



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Stripling

DATE: May 22, 2018

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 2214

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the Legislative Committee’s recommendation to support Assembly Bill 2214 and transmit position statements to Assembly Member Freddie Rodriguez, Assembly Member Melissa Mendez, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

BACKGROUND

Authored by Assembly Member Freddie Rodriguez (D-52-Pomona), Assembly Bill 2214 establishes a voluntary certification program for drug and alcohol residential recovery facilities. This bill is sponsored by the California Consortium of Addition Programs and Professionals, an organization that certifies sober living homes.

Existing State law allows the California Department of Health Care Services (DHCS) to oversee the licensure and regulation of adult alcoholism and drug abuse recovery and treatment facilities. Assembly Bill 2214 establishes a voluntary certification program in DHCS to allow for drug and alcohol residential recovery facilities to apply and become certified by an approved certifying organization. The certifications would be made by industry and nonprofit organizations.

This bill would also require that drug and alcohol residential recovery facilities, certified through the proposed process in this bill, be prioritized above noncertified facilities in the case of referrals as a condition of an individual’s parole or release from custody.

Specifically, this bill:

1. Authorizes DHCS to oversee a statewide voluntary certification program for drug and alcohol residential recovery facilities.
2. Requires a certified drug and alcohol residential recovery facility to meet specific

requirements including:

- a. Adopting a policy for informing local government officials and neighbors the contact information of the operator of the recovery residence and the organization's complaint procedures;
 - b. Submitting to DHCS, a written code of conduct for a recovery residence that incorporates national standards for legal and ethical conduct for recovery residences;
 - c. Submitting to DHCS, disciplinary guidelines that include sanctions for violations of the residential recovery facility's code of conduct and allows for DHCS to revoke the certification of the residential recovery facility if the required correction action is not completed within the specified time period;
 - d. Submitting to a city and county information related to the address and contact information of a certified recovery residence within 30 days of certification of that recovery facility; and
 - e. Requiring certified recovery residence to respond to complaints within one business day.
3. Requires that when a person is ordered to reside in a sober living environment for purposes of terms and conditions of release, parole, or discharge of a person from custody, a judge first refer that person to a recovery facility that is certified by DHCS.
 4. Authorizes DHCS to conduct periodic reviews and inspections of certified drug and alcohol residential recovery facilities.
 5. Authorizes a city, county, or local law enforcement agency to request DHCS revoke the certification of a recovery facility, if the local agency suspects that a recovery facility is not operating in compliance.
 6. Requires DHCS to report to the Legislature on or before January 1, 2021, regarding the efficacy of the certification program on complaint resolutions, including the geographic concentration of reported complaints.

The City of Santa Clarita 2018 Legislative Platform includes components related to State requirements on alcohol and drug recovery facilities. Specifically, component 21 under the "State" section of the Legislative Platform advises that the City Council, "Support legislation requiring transparency in the state licensing requirements for alcohol and drug residential rehabilitation or recovery facilities on par with public noticing requirements for group home facilities."

Assembly Bill 2214 is coauthored by Assembly Member Dante Acosta and Assembly Member Tom Lackey. The bill was introduced on February 12, 2018, and was passed by the Assembly Committee on Health (13-0-2) on March 20, 2018. Assembly Bill 2214 was referred to the Assembly Committee on Appropriations and is currently placed on the suspense file.

The City Council Legislative Committee met on May 8, 2018, and recommends that the City Council adopt a “support” position for Assembly Bill 2214.

ALTERNATIVE ACTION

1. Adopt a “neutral” position on Assembly Bill 2214
2. Adopt an “oppose” position on Assembly Bill 2214
3. Take no action on Assembly Bill 2214
4. Refer Assembly Bill 2214 back to the Legislative Committee
5. Other action, as determined by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted FY 2017-18 budget.

ATTACHMENTS

AB 2214 - Bill Text