Are You Compliant With DHCS' New Addiction Treatment Facility Certification Standards?

The California Department of Health Care Services (DHCS) recently released updated Alcohol and/or Other Drug Program Certification Standards for residential and outpatient addiction treatment programs. All certified addiction treatment programs must comply with these updated standards by **July 1, 2020**.

The revised Certification Standards require addiction treatment programs to update their policies and procedures, client rights documents, admission agreements, and staff training materials.

An overview of the changes made to the Certification Standards is provided below.

1. **Prohibition on Paying for Referrals** – DHCS added a new section to the Certification Standards prohibiting giving or receiving anything of value for referrals. The prohibition applies to addiction treatment programs as well as program owners, partners, officers, directors, shareholders, and individuals working for the program.
2. **Medicated Assisted Treatment (MAT)** – A program may not deny admission to an individual or discharge a client based solely on the individual's having a valid prescription from a licensed health care professional for a medication approved by the United States Food and Drug Administration (FDA) for the purpose of MAT. Programs are required to have policies and procedures that specify client access to MAT either within the program or through care coordination with other programs or health centers. DHCS also clarifies that approval to provide incidental medical services (IMS) is not required for programs to allow clients to take pre-scribed MAT medications at the facility or seek MAT services outside the facility.
3. **Use of Medications** – Programs must allow and control the use of medications for the treatment of mental illness, substance use disorders, and physical conditions. Additionally, programs must have written policies and procedures regarding the use and control of such medications.
4. **Client Rights** – The client rights document must include the right of the client to take medications prescribed by a licensed medical professional for medical, mental health, and substance use disorders.
5. **Staff Training** – Staff must be trained in medication management and the fundamentals of MAT.
6. **Admission Agreements** – Addiction treatment program admission agreements must include the address where services are provided.
7. **Client Health Questionnaires** – The updated certification standards provide more time for the completion of the client health questionnaire. Instead of having to be completed prior to admission, the client health questionnaire must be completed and signed within 24 hours of the client's admission to the program.
8. **Tuberculosis Test Timeframes** – The timeframe for staff members to receive TB tests has been shortened to not more than 45 days prior to or 5 working days after employment. Additionally, staff members with a known record of TB or a record of positive testing will be required to obtain within 30 working days of employment a chest x-ray result and physician's statement that he or she does not have communicable tuberculosis and has been under regular care and monitoring for tuberculosis. Programs should update their policies and procedures accordingly.
9. **Intensive Outpatient Counseling Hours** – The updated standards remove the maximum number of counseling hours for intensive outpatient services, which were previously limited to a maximum of 19 hours per week.

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If you have questions about compliance with the updated DHCS Certification Standards you should contact Kathryn Edgerton (**kedgerton@nelsonhardiman.com**) and the Nelson Hardiman team for additional information.

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