



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: June 12, 2018

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 3162

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the Legislative Committee's recommendation to support Assembly Bill 3162 and transmit position statements to Assembly Member Laura Friedman, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

BACKGROUND

Authored by Assembly Member Laura Friedman (D-43-Glendale), Assembly Bill 3162 makes changes to the licensing process of alcoholism and drug abuse recovery and treatment facilities.

Existing State law establishes the California Department of Health Care Services (DHCS) to oversee the licensure and regulation of adult alcoholism and drug abuse recovery and treatment facilities. Additionally, existing law permits new alcoholism and drug abuse recovery and treatment facility licenses to be issued for a period of two years.

This bill would make the following changes:

1. Requires DHCS to post the address of a new proposed treatment facility at least 45 days prior to approving any new application.
2. Reduces an initial license for a new treatment facility to be provisional for one year.
3. Increases the civil penalty assessed by DHCS when a treatment facility is operating without a license from \$200 to \$2,000 for every day the treatment facility continues to provide services beyond the date that the license was revoked by DHCS.

According to the author of this bill, state licensed residential alcohol and drug abuse treatment facilities often expand into adjacent neighboring residences, which create dense campus-style facilities that detract from the benefits of residents of a treatment facility being integrated into a

neighborhood. The expansion of these treatment facilities often occurs without any review by DHCS or a license.

This bill enables cities to be made aware of a pending application with DHCS. The bill also deters residential alcohol and drug abuse treatment facilities from illegally expanding their facilities by increasing fines for those caught providing services beyond the date a license for a treatment facility is revoked by DHCS.

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 3162 was introduced on February 16, 2018, passed the Assembly (71-0-7) on May 25, 2018, and is pending a review in the Senate. Assembly Members Dante Acosta and Tom Lackey voted in support of this bill.

The City Council Legislative Committee met on May 25, 2018, and recommends that the City Council adopt a “support” position for Assembly Bill 3162.

ALTERNATIVE ACTION

1. Adopt a “neutral” position on Assembly Bill 3162
2. Adopt an “oppose” position on Assembly Bill 3162
3. Take no action on Assembly Bill 3162
4. Refer Assembly Bill 3162 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

Assembly Bill 3162 - Bill Text