

ASSEMBLY BILL

No. 136

Introduced by Assembly Member Quirk-Silva

December 5, 2018

An act to add and repeal Chapter 14 (commencing with Section 11860.10) of Part 2 of Division 10.5 of the Health and Safety Code, relating to alcohol and drug programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 136, as introduced, Quirk-Silva. Alcohol and drug programs: residential recovery and treatment ombudsperson: pilot program.

Existing law provides for the licensure and regulation of adult alcoholism or drug abuse recovery or treatment facilities by the State Department of Health Care Services. Existing law defines “alcoholism or drug abuse recovery or treatment facility” to mean a premises, place, or building that provides residential nonmedical services, as defined, 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. Existing law requires a program licensed by the department to disclose to the department specified information including, among other things, ownership or control of, or financial interest in, a recovery residence. Existing law defines a “recovery residence” as a residential dwelling that provides primary housing for individuals who seek a cooperative living arrangement that supports personal recovery from a substance use disorder and that does not require licensure by the department or does not provide licensable services.

This bill would require the department to establish the Office of the State Ombudsperson for Substance Abuse Residential Recovery and

Treatment as a one-year pilot project, from January 1, 2021, to December 31, 2021, inclusive. The bill would require the office to work in concert with participating counties to collaborate in investigations of complaints received by the counties against alcoholism or drug abuse recovery or treatment facilities and recovery residences. The bill would require each participating county, by July 1, 2022, to report to the Legislature on the results of the county’s collaboration with the pilot program.

This bill would make these provisions inoperative on July 1, 2022, and would repeal it as of January 1, 2023.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 14 (commencing with Section 11860.10)
2 is added to Part 2 of Division 10.5 of the Health and Safety Code,
3 to read:

4
5 CHAPTER 14. RESIDENTIAL RECOVERY AND TREATMENT
6 OMBUDSPERSON
7

8 11860.10. (a) The department shall develop and implement
9 establish the Office of the State Ombudsperson for Substance
10 Abuse Residential Recovery and Treatment, as a one-year pilot
11 program, pursuant to this chapter. The pilot program shall
12 commence on January 1, 2021. Each county may elect to participate
13 in the pilot program.

14 (b) The office shall work in concert with counties that elect to
15 participate to collaborate in investigations of complaints received
16 by the counties against the following categories of facilities:

17 (1) Adult alcoholism or drug abuse recovery or treatment
18 facilities licensed pursuant to Chapter 7.5 (commencing with
19 Section 11834.01).

20 (2) Recovery residences, as defined in Section 11833.05.

21 (c) The pilot program shall operate until December 31, 2021.
22 By July 1, 2022, each participating county shall report to the
23 Legislature on the results of the county’s collaboration with the
24 pilot program pursuant to Section 9795 of the Government Code.

1 11860.11. This chapter shall become inoperative on July 1,
2 2022, and, as of January 1, 2023, is repealed.

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