



Appendix J – Driving Under the Influence (DUI) Business Process Description



**San Luis Obispo County
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**Business Process Description for Alcohol and Drug Impaired Drivers
(DUI Programs)**

If DUI functionality does not already exist in the proposed system, Vendors are requested to provide an estimate of the cost to provide functionality within system for DUI programs. Vendor shall review Title 9 of California Code of Regulations for description of DUI Program requirements. Section 1 below provides SLO County required education and counseling sessions in each of its current DUI programs. Sections 2 – 11 below are DUI Program definitions and requirements extracted from Title 9. The extracted information is to assist vendor in identifying requirements within Title 9 but are not intended to be all-inclusive of Title 9 requirements.

1. Current San Luis Obispo County DUI Programs
 - 1.1. Two month Wet Reckless or Young Adult Program Level 1 (under 21 years)
 - 1.1.1. Six Education Classes – 2 hours each (12 hours total) with 2 absences allowed.
 - 1.2. Three month First Offender or Young Adult Program Level 2 (under 21 years)
 - 1.2.1. Ten Education Classes – 2 hours each (20 hours total)
 - 1.2.2. Five Group Counseling Sessions – 2 hours each (10 hours total)
 - 1.2.3. Three Individual Counseling Sessions
 - 1.2.4. Four absences allowed
 - 1.3. Nine month Extended First Offender Program
 - 1.3.1. Eight Education Classes – 2 hours each (16 hours total)
 - 1.3.2. Twenty-two Group Counseling Sessions – 2 hours each (44 hours total)
 - 1.3.3. Five Individual Counseling Sessions
 - 1.3.4. Six absences allowed
 - 1.4. Eighteen Month Multiple Offender Program
 - 1.4.1. Six Education Classes – 2 hours each (12 hours total)
 - 1.4.2. Thirty-one Group Counseling Sessions – 2 hours each (62 hours total)
 - 1.4.3. Twenty-seven Individual Counseling Sessions
 - 1.4.4. Ten absences allowed

TITLE 9, California Code of Regulations

2. Definitions

- 2.1. Additional Fee – Fee charged to program participant to recover the cost of administrative service (e.g., rescheduling program service, reinstating participants after dismissal, processing transfers to other programs).
- 2.2. Education Session – Informational in content and instructional in presentation consisting of lectures, seminars, films, audio tapes, written exercises or any combination. No less than one hour and no more than two hours excluding breaks.



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- 2.3. Face-to-face Interview – Interview of at least 15 minutes with participant to discuss and encourage participant attendance in program sessions, identify potential barriers to program completion, evaluate the participants need for referral to ancillary services and monitor payment of fees. Interview shall be documented regarding date, time, length and counselor’s assessment of participant’s progress regarding participation in program and awareness of alcohol/drug problems.
- 2.4. First Offender with Court-Ordered Duration of Participation – Convicted of first DUI and ordered by court to attend DUI program for a minimum of 6 months (rather than 3 months)
- 2.5. Group Counseling – Encourage participants to talk and share ideas in order to identify and resolve alcohol or drug related problems. Sessions may emphasize specific topic or be less structured. Films and lectures are not appropriate. First offender programs shall not allow outside persons, except interpreters. 18 and 30-month programs can only allow outside adult persons with a signed volunteer agreement. Size of group is limited to 15 participants. On an emergency basis which could not be avoided 17 participants are allowable.
- 2.6. Individual Counseling Sessions - One hour of individual counseling may be substituted for two hours of group counseling when a person is not able to benefit from a group session.
- 2.7. Multiple Offender – individual whose license to derive has been administratively suspended or revoked for, or who has been convicted of driving-under-the-influence and the offense occurred within seven (7) years of:
 - 2.7.1. Another DUI
 - 2.7.2. VC 23103.5 violation
 - 2.7.3. PC 191.5 or 192(c)(3) violation
- 2.8. Program Fee – Fee charged for program services.

3. Participant Enrollment

- 3.1. May enroll any person who presents documentation from court or DMV verifying arrest or conviction for DUI violation. Documentation shall indicate whether offense was first, second or third DUI violation.
 - 3.1.1. Intake interview
 - 3.1.1.1. Goals and Objectives
 - 3.1.1.2. Services
 - 3.1.1.3. Attendance requirements
 - 3.1.1.4. Fees



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- 3.1.1.5. Location and schedule
- 3.1.1.6. Reasons for dismissal from program

3.1.2. Complete intake forms required by county, State and DMV.

3.1.3. Provide participant copy of signed and dated contract listing services to be provided, program fees, payment schedule, attendance requirements and reasons for dismissal from program.

4. Program Services

4.1. First Offender Program, Three Months

- 4.1.1. Twelve hours educational sessions
- 4.1.2. Ten hours of group counseling
- 4.1.3. Three face-to-face interviews at the beginning, middle and end of program.
- 4.1.4. Eight additional hours of program services, consisting of educational sessions, group counseling or a combination of the two.

4.2. First Offender Program, Six Months or longer

- 4.2.1. Twelve hours educational sessions
- 4.2.2. 28 hours of group counseling
- 4.2.3. Four face-to-face interviews at intake, end of second month, end of fourth month and at the end of the program.
- 4.2.4. Four additional hours of program services, consisting of educational sessions, group counseling, face-to-face interviews or a combination of the three.

4.3. First Offender Program, Nine Months or longer

- 4.3.1. 16 hours of educational sessions
- 4.3.2. 44 hours of group counseling
- 4.3.3. Five face-to-face interviews at intake, end of second month, end of fourth month and at the end of the program.
- 4.3.4. Four additional hours of program services, consisting of educational sessions, group counseling, face-to-face interviews or a combination of the three.

4.4. Multiple Offender Program, 18 Months

- 4.4.1. First 12 months core program phase
 - 4.4.1.1. Twelve hours educational sessions
 - 4.4.1.2. 52 hours of group counseling
 - 4.4.1.3. Face-to-face interviews every other week until after completion of educational sessions and group counseling above. Minimum interviews of 24. If consumer takes longer than 12 months to complete educational and group counseling sessions, County (licensee) may charge for additional face-to-face interviews.
- 4.4.2. Last 6 months additional County (licensee) requirement phase
 - 4.4.2.1. Participant must complete a community re-entry phase consisting of self-help groups, employment, and other areas of improvement.



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- 4.4.2.2. County (licensee) shall provide no more than 6 hours of monitoring
- 4.4.2.3. Participant can't start this phase until core phase is complete
- 4.5. Multiple Offender Program, 30-months
 - 4.5.1. First 18 months core program phase
 - 4.5.1.1. Twelve hours educational sessions
 - 4.5.1.2. 78 hours of group counseling
 - 4.5.1.3. Face-to-face interviews every other week until after completion of educational sessions and group counseling above. Minimum interviews of 39. If consumer takes longer than 18 months to complete educational and group counseling sessions, County (licensee) may charge for additional face-to-face interviews.
 - 4.5.2. Last 12 months additional County requirement phase
 - 4.5.2.1. Participant must complete a community re-entry phase consisting of self-help groups, employment, and other areas of improvement.
- 5. Rosters
 - 5.1. Participant is required to sign roster at each educational and group counseling session in order to verify attendance.
 - 5.2. Required Roster Information
 - 5.2.1. Date of session
 - 5.2.2. Starting and Ending time
 - 5.2.3. Topic presented or session number
 - 5.2.4. Description of written exercises in group counseling sessions
 - 5.2.5. Printed and signed names of participants in attendance
 - 5.2.6. Signature of program staff who conducted the session
 - 5.3. Attendance must be documented in participant's case file.
 - 5.4. No credit for attending less than the entire session
- 6. Additional County Requirements
 - 6.1. Requires prior approval from Department of Alcohol and Drug
 - 6.2. San Luis Obispo County added activities
 - 6.2.1. Attending alcohol and other drug related self-help group meetings.
 - 6.2.2. Completing alcohol and other drug related community services.
 - 6.2.3. Attending victim impact panel presentations by members of a nationally recognized organization that advocates against DUI.
 - 6.2.4. Completing institutional visits (e.g., prisons, jails, hospitals or morgues)
- 7. Participant Records
 - 7.1. Maintain client case record with all participant relevant material and documentation for 48 months.
 - 7.2. Confidentiality must be maintained in accordance with CFR 42.
 - 7.3. Upon request by participant, County (licensee) will issue a Proof of Enrollment (DL 101 through DMV). This may be used by participant to obtain restricted drivers license.



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- 7.4. After completion of program requirements and payment of fees, County (licensee) shall complete Notice of Completion (101A) online through DMV. PDF is saved in case file.

8. Participant Attendance

8.1. Excused absence

8.1.1. Participant contacted program and arranged to attend at alternative time.

8.1.2. Program allowed absences

8.1.2.1. VC 32103.5(e) or 32140 participant may not have more than two absences per period.

8.1.2.2. First offender participant may not have more than four absences per enrollment.

8.1.2.3. First offender ordered to participate in multiple offender program for 9 months may be allowed up to 6 absences per enrollment.

8.1.2.4. 18 month multiple offender participant is allowed up to 10 absences per enrollment.

8.1.2.5. 30 month multiple offender participant is allowed up to 15 absences per enrollment.

8.1.3. Approved leave of absence

8.1.3.1. Must be requested if participant will be unable to attend any scheduled program activities for 21 days or longer.

8.1.3.2. Must be requested in writing with the participant name, reason for the absence and the dates of requested leave.

8.1.3.3. Acceptable reasons

8.1.3.3.1. Military personnel whose orders or responsibilities require and extended absence.

8.1.3.3.2. Work requires extended travel.

8.1.3.3.3. Illness or medical treatment for self or family member.

8.1.3.3.4. Incarcerated or participating in residential alcoholism or drug abuse recovery or treatment program.

8.1.3.3.5. Extreme personal hardship or family emergency.

8.1.3.3.6. Vacation if participant is current on program requirements and fees.

8.1.3.4. All missed activities must be made up.

8.1.3.5. Time missed is not counted as participation time.

9. Participant Fees.

9.1. State approved standard payment schedule.

9.1.1. Program fee and additional fees broken out by cost of unit of service.

9.1.2. If participant notifies program they are unable to pay, the program will perform a financial assessment. If participants monthly income is equal to or less than the general assistance benefit for one person a maximum \$5 per month will be charged.



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- 9.1.3. If participant qualifies for \$5 maximum program fee, additional fees charged can be no more than \$5 each time a program service must be rescheduled due to participant failure to attend and reschedule in advance.
 - 9.1.4. If participant qualifies for \$5 maximum program fee, additional fees charged can be no more than \$10 for reinstatement each time a participant is dismissed from a program or voluntarily withdrew.
 - 9.2. Extended payment option. If participant monthly income is greater than general assistance level but equal to or less than 35% of the monthly median family income, participant may extend payment of program fee.
 - 9.2.1. Participant in 3-month program shall be allowed no less than 6-months.
 - 9.2.2. Participant in 6-month program shall be allowed no less than 9-months.
 - 9.2.3. Participant in 9-month program shall be allowed no less than 12-months.
 - 9.2.4. Participant in 12-month program shall be allowed no less than 15-months.
 - 9.2.5. Participant in 18-month program shall be allowed no less than 18-months.
 - 9.2.6. Participant in 30-month program shall be allowed no less than 30-months.
10. Inter-program Transfer
- 10.1. Participant transferring to another licensed DUI program must enroll within 21 days of transfer.
 - 10.2. Transfer requirements
 - 10.2.1. Written approval by County (licensee) of San Luis Obispo
 - 10.2.2. Written notice of transfer shall be provided to court and county program administrators in both sending and receiving counties.
 - 10.2.3. Sending program shall provide written history of transferee program activities to receiving program.
 - 10.2.4. Receiving program shall not accept transferee that cannot enroll and commence participation within 21 days following last activity in sending program.
 - 10.2.5. Sending program shall notify court of transferee's enrollment or non-enrollment in receiving program.
 - 10.2.6. Sending program shall notify DMV if transferee does not enroll in receiving program.
 - 10.2.7. Receiving program shall notify court of participant's completion or dismissal from program.
11. Dismissal of Participant
- 11.1. Fails to participate in required program activities within 21 days of transfer.
 - 11.2. Fails to maintain program sobriety
 - 11.3. Fails to comply with DUI program rules
 - 11.4. Fails to comply with additional county requirements
 - 11.5. Fails to obtain leave of absence
 - 11.6. Exceeds the number of absences allowed without a leave of absence
 - 11.7. Is physically or verbally abusive to program staff or participants.
(Reinstatement can be refused due to this dismissal reason.)
 - 11.8. Fails to pay program fee and has not completed all required program services.



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- 11.9. If program was condition of probation, court shall be notified of dismissal.
- 11.10. If participant isn't on probation or attending program in accordance with court order, participant may be reinstated within 30 days of first dismissal, 60 days after a second dismissal or 90 days after a third dismissal.
- 11.11. Credit for services attended shall be given on reinstatement if the dismissal occurred less than two years prior to re-enrollment, and, County (licensee) verifies in writing that services were provided.