

COUNTY OF SAN DIEGO



HEALTH AND HUMAN SERVICES AGENCY, BEHAVIORAL HEALTH SERVICES

PC 1000/Deferred Entry of Judgment Program Guidelines and Program Participant Standards, and AIDS Education Only Program Guidelines



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INTRODUCTION

The purpose of the *PC 1000 Deferred Entry of Judgment and AIDS Education Program Standards* is to provide guidelines and standards for the successful operation of the Penal Code 1000 Deferred Entry of Judgment Program (DEJ), known locally as the PC 1000 Program and the AIDS Education Program in San Diego County.

PC 1000 Program. When the Court determines an offender is eligible and suitable for the PC 1000 program, a referral shall be made to a County certified PC 1000 Program. Certification is defined as award of a contract through a competitive procurement process under the purview of the Health and Human Services Agency, Alcohol and Drug Services and maintaining contract compliance as verified through contract monitoring. If the offender successfully completes the program and complies with the other conditions of Deferred Entry of Judgment, the criminal charge is dismissed pursuant to applicable statute.

AIDS Education. Offenders convicted of certain drug abuse and prostitution charges are referred to an AIDS Education Program per Penal Codes 1001.10. and 1001.11. The two-hour session is also included as a component of the PC1000 education requirement.

System Design. PC 1000 programs provide services to participants referred by the San Diego County Superior Courts. Programs may accept enrollees from other California Counties who require PC 1000/DEJ program attendance. This system is designed to provide accessible programs, maintain a sufficient pool of participants to support each program, and facilitate appropriate participant tracking and reporting.

Program Staff Requirements

Counseling Staff Requirements

All persons conducting education sessions, AIDS education sessions, individual sessions, substance abuse assessments and drug testing in the PC 1000 program shall abide by the requirements specified in the California Alcohol and other Drug Counseling Standards.

Educational counseling staff shall be trained on utilizing the approved education curriculum.

Staff Orientation

Program shall provide a program orientation including policies and procedures, duties and responsibilities, relevant section of the California Penal Code that pertains to this program and these Standards to all employees assigned to the PC 1000 Program. Each employee file shall contain signed confirmation that orientation was provided.

PROGRAM Definitions

Abstinence Policy – Refraining from the use of alcohol and drug use entirely during the program duration.

ADS – Alcohol and Drug Services division, County of San Diego, Health and Human Services Agency.

AIDS Education – A two (2) hour education class designed for persons convicted of offenses described in the California Penal Code 1001.10. Attendance is limited to persons referred from courts and/or probation.

Ancillary Service – Additional outside services which provide resources that meet the educational, vocational, family counseling, health and other needs required to support the participant's recovery.

Assessment – An in-depth review including level of care assessment and client strengths and needs to provide baseline information regarding life domains, i.e., alcohol and/or other drug use, medical, employment, legal, social, psychological, family, environment and special needs.

Court Referred – A specific court order to a specific program.

COR – Contracting Officers Representative who provides program oversight on behalf of the County of San Diego.

Days – “Days” means calendar days, unless otherwise specified.

Drug Testing – A process to collect blood, urine or saliva to determine the presence of alcohol or illicit drugs in an individuals' system verified by a certified laboratory.

Educational Session – A planned session in which didactic information related to the disease of addiction and its impact on the personal, professional, and spiritual health and well-being of the client/participant is presented and discussed. Education sessions are limited to 30 attendees.

Illicit Use of Drugs – The use of any substance defined as a drug in Section 11014, Chapter 1, Division 10 of the Health and Safety Code, except:

- Drugs or medications prescribed by a physician or other person authorized to prescribe drugs, pursuant to Section 4036, Chapter 9, Division 2 of the Business and Professions Code and used in the dosage and frequency prescribed; or
- Over-the-counter drugs or medications used in the dosage and frequency described on the box, bottle, or package insert.

Individual Counseling Session – A face-to-face private interview with staff to provide assessment, treatment and discharge planning, monitor the participant's progress in the program, manage crisis situations and provide referrals to ancillary services when necessary.

Month – “Month” means the period of time from a specific date in one calendar month to the corresponding date in the following calendar month.

Penal Code - A compendium of laws relating to punishment of crime.

PC 1000 Program – A drug education program that is county certified as described in the California Penal Code, Chapter 1.5 Certification of Drug Diversion Programs.

Program Fee – A fee charged to the participant for program services.

Self-help: Self-help groups are voluntary associations of people who share a common desire to overcome substance abuse that provide mutual support and peer support to help each other address common problems.

PC 1000 Program SERVICES

PC 1000 Program Services Summary

The program is 3 months in length and requires completion of 21 hours of structured program activities, plus an additional 10 hours of self-help attendance. The PC 1000 Program services are as follows:

- Program Orientation and Enrollment
- Initial Assessment
- One individual counseling session, 30 minutes
- One exit conference, 30 minutes
- Ten (10) education modules, 2 hours and 10 minutes each. This provides 20 hours of education services and incorporates a 10 minute break for each session.
- Urinalysis drug testing is required. One (1) baseline drug test at enrollment and minimum two (2) random drug tests
- Attendance at a minimum of one self-help meeting every week for ten (10) weeks
- Program participation shall be for a minimum of 3 months/12 weeks.

PC 1000 Program Orientation and Enrollment

Orientation

- 1) Program shall enroll only those individuals referred to their program and site, or have been issued a referral to attend PC 1000/DEJ by another California county.
- 2) Participants shall be enrolled no later than 14 days past the date specified on the PC 1000 Program referral form. This 'grace period' is designed to accommodate schedule conflicts.
- 3) The Program Orientation shall explain:
 - Requirements for successful program completion
 - Program rules, requirements and regulations
 - Fees and payment schedules, including extended payments
 - Abstinence policy
 - Urinalysis drug testing
 - Confidentiality issues and release forms
 - Grounds for dismissal
 - Grievance process

Enrollment

- 4) Program shall enroll a participant by completing the following requirements:
 - Intake forms which shall include the following information: Legal name and additional names ("also know as" or AKA); date of birth, date of arrest, adjudication date; date referral to program was issued; mailing address, telephone and cellular phone numbers.
 - Completion of signed confidentiality releases as needed. Copies of all confidentiality releases shall be retained in the case file.
 - Completion of all required data information.
 - A contract which shall list the services to be provided, program fees, payment schedule, attendance requirements, drug testing, program rules and regulations, confidentiality expectations, and grounds for dismissal and referral back to court.
 - Program shall explain the contract which shall be dated and

signed by staff and participant.

- One copy of the signed, dated contract shall be given to the participant and one copy retained in the case file.
- A written schedule, including day, date and time of program activities. A copy of the schedule shall be retained in client file
- A baseline drug test.

PC 1000 Individual Counseling

- 1) Program shall provide a minimum of two (2) individual counseling sessions for each participant.
- 2) The first session shall be scheduled within 14 days from enrollment and shall include a substance abuse assessment using the approved assessment instrument.
 - Address program schedule and payment schedule.
 - Identify barriers to completing the program requirements.
- 3) The exit conference shall be scheduled as the final program service and shall include:
 - Discussion of program experience;
 - Relapse prevention planning; and
 - Issuance of a Certificate of Completion.
 - The exit conference shall not be scheduled until all program services are completed and all fees paid.
- 4) Whenever possible, each individual counseling session shall be conducted by the same counselor for the duration of the participant's program.
- 5) The counselor shall document, in each participant's record, the date and length of each face-to-face session and the issues discussed.
- 6) An additional face to face session may be conducted if needed at no additional cost to the participant at participant request.
 - Reason for the additional face to face session shall be documented in participant file and shall include relevant file notations.

PC 1000 Program Assessment

- 1) Only the approved assessment tool shall be utilized.
- 2) Assessment shall include social economic and family background; education and vocational achievements; criminal, medical, and drug use history; and previous treatment.

PC 1000 Educational Sessions

- 1) The program shall schedule and provide ten 2-hour and 10-minute educational sessions (20 hours total) scheduled once per week for ten (10) consecutive weeks. Each education session shall consist of:
 - 90 minutes of educational activities
 - 10 minutes break
 - 30 minutes educational group discussion on the topic
 - Individual completion of educational summary for each session
- 2) Education sessions shall be no less than 2 hours each. Time for breaks shall not be counted as participation time.
- 3) All programs shall utilize the approved curriculum that includes, but is not limited to the following educational topics:
 - 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: HIV/AIDS. Hepatitis, TB. STDs
 - ✓ This session shall be utilized for AIDS Education
 - ✓ This session shall NOT be combined with AIDS Education only attendees.
 - Substance abuse and employment
 - Recovery skills including anger management and communication skills
 - Substance abuse relapse warning signs and triggers
 - Recovery planning, relapse prevention and abstinence

- Rewards of recovery and consequence of continued substance abuse
- 4) Program shall develop lesson plans for each educational session that includes:
 - Goals and objectives;
 - An outline of the information to be covered; and,
 - Handouts, audiovisual aids, and/or guest speakers.
 - 5) Educational sessions shall be scheduled to reasonably accommodate day/evening participant needs.
 - 6) Each education session shall be limited to no more than 30 program participants.
 - 7) Sessions shall include the opportunity for participant involvement/discussion
 - 8) Program shall document attendance at each education module in the participant case file.
 - 9) Participants shall complete a questionnaire on each education session

PC 1000 Self-Help Meetings

Self-help meetings are voluntary groups organized to support one another and celebrate recovery from substance abuse. The purpose of self-help meeting attendance in PC 1000 is to introduce program attendees to this valuable community resource. The County of San Diego maintains a contact list of available community self-help meetings; however, the dates, times and locations of the actual meetings vary and will have to be confirmed by the program participant.

- 1) Program shall monitor self-help attendance of a minimum of 10 self-help meetings at the rate of one per week for 10 weeks.
- 2) Participants shall provide evidence of meeting attendance by using the program self-help signature slip and program shall document attendance in the participant's case file.
- 3) Program shall provide the County Self-help List of available self-help meeting group contacts to PC 1000 participants.
- 4) If a participant becomes behind in self-help attendance, they may make them up at the rate of one meeting per day until current.

PC 1000 Drug Testing

- 1) Program shall provide urinalysis drug testing utilizing the approved County vendor.
- 2) Program shall assure a baseline and 2 random urinalysis drug tests are conducted for each PC 1000 enrollee.
- 3) All drug testing collection shall be observed; therefore both male and female staff shall be available.
- 4) The urinalysis shall be a full panel drug screen.
- 5) The 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. The protocol shall protect against the falsification and/or contamination of any urine samples.
- 6) All drug tests and drug test results shall be noted in the case file.
- 7) A baseline test shall be administered at program admittance. The baseline drug test may show a positive result and the participant shall not be dismissed for a positive baseline drug test.
- 8) Subsequent drug tests shall be random. Program shall develop a random urinalysis protocol for COR approval.
 - All subsequent drug tests shall be negative for all illegal drugs.
 - If the baseline test was positive for marijuana, subsequent drug tests shall reflect a marked decrease in THC levels.
 - If the THC level remains steady or increases, this shall be considered a positive drug test for marijuana and the participant shall be dismissed.

PC 1000 Referral to Ancillary Services

- 1) Program shall refer participants to ancillary services such as detoxification, mental or physical health agencies, family counseling, and residential treatment/recovery services based on assessed need.
- 2) The basis for the referral and the participant response shall be documented in the case file.
- 3) The referral shall be voluntary and cannot be added as a condition of successful program completion.

PC 1000 Program Participant Records

Organization and Maintenance

- 1) Program shall establish a participant case file to include all relevant material and documentation for each participant. At minimum, the participant case file shall contain the Court referral form, participant assessment, intake form, release(s) of confidentiality, participant contract, rules and regulations, 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, and copy of reports submitted to the referring agency.
- 2) Participant files shall be retained for a minimum of 48 months from the date of the last program activity.
- 3) A summary of all program services, absences, fees charges and & fees paid shall be reflected in each client file.

PC 1000 Program Reporting Responsibilities

1) **Referral Agency Reporting**

Program shall report the following participant information, within 10 working days, to the referring agency:

- Failure to enroll by the required date;
- Failure to Complete the program and the reason for dismissal; and
- Successful Completion.

2) **County Reporting**

Program shall submit the following reports to Alcohol and Drug Services:

- Monthly Status Report;
- Monthly DATA set as specified by Alcohol and drug Services (ADS)
- Quarterly revenue/expense report, Administration Fee Reporting Form and the Administration fee.

Participant Attendance

- 1) Program shall require each participant to attend all activities as scheduled unless the participant has been granted an approved Leave of Absence.

- 2) Participants are allowed a total of **four (4) absences** during the duration of the program; a **fifth (5) absence** will result in dismissal and referral back to court.
- 3) Program shall document all absences in the participant's file.
- 4) Program shall require each participant to make up all absences.

Leave of Absence (LOA)

- 1) Participants may request a leave of absence (LOA) whenever they are unable to attend any two consecutively scheduled program activities.
- 2) 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, and
 - The beginning and end dates for the LOA.
- 3) Program shall require the participant to request prior approval for a LOA unless the participant is unable to do so due to circumstances beyond their control.
- 4) When a participant requests retroactive approval for a LOA, the written request shall document the circumstances that prevented the participant from requesting prior approval.
- 5) Time on LOA shall not count toward the minimum 3 months/12 weeks required participation to complete the PC 1000 Program.

Program Fees

- 1) Program shall charge only those program fees established and approved by the COR.
- 2) Each file shall reflect an accounting of all fees charged and fees paid.
- 3) The Standard Fee/Payment Schedule shall be applied equally in determining each participant's program fee.
- 4) The participant's assessed program fee and payment schedule shall be documented in the participant contract signed at enrollment. The program shall amend the contract to reflect any subsequent changes to the total assessed fee or the payment schedule.
- 5) Program may assess additional charges for the following services, as established by the County:

- Program reinstatement
 - Additional Drug Tests
 - If an additional drug test is required, the reason for the additional drug test shall be documented in the client file.
 - Rescheduled (Make Up) Services
 - Leave of Absence (LOA)
 - Program transfers
 - Late payments/NSF Checks
- 6) Program may not charge for an additional individual session if it is needed.
 - 7) See Appendix A for Standard Fee/Payment Options

Refunds

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 in excess of 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.

Documentation of refund shall be documented in the case file.

PC 1000 Financial Assessment

- 1) 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 the General Relief Benefit shall pay a total fee of \$140.
- 2) All other participants shall pay the Standard Fee.
- 3) Program shall set the payment schedule based on a policy and procedure to be submitted to and approved by the COR.

PC 1000 Inter-Program Transfer

- 1) A participant transferring to another PC 1000 Program in San Diego County shall report to the receiving program within 28 days of cessation of services by the sending program.
- 2) The following requirements apply to inter-program transfers:

- Notification
- 3) Notification of transfer shall be provided to the Court that originally referred the participant by the sending program.
 - 4) The receiving program shall notify the sending program and the Court of the participant's enrollment or non-enrollment.
 - 5) Participants requesting transfers shall be responsible for payment of fees to equal the value of all services received prior to transfer.

PC 1000 Dismissal of Participant

- 1) Participants shall be dismissed from the program and returned to court for the following reasons:
 - 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 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 to the court.
- 2) Program shall notify the referring agency when a participant is dismissed from the program. Program shall not reinstate the participant without the written consent of the Court/Probation.
- 3) Program is encouraged to submit treatment recommendations, as necessary and appropriate, with the dismissal notice.

Participant Grievance Process

All Programs 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.

PC 1000 PROGRAM - PARTICIPANT STANDARDS

The following PC 1000 Participant Program Standards detail the expectations for each enrolled PC 1000 Program participant. A copy of these Program Standards shall be given to each PC 1000 program enrollee to assure participants have a clear understanding of program expectations.

Alcohol and Other Drug Use Policy

The PC 1000 Program is a abstinence-based program. All program participants shall totally abstain from the use of alcohol or other drugs for the duration of the program. Participants not complying with this policy shall be returned to the referring agency.

Criteria for Successful Program Completion

- 1) Three months/12 weeks active participation in the program;*
- 2) Completion of all required program services; and*
- 3) Payment of all assessed fees*

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:

- 1) The name of the participant,*
- 2) The reason for requesting the LOA, and*
- 3) The beginning and end dates for the LOA.*

Program shall require the participant to request prior approval for a LOA unless the participant is unable to do so due to circumstances beyond their control.

- 1) When a participant requests retroactive approval for a LOA, the written request shall document the circumstances that prevented the participant from requesting prior approval.*
- 2) Time on LOA shall not count toward the minimum three months/12 weeks required participation to complete the PC 1000 Program.*

Participant Grievance Process

All Programs 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.

AIDS Education Only Program

Program shall provide the AIDS Education Program to individuals referred by the court. These services are authorized pursuant to Title 6, Penal Code Sections 1001.10 and 1001.11, Chapter 2.71 "AIDS Prevention Program in Drug Abuse and Prostitution Cases." The AIDS Education class is 2 hours in length.

The two-hour AIDS Education Program may be the same session delivered to PC 1000 Program enrollees. However, the program shall **not** combine PC 1000 program attendees and AIDS only education attendees. The two-hour education session shall include, at minimum, the following information regarding transmission:

- 1) Transmission of the human immunodeficiency virus (HIV);
- 2) The etiologic agent for AIDS;
- 3) Symptoms of AIDS or AIDS-related conditions;
- 4) Prevention through avoidance or cleaning of needles;
- 5) Sexual practices which constitute high risk, low risk, and no risk – including abstinence; and
- 6) Resources for assistance if an individual decides to take a test for the etiologic agent for AIDS and receives a positive test result.
- 7) The education session shall also include other relevant medical and prevention information, as it becomes available.
- 8) Resources shall be made available for testing and counseling.
- 9) Program shall only charge the class fee established by ADS for this session.
- 10) Alcohol and Drug Services will provide referral forms to the Court.

Enrollment/Completion Guidelines: AIDS Education Only Program

The following applies to the AIDS Education Only class enrollment:

- 1) AIDS Education requires a referral to enroll.
- 2) The program shall enroll all clients referred by the Court
- 3) Program shall issue documentation of class completion after the session concludes.
- 4) Enrollment requires payment of class fee. This fee is non-refundable. If the class as scheduled, another class fee may be charged.

- Attendee shall be assigned to the next scheduled class
- If the attendee fails to attend the class as scheduled, they may be re-scheduled to attend the next scheduled class.
- The class fee is non- refundable. If the attendee was re-scheduled to attend because they failed to attend the class as initially agreed, a subsequent class fee may be charged. next class

Failure to Enroll (FTE) in AIDS Education

Class attendee will be referred back to the Court for failure to report for enrollment no later than 14 days after the date stipulated by the court.

Class attendee shall referred to court for failure to attend two scheduled session in a row.

AIDS Education Only Class Documentation Requirements

A class roster and file shall be maintained for each class and shall contain the following minimum materials for each enrollee:

- 1) Copy of program referral
- 2) Copy of receipt
- 3) Copy of class schedule that contains day, date, time and location of class
- 4) Contact telephone or cell phone number
- 5) Sign in sheet for the scheduled class
- 6) Copy of completion document

APPENDIX A

PC 1000 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 TWELVE 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 in this category are \$15 each for RESCHEDULE, LEAVE OF ABSENCE, TRANSFER and REINSTATEMENT.

COST PER UNIT OF SERVICE

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

ADDITIONAL CHARGES

Late Payment	\$10	Make Up/Reschedule	\$20
NSF Check	\$20	LOA/Transfer/Reinstatement	\$40

AIDS Education Program Fee - \$55