

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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**ADP BULLETIN**

Title: Nonmedical Residential Alcoholism or Drug Abuse Recovery or Treatment Facilities		Issue Date: 12/9/11 Expiration Date:	Issue No.: 11 - 18
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PURPOSE

Pursuant to Health and Safety Code (HSC) section 11834.02, a residential alcoholism or drug abuse recovery or treatment facility licensed by the Department of Alcohol and Drug Programs (ADP) may provide only nonmedical services under the terms of its license.

DISCUSSION

ADP has sole statutory authority within California to license 24-hour, nonmedical, adult residential alcohol and other drug (AOD) recovery or treatment facilities. Such facilities are required to provide the services outlined in HSC section 11834.26, including, but not limited to, assessment, detoxification, education, recovery or treatment planning, and individual and group counseling sessions. These facilities provide a setting to address the needs of individuals who require nonmedical services for substance abuse and addiction.

ADP-licensed residential AOD facilities providing medical services in violation of section 11834.02 are subject to issuance of a deficiency, suspension, and/or revocation of ADP licensure.

Although ADP-licensed residential AOD facilities are prohibited by law from providing medical services, it is important to note that pursuant to Title 9, California Code of Regulations (CCR), section 10572, licensees shall ensure that residents receive necessary first aid and information about and/or referral for needed medical or dental services. Also, facilities providing perinatal services through Drug Medi-Cal certification are responsible for facilitating medical services for women and their children, and following the requirements outlined in HSC section 11757.59(a) and (b) and Title 22, CCR, section 51341.1(c).



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REFERENCES

- Health and Safety Code, Division 10.5, Part 1, Chapter 2, section 11757.59 and Part 2, Chapter 7.5, sections 11834.02 and 11834.26;
- Title 9, CCR, Division 4, Chapter 5, sections 10500, et. seq.;
- Title 22, CCR, Division 3, Chapter 3, section 51341.1.

BACKGROUND

Historically, ADP was established with the authority to license residential AOD treatment facilities based, in part, on the need for a nonmedical social model approach to treatment. ADP's AOD licensed residential facilities were established to provide to clients who do not require medical services a peer-to-peer, experiential support model for treatment.

Pursuant to the HSC, ADP may license residential AOD recovery or treatment facilities. Section 11834.02 states:

As used in this chapter, "alcoholism or drug abuse recovery or treatment facility" or "facility" means any premises, place, or building that provides 24-hour residential **nonmedical** services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services. (Emphasis added.)

Further, section 11834.26 states:

The licensee shall provide at least one of the following **nonmedical** services:

- (1) Recovery services.
- (2) Treatment Services.
- (3) Detoxification services.

Title 9, CCR, Section 10501(a)(6) defines "alcoholism or drug abuse recovery or treatment facility" as "any facility, building, or group of buildings that are maintained and operated to provide 24-hour residential **nonmedical** alcoholism or drug abuse recovery or treatment services."

QUESTIONS/MAINTENANCE

If you have any questions about this bulletin, please contact Cathy Sorenson, Supervisor, Policy and Planning Unit, Licensing and Certification Division, at (916) 322-4251 or Cathy.Sorenson@adp.ca.gov. An additional copy of this document may be requested through ADP's Resource Center at (800) 879-2772. This bulletin is also available on ADP's Web site at www.adp.ca.gov.

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