The license or certification number,
- (3) The mailing address of the AOD recovery or treatment facility or AOD program,
- (4) The email address of the AOD recovery or treatment facility or AOD program, if applicable,
- (5) The name of the applicable proclamation or declaration,
- (6) A description of the destruction or damage to the building and/or surrounding property, including photographs or insurance claims that show the destruction or damage to the building, and
- (7) A statement affirming the AOD recovery or treatment facility or AOD program intends to become operational at the same location.³

Requests for an inactive status may be submitted by mail to:

Department of Health Care Services
Licensing and Certification Division
P.O. Box 997413, MS 2600
Sacramento, CA 95899-7413

Or by email to:

LCDQuestions@dhcs.ca.gov

DHCS Review and Determination

Within 15 working days of receiving a request, DHCS will review the submission and notify the AOD recovery or treatment facility or AOD program in writing whether the request is complete or incomplete.⁴

If the request is incomplete, the AOD recovery or treatment facility or AOD program has 30 working days from the date of the written notification to provide the missing information. Failure to submit outstanding documentation within this timeframe will result in the request being automatically terminated. A new request may be submitted within the original 90-day window from the date of the applicable proclamation or declaration.⁵

If the request is complete, DHCS will issue a written notification, and the license or certification will be placed on inactive status effective as of the notification date.⁶

³ *Id.*, subd. (c).

⁴ *Id.*, subd. (d).

⁵ *Id.*, subd. (d)(1).

⁶ *Id.*, subd. (d)(2).

If the AOD recovery or treatment facility or AOD program later determines that it will not reopen, it must notify DHCS in writing as soon as possible. This will ensure that DHCS records remain accurate and that inactive status is not maintained unnecessarily.

Reactivation of License or Certification and Fee Waiver

An AOD recovery or treatment facility or AOD program must apply for reactivation of its license or certification within two years of DHCS' written notice placing it on inactive status.⁷ Reactivation is not automatic and requires the AOD recovery or treatment facility or AOD program to complete a written application for extension pursuant to Health and Safety Code Section 11834.16 or renewal pursuant to Health and Safety Code Section 11832.6, respectively.⁸ When submitting the extension or renewal application to reactivate a license or certification, the AOD recovery or treatment facility or AOD program must include a cover letter indicating that it is requesting reactivation of its inactive license or certification. DHCS will conduct an onsite visit prior to reactivation to ensure the AOD recovery or treatment facility or AOD program is able to operate in compliance with state law.

All fees associated with license extensions and certification renewals related to reactivation are waived during the inactive period and at the time of reactivation.⁹

If an AOD recovery or treatment facility or AOD program does not apply for reactivation within the two-year timeframe, the license or certification will automatically expire.¹⁰ In such cases, the AOD recovery or treatment facility or AOD program must submit a new initial application for license or certification pursuant to Health and Safety Code Section 11834.03 or 11832.4.

DHCS may consider extending the inactive status of a license or certification beyond two years based on a written request and justification submitted by the AOD recovery or treatment facility or AOD program.¹¹

Requests to extend an inactive status may be submitted by mail to:

Department of Health Care Services
Licensing and Certification Division
P.O. Box 997413, MS 2600
Sacramento, CA 95899-7413

Or by email to:

LCDQuestions@dhcs.ca.gov

Client Transition Prior to Inactive Status

If an AOD recovery or treatment facility or AOD program becomes uninhabitable due to a declared natural disaster or emergency, the facility or program must make reasonable

⁷ *Id.*, subd. (h).

⁸ *Id.*, subds. (e) & (f).

⁹ *Id.*, subd. (g).

¹⁰ *Id.*, subd. (h).

¹¹ H&S Code, § 11834.61, subd. (i).

attempts to provide clients with referral information to continue treatment services or provide information regarding alternative treatment settings. AOD recovery or treatment facilities and AOD programs should follow all applicable discharge planning protocols and maintain documentation of these efforts to help safeguard client well-being and support continuity of care during the period of non-operation.

Limitations During Inactive Status

During the inactive period, an AOD recovery or treatment facility or AOD program cannot provide any services and may not advertise, market, or otherwise represent that services are being provided. AOD recovery or treatment facilities and AOD programs must ensure that all public-facing materials, including websites, directories, and promotional content are updated to prevent misrepresentation of operational status.

Inactive status reflects that the AOD recovery or treatment facility or AOD program is temporarily non-operational due to a declared emergency or disaster; no client care, treatment, or administrative programming may occur at the site until the license or certification is reactivated. Despite the temporary closure, all recovered client records must continue to be securely maintained throughout the inactive period in accordance with Title 9 of the California Code of Regulations.

Inactive status does not waive any statutory or regulatory requirements that apply to the AOD recovery or treatment facility or AOD program.¹² All obligations under the Health and Safety Code and associated regulations remain in effect during the inactive period, including the AOD recovery or treatment facility's or AOD program's obligation to submit any information required under the law.¹³ Additionally, placing a license or certification on inactive status does not restrict DHCS' authority to initiate or continue enforcement actions, including but not limited to, investigations, deficiency citations, suspensions, or revocations, if warranted under applicable statutes and regulations.¹⁴

If an AOD recovery or treatment facility or AOD program is licensed or certified by other state departments within the California Health and Human Services Agency, DHCS will coordinate with those departments to ensure that an inactive status, as well as reactivation, is handled consistently across all licensure or certification types.

If you have questions about this Behavioral Health Information Notice, please contact the Licensing and Certification Officer of the Day at (916) 322-2911 or by email at LCDQuestions@DHCS.CA.gov.

Sincerely,

Janelle Ito-Orille, Chief
Licensing and Certification Division

¹² *Id.*, subd. (k).

¹³ *Ibid.*

¹⁴ *Id.*, subd. (l).