

San Diego County



Penal Code §1000
TWO-TRACK
Drug Diversion Program

Program Guidelines and Participant Standards

Local PC 1000 Guidelines Summary

California Penal Code Section 1000 (PC 1000) establishes the authority for counties to create drug diversion programs for eligible participants who are referred from a court. A referral will be made to a County certified PC 1000 Drug Diversion program when a participant is eligible and suitable for the PC 1000 program. Persons who have a need for Substance Use Disorder (SUD) treatment, and who have private insurance, will be referred to their healthcare provider. The criminal charge is dismissed, pursuant to statute, if the participant successfully completes the program and complies with the conditions established by the court.

Two-Track Drug Diversion Process

The PC 1000 Two-Track Drug Diversion Program is intended to provide participants with either education on substance use or treatment for a diagnosed substance use disorder (SUD). The Drug Medi-Cal Organized Delivery System, and changes in state law, bring about the following changes to providers: 1) elimination of the AIDS education component, 2) maintenance of the education track, and 3) addition of a treatment track. The education track will continue at the existing sites, and on September 1, 2019, the new treatment track will be available at the six Regional Recovery Centers. All participants will be assessed SUD need through the American Society for Addiction Medicine (ASAM) criteria. If participant is assessed as having a need for treatment, they will only participate in the treatment track.

Orientation and Enrollment

Program shall enroll individuals referred to their program and site using the BHS-550 Referral Form or have been issued a referral to attend PC 1000 Drug Diversion by another California county. Participants shall be enrolled no later than 14 days past the date specified on the referral form. The orientation shall explain the PC 1000 Program Guidelines and Participant Standards document. Program shall enroll a participant by completing the PC1000 Orientation Checklist.

Leave of Absence (LOA)

Participants may request a leave of absence (LOA) whenever they are unable to attend any two consecutively scheduled program activities. To request a LOA, the participant shall submit a written request including the following information:

- The name of the participant
- The reason for requesting the LOA
- The beginning and end dates for the LOA

Program shall require the participant to request prior approval unless participant is unable to due to circumstances beyond their control. When participant requests retroactive approval, the written request shall document the circumstances that prevented the participant from requesting prior approval. Participants are allowed a total of 4 absences during the duration of the program and a 5th absence will result in dismissal and referral back to Court. Program shall require each participant to make up all absences. Time on LOA shall not count toward the minimum 3 months (12 weeks) required participation.

Inter-Program Transfer

A participant transferring to another PC 1000 Two-Track Drug Diversion Program in the County shall report to the receiving program within 28 days of cessation of services by the sending program. Notification of transfer shall be provided to the Court by the sending program using the County of San Diego PC 1000 Pre-Trial Diversion Program Participant Status Report (BHS-550PSR). The receiving program shall notify the sending program and the Court of the participant's enrollment or non-enrollment.

Program Guidelines and Participant Standards

Participant Grievance Process

Program shall develop a process and procedure to address participant grievances. The plan must outline the steps for filing a grievance and the time frame required for a response.

Reporting Responsibilities

Program Reporting

- Program shall report the following participant information within 2 working days of deadline to the Court:
 - Confirmation of enrollment by required date
 - Successful completion
 - Satisfactory participation
 - Failure to complete or participate and reason

County Reporting

- Program shall submit the following reports to Behavioral Health Services(BHS)
 - Monthly Status Report
 - Monthly DATA set as specified by BHS
 - Quarterly revenue/expense report, Administration Fee Reporting Form and the Administration fee

Client Participation

Adequate participation is required for both PC 1000 Education and Treatment Tracks. For the Education Track, participants are required to complete 20 hours of classes. For the Treatment Track, participants are required to complete a minimum of 20 hours of treatment. Thresholds for unsatisfactory participation may include the following:

- Failure to comply with program rules and regulations.
- Positive drug test, failure to submit to a drug test or coming to program under the influence of alcohol or other drugs.
- Exceeding 5 unexcused absences.
- Failure to maintain contact with the program for 28 or more consecutive days.
- Failure to contact receiving program within 28 days of transfer
- Participant is physically or verbally abusive or threatening to program staff or other program participants. Program may refuse to reinstate a participant dismissed on this basis; a statement to that effect shall be included in the dismissal notice sent to the Court.

Unsatisfactory participation should be reported to the Court. The participant may be dismissed from the Education Track; however, this does not mean they are dismissed from the PC 1000 program. Clinical assessments should inform recommendation to dismiss clients, alternative referral to treatment, or change the level of care. Recommendation for dismissal or alternative referrals shall be reported on the PC 1000 Pretrial Diversion Program Participant Status Report and returned to the Court. The participant may also be dismissed from the Treatment Track. In such a case, they would not be eligible for the Education Track, and would therefore be dismissed from the PC 1000 program.

Education Track

Educational Sessions

The program shall schedule and provide ten (10) 2-hour and 10-minute educational sessions (20 hours total) scheduled once per week for (10) consecutive weeks. Each education session shall be limited to no more than 30 program participants. Each education session shall consist of:

- 90 minutes of educational activities
- 10-minute break
- 30-minute educational group discussion on the topic
- Individual completion of educational summary for each session

All programs shall utilize an approved curriculum that includes, but is not limited to the following educational topics:

- Understanding use and addiction
- Risk of legal issues and physical health
- Risk to family and employment
- Substance use disorder relapse warning signs and triggers
- Recovery skills including anger management and communication skills
- Recovery planning, relapse prevention, and abstinence
- Rewards of recovery

All programs shall develop lesson plans for each educational session that includes:

- Goals and objectives of each session
- Outline of the information to be covered
- Handouts, audiovisual aids, and/or guest speakers
- Educational sessions shall be scheduled to reasonably accommodate day/evening participant needs.

Each education session shall be limited to no more than 30 program participants. Participants shall complete a questionnaire on each education session.

Drug Testing

Baseline drug test shall be administered at program admittance. Collection shall be observed; therefore, both male and female staff shall be available. Urinalysis shall be a full panel drug screen. Program shall develop and implement a protocol for observed collection, testing, confirming, documenting, and reporting participant drug test results and shall submit the protocol to the COR for approval. Protocol shall protect against the falsification and/or contamination of any urine samples.

Baseline test may show a positive result and the participant shall not be dismissed. Subsequent drug tests shall be random. If the level remains steady or increases, this shall be considered a positive drug test and the participant shall be released from education track and re-assessed for treatment track. Notification shall be provided to the Court using the County of San Diego PC 1000 Diversion Program Participant Status Report.

Referral to Ancillary Services

Program shall refer participants to ancillary services such as withdrawal management, mental or physical health agencies, family counseling, and residential treatment/recovery services based on assessed need. Referral shall be voluntary.

Program Fees and Refunds

Program shall charge only those program fees established and approved by the COR. Standard fee/payment schedule shall be applied. See PC 1000 Education Track Program Fee document. At the time of transfer or program dismissal of a participant, program shall calculate the value of services provided, based on the cost per unit of service, and compare that total to the fees paid to date by the participant. Any fees paid more than the value of services provided shall be refunded to the participant within 60 days of the date of program dismissal or within 14 days from the date of transfer.

Participant Records

Program shall establish a participant case file to include all relevant material and documentation for each participant. Participant files shall be retained for a minimum of 48 months from the date of the last program activity. A summary of all program services, absences, fees/charges and fees paid shall be reflected in each participant file. At minimum, the participant case file shall contain:

- Supplemental Documents
- Record of attendance at program services and self-help groups
- Referrals to support services
- Face-to-face contacts with staff
- Drug test results
- Fee collection status
- Exit plan

Outcomes Objectives

Completion

A minimum of 55% of clients enrolled will complete the PC 1000 Education Track, as measured by completing all required program services and paying in full all assessed program fees.

No New Arrests

A minimum of 90% of all participants who successfully complete the PC 1000 Education Track shall have no new arrests, excluding minor traffic offenses, while in the program. This is measured by participant self-report and is documented at their final service in the program.

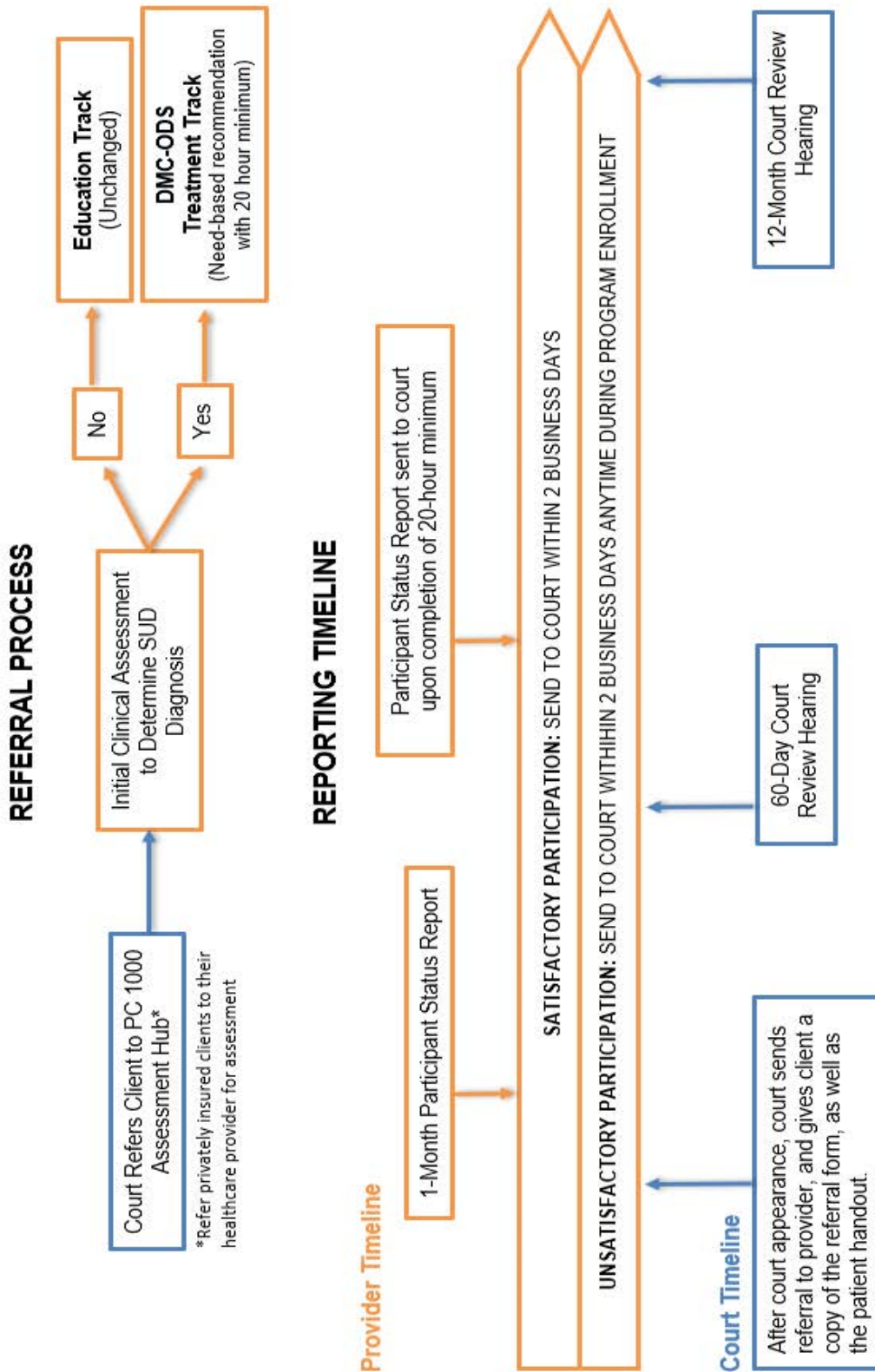
Supplemental Documents

The following documents are applicable to all enrollment sites:

- PC 1000 SanWITS Reporting Instructions
- PC 1000 Program Orientation Checklist

Participant Referral and Reporting Timeline

PC 1000 Two-Track Drug Diversion Training Guide



PC 1000 Two-Track Drug Diversion Training Guide (CONT.)

Introduction

The new PC 1000 Two-Track Drug Diversion program is intended to provide clients with either education on substance use or treatment for substance use disorders. The Drug Medi-Cal Organized Delivery System prompts: 1) removal of the AIDS education component, 2) maintenance of the education track, and 3) addition of a treatment track for clients assessed as needing treatment. The education track will continue unchanged at all 6 participating sites. Clients enrolled in the education track must complete 20 hours of education classes to satisfy program requirements. On September 1, 2019, the new treatment track will expand to all 6 participating sites. Clients enrolled in the treatment track must participate in a minimum of 20 hours of treatment to satisfy court requirements, but are welcome to continue treatment beyond that requirement. Please click this link for more information: <https://www.optumsandiego.com/content/sandiego/en/county-staff---providers/dmc-ods.html>.

Referral Process

The referral process will begin when the client is instructed by the Court to enroll in the PC 1000 Drug Diversion program. Clients with private insurance shall be referred to their private healthcare providers. Clients who are eligible for Drug Medi-Cal services will be referred to County treatment providers. Clients who are unsure as to whether they are eligible for Drug Medi-Cal services will contact one of the participating sites. The initial clinical assessment to determine substance use disorder (SUD) diagnosis will take place at the treatment provider. If the client is not diagnosed with a SUD, they will enroll in the Education Track. If they are diagnosed with SUD, the client will enroll in the Treatment Track.

Reporting Timeline

Provider Timeline

The treatment provider will be responsible for submitting the following documents within 2 business days to the Court:

- 1-month County of San Diego PC 1000 Pre-Trial Diversion Program Participant Status Report (HHSA/BHS-550PSR)
 - Completion of minimum 20-hour program County of San Diego PC 1000 Pretrial Diversion Program Participant Status Report
- Reports indicating unsatisfactory participation shall be sent to the Court within 2 business days. Such reports may be submitted anytime during the client's enrollment in the program.

Court Timeline

As part of a pre-trial court hearing, the Court shall determine if the defendant is eligible for the PC 1000 Drug Diversion program. If the defendant is eligible to enroll in the program, the Court will be responsible for the following:

- Completing the referral form (HHSA/BHS-550) for PC 1000 Drug Diversion and PC 1210.1 Treatment Programs Referral Form
 - Retaining the original document
 - Sending 1 copy to the treatment provider
 - Presenting 1 copy to the defendant
- Provide the defendant with the Program Participant Status Report and PC 1000 Participant Handout

The Court will conduct a 60-day and 12-month review hearing to determine whether the client's charges may be dismissed.

Program Guidelines and Participant Standards

PC 1000 Two-Track Drug Diversion Program Comparison		
Component	PC § 1000 Education Track	PC § 1000 Treatment Track
Intake	Review/design intake assessment/form to ensure it will facilitate separation of clients into education track and treatment track.	
Orientation & Enrollment	Explains requirements, rules, fees/payment schedule, abstinence policy, drug testing, confidentiality, grounds for termination, grievance process, and schedule of activities.	Same as SUD treatment process.
Modules	Ten education modules totaling 20 hours of education. Each session consists of 90 minutes of education, a 10-minute break, and 30 minutes of group discussion. All programs utilize the approved curriculum, which includes substance abuse and legal issues, physical effects of drugs on the body and general health, understanding abuse and addiction, substance abuse and the family, substance abuse and communicable diseases, substance abuse and employment, recovery skills including anger management and communication, relapse warning signs and triggers, relapse prevention and abstinence.	Based on assessed need from provider.
Drug testing	1-baseline UA test at intake 2-random UA tests.	Random, no less than once per month.
Case Management	See ancillary services	Same as SUD treatment process.
Ancillary Services	All participants shall be referred to ancillary services such as detoxification, mental or physical health agencies, family counseling, and residential treatment/recovery services based on assessed need. Referrals shall be voluntary and cannot be added as a condition of successful program completion.	Same as SUD treatment process.
Program Length	Minimum 3 months (12 weeks) Includes 20 hours of structured programming.	Need-based recommendation with 20 hour minimum.
Program Fee	\$455 for all services (\$140 if client is on General Relief)	No fees (Medi-Cal or private medical coverage).
Financial Assessment	Program shall assess all participants to determine their program fee and payment schedule. Participants who can document eligibility for General Relief or income no greater than General Relief shall pay a total fee of \$140.	Same as SUD treatment process. Persons with private insurance will be referred to their healthcare provider.
Reporting	<p>By referral agency: Programs shall report failure to enroll, failure to complete, or dismissal with reason, successful completion, and progress to court/client through client status reports (see HHS/BHS 550PSR).</p> <p>To County HHS/BHS: monthly status report, monthly DATA set specified by BHS, quarterly revenue/expense report.</p>	
Completion Criteria	-Three months/12 weeks of active participation. -Completion of all required program services. -Payment of all assessed fees.	Client completes at least 20 hours of treatment.

CLIENT REFERRAL FORM: HHSA/BHS 550

COUNTY OF SAN DIEGO
PC § 1000 DIVERSION and PC § 1210.1 TREATMENT PROGRAMS
REFERRAL FORM

- Central Division, 1100 Union Street, San Diego, Ca 92101
East County Division, 250 E. Main St., El Cajon, Ca 92020
North County Division, 325 S. Melrose Dr., Vista, Ca 92081
South County Division, 500 Third Ave., Chula Vista, Ca 91910

DEFENDANT'S NAME (Please print):

Judge/Dept.:

Pres. Judge: Judge Peter Deddeh

(Last Name) (First Name)

Court Case No.:

Court Hearing Date:

Client Contact Phone Number:

Offense:

- Reassign (Enroll) Court Date:
Reinstate (Complete) Court Date:

THE COURT HAS ORDERED YOU TO ENROLL IN THE FOLLOWING PROGRAM:

- PC § 1000 Diversion Program
PC § 1210.1 Treatment Program

YOU MUST IMMEDIATELY CONTACT THE PROVIDER CHECKED BELOW:

- McAlister Institute (MITE) East RRC
McAlister Institute (MITE) South RRC
McAlister Institute (MITE) North Coastal RRC
Vista Hill Bridges RRC
Episcopal Community Services (ECS) Central RRC
McAlister Institute (MITE) North Inland RRC

OTHER:

FAILURE TO ENROLL BY WILL RESULT IN A REFERRAL BACK TO COURT

IMPORTANT: KEEP THIS FORM: YOU MUST PRESENT IT WHEN YOU ENROLL

(Defendant's Signature) (Today's Date) (Date of Birth)

(Defendant's Address) (Telephone)

(City) (State) (Zip) (Email Address)

FOR OFFICIAL USE ONLY

The individual named above is referred back to Court for FAILURE TO ENROLL by

For further information contact:

Phone: Date:

PARTICIPANT STATUS REPORT: HHSA/BHS 550PSR

COUNTY OF SAN DIEGO — PC 1000 PRETRIAL DIVERSION PROGRAM
PARTICIPANT STATUS REPORT

Central Division, 1100 Union Street, San Diego, Ca 92101
 East County Division, 250 E. Main St., El Cajon, Ca 92020

North County Division, 325 S. Melrose Dr., Vista, Ca 92081
 South County Division, 500 Third Ave., Chula Vista, Ca 91910

Participant Name: _____

Referring Agency: _____

Court Case Number: _____

Original Court Date: _____

Judge/Dept.: _____

Referral/Assign Date: _____

Offense(s): _____

Provider (Check): MITE East RRC MITE South RRC MITE North Coastal RRC
 Vista Hill Bridges RRC ECS Central RRC MITE North Inland RRC
 Other: _____

Enrollment Verification and Report Requirements

<input type="checkbox"/> EDUCATION TRACK	Date of Enrollment: _____
EDUCATION STATUS REPORTS DUE: 1-month & 3-month (or end of program enrollment)	
PC 1000 Education: <input type="checkbox"/> 1-Month Satisfactory Participation <input type="checkbox"/> 3-Month Satisfactory Participation (or end of enrollment) <input type="checkbox"/> Program Change (comment below)	
COMMENTS: _____ _____	

<input type="checkbox"/> TREATMENT TRACK	Date of Enrollment: _____
TREATMENT STATUS REPORTS DUE: 1-month & 3-month (or end of program enrollment)	
PC 1000 Treatment: <input type="checkbox"/> 1-Month Satisfactory Participation <input type="checkbox"/> 3-Month Satisfactory Participation (or end of enrollment) <input type="checkbox"/> Program Change/Referral (comment below)	
COMMENTS: _____ _____	

Unsatisfactory Reporting [Send within two (2) business days]	
The individual/case named above is REFERRED BACK TO COURT for the following reason:	
COMMENTS: _____ _____	
DATE OF DISCHARGE: _____	

Program Contact Name: _____

Signature: _____ Date: _____

Note: 1. **Unsatisfactory participation reports or change of program** should be sent to Court within two (2) business days.
2. **Programs** should send education track reports to Court within two (2) business day. **Programs** are also responsible for submitting 1-month treatment track report within 10 business days. **Clients are responsible** for submitting 3-month treatment track report within two (2) business days.

PC 1000 Education Track Program Fee

PC 1000 Education Track Program Fee - \$455

Standard Fee/Payment Options

\$38 per week for 11 weeks, 12th payment of \$37

Down \$125, 3 monthly payments of \$110

Extended Payment Plan- up to 12 months

The program fee is \$120 for participants who document eligibility for General Relief or income no greater than the County of San Diego General Relief benefit of \$274 per month (\$20 down and \$20 per month totaling \$80). Additional charges for participants are \$15 each for reschedule, LOA, transfer, and reinstatement.

Cost Per Unit of Service

Orientation and Enrollment	\$95
Educational Sessions (10 sessions @ \$22 each)	\$220
Individual Counseling (2 sessions at \$40 each)	\$80
Drug Testing (3 tests at \$20 each)	\$60

Additional Costs

Late Payment	\$10	Make Up/reschedule	\$20
NSF Check	\$20	LOA/transfer/reinstatement	\$40

County of San Diego HHSA/CDO
 PC 1000 Education Track Program Fee
 01/2019