

ALABAMA DEPARTMENT OF MENTAL HEALTH
SUBSTANCE ABUSE SERVICES
ADMINISTRATIVE CODE

CHAPTER 580-9-44
PROGRAM OPERATIONS

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580-9-44-.01 Definitions.

(1) Abstinence - Non-use of any addictive psychoactive substance.

(2) Abuse - The willful infliction of physical pain, injury, or mental anguish or the willful deprivation of services necessary to maintain mental and physical health.

(3) Activity - The execution of a task or action (a group or individual session) by an individual.

(4) Activity Therapy - Structured, object-oriented music, dance, art, social, or play therapeutic activities conducted, not for recreational purposes, by a qualified substance abuse professional to assist a client in developing or enhancing psychosocial competencies, to alleviate emotional disturbances, to change maladaptive patterns of behavior, and/or to assist in restoring the individual to a level of functioning capable of supporting and sustaining recovery.

(5) Addiction - A primary, chronic neurobiological disease, with genetic, psychosocial and environmental factors influencing its development and manifestations. It is characterized by behaviors that include one or more of the

following: impaired control over drug use, compulsive use, continued use despite harm, and craving.

(6) Administer - The direct application of a prescription drug by ingestion or any other means to the body of a client by a licensed practitioner, or by the client at the direction of, or in the presence of, a practitioner.

(7) Admission - That point in an individual's relationship with an organized treatment service when the placement assessment process has been completed and the individual placed in a level of care of the treatment program.

(8) Adolescent - An individual aged 13-18. The term also frequently applies to young adults aged 18-21, whose needs dictate admissions to adolescent programs.

(9) Advocacy - To advocate for, protect and advance the legal, human and service rights of people.

(10) Aftercare - The component of a treatment program which assures the provision of continued contact with the client following the termination of services from a primary care modality, designed to support and to increase the gains made to date in the treatment process. Aftercare plan development should start prior to discharge, but is not implemented until discharge.

(11) Aftercare Plan - A written plan that specifies goals to be achieved by a client and/or family involved in the aftercare of the client.

(12) Alcoholism - A general but diagnostic term, usually used to describe alcohol dependence, but sometimes used more broadly to describe a variety of problems related to the use of beverage alcohol.

(13) Ambulatory Detoxification - Detoxification that is medically monitored but that does not require admission to an inpatient medically or clinically monitored or managed setting.

(14) Ancillary Services - Non-substance use related services such as legal, vocational, employment, public assistance, childcare and transportation that may either be essential or incidental to a client's recovery.

(15) ASAM Placement Criteria - ASAM Placement criteria means the most current edition/set of placement criteria for substance abuse patient/clients published by the American Society of Addiction Medicine.

(16) Assertive Community Treatment (ACT) - Active outreach to persons, usually with serious and persistent mental illness, who need a support system that facilitates living and functioning adequately in the community. ACT involves comprehensive services designed to engage and retain patients in treatment and assist them in managing daily living, obtaining work, building and strengthening family and friendship networks, managing symptoms and crises and preventing relapse.

(17) Basic Living Skills - Scheduled interventions conducted under the supervision of a qualified substance abuse professional to train and assist a client in reestablishing the ability to perform and manage fundamental tasks required for daily living.

(18) Behavioral Health Field - A broad array of mental health, substance use, habilitation and rehabilitation services that are utilized to individuals with substance use disorders. The field includes the areas of psychology, social work, counseling and psychiatric nursing.

(19) Behavioral Health Screening - A structured interview process conducted by a qualified substance abuse professional, utilizing the DMH/SASD uniform assessment tool, for the purpose of identifying an individual's presenting needs and establishing a corresponding recommendation for placement in an appropriate level of care.

(20) Case Management - The activities guided by a client's service plan which brings agencies, resources and people together within a planned framework of action toward the achievement of established treatment goals.

(21) Central Registry - A system which is used by two (2) or more providers to share information about clients who are applying for or presently involved in detoxification or maintenance treatment using methadone or other opiate replacements, for the purpose of preventing the concurrent enrollment of clients with more than one OMT provider.

(22) Certification - The process by which DMH or SASD determines that a provider is qualified to provide treatment or prevention services under applicable State and Federal standards.

(23) Chemical Dependency - A generic term relating to psychological or physical dependency, or both, on one or more psychoactive substances.

(24) Chemical Restraint - Is the use of any drug to manage a client's behavior in a way that reduces the safety risk

to the client or others or to temporarily restrict the client's freedom of movement and is not a standard treatment dosage for the client's medical or psychiatric condition.

(25) Child/Adolescent - The period of life of an individual up to the age at which one is legally recognized as an adult according to state or provincial law. (CARF)

(26) Child Sitting Services - Care provided for children of clients in treatment during the same time period as the specific occurrence of the parent's treatment.

(27) Client - An individual who receives treatment for alcohol or other drug problems. The terms "client" and "patient" sometimes are used interchangeably, although staff in medical settings more commonly use "patient" while staff of non-medical residential or outpatient settings refer to "clients".

(28) Clinically Managed Services - Services directed by non-physician addiction specialists rather than medical personnel. They are appropriate for individuals whose primary problems involve emotional, behavioral or cognitive concerns, readiness to change, relapse, or recovery environment and whose problems with intoxication/withdrawal or biomedical are minimal or can be managed through separate arrangements for medical services.

(29) Clinical Supervision - Intermittent face-to-face contact, provided on or off the site of a service, between a clinical supervisor and treatment staff to ensure that each client has an individualized counseling plan and is receiving quality care.

(30) Consultation - A discussion of the aspects of a particular client's circumstance with other professionals to ensure comprehensive and quality care for the client that is consistent with the objectives of the client's treatment plan, or is used to make adjustments to the client's treatment plan.

(31) Continuous Assessment - The term includes but is not limited to review of the individual service plan, client progress reports, etc. The information gained from continuous assessment is used to match an individuals' need with the appropriate setting, care level and intensity. It is also used to determine an individuals' need for continued stay, discharge, or transfer to another level of care.

(32) Continuing Care - A course of treatment identified in a service plan designed to support the process of recovery that is provided at a frequency sufficient to maintain recovery.

The treatment provided is flexible and tailored to the shifting needs of the client and his and her level of readiness to change.

(33) Co-Occurring Disorders - Concurrent substance use and mental health disorder found in a single individual. Both conditions are such that they may also exist alone but there is no implication as to one disorder being primary. Other terms used to describe COD include: dual diagnosis, dual disorders, mentally ill chemically addicted (MICA), chemically addicted mentally ill (CAMI), mentally ill substance abusers (MISA), mentally ill chemically dependent (MICD), coexisting disorders, co-morbid disorders, and individuals with co-occurring psychiatric and substance symptomatology (ICOPSS).

(34) Continued Stay, Transfer, and Discharge Criteria - Criteria used after the initial assessment to monitor progress during a treatment episode and decide on Level of Care.

(35) Counselor - A member of the clinical staff working in a program who is licensed or certified and whose primary duties consist of conducting and documenting services such as counseling, psycho-educational groups, psychosocial assessment, treatment planning and case management.

(36) Crisis Intervention - Services that respond to a client's needs during acute episodes that may involve physical distress, imminent relapse and danger to self and others.

(37) Crisis Planning - A process of developing necessary resources to appropriately address and respond to acute needs of a client to include assessing for suicide and homicide ideations or plans.

(38) Criteria - Written rules, measures, or factors that help assessors determine where to place a client in care.

(39) Dependence - Used in three different ways: (a) physical dependence is a state of adaptation that is manifested by a drug class specific withdrawal syndrome that can be produced by abrupt cessation, rapid dose reduction, decreasing blood level of the drug, and/or administration of an antagonist; (b) psychological dependence is a subjective sense of need for a specific psychoactive substance, either for its positive effects or to avoid negative effects associated with its abstinence; and (c) one category of psychoactive substance use disorder.

(40) Detoxification - The deliberate withdrawal of a person from a specific physiological addicting substance in a safe and effective manner.

(41) Detoxification Rating Scales - As needed documentation. For example: clinical institution, withdrawal, assessment (CIWA); clinical opiates withdrawal scale (COWS), etc.

(42) Developmental Delay, Prevention Activities, Dependent Child - Structured activities provided by an appropriately credentialed professional for children of clients in treatment, during the same time period as the specific occurrence of the parent's treatment. These services function to foster healthy psychological, emotional, social and intellectual development of the child.

(43) Diagnostic Criteria - Prevailing standards which are used to determine a client's mental and physical condition relative to their need for substance abuse services, such as those which are described in the current Diagnostic and Statistical Manual of Mental Disorders.

(44) Didactic Group - Groups that are designed to teach or lecture.

(45) Discharge Planning - The process, beginning at admission of determining a client's continued need for treatment services and developing a plan to address ongoing client recovery needs once the client has been discharged from a level of care.

(46) Discharge Summary - A written narrative of the client's treatment record describing the client's accomplishments and problems during treatment, reasons for discharge and recommendations for further services.

(47) Discharge/Transfer Criteria - During client assessment, problems and priorities are identified as justifying treatment at a particular level of care. Discharge/Transfer Criteria describe the degree of resolution of those problems and priorities and are used to determine when a client can be treated at a different level of care or discharged from treatment. The appearance of new problems may require services that can be provided effectively only at a more or less intensive level of care. This level of function and clinical severity of a client's status in each of the six dimensions is considered in determining the need for discharge or transfer.

(48) Documentation - Provisions of written, dated and authenticated evidence (signed by person's name and title) to substantiate compliance with standards (e.g. minutes of meetings, memoranda, schedules, notices, announcement).

(49) Drug Intoxication - Dysfunctional changes in physiological functioning, psychological functioning, mood state,

cognitive process, or all of these, as a consequence of consumption of a psychoactive substance; usually disruptive, and often stemming from central nervous system impairment.

(50) DSM - The most current edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association. References to DSM may be construed to mean the most current edition of the International Classification of Diseases (ICD-10) when appropriate.

(51) Dual Diagnosis - Refers to the client who has signs and symptoms of concurrent substance-related and mental disorders. Other terms used to describe such co-occurring disorders include, co-occurring disorders, dual disorders, mentally ill chemically addicted (MICA), chemically addicted mentally ill (CAMI), mentally ill substance abusers (MISA), mentally ill chemically dependent (MICD), coexisting disorders, comorbid disorders, and individuals with co-occurring psychiatric and substance symptomatology (ICOPSS).

(52) Dual Diagnosis Capable (DDC) - Treatment programs that address co-occurring mental and substance-related disorders in their policies and procedures, assessment, treatment planning, program content and discharge planning are described as "Dual Diagnosis Capable" DDC. Such programs have arrangements in place for coordination and collaboration with mental health services. They can provide psychopharmacologic monitoring and psychological assessment and consultation, either on site or through coordinated consultation with off site providers. Program staff are able to address the interaction between mental and substance related disorders and their effect on the client's readiness to change- as well as relapse and recovery environment issues- through individual and group program content. Nevertheless, the primary focus of DDC programs is the treatment of substance-related disorders.

(53) Dual Diagnosis Enhanced (DDE) - Describes treatment programs that incorporate policies, procedures, assessments, treatment and discharge planning processes that accommodate patients who have co-occurring mental and substance related disorders. Mental health symptom management groups are incorporated into addiction treatment. Motivational enhancement therapies specifically designed for those with co-occurring mental and substance-related disorders are more likely to be available (particularly in out-patient settings) and, there is close collaboration or integration with a mental health program that provides crisis backup services and access to mental health case management and continuing care. In contrast to Dual Diagnosis Capable services, Dual Diagnosis Enhanced services place their primary focus on the integration of services for

mental and substance-related disorders in their staffing, services and program content.

(54) Early Intervention - Services that explore and address any problems or risk factors that appear to be related to the use of alcohol and other drugs and that help the client to recognize the harmful consequences of inappropriate use. Such individuals may not appear to meet the diagnostic criteria for a substance use disorder, but require early intervention for education and further assessment.

(55) Emergency Service - A network of services that provides all persons having acute problems related to alcohol and other drug use and abuse readily available diagnosis and care, as well as appropriate referral for continuing care after emergency treatment.

(56) Exploitation - An unjust or improper use of another person or their resources for one's own profit or advantage or for the profit or advantage of another person.

(57) Evidence-Based Practice - An approach to mental health care practice in which the clinician is aware of the evidence that bears on his/her clinical practice, and the strength of that evidence.

(58) Failure (as in a treatment failure) - Lack of progress and/or regression at any given level of care. These situations warrant a reassessment of the treatment plan, with modifications of the treatment approach. Such situations may require changes in the treatment plan at the same level of care or transfer to a different (more or less intensive) level of care to achieve a better therapeutic response. Sometimes used to describe relapse after a single treatment episode- an inappropriate construct in describing a chronic disease or disorder.

(59) Family - Individuals as defined by law, or significant others that claim relationship to the client. A person's immediate relatives and/or significant others. A term used to describe a person's parents, spouse, siblings, extended family, guardians, legally authorized representatives, or significant others as identified by the person served. (CARF)

(60) Family Counseling - A treatment plan focused on intervention involving a client, his/her family unit and/or significant others, and a mental health/substance abuse professional. Treatment is designed to maximize strengths and to reduce behavior problems and/or functional deficits stemming from the existence of a mental disorder that interferes with a

client's personal, familial, vocational, and/or community adjustment.

(61) Flow Sheets - A term usually associated with the field of nursing; Documentation that is required for a patient that assesses their entire day. Components of a flow sheet include:

- (a) The Master Treatment Problem (MTP Problem).
- (b) Risk Assessment.
- (c) Medication Compliance and Response.
- (d) Subjective & Objective Data.
- (e) Physical Assessment- Review of Systems.
- (f) Pain Assessment.
- (g) Intervention/Education.
- (h) Response to Intervention.
- (i) Additional Information.

(62) Follow-up - A process used by a treatment provider that will periodically assess the progress of a client who has completed treatment services.

(63) Governing Authority - The individuals or group that provides direction, guidance, and oversight, approves decisions specific to the organization and its services. The chief executive or agency director reports to this authority.

(64) Grievance - A written expression of dissatisfaction which may or may not be the result of an unresolved complaint.

(65) Group Counseling - The application of counseling techniques which involve interaction among members of a group consisting of at least three (3) clients but not more than fifteen (15) with a minimum of one (1) counselor for every fifteen (15) clients.

(66) Health Education - A service prescribed to modify assessed alcohol and/or drug use, cognitive, behavioral, emotional, social, and/or psycho-physiological factors relevant to and affecting the client's physical health problems. This

service is provided for individuals who have established illnesses or symptoms.

(67) HIV Early Intervention Services - Appropriate pretest counseling for HIV and AIDS. Testing individuals with respect to such disease, including tests to confirm the presence of the disease, tests to diagnose the extent of the deficiency in the immune system, and tests to provide information on appropriate therapeutic measures for preventing and treating the deterioration of the immune system and for preventing and treating conditions arising from the disease. Also, appropriate post-test counseling and therapeutic measures.

(68) Human Service Needs Assessment (HSNA) - An assessment of specific human service needs of a client. The systematic determination of the specific needs of each client. Its' purpose is to comprehensively define the scope of services and the client's functional levels to develop an individualized case management case plan. It clearly describes the client's strengths and problem areas. The following key elements make up the HSNA: family relationship, housing, vocational/educational, recreational, transportation, social support, physical, financial and spiritual.

(69) Individualized Counseling - Counseling designed to meet a particular client's needs, guided by a treatment plan that is directly related to a specific, unique client assessment.

(70) Individualized Service Plan - The ongoing process by which a clinician and the client identify and rank problems, establish agreed upon goals and decide on the treatment process and resources to be utilized.

(71) Intake - The process of collecting and assessing information to facilitate admission of an individual into a substance abuse treatment program.

(72) Intake Service - A structured interview process conducted by a trained clinician for the purpose of identifying and evaluating a client's continued need for treatment or care after diagnostic interview examination, admission and implementation of the initial treatment plan, in a specific level of care.

(73) Intensive Case Management - A comprehensive community service that includes evaluation, outreach and support services, usually provided on an outpatient basis. The case manager (management team) advocates for the client with community agencies and arranges services and supports. The case manager

may also teach community living and problem-solving skills, model productive behaviors and the client becomes self-sufficient.

(74) Intensive Outpatient Treatment - An organized service delivered by addiction professionals or addiction-credentialed clinicians, which provides a planned regimen of treatment, consisting of regularly scheduled sessions within a structured program, for a minimum of nine (9) hours of treatment per week for adults and six (6) hours of treatment per week for adolescents.

(75) Interdisciplinary Staff - A group of clinicians trained in different professions, disciplines, or service areas (such as physicians, counselors, psychologists, social workers, nurses and certified substance abuse counselors), who function interactively and interdependently in conducting a client's diagnostic interview examination, service plan and treatment services. There must be close interaction and integration among the disciplines to ensure that all members of the team interact to achieve team goals.

(76) Intervention - A planned interaction with an individual who may be dependent on one or more psychoactive substances, with the aim of making a full assessment, overcoming denial, interrupting drug-taking behavior, or inducing the individual to initiate treatment. Includes activities and strategies that are used to prevent or impede the development or progression of substance abuse problems.

(77) Length of Service - The number of days for inpatient care or units/visits for outpatient of service provided to a patient, from admission to discharge, at a particular level of care.

(78) Level of Care - The term refers to broad categories of patient placement, which encompass a range of clinical services such as early intervention, detoxification, or Opioid Maintenance Therapy services and levels of care such as intensive outpatient treatment or clinically managed medium intensity residential treatment.

(79) Level of Function - An individual's relative degree of health and freedom from specific signs and symptoms of a mental or substance-related disorder, which determine whether the individual requires treatment.

(80) Licensed Independent Practitioner - An individual permitted by law and by the organization to provide care and services, without direction or supervision, within the scope of the individual's license and consistent with individually granted

clinical privileges. In Alabama such individuals include: MD, DO, licensed psychologist, licensed professional counselor, licensed certified social worker, licensed marriage and family therapist, Master's level nurse in psychiatric nursing, certified registered nurse practitioner, and physician assistant.

(81) Linkage - Established connections and networks with a variety of agencies, companies and persons in the community that provides linkage that is facilitated between the client and service provider. (CARF)

(82) Long-term Detoxification Treatment - Detoxification treatment for a period of more than thirty (30) days but less than one-hundred eighty (180) days.

(83) Medical Director - A physician licensed under Alabama law who has been designated to oversee all medical services of a provider and has been given the authority and responsibility for medical care delivered by a provider. This includes ensuring the program is in compliance with all federal, state and local laws and regulations regarding the medical treatment of addiction to an Opioid drug.

(84) Medically Managed Treatment - Services that involve daily medical care, where diagnostic and treatment services are directly provided and/or managed by an appropriately trained and licensed physician.

(85) Medically Monitored Treatment - Services that are provided by an interdisciplinary staff of nurses, counselors, social workers, addiction specialists and other health care professionals and technical personnel, under the direction of a licensed physician. Medical monitoring is provided through an appropriate mix of direct patient contact, review of records, team meetings, twenty-four (24) hour coverage by a physician, and quality assurance programs.

(86) Medical Monitoring - Evaluation, care and treatment by medical personnel who are licensed for clients whose substance abuse and related problems are severe enough to require intensive inpatient treatment using an interdisciplinary team approach.

(87) Medical Necessity - Services by a provider to identify or treat an illness that has been diagnosed or suspected. The services are consistent with:

- (a) The diagnosis and treatment of a condition.
- (b) The standards of good medical practice.

- (c) Required for other than convenience.
- (d) The most appropriate supply or level of service.

When applied to inpatient care, the term means: that the needed care can only be safely given on an inpatient basis.

(88) Medically Managed Service - Services provided or directly managed by a physician.

(89) Medically Monitored Service - Services provided under the direction and supervision of a physician. The physician may or may not directly administer care to the client.

(90) Medication Administration - The direct administration of prescribed medication, as according to assessed needs stipulated in a client's service plan, and observation of the client's intake of the medication by mouth.

(91) Medication Assistant Certified Worker (MAC Worker) - Unlicensed worker that performs basic strategies in assisting with the medication administration process. Must have successfully completed the twenty-four (24) hour MAC 1 & 2 educational program and received a score of ninety (90) or above on the MAC test.

(92) Medication Assistant Supervisor Nurse (MAC Nurse) - A registered nurse (RN) or licensed practical nurse (LPN) with a valid Alabama license and employed or contracted by an agency/program certified by the ADMH. Must complete the seven (7) hours training program for MAS nurses and receive a score of ninety (90) or above on the MAS test.

(93) Medication Assistance Train-the-Trainer Registered Nurse (MATT RN) - Must be a MAS registered nurse with at least one (1) year of community service. Must also receive additional training beyond the MAS requirement and receive a score of ninety (90) or above on the MATT test.

(94) Medication Destruction Record - What it is and what is contained in it.

(95) Medication Management - The practice of prescribing and/or dispensing medication by qualified personnel. (CARF)

(96) Medication Monitoring - Face-to-face contact between the client and rehabilitative services, or a child and adolescent services/adult protective services professional,

pharmacist, RN, or LPN for the purpose of reviewing the overt physiological effects of psychotropic medications; monitoring compliance with dosage instructions; instructing the client and/or caregivers of expected effects of psychotropic medications; assessing the client's need to see the physician; and recommending changes in the psychotropic medication regimen.

(97) Mental Health Consultation - A service aimed at assisting other service agency providers or independent practitioners in providing appropriate services to an identified Medicaid client by providing clinical consultation. Key service functions include written or oral interaction in a clinical capacity in order to assist another provider to meet the specific treatment needs of an individual client and to assure continuity of care to another setting.

(98) Modality - A specific type of treatment (technique, method, or procedure) that is used to relieve symptoms or induce behavior change. Modalities of addiction treatment include, for example, detoxification or antagonist medication, motivational interviewing, cognitive behavioral therapy, group therapy, social skills training, vocational counseling and self/mutual help groups.

(99) Monitoring - The interaction between the area authority or county program and a provider of public services regarding the functions set forth in the standards.

(100) Motivational Enhancement and Engagement Strategies - A patient-centered counseling approach for initiating behavior change by helping patients to resolve ambivalence about engaging in treatment and stopping substance use. This approach employs strategies to evoke rapid and internally motivated change in the patient, rather than guiding the patient stepwise through the recovery process. (Adopted from Principles of Drug Addiction Treatment-A Research Based Guide, National Institute on Drug Abuse, 1999).

(101) Neglect - The willful act of withholding or inadequately providing shelter, food, hydration, clothing, medical care and good hygiene.

(102) Non-Violent Crisis Intervention - A process of interrupting an action or behavior that is harmful to an individual through the use of techniques that require limited force or action.

(103) Nurse Delegation Program (NDP) - A general term that refers to the entire system that allows non-licensed persons

to assist licensed nursing professionals in the administration of medications in a residential treatment setting.

(104) Opioid Agonist Treatment Medication - A prescription medication, such as methadone, Buprenorphine or other substance scheduled as a narcotic under the Federal Controlled Substances Act (21 U.S.C. Section 811) that is approved by the U.S. Food and Drug Administration for use in the treatment of opiate addiction or dependence.

(105) Opioid Maintenance - The dispensing of methadone for more than one-hundred eighty (180) days in the treatment of an individual for dependence on opiates.

(106) Outpatient Service - An organized non-residential service, delivered in a variety of settings, in which addiction treatment personnel provide professionally directed evaluation and treatment of substance-related disorders. Usually fewer than nine (9) hours.

(107) Overdose - The inadvertent or deliberate consumption of a dose much larger than that either habitually used by the individual or ordinarily used for treatment of an illness, and likely to result in a serious toxic reaction or death.

(108) Parenting Skills Development - A structured face-to-face encounter facilitated by a trained clinician for the purpose of enhancing the parenting competency of individuals who are parents of dependent children, and who have a substance use disorder. This service may include interactive activities involving the parents' children.

(109) Partial Hospitalization - A generic term encompassing day, night, evening and weekend treatment programs that employ an integrated, comprehensive and complementary schedule of recognized treatments. Commonly referred to as "day treatment." A partial hospitalization program does not need to be attached to a licensed hospital.

(110) Patient - An individual receiving alcohol/other drug treatment. The terms "client", "patient" and "client" sometimes are used interchangeably and refer to the individual who has completed the screening, behavioral health screening and diagnostic interview examination process and is receiving substance abuse treatment services.

(111) Peer Counseling Services - The provision of scheduled interventions by a certified peer counselor, who is in recovery from a substance use or co-occurring substance use and

mental illness disorder, to assist a client in the acquisition and exercise of skills needed to support recovery. Services may include activities that assist clients in accessing and/or engaging in treatment and in symptom management, promote socialization, recovery, and self-advocacy, and provide guidance in the development of natural community supports and basic daily living skills.

(112) Performance Improvement - A formal method of evaluating the quality of care rendered by a provider and is used to promote and maintain an efficient and effective service delivery system. Performance improvement includes the use of a quality assurance process to ensure that problems, when they occur are corrected appropriately and in a timely manner.

(113) Pharmacotherapy - Any treatment of persons served with medications, including methadone or opiate replacement therapies.

(114) Physical Restraint - The direct application of physical force to a client without the client's permission to restrict his or her freedom of movement.

(115) Placement Assessment - An interview with the person served to collect information related to his/her history and needs, preferences, strengths and abilities in order to determine the diagnosis, appropriate services and/or referral. (Modified CARF)

(116) Prevention - Social, economic, legal, medical and/or psychological measures aimed at minimizing the use of potentially addicting substances, lowering the dependence risk in susceptible individuals, or minimizing other adverse consequences of psychoactive substance use. Primary prevention consists of attempts to reduce the incidence of addictive diseases and related problems in a general population. Secondary prevention aims to achieve early detection, diagnosis and treatment of affected individuals. Tertiary prevention seeks to diminish the incidence of complications of addictive diseases.

(117) Program - A generalized term for an organized system of services designed to address the treatment needs of patients.

(118) Progress Note - Written entries made by clinical staff in the client record that document progress or lack thereof toward meeting treatment plan objectives, and which generally address the provision of services, the client's response to those services, and significant events. Progress notes also include

documentation of those events and activities related to the client's treatment.

(119) Psychiatric Seclusion - The involuntary confinement of a client alone in a room, from which the client is prevented from leaving for a prescribed period of time in order to control or limit his/her dangerous behavior.

(120) Psychoeducation - Individualized instruction and training of the persons served to increase their knowledge and understanding of their psychiatric diagnoses, prognoses, treatment and rehabilitation in order to enhance their acceptance of these psychiatric disabilities, increase their cooperation and collaboration with treatment and rehabilitation, improve their coping skills, and favorably affect their outcomes. Such education should be consistent with the individual plans and be provided with the knowledge and support of the interdisciplinary teams. (CARF)

(121) Qualified Case Manager - An individual that possesses a Bachelor of Science degree in a behavioral health field or in nursing and have successfully completed training in a case management curriculum approved by DMH to provide case management services to the identified population being served.

(122) Qualified Interpreter:

(a) Spoken Language Interpreters must be able to interpret expressively and receptively using specialized vocabularies between two persons speaking two languages.

(b) Sign Language Interpreters must meet the expectations of the Spoken Language Interpreter plus be eligible to work in Alabama as specified in Section 34, Chapter 16 of the Code of Alabama, i.e. they must obtain Interpreter licensure.

(123) Qualified Person - Any person qualified under applicable law or professional requirement where they exist to perform any function authorized under these rules. Where professional qualifications are not imposed under other law, these rules may permit persons to act as specifically authorized.

(124) Qualified Physician - Is a Psychiatrist or a licensed physician who has been granted privileges to order seclusion or restraint.

(125) Qualified Registered Nurse - Is one who has successfully completed a DMH approved psychiatric management course and who as at least one (1) year psychiatric nursing

experience. A Registered Nurse who has been granted privileges to implement seclusion or restraint.

(126) Qualified Substance Abuse Professional I (QSAP I) - An individual licensed in the State of Alabama as a Professional Counselor, Certified Social Worker, Psychiatric Clinical Nurse Specialist, Psychiatric Nurse Practitioner, Marriage and Family Therapist, Clinical Psychologist, Physician's Assistant, Physician and meets the other qualifications as specified in the standards themselves.

(127) Qualified Substance Abuse Professional II (QSAP II) - An individual who holds a master's or bachelor's degree from an accredited college or university in Psychology, Social Work, Community Rehabilitation, Pastoral Counseling, Family Therapy, or other behavioral health areas that requires equivalent clinical course work and who meets the other qualifications as specified in the standards themselves.

(128) Qualified Substance Abuse Professional III (QSAP III) - An individual who has a bachelor's degree from an accredited college or university in Psychology, Social Work, Community Rehabilitation, Pastoral Counseling, Family Therapy, or other behavioral health area that requires equivalent clinical course work and; who has a minimum of two (2) years full-time paid employment experience providing direct treatment or care for individuals who have substance-related disorders, under the supervision of a QSAP I, and holds a substance abuse counselor certification.

(129) Readiness to Change - An individual's emotional and cognitive awareness of the need to change, coupled with a commitment to change. When applied to addiction treatment it describes the patient's degree of awareness of the relationship between his/her alcohol or other drug use or mental health problems and the adverse consequences of such use, as well as the presence of specific readiness to change personal patterns of alcohol and other drug use.

(130) Recovery Support Services - A range of non-clinical services provided to facilitate the process of recovery from substance use disorders and to promote wellness. These services may be provided prior to, during and after treatment for individuals and their families who have been assessed as having a need for such.

(131) Referral - The establishment of a link between a client and another service by providing client authorized documentation to the other service of the client's need and recommendations for treatment services, and includes follow-up

within a given time span as to the disposition of the recommendations.

(132) Relapse - Recurrence of psychoactive substance-dependent behavior in an individual who has previously achieved and maintained abstinence for a significant period of time beyond withdrawal.

(133) Relapse Prevention - Services designed to support the recovery of the individual and to prevent the recurrence of substance abuse.

(134) Resident - A patient in one of the clinically managed, residential levels of care.

(135) Residential Detoxification - Detoxification that is medically monitored and requires admission to a Clinically Managed or Medically Monitored Detoxification Program.

(136) Restraint:

(a) Any manual method used or physical or mechanical device, material, or equipment attached or adjacent to a client's body that he or she cannot easily remove or that restricts freedom of movement or normal access to one's body.

(b) A drug used to control a client's behavior when that drug is not a standard treatment for the client's condition.

(c) The use of physical, mechanical, chemical, or other means to temporarily subdue an individual or otherwise limit a person's freedom of movement. (CARF)

(137) Seclusion - The use of a secure, private room designed to isolate a client who has been determined by a physician to pose an immediate threat of physical harm to self or others. Seclusion refers to the placement of a client alone in any room from which the client is physically prevented from leaving.

(138) Screening - A process involving a brief review of a person's presenting problem to determine the person's appropriateness and eligibility for substance abuse services and the possible level of services require.

(139) Sentinel Event - Is an unexpected occurrence involving a child/adolescent receiving treatment for a psychological or psychiatric illness that results in serious physical injury, psychological injury, or death (or risk thereof).

Serious Incident/Critical Incident - The occurrence or set of events inconsistent with the routine operation of an approved treatment facility, or the routine care of a client. Serious incidents, sometimes referred to as critical incidents, include but are not necessarily limited to the following:

- (a) Adverse drug events.
- (b) Self destructive behavior.
- (c) Deaths and injuries (including automobile accidents) to the client, client family, staff, and visitors.
- (d) Medication errors.
- (e) Neglect or abuse of a client.
- (f) Fire.
- (g) Unauthorized disclosure of information.
- (h) Damage to or theft of property belonging to a client or an approved treatment facility.
- (i) Other unexpected occurrences.
- (j) Or events potentially subject to litigation.

A serious incident may involve multiple individuals or results.

(141) Service Plan - A written plan of services, developed by the clinician in conjunction with the client, that addresses the individualized needs of the client through devising plans for services that offer reasonable promise of success and are consistent with the abilities and circumstances of the client. The Service Plan is reviewed regularly by the clinician and client to assess its continued viability and effectiveness while respecting the client's input and freedom of choice.

(142) Setting - A specific place in which treatment is delivered. Settings for alcohol/other drug treatment include hospitals, methadone clinics, community mental health centers and prisons or jails.

(143) Severity of Illness - Specific signs and symptoms for which a patient requires treatment, including the degree of impairment and the extent of a patient's support networks.

(144) Short-term Detoxification Treatment
-Detoxification treatment for a period not in excess of thirty (30) days.

(145) Sign Language Interpreter - The provision of sign language or interpreter services for clients enrolled in a specified level of care by appropriately credentialed professionals.

(146) Smoking Cessation - A structured face-to-face encounter provided by trained personnel to assist individuals enrolled in a specific level of care in efforts to stop smoking.

(147) Staffing/Case Review - A regularly scheduled review of client's treatment goals which involve the client's primary clinical staff person and other persons involved in the implementation of the treatment plan.

(148) Staff Member - A person who is directly employed by an organization on either a full- or part-time basis. (CARF)

(149) Stages of Change - This refers principally to the work of Prochaska and DiClemente, who described how individuals progress and regress through various levels of awareness of a problem, as well as the degree of activity involved in behavior. While their original work studied individuals who changed from smokers to non-smokers, the concept of stages of change subsequently has been applied to a variety of behaviors.

(150) Standards - Specifications representing the minimal characteristics of an alcohol and other drug abuse treatment program, which are acceptable for the licensing of a program.

(151) State Opioid Treatment Authority - The Director, or designee, of the State of Alabama DMH Substance Abuse Division's Treatment Services or its successor.

(152) Substance Abuse - Harmful use of a specific psychoactive substance. The term also applies to one category of psychoactive substance-related disorders. While recognizing that "abuse" is part of present diagnostic terminology, ASAM recommends that an alternative term be found for this purpose because of the pejorative connotations of the word "abuse".

(153) Substance Abuse Service Provider - Any entity or person. A public agency, a private for-profit or not-for-profit agency, a person who is in private practice and a hospital either licensed or exempt from licensure that has obtained certification

through DMH/SASD to provide substance abuse services at any of the SASD approved levels of care.

(154) Substance Dependence - Marked by a cluster of cognitive, behavioral and psychological symptoms indicating that the individual continues to use alcohol or other drugs despite significant related problems. The cluster of symptoms can include tolerance, withdrawal or use of a substance in larger amounts or over a longer period of time than intended; persistent desire or unsuccessful efforts to cut down or control substance use; a great deal of time spent in activities related to obtaining or using substances or to recover from their effects; relinquishing important social, occupational or recreational activities because of substance use; and continuing alcohol or drug use despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to have been caused or exacerbated by such use.

(155) Substance Use Disorders - Include Substance Dependence and Substance Abuse, according to the specific diagnostic criteria given in DSM IV. Substance Use Disorders are one of two subgroups ('substance dependence' and 'substance abuse') of the broader diagnostic category of Substance-Related Disorders. In the ASAM PPC-2R, the specific subgroup or disorder is used in the diagnostic criteria for admission to certain levels of care.

(156) Supportive Counseling - Not considered therapy but is provided to clients, or victims, to help them discuss feelings relating to domestic violence, sexual assault or abuse, and other issues that maybe negatively affecting their well-being. It is used to help them identify their strengths and to re-develop feelings of self-worth. The client's spouse, parents, or other family members may also receive supportive counseling which provides them with an outlet to verbalize their feelings and to develop viable plans for action.

(157) Support Services - Those readily available to the program through affiliation, contract or because of their availability to the community at large (example: 911). They are used to provide services beyond the capacity of the staff of the program and which will not be needed by patients on a routine basis or to augment the services provided by staff.

(158) The Levels of Care:

(a) Level 0.5: Early Intervention: A service for a group of individuals who, for a known reason, are at risk of developing substance-related problems, or for those for whom

there is not yet sufficient information to document a substance use disorder. (ASAM PPC-2R).

(b) Level I: Outpatient Treatment: Organized services that may be delivered in a variety of settings. Includes professionally directed services provided by addiction or mental health personnel that include evaluation, treatment and recovery services. These services are provided in regularly scheduled sessions and follow a defined set of policies and procedures or medical protocols. (ASAM PPC-2R)

(c) Level II: Intensive Outpatient Treatment/Partial Hospitalization: An organized outpatient service that delivers treatment services during the day, before or after work or school, in the evenings, or on the weekends. Includes programs that essentially provide education and treatment components while allowing clients to apply their newly acquired skills within "real world" environments. These programs have the capacity to arrange for medical and psychiatric consultation, psychopharmacological consultation, medication management and 24-hour crisis services. (ASAM PPC-2R)

(d) Level III: Residential/Inpatient Treatment: Encompasses organized services provided by addiction and mental health personnel who provide a planned regimen of care in a twenty-four (24) hour live-in setting. Such services adhere to defined policies and procedures. They are located in permanent facilities where clients reside safely. They are staffed for twenty-four (24) hour coverage and self-help groups are available on-site. There are five types of programs located at this level:

1. Level III.01: Transitional Residential Program
2. Level III.1: Clinically Managed Low Intensity Residential Treatment
3. Level III.3: Clinically Managed Medium Intensity Residential Treatment
4. Level III.5: Clinically Managed High Intensity Residential Treatment
5. Level III.7: Medically Monitored Inpatient Treatment (ASAM PPC-2R)

(e) Level IV: Medically Managed Intensive Inpatient Treatment: These programs provide a planned regimen of twenty-four (24) hour medically directed evaluation, care and treatment of mental and substance-related disorders in an acute care inpatient setting. They are staffed by addiction-

credentialed physicians, psychiatrists and clinicians. Services at this level are delivered under a defined set of policies and procedures and have permanent facilities that include inpatient beds. Level four programs provide care to clients whose mental and substance-related problems are so severe that they require primary biomedical, psychiatric and nursing care. Treatment is provided twenty-four (24) hours a day and the full resources of a general acute care hospital or psychiatric hospital are available. Treatment is specific to SA or MI disorders but the skills of the interdisciplinary team and the availability of support services allow the conjoint treatment of any co-occurring biomedical condition that needs to be addressed. (ASAM PPC-2R)

(159) Timeout - The restriction of a client for a period of time to a designated area from which the client is not physically prevented from leaving for the purpose of providing the client an opportunity to regain self-control.

(160) Tolerance - A stage of adaptation in which exposure to a drug induces changes that result in diminution of one or more of the drug's effects over time.

(161) Transfer - Movement of the client from one level of service to another, within the continuum of care. The change may take place at the same location or by physically moving the client to a different site for the new level of care.

(162) Transfer Summary - A written justification of the circumstances of the transfer of a client from one component to another or from one provider to another.

(163) Transitional Hold - A brief physical restraint of an individual that may be face-down for the purpose of quickly and effectively gaining physical control of that individual, or prior to transport to enable the individual to be transported safely.

(164) Transitional Residential Treatment - Services directed by persons who specialize in addictions treatment. They are appropriate for persons whose primary problems involve emotional, behavioral or cognitive concerns, readiness to change, relapse potential and recovery environment dictates that these issues can be addressed through arrangements for clinical/medical services with the appropriate living situation.

(165) Transportation - Agency provided non-emergency services utilized to transport a client to and from treatment or care, and to and from community-based organizations and activities during the course of treatment or care, as identified in the individual's service plan.

(166) Treatment - The application of professional planned, merged, administered, and/or monitored evidenced-based/best practices and procedures to identify, stabilize, minimize, or alleviate the harmful consequences of substance related disorders and to restore impaired health and functionality relative to the disorders.

(167) Treatment Program - Any program that delivers alcohol and/other drug abuse treatment services to a defined client population.

(168) Treatment Staff - The group of personnel of the alcohol and other drug abuse treatment program, which is directly involved in client care or treatment.

(169) Waiver - The voluntary relinquishment or surrender of some known right or privilege. Waivers are given in writing, listing clearly and unambiguously the full knowledge of what is being waived. They are developed specifically for a particular right, duty, or privilege and cannot be used or applied to other essential functions of a job or activity. All waivers are signed by the appropriate authority.

(170) Youth - A person between six (6) and eighteen years (18) of age. (CARF)

(171) Meaning of the verbs in the Standards: Attention is drawn to the use of the words "shall", "should", and "may" in the SASD Standards:

(a) "Shall" is the term used to indicate a mandatory statement, the only acceptable method under these present standards.

(b) "Should" is the term used to reflect the most preferable procedure, yet allowing for the use of effective alternatives.

(c) "May" is the term used to reflect an acceptable method that is recognized but not necessarily preferred.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New:** Filed: July 22, 1992. **Extended:**

September 30, 1992. **Extended:** December 31, 1992. **Certified:**

March 30, 1993. Effective May 5, 1993. **Repealed and New Rule:**

Filed November 19, 2003; effective December 24, 2003. **Repealed**

and New Rule: Filed January 26, 2012; effective March 1, 2012.

580-9-44-.02 Personnel.

(1) Qualified Treatment Personnel. The entity shall employ qualified and trained personnel to ensure the health, safety, and well-being of its recipients, and to support efficient utilization of its resources.

(a) The entity shall develop, maintain, and document implementation of written policies and procedures to ensure that all personnel meet and remain current on credentials required for certification, licensure, and for job performance and service delivery as specified by these rules.

(b) Qualified Substance Abuse Professionals (QSAP). The entity shall utilize qualified substance abuse professionals, to provide treatment for individuals with substance related disorders.

1. QSAP I. A Qualified Substance Abuse Professional I (QSAP I) shall consist of:

(i) An individual licensed in the State of Alabama as a:

(I) Professional Counselor, Graduate Level Social Worker, Psychiatric Clinical Nurse Specialist, Psychiatric Nurse Practitioner, Marriage and Family Therapist, Clinical Psychologist, Physician's Assistant, Physician; or

(ii) An individual who:

(I) Has a master's degree or above from a nationally or regionally accredited university or college in psychology, social work, counseling, psychiatric nursing, or other behavioral health area with requisite course work equivalent to that of a degree in counseling, psychology, social work, or psychiatric nursing, and

(II) Has successfully completed a clinical practicum or has six month's post master's clinical experience; and

(III) Holds a substance abuse counselor certification credential from the Alabama Association of Addiction Counselors, National Association of Alcoholism and Drug Abuse Counselors, Alabama Alcohol and Drug Abuse Association, or International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Inc. which shall be obtained within thirty (30) months of date of hire.

(iii) A QSAP I is authorized to provide services as delineated in the most recent version of the ADMH Substance Abuse

2. QSAP II. A Qualified Substance Abuse Professional II (QSAP II) shall consist of:

(i) An individual who:

(I) Has a Bachelor's Degree from a nationally or regionally accredited university or college in psychology, social work, community, rehabilitation, or pastoral counseling, family therapy, or other behavioral health area that requires equivalent clinical course work, and

(II) Is licensed in the State of Alabama as a Bachelor Level Social Worker; or

(III) Has a Bachelor's Degree from a nationally or regionally accredited college or university in psychology, social work, community, rehabilitation, or pastoral counseling, family therapy, or other behavioral health area that requires equivalent clinical course work, and

(IV) Holds a substance abuse counselor certification credential from the Alabama Association of Addiction Counselors, National Association of Alcoholism and Drug Abuse Counselors, Alabama Alcohol and Drug Abuse Association, or International Certification and Reciprocity Consortium.

(ii) A QSAP II is authorized to provide services as delineated in the most recent version of the ADMH Substance Abuse Services Billing Manual as published and maintained by ADMH.

3. QSAP III. A Qualified Substance Abuse Professional III (QSAP III) shall consist of:

(i) An individual who:

(I) Has a Bachelor's Degree from a nationally or regionally accredited university or college in psychology, social work, community, rehabilitation, or pastoral counseling, family therapy, or other behavioral health area that requires equivalent clinical course work, and

(II) Participates in ongoing supervision by a certified or licensed QSAP I for a minimum of one (1) hour individual per week until attainment of a substance abuse counselor certification credential from the Alabama Association of Addiction Counselors, National Association of Alcoholism and Drug Abuse Counselors, or Alabama Alcohol and Drug Abuse Association, or International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Inc. which shall be obtained within thirty (30) months of hire.

(ii) A QSAP III is authorized to provide services as delineated in the most recent version of the ADMH Substance Abuse Services Billing Manual as published and maintained by ADMH.

4. Qualified Paraprofessionals (QPP). A qualified paraprofessional shall have the following minimum qualifications:

(i) A high school diploma or equivalent, and

(ii) One (1) year of work experience directly related to job responsibilities and

(iii) Concurrent participation in clinical supervision by a licensed or certified QSAP I.

(iv) A QPP is authorized to provide services as delineated in the most recent version of the ADMH Substance Abuse Services Billing Manual as published and maintained by ADMH.

5. Peer Support Specialist. A peer support specialist must meet the following minimum qualifications:

(i) Certified by ADMH as a Certified Recovery Support Specialist (CRSS) within six (6) months of date of hire, and

(ii) Concurrent participation in clinical supervision by a licensed or certified QSAP I.

(iii) A Peer Support Specialist is authorized to provide services as delineated in the most recent edition of the ADMH Substance Abuse Services Billing Manual as published and maintained by ADMH.

6. Students who are completing a graduate degree from a regionally accredited university or college in psychology, counseling, social work, or psychiatric nursing may conduct direct services under the following conditions:

(i) The student is in a clinical practicum that is part of an officially sanctioned academic curriculum.

(ii) The student receives a minimum of one (1) hour per week of direct clinical supervision (face to face) from a licensed or certified QSAP I.

(iii) Any written clinical documentation generated by the student must be reviewed and signed by the supervising clinical staff member.

(2) Staff Development. The entity shall develop, maintain, and document implementation of written policies and procedures that establish a staff development and training

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program for all employees, students, and volunteers. This program shall include, at a minimum, the following requirements:

(a) Annual Training: During each calendar year, the entity shall provide training for each employee that addresses the following topics:

1. Crisis intervention.
2. Management of disruptive behavior.
3. Suicide prevention/intervention.
4. Confidentiality and privacy of client information.
5. Cultural competency relative to the program's target population.
6. Infectious disease prevention and management, to include at a minimum: TB, HIV/AIDS, Sexually Transmitted Diseases and Hepatitis.
7. Program policies and procedures.
8. DMH Administrative Code specific to level(s) of care.

(b) First Aid/Cardiopulmonary Resuscitation (CPR) Training. All staff of each substance abuse prevention, treatment, and recovery support program shall obtain, within one (1) month of hire, and continuously, thereafter, current certification in First Aid and CPR.

(3) An individual who met the requirements of the Administrative Code 580-9-44-2 Personnel effective March 2012 and was employed prior to the approval of these rules shall be in good standing.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New:** **Filed:** July 22, 1992. **Extended:** September 30, 1992. **Extended:** December 31, 1992. **Certified:** March 30, 1993. **Effective:** May 5, 1993. **Repealed and New Rule:** Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed January 8, 2018; effective February 22, 2018. **Amended:** Filed October 16, 2018; effective November 30, 2018. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.03 **Client Rights.** **(REPEALED)**

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.04 **Abuse And Neglect.** **(REPEALED)**

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.05 **Grievances, Complaints, And Appeals.** **(REPEALED)**

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.06 **Confidentiality And Privacy.** **(REPEALED)**

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.07 **Seclusion And Restraint.** **(REPEALED)**

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.08 **Child And Adolescent Seclusion And Restraint.**
(REPEALED)

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.09 **Incident Reporting.** **(REPEALED)**

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Repealed:** **Filed:** February 21, 2020.

Effective: May 15, 2020.

580-9-44-.10 Infection Control (REPEALED)

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Repealed: Filed:** March 11, 2020.

Effective: May 15, 2020.

580-9-44-.11 Performance Improvement. (REPEALED)

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Repealed:** Filed October 16, 2018; effective November 30, 2018.

580-9-44-.12 Operational Policies And Procedures Manual. (REPEALED)

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Repealed: Filed:** February 21, 2020.

Effective: May 15, 2020.

580-9-44-.13 Program Description. (Repealed)

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Repealed: Filed:** January 20, 2023;

Effective: March 17, 2023.

580-9-44-.14 Level 0.5: Early Intervention.

(1) Rule Compliance. Each Level 0.5 Early Intervention Program shall comply with the following rules and the rules specified in this chapter.

(a) Operational Plan. The entity shall develop, maintain and document implementation of a written operational plan that defines its Level 0.5 Early Intervention Program. The program description shall comply with all of the requirements specified in 580-9-44-.13 and the following additional specifications:

1. Location. The entity shall specifically identify and describe the setting in which Level 0.5 Early Intervention services shall be provided. Services may be provided in any appropriate setting that protects the client's right to privacy, confidentiality, safety and meets the DMH facility certification standards as appropriate to the location. Service locations may include traditional clinical offices and behavioral health sites, residences, schools, shelters, work sites, community centers and

other locations as pre-authorized by DMH.

(i) Adolescent Specific Criteria.

(I) Location. Shall not provide services in locations that would require shared services or significant contact with individuals receiving treatment for substance use disorders.

2. Admission Criteria. The entity shall develop, maintain, and document implementation of written criteria for admission to its Level 0.5 Outpatient Program, as according to 580-9-44-.13(9), and the following criteria:

(i) The entity's admission criteria shall specify the target population for Level 0.5 services to include, at a minimum, individuals whose problems and risk factors appear to be related to substance use, but do not meet the diagnostic criteria for a substance-related disorder as defined in the current Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level 0.5 Early Intervention Services meets the most current edition of the ASAM Patient Placement Criteria diagnostic and dimensional criteria for this level of care.

(iii) Adolescent Program Specific Criteria. The entity shall provide written documentation in individual case records that each adolescent admitted to receive Level 0.5 Early Intervention services meets the most recent edition of the ASAM Patient Placement Criteria adolescent diagnostic and dimensional criteria for this level of care.

3. Core Services. Each Level 0.5 Early Intervention Program shall demonstrate the capacity to provide a basic level of skilled services appropriate to the needs of its clientele:

(i) Screening and assessment sufficient to screen for, and rule in or out, substance-related disorders.

(ii) Individual counseling.

(iii) Group counseling.

(iv) Family counseling.

(v) Psychoeducation.

(iv) Case Management:

(I) Case planning.

- (II) Linkage.
- (III) Advocacy.
- (IV) Monitoring.

4. Service Intensity. The entity shall document that the amount and frequency of services is established on the basis of the unique needs of each client served.

5. Documentation: In addition to meeting the requirements of 580-9-44-.13(21), an individualized progress note shall be recorded for each service provided in Level 0.5.

6. Support Systems.

(i) At a minimum, the Early Intervention Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to ensure the availability of and provide referrals as needed for:

(I) Treatment of substance use disorders.

(II) Medical, psychological or psychiatric services, including assessment.

(III) Community social services.

(ii) The entity shall maintain up-to-date, written Memorandums of Understanding, Collaborative Agreements or Referral Agreements as applicable.

7. Program Personnel. Each Level 0.5 Early Intervention Program shall employ an adequate number of qualified individuals to carry out personalized care for its clientele and to meet the program's goals and objectives.

(i) Every client in a Level 0.5 Program shall be assigned to a specific Primary Counselor for care management.

8. Training. The entity shall provide written documentation that all Level 0.5 Program personnel satisfy the competency and training requirements as specified in 580-9-44-.02(3).

9. Service Intensity: The entity shall document that the amount and frequency of Level 0.5 Early Intervention Services are established on the basis of the unique needs of each client served.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each

Level 0.5 Program shall vary as determined by:

- (i) The client's ability to comprehend the information provided and use that information to make behavior changes; or
- (ii) The appearance of new problems which require another modality of service.

11. **Service Availability:** The entity shall provide written documentation describing the process utilized to establish the hours of service availability for its Level 0.5 Early Intervention Program. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.15 Level I: Outpatient Treatment.

(1) **Rule Compliance.** Each Level I Outpatient Program shall comply with the following rules and the rules specified in this chapter.

(a) **Program Description.** The entity shall develop, maintain and document implementation of a written operational plan that defines its Level I Outpatient Program. The program description shall comply with all of the requirements specified in 580-9-44-.13.

1. **Location.** The entity shall specifically identify and describe the setting in which Level I Outpatient Services shall be provided. Services may be provided in any appropriate setting that protects the client's right to privacy, confidentiality and safety, including but not limited to, traditional clinical offices and behavioral health sites, residences, schools, shelters, work sites, community centers and other locations as pre-authorized by DMH.

2. **Admission Criteria:** The entity shall develop, maintain and implement written criteria for admission to its Level I Outpatient Program in compliance with the requirements of 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for the Level I Program, which shall include,

at a minimum, individuals whose assessed severity of illness initially warrants this level of care, including but not limited to:

(I) Whose progress in a more intensive level of care warrants a step-down to a less intensive level of care.

(II) Who are in the early stages of change and who are not yet ready to commit to full recovery.

(III) Who are experiencing increased conflict, demonstrating passive compliance or considering leaving treatment.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level I Outpatient Services meets:

(I) The diagnostic criteria for a substance use disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Adolescent Program Specific Criteria: The entity shall provide written documentation in individual case records that each adolescent admitted to receive Level I Outpatient Services meets:

(I) The diagnostic criteria for a substance use disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The adolescent dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Co-occurring Disorders Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to receive Level I Outpatient Services in a Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance use and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(v) Women and Dependent Children Program Specific

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Criteria: The entity shall provide written documentation in individual case records that each client admitted to receive Level I Outpatient Services in a Women and Children Program:

(I) Meets the diagnostic criteria for a substance use disorder as defined in the most recent edition Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services. Each Level I Outpatient Program shall demonstrate the capacity to provide a basic level of skilled treatment services appropriate to the needs of its clientele.

(i) At a minimum, the entity shall directly or by referral provide the following core services:

(I) Behavioral Health Screening.

(II) Individual counseling.

(III) Group counseling.

(IV) Family counseling.

(V) Psychoeducation.

(VI) Mental health consultation.

(VII) Recovery support services.

(VIII) Peer counseling services.

(IX) Medication management.

(X) Alcohol and/or drug screening/testing.

(XI) Smoking cessation.

(XII) Sign language interpreter services.

(XIII) HIV early intervention services.

(XIV) Case management:

I. Case planning.

II. Linkage.

III. Advocacy.

IV. Monitoring.

(ii) Adolescent Program Specific Criteria: Each Level I Adolescent Outpatient Program shall document the capacity to provide each of the core services and to include activity therapy.

(I) Activity therapy.

(iii) Co-occurring Disorders Program Specific Criteria: Each level I Co-occurring Disorders Outpatient Program shall document the capacity to provide each of the core services to include basic living skills, crisis intervention services, and intensive case management.

(iv) Women and Dependent Children Program Specific Criteria: Each Level I Women and Dependent Children Outpatient Program shall document the capacity to provide each of the core services and/or arrange for the following services:

(I) Transportation.

(II) Child sitting services.

(III) Developmental delay and prevention services.

(IV) Activity therapy.

(V) Parenting skills development.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level I Outpatient Program shall include, at a minimum:

(I) Implementation of individualized counseling plan strategies.

(II) Ongoing individualized assessment services.

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- (III) Motivational enhancement and engagement strategies.
- (IV) Relapse prevention strategies.
- (V) Interpersonal choice/decision-making skill development.
- (VI) Health education.
- (VII) Random drug screening.
- (VIII) Family education.
- (IX) Gender responsive treatment.
- (ii) **Adolescent Program Specific Criteria:** Each Level I Adolescent Outpatient Program shall document the capacity to provide the service strategies and the following therapeutic components:
 - (I) Adolescent specific evidence based therapeutic interventions.
 - (II) Client education on key adolescent development issues, including but not limited to, adolescent brain development and the impact of substance use, emotional and social influence on behavior, value system development, puberty/physical development, sexuality and self esteem.
 - (III) Recreation and leisure time skills training.
 - (IV) Family, community and school reintegration services.
- (iii) **Co-occurring Disorders Program Specific Criteria:** Each Level I Co-occurring Disorders Outpatient Program shall document the capacity to provide the service strategies and the following therapeutic components:
 - (I) Groups and classes that address the signs and symptoms of mental health and substance use disorders.
 - (II) Groups, classes, and training to assist clients in becoming aware of cues or triggers that enhance the likelihood of alcohol and drug use or psychiatric decompensation and to aid in development of alternative coping responses to those cues.
 - (III) Dual recovery groups that provide a forum for discussion of the interactions of and interrelations between substance use and mental health disorders.
- (iv) **Women and Dependent Children Program Specific**

Criteria: Each Level I Women and Dependent Children Outpatient Program shall document the capacity to provide the service strategies and the following therapeutic components:

- (I) Specific services which address issues of relationships, parenting, abuse, and trauma.
- (II) Primary medical care, including prenatal care.
- (III) Primary pediatric care for children.
- (IV) Therapeutic interventions for children which address their developmental needs and issues of sexual abuse and neglect.
- (V) Outreach to inform pregnant women of the services and priorities.
- (VI) Interim services while awaiting admission to this level of care.
- (VII) Recreation and leisure time skills training.

5. Documentation: An individual progress note shall be recorded for each respective service provided in Level I.

6. Support Systems. Each Level I Outpatient Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site, or through consultation or referral, which shall minimally include:

- (i) Medical, psychiatric, psychological, laboratory and toxicology services.
- (ii) Medical and psychiatric consultation shall be available within twenty-four (24) hours by telephone or if in person, within a timeframe appropriate to the severity and urgency of the consultation requested.
- (iii) Direct affiliation with or coordination through referral to more intensive levels of care and medication management.
- (iv) Emergency services shall be available by telephone twenty-four (24) hours a day, seven (7) days a week.
- (v) Mutual self help groups that are tailored to the needs of the specific client population.
- (vi) Referral for other services as according to the client's assessed needs.

7. Program Personnel. Each level I Outpatient Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level I Outpatient program as delineated in its operational plan.

(ii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(iii) Every client in a Level I program shall be assigned to a specific Primary Counselor for care management.

(iv) Each primary counselor shall maintain a case load not to exceed forty (40) clients with active cases at any one time.

(v) Adolescent Program Specific Criteria Adolescent Program Specific Criteria:

(I) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level I Adolescent Outpatient program as delineated in its operational plan.

(II) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(III) Every client in a Level I adolescent program shall be assigned to a specific Primary Counselor for care management.

(IV) Each primary counselor shall maintain a case load not to exceed thirty (30) clients with active cases at any one time.

(vi) Co-occurring Disorders Program Specific Criteria:

(I) The Level I Co-occurring Enhanced Outpatient Program shall have access to psychiatric services (led by a qualified psychiatrist or nurse practitioner) that are fully capable of evaluating, diagnosing, and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders.

(III) Every client in a Level I Enhanced Co-occurring Outpatient Program shall be assigned to a specific Primary Counselor for care management.

(IV) Each primary counselor shall maintain a case load not to exceed thirty (30) clients with active cases at any one time.

(vii) Women and Dependent Children Program Specific Criteria:

(I) Direct Care Personnel. All direct care personnel shall be a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level I Women and Dependent Children Outpatient Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level I Women and Dependent Children Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed thirty (30) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level I Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity. The entity shall document that the amount and frequency of Level I Outpatient services are established on the basis of the unique needs of each client served, not to exceed eight (8) contact hours weekly.

10. Length of Service. The entity shall provide written documentation that the duration of treatment in each Level I Outpatient Program shall vary as determined by:

(i) The severity of the client's illness.

(ii) The client's ability to comprehend the information provided and use that information to implement treatment

strategies and attain treatment goals; or

(iii) The appearance of new problems that require another level of care; or

(iv) The availability of services at an assessed level of need when Level I services have been utilized as interim services.

11. **Service Availability:** The entity shall provide written documentation describing the process utilized to establish the hours of service availability for its Level I Outpatient Programs. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Include consideration of transportation accessibility.

(iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.16 Level I-D: Ambulatory Detoxification Without Extended On-Site Monitoring.

(1) **Rule Compliance.** Each Level I-D Detoxification Program shall comply with the following rules and the rules specified in this chapter.

(a) **Program Description:** The entity shall develop, maintain and implement a written program description that defines the Level I-D Ambulatory Detoxification without Extended On-site Monitoring Program it provides to include the following specifications:

1. **Location:** The entity shall specifically identify and describe the setting in which Level I-D Ambulatory Detoxification without Extended On-Site Monitoring Services shall be provided. Services may be provided in any appropriate setting that protects the client's right to privacy, confidentiality, safety and including but not limited to, a general healthcare facility, a physician's office or an addiction or mental health treatment facility as pre-authorized by DMH.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level I-D Ambulatory Detoxification without Extended On-Site Monitoring Program and the following specifications:

(i) The entity's admission criteria shall specify the target population for the Level I-D Program, which shall include, at a minimum, individuals:

(I) Experiencing mild withdrawal or at risk of experiencing withdrawal from alcohol and/or other drugs at a level of assessed severity appropriate for outpatient care.

(II) Who have adequate systems in place to support outpatient detoxification process.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level I-D Ambulatory Detoxification without Extended On-Site Monitoring Services meets:

(I) The diagnostic criteria for a Substance Induced Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the ASAM PPC-2R.

3. Core Services: Each Level I-D Detoxification Program shall demonstrate the capacity to provide a basic level of skilled treatment services appropriate to the needs of its clientele.

(i) At a minimum, the Level I-D Ambulatory Detoxification Program shall document the capacity to provide the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Psychoeducation.

(IV) Family counseling.

(V) Peer support.

(VI) Medication administration.

(VII) Medication monitoring.

(VIII) Alcohol and/or drug screening/testing.

- (IX) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

4. Therapeutic Component Implementation. The entity shall document implementation of medical and other clinical services organized to enhance the client's understanding of addiction, support completion of the detoxification process and initiate transfer to an appropriate level of care for continued treatment.

(i) Service strategies for each Level I-D Detoxification Program shall include, at a minimum:

(I) Implementation of individualized counseling plan strategies.

(II) Completion of a comprehensive medical history and physical examination of the client at admission.

(III) Protocols and/or standing orders, established by the entity's medical director for management of detoxification from each major drug category of abused drugs that are consistent with guidelines published by nationally recognized organizations, including but not limited to, Substance Abuse and Mental Health Services Administration (SAMHSA), American Society of Addiction Medicine (ASAM), the American Psychiatric Association, and the American Academy of Addiction Psychology.

I. Level I-D Ambulatory Detoxification Programs that utilize Benzodiazepines in the detoxification protocol:

A. Shall have written protocols and procedures to show that all doses or amounts of benzodiazepines are carefully monitored and are slowly reduced as appropriate.

B. Shall have written longer-term detoxification protocols and procedures that adhere to general principles of management including clear indications of benzodiazepine dependence, clear intermediate treatment goals and strategies, regular review and methods to prevent diversion from the plan.

(IV) Individual ongoing assessment services, including, but not limited to:

- I. Physical examination by a physician, physician

assistant or nurse practitioner.

II. Human services needs assessment by a case manager.

(V) Medication administration and monitoring services including specific procedures for pregnant women.

(VI) Motivational enhancement therapy.

(VII) Direct affiliation with other levels of care.

5. Documentation: In addition to meeting the requirements an individualized progress note shall be recorded for each respective service provided in Level I-D:

(i) Daily assessment of progress, including response to medication, which also notes any treatment regimen changes.

(ii) Regular and frequent monitoring of vital signs.

(iii) The use of detoxification rating scale tables and flow sheets.

(iv) Physician review of all services.

6. Support Systems. The Level I-D Ambulatory Detoxification Program shall develop, maintain and document implementation of written policies and procedures utilized to provide client access to support services on site or through consultation or referral, which shall minimally include:

(i) Specialized clinical consultation for biomedical, emotional, behavioral and cognitive problems.

(ii) Appropriate laboratory and toxicology testing.

(iii) Psychological and psychiatric services.

(iv) Twenty-four (24) hour access to emergency services.

(v) Transportation.

7. Program Personnel. Each Level I-D Detoxification Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Medical Director: The Level I-D Detoxification Program shall have a medical director who is a physician licensed to practice in the State of Alabama, with a minimum of one (1) year experience treating persons with substance use disorders. The medical director shall be responsible for

admission, diagnosis, medication management and client care.

(ii) Nursing Services Director: The Level I-D Program shall have a nursing services director who shall be a Registered Nurse licensed according to Alabama law with training and work experience in behavioral health.

(iii) Nursing Personnel: The entity shall have an adequate number of Alabama licensed nurses to assure that the administration of medications during Level I-D Services complies with applicable state and federal regulations.

(iv) Case Manager Coordinator: The entity shall have a case manager coordinator who shall be available to the Level I-D Program on at least a 50% Full-time Equivalent (FTE) basis and shall, at a minimum:

(I) Have a Bachelor's Degree in a behavioral science, at least two (2) years case management experience relative to substance use disorders, and completed DMH/Mental Illness and Substance Abuse Services Division approved case management training.

(II) Supervise and delegate responsibilities to case managers working in the Level I-D Program.

(III) Ensure the availability of person centered case management services to facilitate Level I-D clients' transition into ongoing treatment and recovery.

(IV) Each client shall be assigned to a case manager for care management.

(V) All direct care personnel shall have the qualifications, as a qualified paraprofessional, to provide the specific services delineated in the entity's program description for this level of care.

8. Training. The entity shall provide written documentation that all Level I-D Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity. The entity shall document in the clinical record that Level I-D Services are provided in regularly scheduled sessions and that the frequency and amount of these services are established on the basis of the unique needs of each client served.

10. Length of Service. The entity shall provide written documentation in the clinical record that the duration of treatment in a Level I-D Program shall vary as determined by the client's assessed needs and that the client continues in

treatment until:

(i) Withdrawal signs and symptoms are sufficiently resolved; or

(ii) Withdrawal signs and symptoms have failed to respond to treatment and have intensified warranting a transfer to a more intense level of care; or

(iii) The client is otherwise unable to complete detoxification at this level of care.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish the hours of service availability for its Level I-D Ambulatory Detoxification Programs. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Include consideration of transportation accessibility.

(iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.17 Level II.1: Intensive Outpatient Treatment.

(1) Rule Compliance. Each Level II.1 Intensive Outpatient Program shall comply with the following rules and the rules specified in this chapter.

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines the Level II.1 Intensive Outpatient Program it provides to include the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which Level II.1 Intensive Outpatient Services shall be provided. Services may be provided in any appropriate setting that protects the client's right to privacy, confidentiality, safety and meets the DMH facility certification standards.

2. Admission Criteria. The entity shall develop,
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maintain and implement written criteria for admission to its Level II.1 Outpatient Program and the following specifications:

(i) The entity's admission criteria shall specify the target population for the Level II.1 Program which shall include, at a minimum, individuals whose assessed severity of illness initially warrants this level of care including but not limited to:

(I) Individuals who have fairly stable to stable mental and/or physical health problems; and

(II) Who have supportive living arrangements.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level II.1 Intensive Outpatient Services meets:

(I) The diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders; and

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Adolescent Program Specific Criteria: The entity shall provide written documentation in individual case records that each adolescent admitted to receive Level II.1 Intensive Outpatient Services meets:

(I) The diagnostic criteria for a substance use disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The adolescent dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Co-occurring Disorders Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to receive Level II.1 Intensive Outpatient Services in a Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance dependence and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders; and

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM

(v) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to receive Level II.1 Intensive Outpatient Services in a Women and Children Program:

(I) Meets the diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) Meets the dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services. Each Level II.1 Intensive Outpatient Program shall demonstrate the capacity to provide a basic level of skilled treatment services appropriate to the needs of its clientele.

(i) At a minimum, the Level II.1 Intensive Outpatient Program shall directly or by referral provide the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Group counseling.

(IV) Family counseling.

(V) Psychoeducation.

(VI) Mental health consultation.

(VII) Recovery support services.

(VIII) Peer counseling services.

(IX) Medication management.

(X) Alcohol and/or drug screening/testing.

- (XI) Smoking cessation.
- (XII) Sign language interpreter services.
- (XIII) HIV early intervention services.
- (XIV) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Adolescent Program Specific Criteria: Each Level II.1 Adolescent Intensive Outpatient Program shall document the capacity to provide each of the core services to include the following services:

- (I) Activity therapy.
- (II) Academic and vocational services.
- (III) Vocational services.

(iii) Co-occurring Disorders Program Specific Criteria: Each level II.1 Co-occurring Disorders Intensive Outpatient Program shall document the capacity to provide each of the core services to include the following services:

- (I) Basic living skills.
- (II) Crisis intervention services.
- (III) Intensive case management.
- (IV) Academic and vocational services.

(iv) Women and Dependent Children Program Specific Criteria: Each Level II.1 Women and Dependent Children Intensive Outpatient Program shall document the capacity to provide each of the core services and/or arrange for the following services:

- (I) Transportation.
- (II) Child sitting services.
- (III) Developmental delay and/or prevention services.

(IV) Activity therapy.

(V) Parenting skills development.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level II.1 Intensive Outpatient Program shall include, at a minimum:

(I) Implementation of individualized counseling plan strategies.

(II) Ongoing individualized assessment.

(III) Motivational enhancement and engagement strategies.

(IV) Relapse prevention strategies.

(V) Interpersonal choice/decision-making skill development.

(VI) Health education.

(VII) Random drug screening.

(VIII) Medication administration and monitoring.

(IX) Gender responsive treatment.

(ii) Adolescent Program Specific Criteria: Each Level II.1 Adolescent Intensive Outpatient Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Adolescent specific evidence based therapeutic interventions.

(II) Client education on key adolescent development issues including, but not limited to, adolescent brain development and the impact of substance use, emotional and social influence on behavior, value system development, puberty/physical development, sexuality and self esteem.

(III) Recreation and leisure time skills training.

(IV) Family, community and school reintegration services.

(V) Academic or vocational services.

(iii) Co-occurring Disorders Program Specific Criteria: Each Level II.1 Co-occurring Disorders Outpatient Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Groups and classes that address the signs and symptoms of mental health and substance use disorders.

(II) Groups, classes and training to assist clients in becoming aware of cues or triggers that enhance the likelihood of alcohol and drug use or psychiatric decompensation and to aid in development of alternative coping responses to those cues.

(III) Dual recovery groups that provide a forum for discussion of the interactions of and interrelations between substance use and mental health disorders.

(IV) Intensive Case Management.

(iv) Women and Dependent Children Program Specific Criteria: Each Level II.1 Women and Dependent Children Intensive Outpatient Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Specific services which address issues of relationships, parenting, abuse and trauma.

(II) Primary medical care, including prenatal care.

(III) Primary pediatric care for children.

(IV) Therapeutic interventions for children which address their developmental needs and issues of sexual abuse and neglect.

(V) Outreach to inform pregnant women of the services and priorities.

(VI) Interim services while awaiting admission to this level of care.

(VII) Recreation and leisure time skills training.

(VIII) Academic and vocational services.

(IX) Financial resource development and planning.

(X) Family planning services.

5. Documentation: For each day in attendance, an individualized progress note shall be recorded to reflect

services provided in Level II.1.

6. Support Systems. Each Level II.1 Intensive Outpatient Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site or through consultation or referral, which shall include:

(i) Medical, psychiatric, psychological, laboratory and toxicology services.

(ii) Medical and psychiatric consultation shall be available within twenty-four (24) hours by telephone or, if in person, within seventy-two (72) hours.

(iii) Direct affiliation with or coordination through referral to more and less intensive levels of care and supportive housing services.

(iv) Emergency services shall be available by telephone twenty-four (24) hours a day, seven (7) days a week.

(v) Mutual self help groups that are tailored to the needs of the specific client population.

(vi) Referral for other services as according to the client's assessed needs.

7. Program Personnel. Each level II.1 Intensive Outpatient Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational procedures for this level of care.

(ii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.1 Intensive Outpatient Program as delineated in its operational procedures.

(iii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(iv) Every client in a Level II.1 Program shall be assigned to a specific primary counselor for care management.

(v) Each primary counselor shall maintain a case load

not to exceed thirty (30) clients with active cases at any one time.

(vi) Adolescent Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified, as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.1 Adolescent Intensive Outpatient Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level II.1 Adolescent Intensive Outpatient Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed thirty (30) clients with active cases at any one time.

(vii) Co-occurring Disorders Program Specific Criteria.

(I) The Level II.1 Co-occurring Enhanced Intensive Outpatient Program shall have access to psychiatric services (led by a qualified psychiatrist or nurse practitioner) that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders shall have, at a minimum:

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(III) All other direct care personnel in a Level II.1 Co-occurring Enhanced Intensive Outpatient Program shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this

(IV) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.1 Co-occurring Enhanced Outpatient Program as delineated in its operational plan.

(V) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(VI) Every client in a Level II.1 Co-occurring Intensive Outpatient Program shall be assigned to a specific primary counselor for care management.

(VII) Each primary counselor shall maintain a case load not to exceed twenty (20) clients with active cases at any one time.

(viii) Women and Dependent Children Program Specific Criteria:

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.1 Women and Dependent Children Intensive Outpatient Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level II.1 Women and Dependent Children Program shall be assigned to a specific primary counselor for case management.

(V) Each primary counselor shall maintain a case load not to exceed twenty (20) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level II.1 Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity.

(i) The entity shall document that the amount and frequency of Level II.1 Intensive Outpatient Services are

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established on the basis of the unique needs of each client served and shall be available a minimum of nine (9) hours but no greater than nineteen (19) hours each week.

(ii) Adolescent Program Specific Criteria. The entity shall document that the amount and frequency of Level II.1 Intensive Outpatient Services for adolescents are established on the basis of the unique needs of each client served and shall be available a minimum of six (6) hours but no greater than nineteen (19) hours each week.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level II.1 Intensive Outpatient Program shall vary as determined by:

(i) The severity of the client's illness.

(ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.

(iii) The appearance of new problems that require another level of care; or

(iv) The availability of services at an assessed level of need, when Level II.1 services have been utilized as interim services.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish the hours of service availability for its Level II.1 Intensive Outpatient Programs. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Include consideration of transportation accessibility.

(iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.18 Level II.5: Partial Hospitalization Treatment Program.

(1) Rule Compliance. Each Level II.5 Partial Hospitalization Program shall comply with the following rules and the rules specified in this chapter: (List applicable rules found throughout the standards)

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines the Level II.5 Partial Hospitalization Program it provides, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which Level II.5 Partial Hospitalization Services shall be provided. Services may be provided in any appropriate setting that protects the client's right to privacy, confidentiality, safety and meets DMH facility certification criteria.

2. Admission Criteria. The entity shall develop, maintain and implement written criteria for admission to its Level II.5 Partial Hospitalization Program, in compliance with the requirements of Rule 580-9-44-.13(9), and the following specifications:

(i) The entity's admission criteria shall specify the target population for the Level II.5 Program, which shall include at a minimum, individuals whose assessed severity of illness initially warrants this level of care including but not limited to:

(I) Individuals who have fairly unstable mental and/or physical health problems.

(II) Who have unstable or dysfunctional, but adequate living arrangements.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level II.5 Partial Hospitalization Services meets:

(I) The diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Adolescent Program Specific Criteria: The entity

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shall provide written documentation in individual case records that each adolescent admitted to receive Level II.5 Partial Hospitalization Services meets:

(I) The diagnostic criteria for a substance use disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The adolescent dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Co-occurring Disorders Program Specific Criteria: The entity shall provide written documentation in individual case records that each individual admitted to receive Level II.5 Partial Hospitalization Services in a Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance dependence and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(v) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to receive Level II.5 Partial Hospitalization Services in a Women and Dependent Children Program meets:

(I) The diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services. Each Level II.5 Partial Hospitalization Program shall demonstrate the capacity to provide a basic level of skilled treatment services appropriate to the needs of its clientele.

(i) At a minimum, the Level II.5 Partial

Hospitalization Program shall provide the following core services:

- (I) Placement assessment.
- (II) Individual counseling.
- (III) Group counseling.
- (IV) Family counseling.
- (V) Psychoeducation.
- (VI) Mental health consultation.
- (VII) Recovery support services.
- (VIII) Peer counseling services.
- (IX) Medication management.
- (X) Alcohol and/or drug screening/testing.
- (XI) Smoking cessation.
- (XII) Sign language interpreter services.
- (XIII) HIV early intervention services.
- (XIV) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Adolescent Program Specific Criteria: Each Level II.5 Partial Hospitalization Program shall document the capacity to provide each of the core services to include the following services:

- (I) Activity therapy.
- (II) Academic or vocational services.

(iii) Co-occurring Disorders Program Specific Criteria: Each Level II.5 Partial Hospitalization Program shall document the capacity to provide each of the core services to include the following services:

- (I) Basic living skills.
- (II) Crisis intervention services.
- (III) Activity therapy.
- (IV) Intensive case management.

(iv) Women and Dependent Children Program Specific Criteria: Each Level II.5 Women and Dependent Children Partial Hospitalization Program shall document the capacity to provide each of the core services and/or arrange for the following services:

- (I) Transportation.
- (II) Child sitting services.
- (III) Developmental delay and prevention services.
- (IV) Activity therapy.
- (V) Parenting skills development.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level II.5 Partial Hospitalization Program shall include, at a minimum:

- (I) Implementation of individualized counseling plan strategies.
- (II) Ongoing individualized assessment services.
- (III) Motivational enhancement and engagement strategies.
- (IV) Relapse prevention strategies.
- (V) Interpersonal choice/decision-making skill development.
- (VI) Health education.
- (VII) Random drug screening.
- (VIII) Medication administration and monitoring.

(VII) Family education.

(X) Gender responsive treatment.

(ii) Adolescent Program Specific Criteria: Each Level II.5 Adolescent Partial Hospitalization Program shall document the capacity to provide the service strategies to include the following therapeutic components:

(I) Adolescent specific evidence based therapeutic interventions.

(II) Client education on key adolescent development issues including, but not limited to, adolescent brain development and the impact of substance use, emotional and social influence on behavior, value system development, puberty/physical development, sexuality and self esteem.

(III) Recreation and leisure time skills training.

(IV) Family, community and school reintegration services.

(V) Academic or vocational services

(iii) Co-occurring Disorders Program Specific Criteria: Each Level II.5 Co-occurring Enhanced Partial Hospitalization Program shall document the capacity to provide the service strategies to include the following therapeutic components:

(I) Groups and classes that address the signs and symptoms of mental health and substance use disorders.

(II) Groups, classes and training to assist clients in becoming aware of cues or triggers that enhance the likelihood of alcohol and drug use or psychiatric decompensation and to aid in development of alternative coping responses to those cues.

(III) Dual recovery groups that provide a forum for discussion of the interactions of and interrelations between substance use and mental health disorders.

(IV) Intensive case management.

(iv) Women and Dependent Children Program Specific Criteria: Each Level II.5 Women and Dependent Children Partial Hospitalization Program shall document the capacity to provide the service strategies and/or arrange for the following therapeutic components:

- (I) Specific services which address issues of relationships, parenting abuse and trauma.
- (II) Primary medical care, including prenatal care.
- (III) Primary pediatric care for children.
- (IV) Therapeutic interventions for children which address their developmental needs and issues of sexual abuse and neglect.
- (V) Outreach to inform pregnant women of the services and priorities.
- (VI) Interim services while awaiting admission to this level of care.
- (VII) Recreation and leisure time skills training.
- (VIII) Academic and vocational services.
- (IX) Financial resources and planning.
- (X) Family planning services.

5. Documentation: For each day in attendance an individual progress note shall be recorded to reflect services provided in Level II.5 Partial Hospitalization.

6. Support Systems. Each Level II.5 Partial Hospitalization Program shall develop, maintain and document implementation of written policies and procedures that govern the process used to provide client access to support services on site, or through consultation or referral, which shall minimally include:

- (i) Medical, psychiatric, psychological, laboratory and toxicology services.
- (ii) Medical and psychiatric consultation shall be available within twenty-four (24) hours by telephone or, if in person, within forty-eight (48) hours.
- (iii) Direct affiliation with, or coordination through referral to more and less intensive levels of care and supportive housing services.
- (iv) Emergency services shall be available by telephone twenty-four (24) hours a day, seven (7) days a week.

(v) Mutual self help groups that are tailored to the needs of the specific client population.

(vi) Referral for other services as according to the client's assessed needs.

7. Program Personnel. Each Level II.5 Partial Hospitalization Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational procedures for this level of care.

(ii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.5 Partial Hospitalization Program as delineated in its operational procedures.

(iii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(iv) Every client in a Level II.5 Partial Hospitalization Program shall be assigned to a specific Primary Counselor for care management.

(v) Each primary counselor shall maintain a case load not to exceed thirty (30) clients with active cases at any one time.

(vi) Adolescent Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.5 Partial Hospitalization Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

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(IV) Every client in a Level II.5 Adolescent Partial Hospitalization Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed thirty (30) clients with active cases at any one time.

(vii) Co-occurring Disorders Program Specific Criteria.

(I) The Level II.5 Co-occurring Enhanced Partial Hospitalization Program shall have access to psychiatric services (led by a qualified psychiatrist or nurse practitioner) that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time, or on contract, who shall be available to the program for client care and shall assume liability for the medical aspects of the program.

(III) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders, shall have, at a minimum:

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(IV) All other direct care personnel in a Level II.5 Co-occurring Enhanced Partial Hospitalization Program shall be qualified, as a qualified paraprofessional to provide the specific services delineated in the entity's operational procedures for this level of care.

(V) The entity shall maintain an adequate number of clinical personnel to sustain the Level II.5 Co-occurring Enhanced Partial Hospitalization Program as delineated in its operational procedures.

(VI) The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

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(VII) Every client in a Level II.5 Co-occurring Enhanced Partial Hospitalization Program shall be assigned to a specific primary counselor for care management.

(VIII) Each primary counselor shall maintain a case load not to exceed twenty (20) clients with active cases at any one time.

(viii) Women and Dependent Children Program Specific Criteria:

(I) Direct Care Personnel. All direct care personnel shall be qualified, as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level II.5 Women and Dependent Children Partial Hospitalization Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level II.5 Women and Dependent Children program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed twenty (20) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level II.5 program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity: The entity shall document that the amount and frequency of Level II.5 Partial Hospitalization Services are established on the basis of the unique needs of each client served and shall be available a minimum of twenty (20) hours each week.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level II.5 Partial Hospitalization Program shall vary as determined by:

(i) The severity of the client's illness.

(ii) The client's ability to comprehend the information

provided and use that information to implement treatment strategies and attain treatment goals.

(iii) The appearance of new problems that require another level of care; or

(iv) The availability of services at an assessed level of need when Level II.5 services have been utilized as interim services.

11. **Service Availability:** The entity shall provide written documentation describing the process utilized to establish the hours of service availability for its Level II.5

Partial Hospitalization Program. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Include consideration of transportation accessibility.

(iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.19 Level II-D: Ambulatory Detoxification With Extended On-site Monitoring.

(1) **Rule Compliance.** Each Level II-D Ambulatory Detoxification Program shall comply with the following rules and the rules specified in this chapter.

(a) **Program Description.** The entity shall develop, maintain and implement a written program description that defines the Level II-D Ambulatory Detoxification Program it provides, as according to Rule 580-9-44-.13 and the following specifications:

1. **Location.** The entity shall specifically identify and describe the setting in which Level II-D Ambulatory Detoxification with Extended On-Site Monitoring services shall be provided. Services may be provided in any appropriate setting that protects the client's right to privacy, confidentiality, safety and meets the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level II-D Ambulatory Detoxification With Extended On-Site Monitoring Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for the Level II-D program, which shall include, at a minimum, individuals who:

(I) Have been assessed as being at moderate risk of severe withdrawal syndrome outside of the program setting.

(II) Are free of severe, unstabilized physical and psychiatric complications.

(III) Who do not have adequate family or other service systems in place to support an outpatient detoxification process.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level II-D Ambulatory Detoxification with Extended On-Site Monitoring Services meets:

(I) The diagnostic criteria for Substance Induced Disorder as defined in the Diagnostic and Statistical Manual of Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the ASAM PPC-2R.

3. Core Services: Each Level II-D Ambulatory Detoxification Program shall demonstrate the capacity to provide a basic level of skilled treatment services appropriate to the needs of its clientele.

(i) At a minimum, the Level II-D Ambulatory Detoxification Program shall document the capacity to provide the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Group counseling.

(IV) Psychoeducation.

(V) Family counseling.

(VI) Medical and somatic services.

- (VII) Medication administration.
- (VIII) Medication monitoring.
- (IX) Alcohol and/or drug screening/testing.
- (X) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

4. Therapeutic Component Implementation: The entity shall document implementation of medical and other clinical services organized to enhance the client's understanding of addiction, support completion of the detoxification process and initiate transfer to an appropriate level of care for continued treatment. The entity's Level II-D program shall, at a minimum, consist of the following components:

(i) Completion of a comprehensive medical history and physical examination of the client at admission.

(ii) Protocols and/or standing orders, established by the entity's medical director, for management of detoxification from each major drug category of abused drugs that are consistent with guidelines published by nationally recognized organizations (e.g., SAMHSA, ASAM, American Academy of Addiction Psychology).

(I) Level II-D Ambulatory Detoxification Programs that utilize benzodiazepines in the detoxification protocol:

I. Shall have written protocols and procedures to show that all doses or amounts of benzodiazepines are carefully monitored and are slowly reduced as appropriate.

II. Shall have written longer-term detoxification protocols and procedures that adhere to general principles of management including clear indications of benzodiazepine dependence, clear intermediate treatment goals and strategies, regular review and methods to prevent diversion from the plan.

(iii) On-site physician and/or nurse monitoring, assessment and management of signs and symptoms of intoxication and withdrawal.

(iv) Medication administration and monitoring services including specific procedures for pregnant women.

- (v) Ongoing Intake Interview Examination.
 - (vi) Direct affiliation with other levels of care.
5. Documentation: Level II-D Ambulatory Detoxification Programs shall provide the following:
- (i) Documentation of each clinical/therapeutic intervention provided.
 - (ii) Daily assessment of progress including response to medication, which also notes any treatment changes.
 - (iii) Monitoring of vital signs each day the client is on site.
 - (iv) The use of detoxification rating scale tables and flow sheets.
 - (v) Physician review of all services.
6. Support Systems. The Level II-D Ambulatory Detoxification Program shall develop, maintain and document implementation of written policies and procedures utilized to provide client access to support services on site, or through consultation or referral, which shall minimally include:
- (i) Specialized clinical consultation for biomedical, emotional, behavioral and cognitive problems.
 - (ii) Appropriate laboratory and toxicology testing.
 - (iii) Psychological and psychiatric services.
 - (iv) Transportation.
 - (v) Twenty-four (24) hour access to emergency medical services.
7. Program Personnel: Each Level II-D Ambulatory Detoxification Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.
- (i) Medical Director: The Level II-D Detoxification Program shall have a medical director who is a physician licensed to practice in the state of Alabama, with a minimum of one (1) year experience treating persons with substance induced disorders. The medical director shall be responsible for admission, diagnosis, medication management and client care.
 - (ii) Nursing Services Director: The Level II-D Program

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shall have a nursing services director who shall be a Registered Nurse licensed according to Alabama law, with training and work experience in behavioral health.

(iii) Nursing Personnel: The entity shall have an adequate number of Alabama licensed nurses to assure that the administration of medications during Level I-D services complies with applicable state and federal regulations.

(I) There shall be a Registered Nurse or Licensed Practical Nurse on site during all hours of the Level II-D Program's operation.

(iv) Clinical staff providing services shall have access to a full-time clinical director.

(v) All direct care personnel shall have the qualifications as a qualified paraprofessional, to provide the specific services delineated in the entity's program description for this level of care.

(vi) The entity shall maintain an adequate number of physicians, nurses, counselors and case managers to sustain the Level II-D Ambulatory Detoxification Outpatient Program as delineated in its program operational procedures.

(vii) The entity shall maintain an adequate number of administrative support personnel to sustain the program's administrative functions.

8. Training. The entity shall provide written documentation that all Level II-D Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity. The entity shall document in the clinical record that Level II-D Services are provided in regularly scheduled sessions and that:

(i) The entity has the demonstrated capacity to provide a structured program of clinical services for a minimum of nine (9) hours per week.

(ii) The frequency and amount of Level II-D Services are established on the basis of the unique needs of each client served.

10. Length of Service. The entity shall provide written documentation in the clinical record that the duration of treatment in a Level II-D Program varies as determined by the client's assessed needs and that the client continues in treatment until:

(i) Withdrawal signs and symptoms are sufficiently resolved; or

(ii) Withdrawal signs and symptoms have failed to respond to treatment and have intensified warranting a transfer to a more intense level of care; or

(iii) The client is, otherwise, unable to complete detoxification at this level of care.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish the hours of service availability for its Level II-D Program. At a minimum, this process shall:

(i) Include consideration of the needs of the target population including work, school and parenting responsibilities.

(ii) Include consideration of transportation.

(iii) Not be based solely on standard eight(8) to five(5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amend:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.20 Level III.01: Transitional Residential Program.

(1) Rule Compliance. Each Level III.01 Transitional Residential Program shall comply with the following rules and the rules specified in this chapter.

(a) Program Description. The entity shall develop, maintain, and implement a written program description that defines the Level III.01 Transitional Residential Program it provides, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which the Level III.01 Transitional Residential Program shall be provided. Services shall be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for

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admission to its Level III.01 Transitional Residential Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.01 Services, which shall include, at a minimum:

(I) Individuals whose assessed severity of illness warrants this level of care.

(II) Individuals who have a need for support in a twenty-four (24) hour drug-free environment in order to reintegrate into the community after treatment in a more intense level of care.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.1 Program meets the following diagnostic and modified ASAM PPC2R dimensional criteria for this level of care:

(I) The client shall meet the criteria for a substance use disorder, as according to the specific diagnostic criteria given in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(II) Acute Intoxication and/or Withdrawal:

I. The client shall not report experiencing or display any signs or symptoms of alcohol or other drug withdrawal.

(III) Biomedical Conditions and Complications:

I. The client's biomedical problems, if any, shall be stable, and shall not require medical or nurse monitoring by the transitional program.

II. The client shall be capable of self-administering any prescribed or required over the counter medication.

(IV) Emotional, Behavioral, or Cognitive Conditions and Complications:

I. The client shall not report or display symptoms of a co-occurring psychiatric, emotional, behavioral, or behavioral condition; or

II. The client's co-occurring psychiatric, emotional, behavioral, or cognitive disorder shall be:

A. Stable.

B. Self-manageable.

C. Addressed concurrently through appropriate psychiatric services.

III. The client shall be assessed as not posing a risk of harm to self or others.

(V) Readiness to Change:

I. The client shall acknowledge the existence of a substance use disorder, or a co-occurring substance use and psychiatric, emotional, behavioral, or cognitive disorder and expresses and demonstrates a desire to make needed changes to support recovery.

(VI) Relapse, Continued Use, or Continued Problem Potential:

I. The client's history indicates a high risk of relapse in a less structured level of care; or

II. The client needs regimented support to maintain engagement in a recovery focused process on community reintegration.

(VII) Recovery Environment:

I. The client has insufficient resources and skills to maintain a recovery oriented lifestyle outside of a twenty-four (24) hour supportive environment.

3. Core Services: Each Level III.01 Transitional Residential Program shall demonstrate the capacity to provide a basic level of treatment services appropriate to the needs of its clientele.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour structured residential treatment environment with the following core services:

(I) Placement assessment.

(II) Psychoeducation.

(III) Peer support.

(IV) Daily living skills.

(V) Alcohol and/or drug screening/testing.

(VI) Transportation.

(VII) Case Management:

I. Case planning.

II. Linkage.

III. Advocacy.

IV. Monitoring.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.01 Transitional Residential Program shall include, at a minimum:

(I) Maintenance of an alcohol and illicit drug free environment.

(II) Implementation of individualized service plan strategies.

(III) On duty, awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.

(IV) All clients enrolled in Level III.01 Programs shall have access to clinical services twenty-four (24) hours a day, seven (7) days a week.

(V) The entity shall document the provision of planned recovery support services and activities that shall, at a minimum, include:

I. Motivational strategies.

II. Relapse prevention counseling.

III. Interpersonal choices/decision making skills development.

IV. Development of a social network supportive of recovery.

V. Daily living and recovery skills development.

VI. Random drug screening.

VII. Health education.

5. Documentation. Individualized progress notes shall be recorded each day for each respective service provided in Level III.01 Services.

6. Support Systems. Each level III.01 Transitional Residential Program shall develop, maintain and document implementation of written policies and procedures that govern the process used to provide client access to support services at the Level III.01 Program site, or through consultation or referral, which shall minimally include:

(i) Telephone or in person consultation with emergency services twenty four (24) hours a day, seven (7) days a week.

(ii) Telephone or in person consultation with a Registered Nurse twenty-four (24) hours a day, seven (7) days a week.

(iii) Direct affiliation with or coordination through referral to more and less intensive levels of care.

(iv) Direct affiliation with or coordination through referral to supportive services, including vocational rehabilitation, literacy training and adult education.

(v) Mutual self help groups which are tailored to the needs of the specific client population.

7. Program Personnel. Each Level III.01 Transitional Residential Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Direct Care Personnel: All direct care personnel shall have the qualifications as a qualified paraprofessional to provide the specific services delineated in the entity's program description for this level of care.

(ii) Administrative Support Personnel: The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(iii) Every client in a Level III.01 Transitional Residential Program shall be assigned to a specific primary counselor for care management.

8. Training. The entity shall provide written documentation that all Level III.01 Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity. The entity shall document that the amount and frequency of Level III.01 Services are established on the basis of the unique needs of each client served.

10. Length of Service. The entity shall provide written documentation that the duration of treatment in its Level III.1 Program is variable as determined by:

- (i) The severity of the client's illness.
- (ii) The client's ability to comprehend the information provided and use that information to meet treatment goals and strategies; or
- (iii) The appearance of new problems that require another level of care; or
- (iv) The availability of services at an assessed level of need, when a Level III.01 Transitional Residential Program has been utilized as an interim level of care.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish hours of availability for screening, assessment and intake services, admission and counseling services at its Level III.1 Transitional Residential Program. At a minimum, this process shall:

- (i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.
- (ii) Include consideration of transportation accessibility.
- (iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amend:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.21 Level III.1: Clinically Managed Low Intensity Residential Treatment Program.

(1) Rule Compliance. In addition to compliance with the rules as specified in this chapter, each Level III.1 Clinically Managed Low Intensity Residential Treatment Program shall comply with the rules as specified in the following chapters.

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines the Level III.1 Clinically Managed Low Intensity Residential Treatment Program it provides, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which the Level III.1 Program shall be provided. Services shall be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level III.1 Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.1 Services, which shall include, at a minimum, individuals:

(I) Whose assessed severity of illness warrants this level of care including, but not limited to:

I. Individuals who have a need for structure and support in a twenty-four (24) hour drug-free environment in order to:

A. Engage in treatment.

B. Sustain participation in regular productive, daily activities or current treatment for physical or mental disorders.

C. Develop, integrate and practice recovery and coping skills.

D. Continue treatment for a substance use disorder as a step-down from a more intense level of care.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.1 Program meets:

(I) The diagnostic criteria for a substance use disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Adolescent Program Specific Criteria: The entity shall provide written documentation in individual case records that each adolescent admitted to a Level III.1 Program meets:

(I) The diagnostic criteria for a substance use disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The adolescent dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Co-occurring Disorders Program Specific Criteria: The entity shall provide written documentation in individual case records that each individual admitted to a Level III.1 Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance dependence and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(v) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to a Level III.1 Program for Women and Dependent Children:

(I) Meets the diagnostic criteria for a substance dependence disorder as defined in the most recent edition Diagnostic and Statistical Manual for Mental Disorders; and

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services: Each Level III.1 Low Intensity Residential Program shall demonstrate the capacity to provide a basic level of treatment services appropriate to the needs of its clientele.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour

structured residential treatment environment with the following core services:

- (I) Placement assessment.
- (II) Individual counseling.
- (III) Group counseling.
- (IV) Family counseling.
- (V) Psychoeducation.
- (VI) Peer support.
- (VII) Daily living skills.
- (VIII) Medication management.
- (IX) Alcohol and/or drug screening/testing.
- (X) Transportation.
- (XI) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Medical Services. Medical services, including a physical examination, shall be provided as specified by the entity's medical protocols established as required by Rule 580-9-44-.13(24).

(iii) Adolescent Program Specific Criteria: Each Level III.1 Adolescent Low Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Activity therapy.
- (II) Academic or vocational services.

(iv) Co-occurring Disorders Program Specific Criteria: Each Level III.1 Co-occurring Disorders Low Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Basic living skills.
- (II) Crisis intervention services.
- (III) Activity therapy.
- (IV) Intensive case management.

(v) Women and Dependent Children Program Specific
Criteria: Each Level III.1 Women and Dependent Children Low Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Transportation.
- (II) Child sitting services.
- (III) Developmental delay and prevention services.
- (IV) Activity therapy.
- (V) Parenting skills development.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.1 Residential Program shall include, at a minimum:

- (I) Maintenance of an alcohol and illicit drug-free residential environment.
- (II) Implementation of individualized counseling plan strategies.
- (III) On duty, awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.
- (IV) All clients enrolled in Level III.1 Programs shall have access to clinical services twenty-four (24) hours a day, seven (7) days a week.
- (V) The entity shall document the provision of planned counseling and recovery support services and activities that shall, at a minimum, include:

- I. Motivational and engagement strategies.

- II. Relapse prevention.
- III. Interpersonal choice/decision making skill development.
- IV. Development of a social network supportive of recovery.
- V. Daily living and recovery skills development.
- VI. Random drug screening.
- VII. Health education.
- VIII. Medication management and administration.

(ii) Adolescent Program Specific Criteria: Each Level III.1 Adolescent Low Intensity Residential Treatment Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Client education on key adolescent development issues, including but not limited to, adolescent brain development and the impact of substance use, emotional and social influence on behavior, value system development, puberty/physical development, sexuality and self esteem.

(II) Recreation and leisure time skills training.

(III) Gender specific treatment.

(IV) Family, community and school reintegration services.

(V) Academic or vocational services.

(iii) Co-occurring Disorders Program Specific Criteria: Each Level III.1 Co-occurring Disorders Low Intensity Residential Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Groups and classes that address the signs and symptoms of mental health and substance use disorders.

(II) Groups, classes and training to assist clients in becoming aware of cues or triggers that enhance the likelihood of alcohol and drug use or psychiatric decompensation and to aid in development of alternative coping responses to those cues.

(III) Dual recovery groups that provide a forum for discussion of the interactions of and interrelations between substance use and mental health disorders.

(IV) Intensive case management.

(iv) Women and Dependent Children Program Specific Criteria: Each Level III.1 Low Intensity Residential Treatment Women and Dependent Children Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Gender specific services which address issues of relationships, parenting, abuse and trauma.

(II) Primary medical care including prenatal care.

(III) Primary pediatric care for children.

(IV) Therapeutic interventions for children which address their developmental needs and issues of sexual abuse and neglect.

(V) Outreach to inform pregnant women of the services and priorities.

(VI) Interim services while awaiting admission to this level of care.

(VII) Recreation and leisure time skills training.

(VIII) Academic or vocational services.

(IX) Financial resource development and planning.

(X) Family planning services.

5. Documentation: Each Level III.1 Intensive Outpatient Program shall provide the following documentation in each client record:

(i) Individualized progress notes shall be recorded each day for each respective service provided in Level III.1 Services.

6. Support Systems. Each Level III.1 Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site, or through consultation or referral, which shall minimally include:

(i) Telephone or in person consultation with a physician available twenty-four (24) hours a day, seven (7) days a week.

(ii) Telephone or in person consultation with emergency services twenty-four (24) hours a day, seven (7) days a week.

(iii) Direct affiliation with, or coordination through referral to more and less intensive levels of care.

(iv) Direct affiliation with, or coordination through referral to supportive services, including vocational rehabilitation, literacy training and adult education.

(v) Mutual self help groups which are tailored to the needs of the specific client population.

7. Program Personnel. Each level III.1 Low Intensity Residential Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Direct Care Personnel. All direct care personnel shall have the qualifications as specified to provide the specific services delineated in the entity's program description for this level of care.

(ii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.1 Program as delineated in its operational procedures.

(iii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(iv) Every client in a Level III.1 program shall be assigned to a specific primary counselor for care management.

(v) Each primary counselor shall maintain a case load not to exceed fifteen (15) clients with active cases at any one time.

(vi) Adolescent Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.1 Low Intensity Residential Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.1 Adolescent Low

Intensity Residential Treatment Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed fifteen (15) clients with active cases at any one time.

(vii) Co-occurring Disorders Program Specific Criteria.

(I) Each Level III.1 Co-occurring Enhanced Low Intensity Residential Program shall have access to psychiatric services (led by a qualified psychiatrist or nurse practitioner) that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time, or on contract, who shall be available to the program for client care and shall assume liability for the medical aspects of the program.

(III) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders shall have, at a minimum:

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health, or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(IV) All other direct care personnel in a Level III.1 Co-occurring Enhanced Low Intensity Residential Program shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(V) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.1 Co-occurring Enhanced Residential Program as delineated in its operational plan.

(VI) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(VII) Every client in a Level III.1 Residential Program shall be assigned to a specific primary counselor for care management.

(VIII) Each primary counselor shall maintain a case load not to exceed sixteen (16) clients with active cases at any one time.

(viii) Women and Dependent Children Program Specific Criteria:

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.1 Low Intensity Women and Dependent Children Residential Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.1 Women and Dependent Children Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level III.1 Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity: The entity shall document that the amount and frequency of Level III.1 Low Intensity Residential Treatment Services are established on the basis of the unique needs of each client served. To assist in addressing these needs the entity shall ensure the availability of no less than five (5) hours of structured services each week.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level III.1 Low Intensity Residential Program shall vary as determined by:

(i) The severity of the client's illness.

(ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.

(iii) The appearance of new problems that require

another level of care; or

(iv) The availability of services at an assessed level of need when a Level III.1 Residential Program has been utilized to provide interim services.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish hours of availability for screening, assessment and intake service, and counseling services at its Level III.1 Low Intensity Residential Program. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Include consideration of transportation accessibility.

(iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.22 Level III.2-D: Clinically Managed Residential Detoxification.

(1) Rule Compliance. In addition to compliance with the rules as specified in this chapter, each Level III.2-D Clinically Managed Residential Detoxification Program shall comply with the rules as specified in the following chapters.

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines its Level III.2-D Program, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which the Level III.2-D Program is provided. Services may be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level III.2-D Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for the Level III.2-D Program, which shall include, at a minimum, individuals who:

(I) Are experiencing signs and symptoms of withdrawal, or there is evidence based on history of substance intake, age, gender, previous withdrawal history, present symptoms, physical condition and/or emotional behavioral or cognitive condition that withdrawal syndrome is imminent.

(II) Assessed as not being at risk of severe withdrawal syndrome and moderate withdrawal is safely manageable at this level.

(III) Have a history of insufficient skills and supports to complete detoxification at a less intense level of care.

(ii) The entity shall provide written documentation in individual case records that each client admitted to receive Level III.2-D services meets:

(I) The diagnostic criteria for Substance Induced Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(II) The dimensional criteria for admission to this level of care as defined in the ASAM PPC-2R.

3. Core Services: At a minimum, the Level III.2-D Program shall document the capacity to provide the following core services:

- (i) Placement assessment.
- (ii) Individual counseling.
- (iii) Group counseling.
- (iv) Psychoeducation.
- (v) Family counseling.
- (vi) Peer support.
- (vii) Medical and somatic services.
- (viii) Medication administration.
- (ix) Medication monitoring.

- (x) Alcohol and/or drug screening/testing.
- (xi) Case management:
 - (I) Case planning.
 - (II) Linkage.
 - (III) Advocacy.
 - (IV) Monitoring.

4. Therapeutic Component Implementation: The entity shall document implementation of medical and other clinical services organized to enhance the client's understanding of addiction, support completion of the detoxification process and initiate transfer to an appropriate level of care for continued treatment. The entity's Level III.2-D Program shall, at a minimum, consist of the following components:

(i) Completion of a comprehensive medical history and physical examination of the client at admission.

(ii) Protocols and/or standing orders, established by the entity's medical director, for management of detoxification from each major drug category of abused drugs that are consistent with guidelines published by nationally recognized organizations (e.g., SAMHSA, ASAM, American Academy of Addiction Psychology).

(I) Level III.2-D Programs that utilize benzodiazepines in the detoxification protocol:

I. Shall have written protocols and procedures to show that all doses or amounts of benzodiazepines are carefully monitored and are slowly reduced as appropriate.

II. Shall have written longer-term detoxification protocols and procedures that adhere to general principles of management, including clear indications of benzodiazepine dependence, clear intermediate treatment goals and strategies, regular review and methods to prevent diversion from the plan.

(iii) On duty awake staff shall provide supervision for each client's health, welfare and safety twenty-four (24) hours a day, seven (7) days a week.

(iv) On-site physician care and phone availability twenty-four (24) hours a day, seven (7) days a week.

(v) Credentialed personnel who are trained and competent to implement physician approved protocols for client observation and supervision, determination of appropriate level of care and facilitation of the client's transitioning to

(vi) Services designed explicitly to safely detoxify clients without the need for ready on-site access to medical and nursing personnel.

(vii) Medical evaluation and consultation available twenty-four (24) hours a day in accordance with practice guidelines.

(viii) Clinicians who assess and treat clients are able to obtain and interpret information regarding the needs of the client to include the signs and symptoms of alcohol and other drug intoxication and withdrawal, as well as, the appropriate treatment and monitoring of these conditions.

(ix) Medication administration and monitoring services, including specific procedures for pregnant women.

(x) Continuous assessment.

(xi) Planned counseling and other therapeutic interventions.

(xii) Motivational enhancement therapy.

(xiii) Direct affiliation with other levels of care.

5. Documentation: Level III.2-D Programs shall provide the following clinical record documentation:

(i) Documentation of each clinical/therapeutic intervention provided.

(ii) Daily assessment of progress, through detoxification, including response to medication, which also notes any treatment changes.

(iii) Monitoring of vital signs, at a minimum, every eight (8) hours until discharge.

(iv) The use of detoxification rating scale tables and flow sheets.

6. Support Systems: The Level III.2-D Program shall develop, maintain and document implementation of written policies and procedures utilized to provide client access to support services on site, or through consultation or referral, which shall minimally include availability to:

(i) Specialized clinical consultation for biomedical, emotional, behavioral and cognitive problems.

- (ii) Appropriate laboratory and toxicology testing.
- (iii) Psychological and psychiatric services.
- (iv) Transportation.
- (v) Twenty four (24) hour emergency medical services.

7. Staff Requirements.

(i) Medical Director. The Level III.2-D Program shall have a medical director who is a physician licensed to practice in the State of Alabama, with a minimum of one (1) year experience treating persons with substance induced disorders. The medical director shall be responsible for admission, diagnosis, medication management and client care.

(ii) Nursing Services Director. The Level III.2-D Program shall have a nursing services director who shall be a Registered Nurse licensed according to Alabama law, with training and work experience in behavioral health.

(iii) There shall be a Registered Nurse (RN) or Licensed Practical Nurse (LPN) on site during all hours of the Level III.2-D Program's operation.

(iv) Direct Care Personnel. All direct care personnel shall have the qualifications as a qualified paraprofessional to provide the specific services delineated in the entity's program description for this level of care.

(v) The entity shall maintain an adequate number of personnel, including physicians, nurses, counselors and case managers to sustain the Level III.2-D Program as delineated in its operational plan.

(vi) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

8. Training: The entity shall provide written documentation that:

(i) All Level III.2-D Program personnel satisfy the requirements of the core training curriculum, as specified in Rule 580-9-44-.02(3).

(ii) All clinical and medical services staff in a Level III.2-D Program shall receive training during the initial twelve (12) months employment and develop basic competencies in the following areas:

(I) Biopsychosocial dimensions of alcohol and other drug dependence, including:

I. The signs and symptoms of alcohol and other drug intoxication and withdrawal.

II. Evidence-based treatment and monitoring strategies for alcohol and other drug intoxication and withdrawal.

III. Continuing care motivational and engagement strategies.

(II) Pharmacotherapy.

(III) ASAM Patient Placement Criteria.

(IV) Assessment of and service planning to address biopsychosocial needs.

9. Service Intensity: The entity shall document in the clinical record that the intensity of Level III.2-D Services is established on the basis of the unique needs of each client served.

10. Length of Service: The entity shall provide written documentation in the clinical record that the duration of treatment in a Level III.2-D Program varies as determined by the client's assessed needs, and that the client continues in treatment until:

(i) Withdrawal signs and symptoms are sufficiently resolved; or

(ii) Withdrawal signs and symptoms have failed to respond to treatment and have intensified warranting a transfer to a more intense level of care; or

(iii) The client is, otherwise, unable to complete detoxification at this level of care.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.23 Level III.3: Clinically Managed Medium Intensity Residential Treatment Program For Adults.

(1) Rule Compliance. In addition to compliance with the rules as specified in this chapter, each Level III.3 Clinically Managed Medium Intensity Residential Treatment

Program shall comply with the rules as specified in the following chapters.

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines the Level III.3 Clinically Managed Medium Intensity Residential Treatment Program it provides, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which the Level III.3 Program shall be provided. Services shall be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level III.3 Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.3 Services which shall include, at a minimum, individuals:

(I) Who are at least nineteen (19) years old.

(II) Whose assessed severity of illness warrants this level of care including, but not limited to:

I. Individuals who have a substance dependence disorder and concomitant cognitive impairments, developmental delays, emotional, and/or behavioral problems; and/or

II. Significant functional deficits in regard to management of activities of daily living.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.3 Program meets:

(I) The diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Co-occurring Disorders Program Specific Criteria.

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The entity shall provide written documentation in individual case records that each individual admitted to a Level III.3 Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance dependence and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to a Level III.3 Program for Women and Dependent Children:

(I) Meets the diagnostic criteria for a substance dependence disorder as defined in the most recent edition Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services: Each Level III.3 Medium Intensity Residential Program shall demonstrate the capacity to provide a basic level of treatment services appropriate to the needs of its clientele.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour structured residential treatment environment with the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Group counseling.

(IV) Family counseling.

(V) Psychoeducation.

- (VI) Peer support.
- (VII) Medical and somatic services.
- (VIII) Daily living skills.
- (IX) Medication management.
- (X) Alcohol and/or drug screening/testing.
- (XI) Transportation.
- (XII) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Medical Services. Medical Services shall be provided as specified by the entity's medical protocols established as required by Rule 580-9-44-.13(24).

(I) Clients who have not had a physical examination within the last twelve (12) months shall be scheduled a physical examination within two weeks of admission.

(II) Pregnant clients who are not receiving routine prenatal care shall be seen by physician within two (2) weeks of admission.

(iii) Family Support. The entity shall initiate and document in the client record continuous efforts to involve the client's family and other natural supports in the treatment process.

(iv) Co-occurring Disorders Program Specific Criteria: Each Level III.3 Co-occurring Disorders Low Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Mental health consultation.
- (II) Crisis intervention services.
- (III) Activity therapy.
- (IV) Intensive case management.

(v) Women and Dependent Children Program Specific

Criteria: Each Level III.3 Women and Dependent Children Medium Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Child sitting services.
- (II) Developmental delay and prevention services.
- (III) Activity therapy.
- (IV) Parenting skills development.
- (V) Academic and vocational services.
- (VI) Financial resource development and planning.
- (VII) Family planning services.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.3 Residential Program shall include, at a minimum:

(I) On duty, awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.

(II) Client shall have access to clinical services personnel twenty-four (24) hours a day, seven (7) days a week.

(III) Daily clinical services to improve the client's ability to structure and reorganize the tasks of daily living and recovery.

(IV) The provision of daily scheduled treatment and recovery support services and activities that shall, at a minimum, include those that address:

I. Implementation of individualized service plan strategies.

II. Relapse prevention.

III. Interpersonal choice/decision making skill development.

IV. Development of a social network supportive of recovery.

- V. Daily living and recovery skills development.
- VI. Random drug screening.
- VII. Health education.
- VIII. Medication administration and monitoring.

5. Documentation: Each Level III.3 Medium Intensity Residential Program shall provide the following documentation in each client record:

(i) Individualized progress notes shall be recorded each day for each respective service provided in Level III.3 Services.

6. Support Systems. Each Level III.3 Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site, or through consultation or referral, which shall minimally include:

(i) Telephone or in person consultation with a physician available twenty-four (24) hours a day, seven (7) days a week.

(ii) Telephone or in person consultation with emergency services twenty-four (24) hours a day, seven (7) days a week.

(iii) Telephone or in person consultation with a registered nurse twenty-four (24) hours a day, seven (7) days a week.

(iv) Direct affiliation with or coordination through referral to more and less intensive levels of care.

(v) Direct affiliation with or coordination through referral to supportive services including vocational rehabilitation, literacy training and sheltered workshops.

(vi) Mutual self help groups which are tailored to the needs of the specific client population.

(vii) Appropriate laboratory and toxicology testing.

(viii) Psychological and psychiatric services.

(ix) Direct affiliation with or coordination through referral to more and less intensive levels of care.

7. Program Personnel. Each level III.3 Medium Intensity Residential Program shall employ an adequate number of qualified individuals to provide personalized care for its

clientele and to meet the program's goals and objectives.

(i) Direct Care Personnel. All direct care personnel shall have the qualifications to provide the specific services delineated in the entity's program description for this level of care.

(ii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.3 Program as delineated in its operational procedures.

(iii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(iv) Every client in a Level III.3 Program shall be assigned to a specific primary counselor for care management.

(v) Each primary counselor shall maintain a case load not to exceed twenty (20) clients with active cases at any one time.

(vi) Co-occurring Disorders Program Specific Criteria.

(I) Each Level III.3 Co-occurring Enhanced Medium Intensity Residential Program shall have access to psychiatric services led by a qualified psychiatrist or nurse practitioner that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time or on contract who shall be available to the program for client care and shall assume liability for the medical aspects of the program.

(III) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders shall have, at a minimum;

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(IV) All other direct care personnel in a Level III.3 Co-occurring Enhanced Medium Intensity Residential Program shall

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be qualified, as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(V) Every client in a Level III.3 Residential Program shall be assigned to a specific primary counselor for care management.

(VI) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

(vii) Women and Dependent Children Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.3 Medium Intensity Women and Dependent Children Residential Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.3 Women and Dependent Children Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level III.3 Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity:

(i) The entity shall document that the amount and frequency of Level III.3 Medium Intensity Residential Treatment Services are established on the basis of the unique needs of each client served. To assist in addressing these needs, the entity shall ensure the availability of no less than fifteen (15) hours of structured services each week.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level III.3 Medium Intensity Residential Program shall vary as determined by:

- (i) The severity of the client's illness.
- (ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.
- (iii) The appearance of new problems that require another level of care; or
- (iv) The availability of services at an assessed level of need when a Level III.3 Residential Program has been utilized to provide interim services.

11. **Service Availability:** The entity shall provide written documentation describing the process utilized to establish hours of availability for screening, assessment and intake service and counseling services at its Level III.3 Medium Intensity Residential Program. At a minimum this process shall:

- (i) Include consideration of the needs of the target population including work, school and parenting responsibilities.
 - (ii) Include consideration of transportation accessibility.
 - (iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.
- Author:** Substance Abuse Services Division
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.24 Level III.5: Clinically Managed Medium Intensity Residential Treatment Program For Adolescents.

(1) **Rule Compliance.** In addition to compliance with the rules as specified in this chapter, each Level III.5 Clinically Managed Medium Intensity Residential Treatment Program for Adolescents shall comply with the rules as specified in the following chapters.

(a) **Program Description.** The entity shall develop, maintain and implement a written program description that defines its Level III.5 Adolescent Clinically Managed Medium Intensity Residential Treatment Program, as according to Rule 580-9-44-.13 and the following specifications:

1. **Location.** The entity shall specifically identify and describe the setting in which the Level III.5 Adolescent Program shall be provided. Services may be provided in any

facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations, including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level III.5 Adolescent Program in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.5 Adolescent Services which shall include, at a minimum, individuals:

(I) Who are less than nineteen (19) years old.

(II) Whose assessed severity of illness warrants this level of care including but not limited to individuals who have impaired functioning across a broad range of psychosocial domains that may be expressed as:

I. Disruptive behaviors.

II. Delinquency and juvenile justice involvement.

III. Educational difficulties.

IV. Family conflicts and chaotic home situations.

V. Developmental immaturity and/or

VI. Psychological problems.

(III) Who do not require significant medical, psychiatric, or nurse monitoring or interventions.

(IV) For whom treatment for identified problems has been rendered ineffective at less intensive levels of care.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.5 Adolescent Program meets:

(I) The diagnostic criteria for a substance related disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders; and

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

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(iii) Co-occurring Disorders Program Specific Criteria. The entity shall provide written documentation in individual case records that each individual admitted to a Level III.5 Adolescent Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance related and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to a Level III.5 Adolescent Program for Women and Dependent Children:

(I) Meets the diagnostic criteria for a substance related disorder as defined in the most recent edition Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services: Each Level III.5 Adolescent Medium Intensity Residential Program shall demonstrate the capacity to provide a basic regimen of treatment services appropriate to the adolescent's developmental and cognitive levels and other assessed needs.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour structured residential treatment environment with accessibility to the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Group counseling.

(IV) Family counseling.

- (V) Psychoeducation.
- (VI) Peer support.
- (VII) Medical and somatic services.
- (VIII) Daily living skills.
- (IX) Medication management.
- (X) Medication administration.
- (XI) Alcohol and/or drug screening/testing.
- (XII) Transportation.
- (XIII) Activity therapy.
- (XIX) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Medical Services. The entity shall implement procedures for the provision of medical services as according to protocols established in compliance with Rule 580-9-44-.13(24).

(I) Clients who have not had a physical examination within the last twelve (12) months shall be scheduled a physical examination within two (2) weeks of admission.

(II) Pregnant clients who are not receiving routine prenatal care shall be seen by physician within two (2) weeks of admission.

(iii) Mental Health Services. The entity shall develop, maintain and document implementation of written policies and procedures to ensure that each client's mental health needs are identified through the assessment process and access to appropriate care for these needs is provided concurrently with treatment for assessed substance related disorders.

(iv) Family Support. The entity shall initiate and document in the client record continuous efforts to involve the client's family and other natural supports in the treatment process.

(v) Co-occurring Disorders Program Specific Criteria:
Supp. 12/31/18 9-44-169

Each Level III.5 Adolescent Co-occurring Disorders Medium Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

(I) Mental health consultation.

(II) Crisis intervention services.

(vi) Women and Dependent Children Program Specific Criteria: Each Level III.5 Adolescent Women and Dependent Children Medium Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

(I) Child sitting services.

(II) Developmental delay and prevention services.

(III) Parenting skills development.

4. Therapeutic Component Implementation. The entity shall document the implementation of a planned regimen of twenty-four (24) hour professionally directed program activities for adolescents and their families. Evaluation, treatment and care shall be provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.5 Adolescent Residential Program shall include, at a minimum:

(I) On duty, awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.

(II) Clients shall have access to clinical services personnel twenty-four (24) hours a day, seven (7) days a week.

(III) Daily clinical services to improve the client's ability to structure and reorganize the tasks of daily living and recovery.

(IV) The provision of daily scheduled treatment, recovery support services and other activities that shall, at a minimum, include those that address:

I. Implementation of individualized service plan strategies.

II. Development and application of recovery skills including relapse prevention.

III. Interpersonal choice/decision making skill

- IV. Enhancement of the understanding of addiction.
- V. Development of a social network supportive of recovery.
- VI. Random drug screening.
- VII. Health education.
- VIII. Medication administration and monitoring.
- IX. Promotion of successful involvement in regular productive daily activity such as school or work.
- X. Enhancement of personal responsibility, developmental maturity and prosocial values.
- XI. Educational services in accordance with state and local regulations.
- XII. Opportunities to remedy educational deficits created by involvement with alcohol and other drugs.
 - (ii) The entity shall actively promote and provide referrals and/or access to community support services.
 - (iii) All services shall be shall be organized and provided according to evidence-based and best practice standards and guidelines.
 - (iv) Co-occurring Disorders Program Specific Criteria: Each Level III.5 Adolescent Co-occurring Enhanced Program shall document the capacity to provide the service strategies and the following therapeutic components:
 - (I) Groups and classes that address the signs and symptoms of mental health and substance use disorders.
 - (II) Groups, classes and training to assist clients in becoming aware of cues or triggers that enhance the likelihood of alcohol and drug use or psychiatric decompensation and to aid in development of alternative coping responses to those cues.
 - (III) Dual recovery groups that provide a forum for discussion of the interactions of and interrelations between substance use and mental health disorders.
 - (IV) Intensive case management.
 - (v) Women and Dependent Children Program Specific

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Criteria: Each Level III.5. Adolescent Women and Dependent Children Program shall document the capacity to provide the service strategies and the following therapeutic components:

- (I) Gender specific services which address issues of relationships, parenting, abuse and trauma.
- (II) Primary medical care including prenatal care.
- (III) Primary pediatric care for children.
- (IV) Therapeutic interventions for children which address their developmental needs and issues of sexual abuse and neglect.
- (V) Outreach to inform pregnant women of the services and priorities.
- (VI) Interim services while awaiting admission to this level of care.
- (VII) Recreation and leisure time skills training.
- (VIII) Academic and vocational services.
- (IX) Family planning services.

5. Documentation: Each Level III.5 Adolescent Medium Intensity Residential Program shall provide the following documentation in each client record:

(i) Individualized progress notes shall be recorded each day for each respective service provided.

6. Support Systems. Each Level III.5 Adolescent Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site, or through consultation or referral, which shall minimally include:

(i) Emergency consultation with a physician available twenty-four (24) hours a day, seven (7) days a week.

(ii) Telephone or in person consultation with emergency services twenty-four (24) hours a day, seven (7) days a week.

(iii) Telephone or in person consultation with a MAS nurse twenty-four (24) hours a day, seven (7) days a week.

(iv) Indicated laboratory and toxicology testing.

(v) Indicated medical procedures.

- (vi) Medical treatment.
 - (vii) Psychological and psychiatric treatment.
 - (viii) Direct affiliation with or coordination through referral to more and less intensive levels of care, including detoxification services.
7. Program Personnel. Each Level III.5 Adolescent Medium Intensity Residential Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.
- (i) Direct Care Personnel. All direct care personnel shall have the qualifications, as a qualified paraprofessional to provide the specific services delineated in the entity's program description for this level of care.
 - (ii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.5 Program as delineated in its operational procedures.
 - (iii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.
 - (iv) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.
 - (v) Co-occurring Disorders Program Specific Criteria.
 - (I) Each Level III.5 Adolescent Co-occurring Enhanced Medium Intensity Residential Program shall have access to psychiatric services led by a qualified psychiatrist or nurse practitioner that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.
 - (II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time or on contract who shall be available to the program for client care and shall assume responsibility for the medical aspects of the program.
 - (III) All other direct care personnel in a Level III.5 Adolescent Co-occurring Enhanced Medium Intensity Residential Program shall be qualified, as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.
 - (IV) Every client in a Level III.5 Adolescent Residential Program shall be assigned to a specific primary

counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed sixteen (16) clients with active cases at any one time.

(vi) Women and Dependent Children Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified, as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.5 Adolescent Medium Intensity Women and Dependent Children Residential Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.5 Adolescent Women and Dependent Children program shall be assigned to a specific Primary Counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level III.5 Adolescent Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity:

(i) The entity shall document that the amount and frequency of Level III.5 Adolescent Medium Intensity Residential Treatment Services are established on the basis of the unique needs of each client served. To assist in addressing these needs, the entity shall ensure the availability of no less than fifteen (15) hours of structured services each week.

(ii) The entity shall provide written documentation describing the procedures utilized to ensure the provision of services appropriate to the client's developmental stage and level of comprehension, including any necessary adaptations.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level III.5 Adolescent Medium Intensity Residential Program shall vary as determined by:

- (i) The severity of the client's illness.
- (ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.
- (iii) The appearance of new problems that require another level of care; or
- (iv) The availability of services at an assessed level of need, when a Level III.5 Adolescent Residential Program has been utilized to provide interim services.

11. **Service Availability:** The entity shall provide written documentation describing the process utilized to establish hours of availability for screening assessment and intake services at its Level III.5 Medium Intensity Adolescent Residential Program. At a minimum, this process shall:

- (i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.
- (ii) Include consideration of transportation accessibility.
- (iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.25 Level III.5: Clinically Managed High Intensity Residential Treatment Program For Adults.

(1) **Rule Compliance.** In addition to compliance with the rules as specified in this chapter, each Level III.5 Clinically Managed High Intensity Residential Treatment Program shall comply with the rules as specified in the following chapters.

(a) **Program Description.** The entity shall develop, maintain and implement a written program description that defines the Level III.5 Clinically Managed High Intensity Residential Treatment Program it provides, as according to Rule 580-9-44-.13 and the following specifications:

- 1. **Location.** The entity shall specifically identify

and describe the setting in which the Level III.5 Program shall be provided. Services shall be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations, including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level III.5 Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.5 Services, which shall include, at a minimum, individuals who have been assessed to have multiple, significant social and psychological functional deficits that cannot be adequately addressed on an outpatient basis.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.5 Program meets:

(I) The diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Co-occurring Disorders Program Specific Criteria. The entity shall provide written documentation in individual case records that each individual admitted to a Level III.5 Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance dependence and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to a Level III.5 Program for Women and Dependent Children:

(I) Meets the diagnostic criteria for a substance dependence disorder as defined in the most recent edition Diagnostic and Statistical Manual for Mental Disorders.

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(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services: Each Level III.5 High Intensity Residential Program shall demonstrate the capacity to provide a basic level of treatment services appropriate to the needs of its clientele.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour structured residential treatment environment with the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Group counseling.

(IV) Family counseling.

(V) Psychoeducation.

(VI) Peer support.

(VII) Medical and somatic services.

(VIII) Daily living skills.

(IX) Medication management.

(X) Alcohol and/or drug screening/testing.

(XI) Transportation.

(XII) Case Management:

I. Case planning.

II. Linkage.

III. Advocacy.

IV. Monitoring.

(ii) Medical Services. Medical Services shall be provided as specified by the entity's medical protocols established as required by Rule 580-9-44-.13(24).

(I) Clients who have not had a physical examination within the last twelve (12) months shall be provided a physical examination within two (2) weeks of admission.

(II) Pregnant clients who are not receiving routine prenatal care, shall be seen by physician within two (2) weeks of admission.

(iii) Mental Health Services. The entity shall develop, maintain and document implementation of written policies and procedures to ensure that each client's mental health needs are identified through the assessment service process and access to appropriate care for these needs is provided concurrently with treatment for assessed substance related disorders.

(iv) Family Support. The entity shall initiate and document in the client record continuous efforts to involve the client's family and other natural supports in the treatment process.

(v) Co-occurring Disorders Program Specific Criteria: Each Level III.5 Co-occurring Disorders Low Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

(I) Mental health consultation.

(II) Crisis intervention services.

(III) Activity therapy.

(IV) Intensive case management.

(vi) Women and Dependent Children Program Specific Criteria: Each Level III.5 Women and Dependent Children Medium Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

(I) Child sitting services.

(II) Developmental delay and prevention services.

(III) Activity therapy.

(IV) Parenting skills development.

(V) Academic and vocational services.

- (VI) Financial resource development and planning.
- (VII) Family planning services.

4. Therapeutic Component Implementation. The entity shall document implementation of regularly scheduled treatment sessions that are provided in an amount, frequency and intensity appropriate to each client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.5 Residential Program shall include, at a minimum:

(I) On duty awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.

(II) Client shall have access to clinical services personnel twenty-four (24) hours a day, seven (7) days a week.

(III) Daily clinical services to improve the client's ability to structure and reorganize the tasks of daily living and recovery.

(IV) The provision of daily scheduled treatment and recovery support services and activities that shall, at a minimum, include those that address:

I. Implementation of individualized service plan strategies.

II. Relapse prevention.

III. Interpersonal choice/decision making skill development.

IV. Development of a social network supportive of recovery.

V. Daily living and recovery skills development.

VI. Random drug screening.

VII. Health education.

VIII. Medication administration and monitoring.

(ii) The entity shall actively promote and provide referrals and/or access to community support services.

(iii) All services shall be organized and provided according to evidence-based and best practice standards and guidelines.

(iv) Co-occurring Disorders Program Specific Criteria: Each Level III.5 Co-occurring Enhanced Program shall document the capacity to provide the service strategies and the following therapeutic components:

(I) Groups and classes that address the signs and symptoms of mental health and substance use disorders.

(II) Groups, classes and training to assist clients in becoming aware of cues or triggers that enhance the likelihood of alcohol and drug use or psychiatric decompensation and to aid in development of alternative coping responses to those cues.

(III) Dual recovery groups that provide a forum for discussion of the interactions of and interrelations between substance use and mental health disorders.

5. Documentation: Each Level III.5 High Intensity Residential Program shall provide the following documentation in each client record:

(i) Individualized progress notes shall be recorded each day for each respective service provided in Level III.5 Services.

6. Support Systems. Each Level III.5 Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site or through consultation or referral, which shall minimally include:

(i) Telephone or in person consultation with a physician available twenty-four (24) hours a day, seven (7) days a week.

(ii) Telephone or in person consultation with emergency services twenty-four (24) hours a day, seven (7) days a week.

(iii) Telephone or in person consultation with a registered nurse twenty-four (24) hours a day, seven (7) days a week.

(iv) Direct affiliation with, or coordination through referral to more and less intensive levels of care.

(v) Direct affiliation with, or coordination through referral to supportive services, including vocational rehabilitation, literacy training and adult education.

(vi) Mutual self help groups which are tailored to the needs of the specific client population.

- (vii) Appropriate laboratory and toxicology testing.
 - (viii) Psychological and psychiatric services.
 - (ix) Direct affiliation with or coordination through referral to more and less intensive levels of care.
 - (x) Co-occurring Disorders Program Specific Criteria: In addition to compliance with the criteria, each Level III.5 Co-occurring Enhanced High Intensity Residential Program shall provide client access to intensive case management services.
 - (xi) Women and Dependent Children's Program Specific Criteria: In addition to compliance with the criteria, the each Level III.5 High Intensity Residential Treatment Program for Women and Dependent Children shall provide client access to the following support services:
 - (I) Academic and vocational services.
 - (II) Financial resource development and planning.
 - (III) Family planning services.
7. Program Personnel. Each level III.5 High Intensity Residential Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.
- (i) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational procedures for this level of care.
 - (ii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.5 High Intensity Residential Program as delineated in its operational procedures.
 - (iii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.
 - (iv) Every client in a Level III.5 Program shall be assigned to a specific primary counselor for care management.
 - (v) Each primary counselor shall maintain a case load not to exceed sixteen (16) clients with active cases at any one time.
 - (vi) Co-occurring Disorders Program Specific Criteria.

(I) The Level III.5 Co-occurring Enhanced Program shall have access to psychiatric services led by a qualified psychiatrist or nurse practitioner that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time, or on contract who shall be available to the program for client care and shall assume liability for the medical aspects of the program.

(III) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders, shall have at a minimum,

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(IV) All other direct care personnel in a Level III.5 Co-occurring Enhanced Program shall be qualified to provide the specific services delineated in the entity's operational plan for this level of care.

(V) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.5 Enhanced High Intensity Residential Program as delineated in its operational plan.

(VI) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(VII) Every client in a Level III.5 Co-occurring Program shall be assigned to a specific primary counselor for care management.

(VIII) Each primary counselor shall maintain a case load not to exceed sixteen (16) clients with active cases at any one time.

(vii) Women and Dependent Children Program Specific Criteria:

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the

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specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.5 Women and Dependent Children Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.5 Women and Dependent Children Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level III.5 Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity: The entity shall develop, maintain and document implementation of policies and procedures in regard to service intensity for its Level III.5 Residential Program, which shall at a minimum specify:

(i) The amount and frequency of Level III.5 Services are established on the basis of the unique needs of each client served.

(ii) The program has the capacity to provide a minimum of twenty-five (25) contact hours of clinical services weekly for each client.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in its Level III.5 Program is variable as determined by:

(i) The severity of the client's illness.

(ii) The client's ability to comprehend the information provided and use that information to meet treatment goals and strategies; or

(iii) The appearance of new problems that require another level of care; or

(iv) The availability of services at an assessed level of need, when a Level III.5 High Intensity Residential Program has been utilized as an interim level of care.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish hours of availability for screening, assessment and intake service, admission and counseling services at its Level III.5 High Intensity Residential Program. At a minimum, this process shall:

(i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.

(ii) Include consideration of transportation accessibility.

(iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.26 Level III.7: Medically Monitored Intensive Residential Treatment Program for Adults.

(1) Rule Compliance. In addition to compliance with the rules as specified in this chapter, each Level III.7 Medically Monitored Intensive Treatment Program for Adults shall comply with the rules as specified in the following chapters.

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines its Level III.7 Medically Monitored Intensive Residential Treatment Program, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which the Level III.7 Program shall be provided. Services may be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain and document implementation of written criteria for admission to its Level III.7 Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.7 Program which shall

include, at a minimum, individuals:

(I) Whose assessed severity of illness warrants this level of care, including but not limited to, adults whose subacute biomedical and emotional, behavioral, or cognitive problems are so severe that they require medically monitored treatment, but do not need the full resources of an acute care general hospital.

(II) For whom treatment for identified problems has been rendered ineffective at less intensive levels of care.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.7 Adult Program meets:

(I) The diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Co-occurring Disorders Program Specific Criteria. The entity shall provide written documentation in individual case records that each individual admitted to a Level III.7 Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance dependence and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to a Level III.7 Program for Women and Dependent Children:

(I) Meets the diagnostic criteria for a substance dependence disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

- (IV) Has care and custody of dependent children; or
- (V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services: Each Level III.7 Medically Monitored Intensive Residential Program shall demonstrate the capacity to provide a basic regimen of treatment services appropriate to the client's developmental and cognitive levels and other assessed needs.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour structured residential treatment environment with accessibility to the following core services:

- (I) Placement assessment.
- (II) Individual counseling.
- (III) Group counseling.
- (IV) Family counseling.
- (V) Psychoeducation.
- (VI) Peer support.
- (VII) Medical and somatic services.
- (VIII) Daily living skills.
- (IX) Medication management.
- (X) Medication administration.
- (XI) Alcohol and/or drug screening/testing.
- (XII) Transportation.
- (XIII) Activity therapy.
- (XIX) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

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(ii) Medical Services. The entity shall implement procedures for the provision of medical services, as according to protocols established in compliance with Rule 580-9-44-.13(24).

(I) Pregnant clients who are not receiving routine prenatal care shall be seen by physician within two (2) weeks of admission.

(iii) Mental Health Services. The entity shall develop, maintain and document implementation of written policies and procedures to ensure that each client's mental health needs are identified through the assessment service process and access to appropriate care for these needs is provided concurrently with treatment for assessed substance related disorders.

(iv) Family Support. The entity shall initiate and document in the client record continuous efforts to involve the client's family and other natural supports in the treatment process.

(v) Co-occurring Disorders Program Specific Criteria: Each Level III.7 Co-occurring Disorders Medically Monitored Intensive Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

(I) Mental health consultation.

(II) Crisis intervention services.

(III) Intensive case management.

(vi) Women and Dependent Children Program Specific Criteria: Each Level III.7 Women and Dependent Children Medically Monitored Intensive Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

(I) Child sitting services.

(II) Developmental delay and prevention services.

(III) Parenting skills development.

(IV) Academic and vocational services.

(V) Financial resource development and planning.

(VI) Family planning services.

4. Therapeutic Component Implementation. The entity shall document the implementation of a planned regimen of professionally directed program activities for clients and their

families. Evaluation, treatment and care shall be provided in an amount, frequency and intensity appropriate to each client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.7 Residential Program shall include, at a minimum:

(I) On duty awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.

(II) Clients shall have access to clinical services personnel twenty-four (24) hours a day, seven (7) days a week.

(III) Daily clinical services to improve the client's ability to structure and reorganize the tasks of daily living and recovery.

(IV) The provision of daily scheduled treatment and recovery support services and activities that shall, at a minimum, include those that address:

I. Implementation of individualized service plan strategies.

II. Development and application of recovery skills including relapse prevention.

III. Interpersonal choice/decision making skill development.

IV. Enhancement of the understanding of addiction.

V. Development of a social network supportive of recovery.

VI. Random drug screening.

VII. Health education.

VIII. Medication administration and monitoring.

IX. Promotion of successful involvement in regular productive daily activity, such as school or work.

X. Skill development to support productive daily activity and successful reintegration into the family and community.

XI. Supervised therapeutic recreational activities.

(ii) The entity shall actively promote and provide referrals and/or access to community support services.

(iii) All services shall be organized and provided according to evidence-based and best practice standards and guidelines.

5. Documentation: Each Level III.7 Medically Monitored Intensive Residential Program shall provide the following documentation in each client record:

(i) Individualized progress notes shall be recorded each day for each respective service provided.

6. Support Systems. Each Level III.7 Program shall develop, maintain and document implementation of written policies and procedures, which govern the process used to provide client access to support services on site or through consultation or referral, which shall minimally include:

(i) The availability of a physician or physician extender to assess each client in person within twenty-four (24) hours of admission and thereafter as medically necessary.

(ii) Emergency consultation with a physician available twenty-four (24) hours a day, seven (7) days a week.

(iii) Telephone or in person consultation with emergency services twenty-four (24) hours a day, seven (7) days a week.

(iv) The availability of a MAS Registered Nurse to conduct a nursing assessment at the time of admission, monitor the client's progress during treatment and manage medication administration.

(v) Telephone or in person consultation with a MAS Nurse twenty-four (24) hours a day, seven (7) days a week.

(vi) Indicated laboratory and toxicology testing.

(vii) Indicated medical procedures.

(viii) Medical treatment.

(ix) Psychiatric services shall be available within eight (8) hours by telephone or twenty four (24) hours in person.

(x) Community based services assessed as needed but not provided by the entity.

(xi) Direct affiliation with or coordination through referral to more and less intensive levels of care including detoxification services.

7. Program Personnel. Each Level III.7 Intensive Residential Program shall employ an adequate number of qualified

individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Nursing Personnel. MAS Registered Nurses or Licensed Practical Nurses shall be available for primary nursing care and observation twenty-four (24) hours a day.

(ii) Direct Care Personnel. All direct care personnel shall have the qualifications as a qualified paraprofessional to provide the specific services delineated in the entity's program description for this level of care.

(iii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.7 Adult Program as delineated in its operational procedures.

(iv) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(v) Every client in a Level III.7 Program shall be assigned to a specific primary counselor.

(vi) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

(vii) Co-occurring Disorders Program Specific Criteria.

(I) Each Level III.7 Co-occurring Enhanced Intensive Residential Program shall have access to psychiatric services led by a qualified psychiatrist or nurse practitioner that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time, or on contract who shall be available to the program for client care and shall assume responsibility for the medical aspects of the program.

(III) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders shall have, at a minimum,

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health, or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(IV) Direct Care Personnel. All other direct care personnel in a Level III.7 Co-occurring Enhanced Intensive Residential Program shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(V) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.7 Co-occurring Enhanced Residential Program as delineated in its operational plan.

(VI) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(VII) Every client in a Level III.7 Residential Program shall be assigned to a primary counselor.

(VIII) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

(viii) Women and Dependent Children Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified as a qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.7 Intensive Women and Dependent Children Residential Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.7 Women and Dependent Children Program shall be assigned to a primary counselor.

(V) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level III.7 Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity:

(i) The entity shall document that the amount and

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frequency of Level III.7 Intensive Residential Treatment Services are established on the basis of the unique needs of each client served. To assist in addressing these needs the entity shall ensure the availability of no less than twenty (20) hours of structured services each week.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level III.7 Intensive Residential Program shall vary as determined by:

- (i) The severity of the client's illness.
- (ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.
- (iii) The appearance of new problems that require another level of care; or
- (iv) The availability of services at an assessed level of need, when a Level III.7 Residential Program has been utilized to provide interim services.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish hours of assessment and intake services at its Level III.7 Medically Monitored Intensive Residential Program. At a minimum, this process shall:

- (i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.
- (ii) Include consideration of transportation accessibility.
- (iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.27 Level III.7: Medically Monitored High Intensity Residential Treatment Program For Adolescents.

(1) Rule Compliance. In addition to compliance with the rules as specified in this chapter, each Level III.7

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Medically Monitored High Intensity Residential Treatment Program for Adolescents shall comply with the rules as specified in the following chapters.

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines its Level III.7 Adolescent Medically Monitored High Intensity Residential Treatment Program, as according to Rule 580-9-44-.13 and the following specifications:

1. Location. The entity shall specifically identify and describe the setting in which the Level III.7 Adolescent Program shall be provided. Services may be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

2. Admission Criteria: The entity shall develop, maintain, and document implementation of written criteria for admission to its Level III.7 Adolescent Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level III.7 Adolescent Services, which shall include, at a minimum, individuals:

(I) Who are less than nineteen (19) years old and:

(II) Whose assessed severity of illness warrants this level of care, including but not limited to adolescents whose sub-acute biomedical and emotional, behavioral, or cognitive problems are so severe that they require medically monitored treatment but do not need the full resources of an acute care general hospital.

(III) For whom treatment for identified problems has been rendered ineffective at less intensive levels of care.

(ii) The entity shall provide written documentation in individual case records that each client admitted to a Level III.7 Adolescent Program meets:

(I) The diagnostic criteria for a substance related disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iii) Co-occurring Disorders Program Specific Criteria. The entity shall provide written documentation in individual case records that each individual admitted to a Level III.7 Adolescent Co-occurring Enhanced Treatment Program meets:

(I) The diagnostic criteria for a substance related and mental illness disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Women and Dependent Children Program Specific Criteria: The entity shall provide written documentation in individual case records that each client admitted to a Level III.7 Adolescent Program for Women and Dependent Children:

(I) Meets the diagnostic criteria for a substance related disorder as defined in the most recent edition of the Diagnostic and Statistical Manual for Mental Disorders.

(II) The dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(III) Is pregnant; or

(IV) Has care and custody of dependent children; or

(V) Has lost custody of dependent children and has the potential for family reunification.

3. Core Services: Each Level III.7 Adolescent High Intensity Residential Program shall demonstrate the capacity to provide a basic regimen of treatment services appropriate to the adolescent's developmental and cognitive levels and other assessed needs.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide a twenty-four (24) hour structured residential treatment environment with the following core services:

(I) Placement assessment.

(II) Individual counseling.

(III) Group counseling.

(IV) Family counseling.

- (V) Psychoeducation.
- (VI) Peer support.
- (VII) Medical and somatic services.
- (VIII) Daily living skills.
- (IX) Medication management.
- (X) Medication administration.
- (XI) Alcohol and/or drug screening/testing.
- (XII) Transportation.
- (XIII) Activity therapy.
- (XIX) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Medical Services. The entity shall implement procedures for the provision of medical services as according to protocols established in compliance with Rule 580-9-44-.13(24).

(I) Pregnant clients who are not receiving routine prenatal care shall be seen by physician within two (2) weeks of admission.

(iii) Mental Health Services. The entity shall develop, maintain and document implementation of written policies and procedures to ensure that each client's mental health needs are identified through the assessment service process and access to appropriate care for these needs is provided concurrently with treatment for assessed substance related disorders.

(iv) Family Support. The entity shall initiate and document in the client record continuous efforts to involve the client's family and other natural supports in the treatment process.

(v) Co-occurring Disorders Program Specific Criteria: Each Level III.7 Adolescent Co-occurring Disorders High Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Mental health consultation.
- (II) Crisis intervention services.
- (III) Intensive case management.

(vi) Women and Dependent Children Program Specific Criteria: Each Level III.7 Adolescent Women and Dependent Children High Intensity Residential Treatment Program shall document the capacity to provide each of the core services and the following services:

- (I) Child sitting services.
- (II) Developmental delay and prevention services.
- (III) Parenting skills development.
- (IV) Academic and vocational services.
- (V) Financial resource development and planning.
- (VI) Family planning services.

4. Therapeutic Component Implementation. The entity shall document the implementation of a planned regimen of professionally directed program activities for adolescents and their families. Evaluation, treatment and care shall be provided in an amount, frequency and intensity appropriate to the client's assessed needs and expressed desires for care.

(i) Service strategies for each Level III.7 Adolescent Residential Program shall include, at a minimum:

(I) On duty awake staff shall provide supervision of client's health, welfare and safety twenty-four (24) hours a day.

(II) Clients shall have access to clinical services personnel twenty-four (24) hours a day seven (7) days a week.

(III) Daily clinical services to improve the client's ability to structure and reorganize the tasks of daily living and recovery.

(IV) The provision of daily scheduled treatment and recovery support services and activities that shall, at a minimum, include those that address:

I. Implementation of individualized service plan strategies.

II. Development and application of recovery skills

including relapse prevention.

- III. Interpersonal choice/decision making skill development.
 - IV. Enhancement of the understanding of addiction.
 - V. Development of a social network supportive of recovery.
 - VI. Random drug screening.
 - VII. Health education.
 - VIII. Medication administration and monitoring.
 - IX. Promotion of successful involvement in regular productive daily activity, such as school or work.
 - X. Enhancement of personal responsibility, developmental maturity and prosocial values.
 - XI. Educational services in accordance with state and local regulations.
 - XII. Opportunities to remedy educational deficits created by involvement with alcohol and other drugs.
 - XIII. Supervised therapeutic recreational activities.
 - (ii) The entity shall actively promote and provide referrals and/or access to community support services.
 - (iii) All services shall be shall be organized and provided according to evidence-based and best practice standards and guidelines.
5. Documentation: Each Level III.7 Adolescent High Intensity Residential Program shall provide the following documentation in each client record:
- (i) Individualized progress notes shall be recorded each day for each respective service provided.
6. Support Systems. Each Level III.7 Adolescent Program shall develop, maintain and document implementation of written policies and procedures which govern the process used to provide client access to support services on site or through consultation or referral, which shall minimally include:
- (i) The availability of a physician or physician extender to assess each adolescent in person within twenty-four

(24) hours of admission and thereafter as medically necessary.

(ii) Emergency consultation with a physician available twenty-four (24) hours a day seven (7) days a week.

(iii) Telephone or in person consultation with emergency services twenty-four (24) hours a day seven (7) days a week.

(iv) The availability of a MAS Registered Nurse to conduct a nursing assessment at the time of admission, monitor the client's progress during treatment and manage medication administration.

(v) Telephone or in person consultation with a MAS Nurse twenty-four (24) hours a day, seven (7) days a week.

(vi) Indicated laboratory and toxicology testing.

(vii) Indicated medical procedures.

(viii) Medical treatment.

(ix) Psychological and psychiatric treatment.

(x) Community based services assessed as needed but not provided by the entity.

(xix) Direct affiliation with or coordination through referral to more and less intensive levels of care including detoxification services.

7. Program Personnel. Each Level III.7 Adolescent High Intensity Residential Program shall employ an adequate number of qualified individuals to provide personalized care for its clientele and to meet the program's goals and objectives.

(i) Nursing Personnel. MAS Registered Nurses or Licensed Practical Nurses shall be available for primary nursing care and observation twenty-four (24) hours a day.

(ii) Direct Care Personnel. All direct care personnel shall have the qualifications as a qualified paraprofessional to provide the specific services delineated in the entity's program description for this level of care.

(iii) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.7 Program as delineated in its operational procedures.

(iv) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

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(v) Every client in a Level III.7 Adolescent Program shall be assigned to a specific primary counselor for care management whose principal responsibilities shall include, but not limited to:

(I) Development and implementation of the individualized service plan.

(II) Ensuring service delivery and coordination of service delivery as delineated in the plan.

(III) Evaluation of the client's overall progress in treatment and preparation of staffing reports.

(IV) Discharge and continuing care planning and implementation.

(vi) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

(vii) Co-occurring Disorders Program Specific Criteria.

(I) Each Level III.7 Adolescent Co-occurring Enhanced High Intensity Residential Program shall have access to psychiatric services led by a qualified psychiatrist or nurse practitioner that are fully capable of evaluating, diagnosing and prescribing medications to clients with co-occurring disorders. On-call psychiatric services shall be available twenty-four (24) hours a day, seven (7) days a week.

(II) The treatment organization/agency shall have access to an Alabama licensed physician, full time, part time, or on contract, who shall be available to the program for client care and shall assume responsibility for the medical aspects of the program.

(III) Treatment staff that provide therapy and ongoing clinical assessment services to individuals diagnosed with co-occurring disorders, shall have at a minimum,

I. A master's degree in a behavioral health related field with a minimum of two (2) years work experience with individuals who have co-occurring disorders, mental health or substance use disorders.

II. Specialized training to work with individuals who have co-occurring disorders.

(IV) All other direct care personnel in a Level III.7 Adolescent Co-occurring Enhanced High Intensity Residential Program shall be qualified to provide the specific services delineated in the entity's operational plan for this level of care.

(V) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.7 Adolescent Co-occurring Enhanced Residential Program as delineated in its operational plan.

(VI) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(VII) Every client in a Level III.7 Adolescent Residential Program shall be assigned to a specific primary counselor for care management as a qualified paraprofessional.

(viii) Women and Dependent Children Program Specific Criteria.

(I) Direct Care Personnel. All direct care personnel shall be qualified as qualified paraprofessional to provide the specific services delineated in the entity's operational plan for this level of care.

(II) Clinical Personnel. The entity shall maintain an adequate number of clinical personnel to sustain the Level III.7 Adolescent High Intensity Women and Dependent Children Residential Program as delineated in its operational plan.

(III) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the program's administrative functions.

(IV) Every client in a Level III.7 Adolescent Women and Dependent Children Program shall be assigned to a specific primary counselor for care management.

(V) Each primary counselor shall maintain a case load not to exceed ten (10) clients with active cases at any one time.

8. Training. The entity shall provide written documentation that all Level III.7 Adolescent Program personnel satisfy the competency and training requirements as specified in Rule 580-9-44-.02(3).

9. Service Intensity:

(i) The entity shall document that the amount and frequency of Level III.7 Adolescent High Intensity Residential Treatment Services are established on the basis of the unique needs of each client served. To assist in addressing these needs, the entity shall ensure the availability of no less than twenty (20) hours of structured services each week.

(ii) The entity shall provide written documentation

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describing the procedures utilized to ensure the provision of services appropriate to the client's developmental stage and level of comprehension including any necessary adaptations.

10. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level III.7 Adolescent High Intensity Residential Program shall vary as determined by:

- (i) The severity of the client's illness.
- (ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.
- (iii) The appearance of new problems that require another level of care; or
- (iv) The availability of services at an assessed level of need, when a Level III.7 Adolescent Residential Program has been utilized to provide interim services.

11. Service Availability: The entity shall provide written documentation describing the process utilized to establish hours of availability for Behavioral Health Screening and Diagnostic Interview Examination Services at its Level III.7 High Intensity Residential Program. At a minimum, this process shall:

- (i) Include consideration of the needs of the target population, including work, school and parenting responsibilities.
- (ii) Include consideration of transportation accessibility.
- (iii) Not be based solely on standard eight (8) to five (5), Monday through Friday office hours.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed October 19, 2022; effective March 17, 2023.

580-9-44-.28 Level 3.7-D: Medically Monitored Residential Detoxification Program And Level 3.7-D NTP: Medically Monitored Residential Detoxification Narcotic Treatment Program.

(1) Scope. This Chapter establishes rules for the operation of Medically Monitored Residential Detoxification

Programs (Level 3.7-D) and Medically Monitored Residential Detoxification Programs designated as Narcotic Treatment Programs (Level 3.7-D NTP).

(2) Definitions. The following definitions apply to this Chapter:

(a) Accreditation elements: The standards that are developed and adopted by an accreditation body and approved by the Substance Abuse and Mental Health Services Administration (SAMHSA).

(b) Detoxification: The dispensing of medication, approved for such purposes, in decreasing doses to an individual to alleviate adverse physical or psychological effects incident to withdrawal from the continuous or sustained use of alcohol and/or other relevant addictive drugs. Detoxification functions, also, as a method of bringing the individual to a drug-free state within such period.

(c) Federal opioid treatment standards: 42 CFR 8.12.

(d) Level 3.7-D Medically Monitored Residential Detoxification Program: An organized regimen of services provided by nursing and medical professionals, which provides for 24-hour medically supervised alcohol or other drug withdrawal management with medication approved for such use.

(e) Level 3.7-D NTP Medically Monitored Residential Detoxification Program: An organized regimen of services provided by nursing and medical professionals, which provides for 24-hour medically supervised opioid withdrawal management utilizing buprenorphine or a buprenorphine combination product approved for treatment of opioid use disorders by the Food and Drug Administration (FDA). A Level 3.7-D NTP may not dispense Methadone unless the entity is certified by the Alabama Department of Mental Health to operate an Opioid Treatment Program in compliance with Chapter 580-9-44-.29 of these rules and holds a valid Certificate of Need for the operation of a Methadone Treatment Program issued by the Alabama State Health Planning and Development Agency.

(f) Long-term detoxification: Detoxification treatment services provided for a period more than 30 days, but not in excess of 180 days.

(g) Medical director: A physician, licensed to practice medicine in Alabama, who assumes responsibility for administering all medical services performed by the program, either by performing them directly or by delegating specific responsibility to authorized program physicians and healthcare professionals functioning under the medical director's direct supervision.

(h) Program sponsor: The individual, named in the entity's application for certification by SAMHSA as according to 42 CFR 8.11, who is responsible for the operation of the Level 3.7-D NTP. The sponsor assumes responsibility for all of the entity's employees, including any practitioners, agents, or other persons providing medical, rehabilitative, or counseling services.

(i) Short-term detoxification: Detoxification treatment for a period not in excess of 30 days.

(3) Rule Compliance.

(a) In addition to compliance with the rules as specified in this chapter, each Level 3.7-D and 3.7-D NTP shall comply with the rules as specified in the following chapters: 580-9-44-.02 Personnel, 580-9-44-.03 Client Rights, 580-9-44-.04 Abuse and Neglect, 580-9-44-.05 Grievances, Complaints and Appeals, 580-9-44-.06 Confidentiality and Privacy, 580-9-44-.07 Seclusion and Restraint, 580-9-44-.08 Child and Adolescent Seclusion and Restraint, 580-9-44-.09 Incident Reporting, 580-9-44-.10 Infection Control, 580-9-44-.11 Performance Improvement, 580-9-44-.12 Operational Policies and Procedures Manual, and 580-9-44-.13 Program Description.

(b) Each Level 3.7-D NTP shall comply with all regulations enforced by the DEA under 21 CFR Chapter II, and must be registered by the DEA before administering or dispensing opioid agonist treatment medications.

(c) Each Level 3.7-D NTP must operate in accordance with Federal opioid treatment standards and approved accreditation elements.

(4) Program Description. The entity shall develop, maintain and implement a written program description that defines its Level 3.7-D program or Level 3.7-D NTP, as according to Rule 580-9-44-.13 and the following specifications:

(a) Location. The entity shall specifically identify and describe the setting in which the Level 3.7-D Program or Level 3.7-D NTP is provided. Services may be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations including the DMH facility certification standards.

(b) Admission Criteria:

1. Level 3.7-D. The entity's admission criteria shall specify the target population for the Level 3.7-D Program, which shall include, at a minimum, individuals who are experiencing

signs and symptoms of withdrawal, or for whom there is evidence that a withdrawal syndrome is imminent, and who have a history of insufficient skills and supports to complete detoxification at a less intense level of care.

(i) The entity shall provide written documentation in individual case records that each patient admitted to receive Level 3.7-D services meets the diagnostic criteria for a Substance Related Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(ii) The entity shall provide written documentation in individual case records that each patient admitted to receive Level 3.7-D services meets the dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM Criteria.

2. Level 3.7-D NTP. The entity's admission criteria shall specify the target population for the Level 3.7-D NTP Program, which shall include, at a minimum, individuals who are experiencing signs and symptoms of opioid withdrawal, or for whom there is evidence that a withdrawal syndrome is imminent; and who have a history of insufficient skills and supports to complete detoxification at a less intense level of care.

(i) The entity shall provide written documentation in individual case records that each patient admitted to receive Level 3.7-D NTP services meets the diagnostic criteria for an Opioid Related Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(ii) The entity shall provide written documentation in individual case records that each patient admitted to receive Level 3.7-D NTP services meets the dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM Criteria.

(iii) The entity shall not admit a patient for more than two detoxification treatment episodes in one year. Patients with two or more unsuccessful detoxification episodes within a 12-month period must be assessed by the program's Medical Director or other authorized medical professional for other forms of treatment.

(c) Core Services: At a minimum, each Level 3.7-D Program and 3.7D NTP shall document the capacity to provide the following core services:

1. Placement assessment.
2. Individual counseling.

3. Group counseling.
4. Psychoeducation.
5. Family counseling.
6. Peer support.
7. Medical and somatic services.
8. Medication administration.
9. Medication monitoring.
10. Alcohol and/or drug screening/testing.
11. Case management, including:
 - (i) Case planning.
 - (ii) Linkage.
 - (iii) Advocacy.
12. Patient Progress Monitoring.

(d) Therapeutic Component Implementation: The entity shall document implementation of medical and other clinical services organized to enhance the patient's understanding of addiction, support completion of the detoxification process and initiate transfer to an appropriate level of care for continued treatment. At a minimum, this shall include the following therapeutic components:

1. For each Level 3.7-D program:
 - (i) Completion of a comprehensive medical history and physical examination of the patient at admission.
 - (ii) Protocols established by the entity's medical director, for management of detoxification from each major drug category of abused drugs that are consistent with guidelines published by nationally recognized organizations (e.g., SAMHSA, ASAM, American Academy of Addiction Psychology) and with product labeling of medications utilized.
 - (iii) Level 3.7-D Programs that utilize benzodiazepines in the detoxification protocol shall have:
 - (I) Written protocols and procedures to show that all doses or amounts of benzodiazepines are carefully monitored and are slowly reduced as appropriate.

(II) Written longer-term detoxification protocols and procedures that adhere to general principles of management, including clear indications of benzodiazepine dependence, clear intermediate treatment goals and strategies, regular review and methods to prevent diversion from the plan.

2. For each Level 3.7-D NTP:

(i) The Level 3.7-D NTP shall maintain current procedures that are designed to ensure that patients are admitted to short- or long-term detoxification treatment by a program physician, who determines that such treatment is appropriate for the specific patient by applying established diagnostic criteria.

(ii) Each patient must undergo a complete, fully documented physical evaluation by a program physician or a primary care physician, or an authorized healthcare professional under the supervision of a program physician, before admission to the Level 3.7-D NTP. The full medical examination, including the results of serology and other tests, must be completed within 14 days following admission.

(iii) The program must maintain current policies and procedures that reflect the special needs of patients who are pregnant. Prenatal care and other gender specific services for pregnant patients must be provided either by the Level 3.7-D NTP or by referral to appropriate healthcare providers.

(iv) The entity shall maintain current procedures adequate to ensure that each buprenorphine and/or buprenorphine combination product used by the program is administered and dispensed in accordance with its approved product labeling. Dosing and administering decisions shall be made by a program physician familiar with the most up-to-date product labeling.

(v) Medication orders and changes in dosage shall be written on an acceptable order sheet and signed by a program physician or through utilization of a comparable electronic signatory process.

(vi) Policies and procedures for medication administration, dispensing, and use shall ensure that buprenorphine and buprenorphine combination products are administered or dispensed only by a physician, pharmacist, registered nurse, or licensed practical nurse.

(vii) At least one (1) initial drug test should be conducted for patients in short-term detoxification treatment for analysis of illicit drug use or prescription drug misuse.

(viii) Buprenorphine and/or buprenorphine combination products shall only be dispensed or administered to patients who

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are admitted to the Level 3.7-D NTP. The entity shall not prescribe or dispense buprenorphine and/or buprenorphine combination products for unsupervised and/or take home use or for use in another level of treatment.

3. Each Level 3.7-D Program and Level 3.7-D NTP shall provide:

(i) On duty awake staff shall provide supervision each patient's health, welfare and safety twenty-four (24) hours a day, seven (7) days a week.

(ii) On-site physician care and phone availability twenty-four (24) hours a day, seven (7) days a week.

(iii) Nurse monitoring, assessment and management of signs and symptoms of intoxication and withdrawal twenty-four (24) hours a day, seven (7) days a week.

(iv) A pregnancy test for females of childbearing age prior to administration of medication.

(v) Medication administration and monitoring services, including specific procedures for pregnant women.

(vi) Continuous assessment.

(vii) Planned counseling and other therapeutic interventions.

(viii) Motivational enhancement therapy.

(ix) Peer support services.

(x) Relapse prevention counseling.

(xi) Overdose prevention education.

(xii) Direct affiliation with other levels of care.

(e) Documentation:

1. Each Level 3.7-D Programs—and Level 3.7-D NTP shall provide the following clinical record documentation:

(i) Documentation of each clinical/therapeutic intervention provided.

(ii) Daily assessment of progress, including response to medication, which also notes any treatment changes.

(iii) Monitoring of vital signs, at a minimum, every eight (8) hours until discharge.

(iv) The use of detoxification rating scale tables and flow sheets.

2. Each Level 3.7-D NTP.

(i) The entity shall establish and maintain a recordkeeping system that is adequate to document and monitor patient care that complies with all Federal and State reporting requirements relevant to opioid drugs approved for use in treatment of opioid addiction. All records are required to be kept confidential in accordance with all applicable Federal and State requirements.

(ii) The Level 3.7 NTP shall include, as an essential part of the recordkeeping system, documentation in each patient's record that the entity made a good faith effort to review whether or not the patient is enrolled in an Opioid Treatment Program (OTP) or taking other opioids that would contraindicate buprenorphine treatment.

(f) Support Systems: Each Level 3.7-D Program and 3.7-D NTP shall develop, maintain, and document implementation of written policies and procedures utilized to provide patient access to support services on site, or through consultation or referral, which shall minimally include:

1. Specialized clinical consultation for biomedical, emotional, behavioral and cognitive problems.

2. Appropriate laboratory and toxicology testing.

3. Psychological and psychiatric services.

4. Transportation.

5. Twenty four (24) hour access to emergency medical services.

(g) Staff Requirements.

1. Each Level 3.7-D and 3.7-D NTP shall, at a minimum, maintain the following positions as part of its staff:

(i) Medical Director. The medical director shall be a physician licensed to practice in the State of Alabama, who has a minimum of one (1) year experience treating substance related disorders. The medical director shall be responsible for admission, diagnosis, medication management, patient care, and for ensuring that the program is in compliance with all Federal, State, and local laws and regulations.

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(ii) Each Program shall be coordinated by a full-time employee who is an Alabama licensed Registered Nurse, Nurse Practitioner, Physician, or Physician's Assistant, with two (2) years direct care experience treating substance related disorders.

(iii) Nursing Services Director. Program shall have a nursing services director who shall be a Registered Nurse licensed according to Alabama law, with training and work experience in behavioral health.

(iv) There shall be a Registered Nurse (RN) or Licensed Practical Nurse (LPN) on site during all hours of the Program's operation.

(v) Direct Care Personnel. All direct care personnel must have sufficient education, training, and experience, or a combination thereof, to enable that person to perform the assigned job responsibilities. All physicians, nurses, and other licensed professional care providers, including certified addiction counselors, must comply with the credentialing requirements of their respective professions.

(vi) The entity shall maintain an adequate number of personnel, including physicians, nurses, counselors and case managers to sustain the Program as delineated in its operational plan.

(vii) Administrative Support Personnel. The entity shall maintain an adequate number of support personnel to sustain the Program's administrative functions.

(h) Training: Each Level 3.7-D and 3.7-D NTP shall provide written documentation that:

1. All program personnel satisfy the requirements of the core training curriculum, as specified in Rule 580-9-44-.02(3).

2. All clinical and medical services staff receive training during the initial twelve (12) months employment and develop basic competencies in the following areas:

(i) Biopsychosocial dimensions of substance related disorders.

(ii) The signs and symptoms of alcohol and other drug intoxication and withdrawal.

(iii) Evidence-based treatment and monitoring strategies for alcohol and other drug intoxication and withdrawal.

(iv) Continuing care motivational and engagement strategies.

(v) Pharmacotherapy.

(vi) ASAM Criteria.

(vii) Assessment of and service planning to address biopsychosocial needs.

(i) **Service Intensity:** The entity shall document in the clinical record that the intensity of Level 3-D Services and Level 3.7-D NTP is established on the basis of the unique needs of each served.

(j) **Length of Service:** The entity shall provide written documentation in the clinical record that the duration of treatment in each Level 3.-D Program and 3.7-D NTP varies as determined by the patient's assessed needs, and that the patient continues in treatment until:

1. Withdrawal signs and symptoms are sufficiently resolved; or

2. Withdrawal signs and symptoms have failed to respond to treatment and have intensified warranting a transfer to a more intense level of care; or

3. The patient is, otherwise, unable to complete detoxification at this level of care.

K. **Diversion Control Plan.** Each Level 3.7-D NTP shall maintain a current Diversion Control Plan (DCP) as part of its quality assurance program that, at a minimum:

1. Contains specific measures to reduce the possibility of diversion of controlled substances from legitimate use, and

2. Assigns specific responsibility to the medical and administrative staff of the Level 3.7-D NTP for carrying out the diversion control measures and functions described in the DCP.

(l) **Emergency Administration of Medication.** Each Level 3.7-D program and Level 3.7-D NTP shall maintain policies and procedures for administration of patient medication in the event of an emergency leading to the temporary closure of the program.

Author: Substance Abuse Services Division

Statutory Authority: Code of Ala. 1975, §22-50-11.

History: **New Rule:** Filed January 26, 2012; effective March 1, 2012. **Amended:** Filed December 8, 2016; effective January 22, 2017.

580-9-44-.29 Level I-O: Opioid Maintenance Therapy.

(1) Rule Compliance. Each Level I-O Opioid Maintenance Therapy Program shall comply with all applicable rules and the rules specified in this chapter:

(a) Program Description. The entity shall develop, maintain and implement a written program description that defines its Level I-O Opioid Maintenance Therapy Program.

1. Location. The entity shall specifically identify and describe the setting in which the Level I-O Program is provided. Services may be provided in any facility that meets all applicable federal, state and local certification, licensure, building, life-safety, fire, health and zoning regulations, including the DMH facility certification standards.

2. Admission Criteria. The entity shall develop, maintain and document implementation of written criteria for admission to its Level I-O Program, in compliance with the requirements of Rule 580-9-44-.13(9) and the following specifications:

(i) The entity's admission criteria shall specify the target population for its Level I-O Program, which shall include, at a minimum:

(I) Individuals who are currently physiologically dependent upon an opiate drug and who became physiologically dependent at least one (1) year prior to seeking admission to Opioid Maintenance Therapy.

(II) Other individuals, as authorized by the entity's medical director, who have a history of Opioid use and are susceptible to relapse to Opioid addiction leading to high risk behaviors with potentially life-threatening consequences, but who do not present with a one (1) year history of addiction, including:

I. Pregnant women.

II. Individuals who have been released from a penal institution within six (6) months of the current admission

request, if the client was eligible for admission prior to incarceration.

III. Individuals who have had a previous admission to Opioid maintenance therapy of at least six (6) months duration that occurred within two (2) years of the current admission request.

IV. Individuals who are HIV positive.

(ii) The entity shall provide written documentation in each individual clinical record that each client admitted to a Level I-O Program for Opioid Maintenance or Withdrawal Therapy meets the criteria for Opioid Dependence Disorder, as according to the specific diagnostic criteria given in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(iii) The entity shall provide written documentation in each individual case record that each client admitted to a Level I-O Program meets the dimensional criteria for admission to this level of care as defined in the most recent edition of the ASAM PPC-2R.

(iv) Medical necessity of each admission to a Level I-O Program shall be established by the program's medical director or a physician authorized by the program's medical director and documented in the clinical record.

(v) Adolescent Specific Criteria. An entity shall not admit an individual under age eighteen (18) to a Level I-O Program for Opioid Maintenance Therapy unless the entity can document that:

(I) The client has had two (2) unsuccessful attempts at drug-free treatment within a twelve (12) month period of time; or

(II) The client has had two (2) unsuccessful attempts at short-term detoxification.

(III) The entity has obtained written authorization of the admission from the State Opioid Treatment Authority (SOTA).

I. The entity shall develop, maintain and document implementation of written policies and procedures which govern the process utilized to request and obtain written authorization from the SOTA prior to admission of an individual under age eighteen 18 to a Level I-O Program.

3. Core Services. Each Level I-O Program shall demonstrate the capacity to provide a basic regimen of treatment services appropriate to the client's developmental and cognitive levels and other assessed needs.

(i) At a minimum, the entity shall demonstrate and document its capacity to provide the following core services:

- (I) Placement assessment.
- (II) Medication management.
- (III) Medication administration.
- (IV) Alcohol and/or drug screening/testing.
- (V) Individual counseling.
- (VI) Group counseling.
- (VII) Family counseling.
- (VIII) Psychoeducation.
- (IX) Case management:
 - I. Case planning.
 - II. Linkage.
 - III. Advocacy.
 - IV. Monitoring.

(ii) Medical Services. The entity shall have medical protocols established for I-O Level of Care by a licensed physician or staff or under contract with the entity as the medical director. The medical protocol shall be in compliance with the program standards, ethics and licensure requirements of the medical profession.

(iii) Mental Health Services. The entity shall develop, maintain and document implementation of policies and procedures to ensure that clients with mental health needs are identified through assessment services and have access to appropriate care concurrently with Opioid Maintenance or Withdrawal Therapy.

(iv) Family Support. The entity shall initiate and document in the client record:

(I) Continuous efforts to involve the client's family and other natural supports in the treatment process.

(II) Family and other natural supports' participation in the client's treatment process.

4. Therapeutic Component Implementation.

(i) Each Level I-O Program shall provide written documentation of compliance with all applicable local, state and federal regulations, including Federal Regulation 42 CFR Part 8, DEA, Certificate of Need, etc. in addition to all applicable sections of the rules set forth, herein.

(ii) Each Level I-O Program shall establish a written schedule of operating hours and services that shall:

(I) Provide for dosing and counseling services seven (7) days each week.

(II) Establish hours of operation that are flexible to accommodate the majority of client school, work and family responsibility schedules.

(III) Provide access to clinical services personnel twenty-four (24) hours a day, seven (7) days a week.

I. The physical plant is of adequate size to accommodate the proposed number of clients, required program activities, and provide a safe, therapeutic environment that supports enhancement of each client's well-being and affords protection of privacy and confidentiality.

(iii) Counseling Services: The entity shall document the provision of scheduled counseling and recovery support services and activities that shall, at a minimum, include:

(I) Interventions that address:

I. Emotional and psychological needs.

II. Health education.

III. Medication administration and monitoring.

5. Assessment: The entity shall comply with all standards set forth in Rule 580-9-44-.13(7) of these rules and in addition, shall comply with the requirements of this section:

(i) Before an entity admits an individual to a Level I-O Program, the program's medical director, or a physician or physician extender properly authorized by the medical director, shall conduct and document the findings of a medical evaluation.

(ii) A pregnancy test shall be completed, and the results documented, for each female of childbearing potential prior to the initiation of Opioid Maintenance Therapy, or any medically assisted withdrawal or detoxification procedures.

(iii) A comprehensive medical examination that includes the following components, at a minimum, shall be completed and documented in the clinical record, within fourteen (14) days of each admission:

(I) A complete medical history.

(II) A tuberculosis (TB) skin test or chest x-ray if the skin was ever previously positive.

(III) Screening tests for STDs.

(IV) Other laboratory tests as clinically indicated by the client's history and physical examination.

(iv) An annual medical examination shall be conducted and documented in the clinical record by the program's medical director, or a physician or physician extender authorized by the program's medical director.

6. Client Orientation:

(i) All clients shall be oriented to the Opioid Therapy process prior to administration of any medication.

(ii) The entity shall provide written documentation that each client, upon admission and throughout the treatment process, receives oral and written information that explains in a manner understood by the client:

(I) Signs and symptoms of overdose and when to seek emergency assistance.

(II) A description of the medications to be administered by the program, including potential:

I. Benefits.

II. Risks.

III. Side effects.

IV. Drug interactions.

(III) Common myths about Opiate Maintenance Therapy and medications used in the treatment and withdrawal process.

(IV) The nature of addictive disorders.

(V) The goals and benefits of medication assisted treatment and the process of recovery.

(VI) Noncompliance and discharge procedures, including administrative withdrawal from medication.

(VII) Toxicology testing procedures.

(VIII) Medication dispensing procedures.

7. Drug Testing: The entity shall develop, describe in writing and document implementation of an organized process to monitor drug use by program participants, which shall, at a minimum, comply with the standards provided in Rule 580-9-44-.13(25), and include the following specifications:

(i) The results of a drug test shall be utilized as a guide to review and modify treatment approaches and not as the sole criterion to discharge a client from treatment.

(ii) Baseline toxicology tests shall be completed on the day of Diagnostic Interview Examination that shall, at a minimum, screen for:

(I) Opiates.

(II) Methadone.

(III) Benzodiazepines.

(IV) Barbiturates.

(V) Cocaine.

(VI) Amphetamines.

(VII) Tetrahydrocannabinol.

(VIII) Alcohol.

(IX) Any other drug known to be frequently abused in the locality of the Opiate Maintenance Therapy Program.

(iii) Random drug tests shall be conducted at least once per month throughout the duration of each client's participation in Opioid Maintenance Therapy. A minimum of twelve (12) drug tests shall be conducted per year.

(iv) The entity shall document the provision of a minimum of two (2) drug tests per month for each client during the first ninety (90) days in Opioid Maintenance Therapy and for those, otherwise, in Phase 1 of the program.

(v) The entity shall document the utilization of drug testing cutoff concentrations as follows:

- (I) Marijuana: 100 ng/ml
- (II) Cocaine: 300 ng/ml
- (III) Opiate: 300 ng/ml
- (IV) Amphetamine/methamphetamine: 1000 ng/ml
- (V) Benzodiazepine: 200 ng/ml
- (VI) Methadone: 300 ng/ml
- (VII) Barbiturates: 200 ng/ml
- (VIII) Alcohol: .03 gm/dl

(IX) In cases where Opiate Maintenance drugs other than methadone are being used, the clinic should contact the State Opioid Treatment Authority to determine the acceptable immunoassay cut-off concentrations.

(vi) The entity shall provide documentation that all drug tests are conducted by a laboratory certified by an independent, federally approved accreditation entity.

(vii) The results of all drug tests shall be filed in the clinical record.

8. Procedure for Addressing Positive Toxicology Reports. The entity shall develop, maintain and document implementation of written policies and procedures that establish protocols for addressing positive toxicology results for illicit drugs and negative results for drugs administered by the Opioid

Maintenance Therapy Program that shall, at a minimum, include the following specifications:

(i) Baseline drug testing results shall be discussed with the client and documentation of this discussion recorded as a progress note in the clinical record.

(ii) At his/her next scheduled clinic visit after receiving a positive alcohol/drug screen, clients shall be informed of drug testing results that are positive for substances of abuse, or negative for Opioid Maintenance Therapy medication. Following client notification, the entity shall implement the following procedures, as appropriate:

(I) New Clients. During the first ninety (90) days of treatment, the first drug testing report that is positive for substances of abuse or negative for treatment medication, after baseline testing, shall result in a meeting between the client and the client's primary counselor to review the treatment plan, and to modify or intensify treatment services as appropriate to the client's current needs.

(II) Clients with take-home privileges.

I. A positive toxicology report for illicit drugs or a negative toxicology result for treatment medication shall require that the client with take-home privileges, at a minimum:

A. Be placed on probation for ninety (90) days.

B. Receive a minimum of two (2) random drug screens per month during the probationary period.

C. Collaborate with his/her primary counselor for discussion of the toxicology results and for service plan modification as according to the client's needs.

II. A second toxicology result that is positive for substances of abuse or negative for treatment medication during a probationary period shall require that the client with take-home privileges, at a minimum:

A. Transfer to a lower dosing phase.

B. Receive a minimum of two (2) random drug screens per month.

C. Participate in a clinical staffing.

D. Collaborate with the treatment team to develop and implement a plan for remedial action.

(III) Subsequent Drug Tests for All Clients. For subsequent drug testing results that are positive for substances of abuse or negative for treatment medication the entity shall take steps to provide assistance for each client, as according to assessed needs, that shall include but shall not be limited to:

I. Treatment team staffings in collaboration with the client.

II. Continued assessment services of the client's biopsychosocial needs and levels of functioning.

III. Re-evaluation of the client's medication dosage, plasma levels, metabolic responses and adjustment of the dosage for adequacy and client comfort.

IV. Assessment for co-occurring disorders, prescribing therapy and psycho-pharmacotherapy as needed.

V. Intensify counseling or add of other types of services.

VI. Treatment of medical or other associated problems.

VII. Consideration of alternative opiate addiction treatment medications.

VIII. Detoxification from substances of abuse while maintaining the client on Opioid pharmacotherapy.

IX. Initiating a change of counselors when indicated.

X. Providing family intervention.

(IV) If any client has six (6) or more consecutive toxicology results that are positive for substances of abuse or negative for treatment medication, the entity shall inform the client that administrative withdrawal procedures will begin immediately and a referral will be made to an appropriate level of care unless the entity's medical director:

I. Provides objective clinical contraindications of the need for this action.

II. Develops a written intervention plan in consultation with the client and the client's treatment team that shall at a minimum, include provisions for:

A. Detoxification from substances other than the maintenance therapy drug; and/or

B. Intensified counseling and other services.

III. Documents all actions taken, in this regard, as appropriate.

IV. The entity shall maintain a data base of drug testing results which shall at a minimum:

V. List each client by unique client identifier, date of birth, gender, date of each drug test, identify each drug for which tests are completed and the results of each test.

VI. Allow for development of aggregate reports of each variable as well sorting of data by each variable.

9. Take Home Medication: The entity shall develop, maintain and document implementation of written policies and procedures that govern the processes utilized to provide clients with unsupervised use of program dispensed Opioid treatment medication. At a minimum, these policies and procedures shall include the following specifications:

(i) The entity's medical director, in consultation with the client's treatment team, shall make all decisions relative to dispensing Opioid treatment medication to clients for unsupervised use, in consideration of the following minimum criteria:

(I) Absence of recent abuse of drugs (narcotic or non-narcotic), including alcohol.

(II) Regularity of clinic attendance.

(III) No observed, reported, or otherwise known serious behavioral problems.

(IV) Absence of known recent criminal activity, e.g., drug dealing.

(V) Stability of the client's home environment and social relationships.

(VI) Length of time in treatment.

(VII) Assurance that take-home medication can be safely stored within the client's home.

(VIII) Whether the rehabilitative benefit to the client derived from decreasing the frequency of clinic attendance outweighs the potential risks of diversion.

(ii) Decisions to approve unsupervised use of Opioid medications, including the rationale for the approval, shall be documented in the clinical record.

(iii) Patients must have in their possession a secure locking storage device in order to receive take-home medication. There are no exceptions.

(iv) The amount of take-home medication shall be based on the clinical judgment of the physician in consultation with the multidisciplinary treatment team. If it is determined that a client meets the criteria for unsupervised dosing the supply shall be limited to the following schedule:

(I) Phase 1 Treatment. Clients who are not eligible for any take home medication shall be designated by the program as in Phase 1 of Opioid Maintenance Therapy.

I. During the first ninety (90) days of treatment, clients shall not be eligible for any take home medication.

II. Twice-a-month drug tests shall document that each client in Phase I is free of all substances of abuse including alcohol and positive for the prescribed maintenance drug for at least ninety (90) consecutive days in order to be eligible for consideration for unsupervised dosing.

(II) Phase 2 Treatment. Clients in treatment between ninety-one (91) and one hundred eighty (180) days, who satisfy the criteria specified in Rule 580-9-44-.29 8(i)(II) shall be eligible for a take-home supply that shall not exceed two (2) doses per week.

I. Clients who are eligible for a two (2) day take home medication supply shall be designated by the program as in "Phase 2" of Opioid Maintenance Therapy.

II. A minimum of one (1) random drug test per month must be conducted while the patient is in Phase 2.

III. It shall be documented that the client is free of all substances of abuse including alcohol and positive for the

prescribed maintenance drug for at least ninety (90) consecutive days in order to be considered for Phase 2 unsupervised dosing.

(III) Phase 3 Treatment. Clients in treatment between one hundred eighty-one (181) and two-hundred seventy (270) days, who satisfy the criteria specified in Rule 580-9-44-.29 8(i)(II) shall be eligible for a take-home supply that shall not exceed three (3) doses per week.

I. Clients who are eligible for a three (3) day take home medication supply shall be designated by the program as in Phase 3 of Opioid Maintenance Therapy.

II. A minimum of one (1) random drug test per month must be conducted while the patient is in Phase 3.

III. It shall be documented that the client is free of all substances of abuse including alcohol and positive for the prescribed maintenance drug for at least one hundred eighty (180) consecutive days in order to be considered for Phase 3 unsupervised dosing.

(IV) Phase 4 Treatment. Clients in treatment between two hundred seventy-one (271) and three hundred sixty-five (365) days, who satisfy the criteria specified in Rule 580-9-44-.29 8(i)(II) shall be eligible for a take-home supply that shall not exceed six (6) doses per week

I. Clients who are eligible for a six (6) day take home medication supply shall be designated by the program as in Phase 4 of Opioid Maintenance Therapy.

II. A minimum of one (1) random drug test per month must be conducted while the patient is in Phase 4.

III. It shall be documented that the client is free of all substances of abuse including alcohol and positive for the prescribed maintenance drug two hundred seventy (270) consecutive days in order to be considered for Phase 4 unsupervised dosing.

(V) Phase 5 Treatment. After two (2) years of continuous treatment with uninterrupted clean drug screens, client shall be eligible for up to a thirteen (13) day take home medication supply.

I. Clients who are eligible for a thirteen (13) day take home medication supply shall be designated by the program as in Phase 5 of Opioid Maintenance Therapy.

II. A minimum of one (1) random drug test per month must be conducted while the patient is in Phase 5.

(iv) Temporary Special Take-Home Medication for Non-Emergency: The entity shall develop, maintain and document implementation of written policies and procedures that govern the process utilized to provide temporary take home medication for exceptional circumstances, which shall at a minimum include the following specifications:

(I) The need for temporary special unsupervised take-home medication shall be clearly delineated with verifiable documentation in the clinical record.

(II) A client seeking approval for temporary special unsupervised take-home medication shall, at a minimum, meet the criteria to determine eligibility for take home medication specified in Rule 580-9-44-.29 9.

(III) Requests for temporary special take-home medication shall be approved in writing by the entity's medical director, the State Opioid Treatment Authority and SAMHSA.

(IV) The provision and supply of temporary special unsupervised take-home medication shall be at the direction of the State Opioid Treatment Authority.

(v) Temporary Special Take-Home Medication for Emergency: The entity shall develop, maintain and document implementation of written policies and procedures that govern the process utilized to provide emergency take-home medication for exceptional circumstances, which at a minimum include:

(I) The need for emergency unsupervised take-home medication shall be clearly delineated with verifiable documentation in the client's clinical record.

(II) Requests for emergency take-home medication shall be approved in writing by the entity's Medical Director and shall not exceed a three (3) day medication supply at any one time.

I. Situations that might warrant emergency take-home medication include:

- A. Death in the family.
- B. Illness.
- C. Inclement weather.

D. Other uniquely identified situations.

(vi) Hardship Waiver. The entity shall develop, implement and document implementation of written policies and procedures to address requests for hardship exceptions to the rules for early phase advancement:

(I) Specify the conditions under which a client may request a hardship waiver and the conditions required for its consideration.

(II) Describe the process utilized to ensure continuity of care when a client is unable, due to a verifiable hardship, to report to the program for routine ingestion of medication.

(III) Describe the program's use of Chain-of Custody Record procedures and identify the specific persons/positions responsible in each step of the process, along with the specifications of their duties.

(IV) Include provisions for hardship exception requests to be authorized by the entity's medical director and submitted to the State Opioid Treatment Authority and to SAMHSA for review and approval.

(V) Provide for all considerations given, recommendations for and conditions of hardship waivers, as well as, denials of such to be documented in the clinical record.

(vii) Denial or Rescinding of Take Home Privileges. The entity shall develop, maintain and document implementation of policies and procedures which govern the process utilized to deny or rescind approval of take-home privileges.

10. Diversion Control: The entity shall develop, maintain and document implementation of a written plan to reduce the possibility of diversion of controlled substances from legitimate treatment to illicit use. The diversion control plan shall, at a minimum, include the following elements:

(i) A process for routine surveillance and monitoring of the internal and external treatment environment to identify diversion problems.

(ii) A process for continuous examination of dosing and take-home dispensing practices to identify weaknesses in the dispensing of medication that could lead to diversion problems.

(iii) Procedures for clients who are dispensed three (3) or more take home doses to receive a minimum of two (2) call-backs annually.

(iv) A process to address identified diversion problems through corrective and preventive efforts.

(v) Specific assignment to the entity's medical and administrative staff for implementation of the diversion control measures and functions identified in the diversion control plan.

11. Dosing: The entity shall develop, maintain and document implementation of written policies and procedures to govern the process of drug dispensing and administration that shall, at a minimum, include the following specifications:

(i) A standardized process that includes the use of identification by photograph shall be utilized to properly establish the identity of each individual before any Opioid Therapy Medication is administered.

(ii) The entity shall maintain current procedures adequate to ensure that each Opioid dependency treatment medication used by the program is administered and dispensed in accordance with approved product labeling.

(iii) Dosing and administration decisions, including prescribing, reassessment and regulation shall only be made by an authorized program physician who is familiar with the most up-to-date product labeling.

(iv) Any deviations from the approved labeling, including deviations with regard to dose, frequency, or the conditions of use described in the approved labeling shall be specifically documented in the case record.

(v) An authorized program physician shall employ clinical judgment to determine the individual dose of Opioid therapy medication, with consideration of the following stipulations, at a minimum:

(I) The initial dose of methadone administered on the first visit shall not exceed 25 mg.

(II) Subsequent doses of medication shall be:

I. Individually determined based upon the physician's evaluation of the history and present condition of the client.

II. Reviewed and updated as according to the client's treatment plan and in consideration of the following criteria:

- A. Cessation of withdrawal symptoms.
- B. Cessation of illicit Opioid use as measured by:
 - (A) Negative drug tests.
 - (B) Reduction of drug-seeking behavior.
- C. Establishment of a blockade dose of an agonist.
- D. Absence of problematic craving as measured by:
 - (A) Subjective report.
 - (B) Clinical observations.

E. Absence of signs and symptoms of too large an agonist dose after an interval adequate for the client to develop complete tolerance to the blocking dose.

(vi) A process shall be established wherein the dosage to be dispensed shall be verified with the current dosage ordered and ingestion observed and documented by the person who administers the Opioid dependency treatment medication.

(vii) Methadone shall be dispensed in oral form in one liquid or one dissolvable diskette_dose per container.

(viii) Buprenorphine shall be dispensed in sub-lingual tablets.

(ix) A process shall be established to address the entity's response, in regard to dosing, to individuals who are objectively intoxicated or who are experiencing other problems that would render the administration of methadone unsafe.

12. Split Dosing: The organization shall have a written split dosage policy that shall:

(i) Include input from the program physician in consultation with the multidisciplinary treatment team and the SOTA.

(ii) Accurately reflect that split dosing is guided by outcome criteria that shall include:

(I) The client complains that the dosage level is not holding.

(II) The client exhibits signs and symptoms of withdrawal.

(III) The physician employs peak and trough criteria for split dosing, if appropriate.

(IV) The physician is unable to obtain a peak and trough ration for 2.0 or lower, increasing intervals of dosing may be appropriate.

(V) Addressing the failure of all avenues of stabilization.

(VI) Addressing stabilization failures with the client involving the physician and multidisciplinary team.

(iii) Include provisions for education of the client on the rationale for split dosing and take home medication.

13. Guest Dosing: The entity shall develop, maintain and document implementation of dosing policies and procedures for the provision of medication to a guest client in a program in which the client is not enrolled that shall, at a minimum specify:

(i) The sending program's responsibilities to, at a minimum:

(I) Develop a document to utilize in transmitting all relevant client and dosing information to the receiving agency to request guest dosing privileges.

(II) Forward this document to the receiving program.

(III) Provide the client with a copy of the document that was sent to the receiving agency.

(IV) Verify receipt of the information sent to the receiving program.

(V) Verify that the client understands all stipulations of the guest dosing process including, but not limited to, fees, receiving program contacts, dosing times and procedures.

(VI) Accept the client upon return from guest dosing unless other arrangements have been made.

(VII) Document all procedures implemented in the guest dosing process in each client's case record.

(ii) The receiving program's responsibilities to, at a minimum:

(I) Verify receipt of the sending program's request for guest dosing privileges and acceptance or rejection of the client for guest medication within forty-eight (48) hours of the request.

(II) Communicate any requirements of the receiving program that have not been specified on the document submitted by the sending program.

(III) Establish a process for medical personnel to verify dose prior to dosing.

(IV) Document all procedures implemented in the guest dosing process in each client's case record.

(iii) If guest dosing exceeds fourteen (14) days, a drug screen shall be obtained.

(iv) Guest dosing shall not exceed twenty-eight (28) days.

14. Multiple Client Enrollments: The entity shall develop, maintain and document implementation of written policies and procedures established to insure that it does not admit or provide medication for an individual who is enrolled in another Opioid Treatment Program. The policies and procedures shall include the following components, at a minimum:

(i) The State Opioid Treatment Authority shall establish written guidelines, incorporated herein by reference, for participation in a central registry process to aid in the prevention of multiple enrollment of a client in more than one Opioid Maintenance Therapy Program at the same time. Each OMT Program shall provide written documentation of adherence to the State Opioid Treatment Authority guidelines that shall, at a minimum, include the following specifications:

(I) The entity shall make a disclosure to the central registry at each of the following occurrences:

I. A client is admitted for Opioid Maintenance Therapy.

II. A client is transferred to another provider for Opioid Maintenance Therapy.

III. A client is discharged from Opioid Maintenance Therapy.

(II) The entity shall make disclosures in the format and within timeframes established by the State Methadone Authority.

(III) The entity shall limit disclosures to client identifying information and the dates of admission, transfer and discharge.

(IV) The entity shall obtain the client's written consent, in accordance with 42 CFR Part 2, prior to making any disclosures to the central registry.

(V) The entity shall inform each client of the required written consent for participation in the central registry before services are initiated.

(VI) The entity shall deny admission to individuals who refuse to provide written consent for disclosures to the central registry and shall document these denials in the case record.

(ii) The entity shall obtain the client's written consent, in accordance with 42 CFR Part 2, to photograph the applicant at the time of admission. The photograph shall be maintained in the client's case record.

(iii) The entity shall require that all clients show proof of identification in the form of an official state driver's license or a non-driver's license issued by the state's Department of Public Safety. A copy of current identification will be maintained in the clinical record.

15. Medically Supervised Withdrawal: The entity shall develop, maintain and document implementation of written policies and procedures that govern the processes utilized to withdraw clients from Opioid maintenance medication. At a minimum, the policies and procedures shall include the following specifications:

(i) A process for voluntary medically supervised withdrawal shall be established that shall:

(I) Acknowledge that participation in Opioid Maintenance Therapy is voluntary and that a client is free to leave treatment at any time.

(II) Identify the steps to be taken by the entity when a client and program personnel agree on a need to initiate withdrawal procedures.

(III) Identify the steps to be taken by the entity when the client requests withdrawal against the medical advice of the program's personnel.

(IV) Ensure the availability of a variety of supportive options to improve the chances of a successful episode of medically supervised withdrawal.

(V) Establish the protocol wherein the Opioid Maintenance Therapy Program resumes medication assisted treatment if the client experiences impending or actual relapse.

(ii) A process for involuntary medically supervised withdrawal shall be established that shall:

(I) Identify the circumstance under which involuntary administrative withdrawal procedures will be implemented.

(II) Identify the steps to be taken and delineate the responsibilities of program personnel in implementation of involuntary administrative withdrawal procedures.

(III) Ensure the availability of a variety of supportive options to improve the chances of a successful episode of medically supervised withdrawal.

(IV) Provide for referral or transfer of the client to an appropriate treatment program upon completion of the withdrawal process.

(iii) The entity's medical director shall approve all requests for voluntary and involuntary withdrawal from Opioid Therapy medication.

(iv) Clients who have been determined by the program's medical director or other authorized program physician to be currently physiologically dependent on Opioids may participate in medically supervised withdrawal, regardless of age.

(v) The entity's medical director shall establish each individual's withdrawal schedule in accordance with sound medical treatment and ethical considerations.

(vi) No set dosage reduction schedules shall be established for any patient whether voluntarily or involuntarily

participating in medically supervised withdrawal. Dosage reduction schedules shall be based upon objective assessment of each client's unique needs.

(vii) A medically supervised withdrawal schedule for administrative withdrawal shall be for a time period of not less than thirty (30) days, unless otherwise clinically contraindicated. In cases of clinical contraindication, supporting documentation shall be entered in the client's case record by the medical director or a program physician operating under the supervision and authority of the medical director.

(viii) Take-home medications shall not be allowed during medically supervised withdrawal.

(ix) A history of one (1) year physiologic dependence shall not be required for admission to an Opioid Maintenance Therapy Program for supervised withdrawal.

(x) Clients who have two (2) or more unsuccessful detoxification episodes within a twelve (12) month period shall be assessed by the entity's medical director for other forms of treatment.

(xi) An entity shall not admit a client for more than two (2) detoxification episodes in one (1) year.

(xii) Drug screens during detoxification shall be performed as follows:

(I) An initial drug screen shall be performed at the beginning of the detoxification process.

(II) At least one (1) random screen shall be performed monthly during the detoxification process.

16. Women and Pregnancy Services: The entity shall develop, maintain and document implementation of written policies and procedures to address the needs of women which shall, at a minimum, include the following requirements:

(i) The entity shall acknowledge by policy and practice that pregnant women are the number one treatment priority and cannot be denied treatment access solely because of pregnancy.

(I) When an organization is unable to provide services for a pregnant woman, the State Opioid Treatment Authority shall be contacted immediately for assistance with placement.

(ii) The entity shall have a written description of the procedures utilized to:

(I) Inform each female client of the possible risks and benefits of the use of Opioid Maintenance Therapy during pregnancy.

(II) Document in the case record that this information has been provided to the client.

(iii) The entity shall describe in writing and document implementation of the process used to provide pregnant clients with access or referral to:

(I) Prenatal care.

(II) Pregnancy/parenting education.

(III) Postpartum follow-up.

(iv) The nature of services provided in relation to a client's pregnancy shall be documented in the case record and signed or countersigned by the entity's medical director.

(v) When the woman consents to a referral for pregnancy related care, or if the woman is already under the care of a physician for her pregnancy, the entity shall obtain the woman's informed consent to ensure reciprocity in the exchange of pertinent clinical information between the woman's perinatal specialist or obstetrician and the OMT Program.

(vi) When the woman refuses an appropriate referral for prenatal services, the entity shall:

(I) Utilize informed consent procedures to have the client formally acknowledge, in writing, that the Opioid Maintenance Therapy Program offered a referral to prenatal services, but the client refused the offer.

(II) Provide the client with basic prenatal instruction on maternal, physical, and dietary care as part of the Opioid Maintenance Therapy Program counseling services and document service delivery in the clinical record.

(vii) The entity shall provide written documentation of implementation of the following procedures in regard to care for pregnant women:

(I) Clients who become pregnant during treatment shall be maintained on the pre-pregnancy dosage, if effective as

determined by the entity's medical director and the client and shall apply the same dosing principles as used with any other non-pregnant person served.

(II) The initial methadone dose and the subsequent induction and maintenance dosing strategy for a person who is newly admitted and pregnant shall reflect the same effective dosing protocols used for all other persons served.

(III) The methadone dose shall be monitored carefully, especially during the third trimester and adjustments made as needed.

(viii) The entity shall describe in writing and document in the clinical record the process utilized if a pregnant woman elects to withdraw from methadone which shall, at a minimum, include the following requirements:

(I) A physician experienced in addiction medicine shall supervise the withdrawal process.

(II) Regular fetal assessments, as appropriate for gestational age, shall be part of the withdrawal process.

(III) Education shall be provided on medically supervised withdrawal and the impact of medically supervised withdrawal services on the health and welfare of unborn children.

(IV) Withdrawal procedures shall adhere to accepted medical standards of care for women who are pregnant.

(V) Withdrawal procedures shall adhere to accepted medical standards regarding adequate dosing strategies.

(VI) When providing medically supervised withdrawal services to pregnant women whose withdrawal symptoms cannot be eliminated, referrals to inpatient medical programs shall be made.

(ix) The entity shall describe in writing and document implementation of policies and procedures, including informed consent, to ensure appropriate post-pregnancy follow-up and primary care for the new mother and well-baby care for the infant.

17. Medication Management: The entity shall comply with all standards set forth in Rule 580-9-44-.13(23-24) of these rules, and, in addition, shall comply with the requirements of this section:

(i) The entity's clinical records and client outcomes shall indicate that medications used in the Opioid Maintenance Therapy Program are sufficient to:

(I) Produce the desired response.

(II) Provide freedom from adverse abstinence symptoms for the desired length of time.

(III) Block the effects of other Opiates without producing euphoria or other undesirable effects.

(ii) The program shall provide written documentation, which indicates all medications used in the Opioid Maintenance Therapy Program are:

(I) Approved by the Food and Drug Administration for the treatment of Opioid addiction.

(II) Dispensed according to product labeling.

(III) Managed using written procedures that ensure secure storage, accurate dosage and safe handling,

(IV) Controlled using a method to ensure that an accurate inventory of all medication in stock is available.

(iii) The entity shall develop, maintain and document implementation of written policies and procedures for dispensing medication used in Opioid Maintenance and Withdrawal Therapy, which shall, at a minimum:

(I) Ensure that the program's medical director or other program physician authorized by the medical director:

I. Initiates all medication orders and/or any dosage change.

II. Documents all medication orders and/or any dosage change in the clinical record.

(II) Ensures that each dose is recorded in the clinical record of the person served.

(III) Ensures that take-home medications are properly labeled, which shall include, at a minimum:

I. Name of Opioid Maintenance Therapy prescribing clinic.

II. Address of Opioid Maintenance Therapy prescribing clinic.

III. Telephone number of Opioid Maintenance Therapy prescribing clinic.

IV. Client's name.

V. Medication name.

VI. Dose.

VII. Physician's name.

VIII. Date filled.

IX. Directions for single use.

X. Warning: Caution; Federal law prohibits the transfer of this drug to any person other than the patient for whom it was prescribed.

(iv) Ensure that that take-home medication is packaged in child-proof containers designed to reduce the risk of accidental ingestion.

18. Client Transfers: The Level I-O Program shall develop, maintain and document implementation of written policies and procedures to effect orderly transfer of clients between substance abuse programs, which shall, at a minimum, address the following specifications:

(i) The entity shall meet the standards set forth in these rules for client transfers.

(ii) A client's request for transfer to another Level I-O Program shall be honored without restriction, even if the client has an outstanding financial balance.

(iii) Records to the receiving substance abuse program shall be provided promptly and shall include, at a minimum:

(I) Original date of admission for the current treatment episode.

(II) Current treatment phase and date entering phase.

(III) Urinalysis results for the past twelve (12) months.

(IV) Dose level, to be confirmed by nursing staff at transferring clinic and documented in the clinical record.

(V) Most recent TB test results and date of test.

(VI) Reason for transfer.

(VII) Other information as requested by the receiving program and specified in an appropriate client authorization for release of information.

(iv) All client records shall be complete and up to date at the time of transfer.

(v) Reports to the DMH Central Registry shall be completed at the time of transfer.

19. Documentation: The entity shall comply with all standards set forth in Rule 580-9-44-.13(21) of these rules, and, in addition, shall comply with the requirements of this section:

(i) Clinical records of clients receiving Opioid Maintenance or Withdrawal Therapy shall include the following documentation:

(I) That clients have been questioned about being pregnant and informed about pregnancy and physiological implications with Opiate maintenance drugs.

(II) Support services were recommended and utilized when needed.

(III) An individualized clinical note for each occurring clinical or medical encounter.

(IV) Each dose of medication administered, with a copy of the physician's order for medication.

(V) Ongoing communication with physicians prescribing psychoactive and/or control medication to clients receiving Opioid Maintenance Therapy services.

(VI) Ongoing communication with Obstetrics and Gynecology physicians providing medical care to pregnant women receiving Opioid Maintenance Therapy services.

20. Support Systems: The entity shall develop, maintain and document implementation of written policies and procedures that define the process utilized to provide client access to support services.

(i) Support services shall include, at a minimum:

(I) Linkage with or access to psychological, medical and psychiatric consultation.

(II) Linkage with or access to emergency medical and psychiatric care.

(III) Linkage with or access to evaluation and ongoing primary medical care.

(IV) Ability to conduct or arrange for appropriate laboratory and toxicology tests.

(V) Direct affiliation with or coordination through referral to more and less intensive levels of care.

(ii) The entity shall maintain up-to-date, written Memoranda of Understanding, collaborative agreements or referral agreements with support systems.

21. Staffing:

(i) Program Sponsor: The Level I-O Program shall have a program sponsor who shall be an Alabama Licensed Practitioner of the Healing Arts with at least two (2) years supervised work experience in a substance related disorders treatment program.

(I) The entity shall provide written documentation of the program sponsor's responsibilities and the processes through which they are implemented, which shall, at a minimum, include:

I. Ensure compliance with all Federal, State and local laws and regulations regarding the use of Opioid agonist treatment medications in the treatment of Opioid addiction.

II. Assume responsibility for all Level I-O Program employees, including all practitioners, agents, or other persons providing medical, rehabilitative, or counseling services at the program.

III. Assign duties of the program director.

IV. Meet the qualifications of a staff member and be included in the listing of personnel authorized access to the medication unit where he/she has access to the medication unit.

(ii) Program Director: The Level I-O Program shall have a full-time program director.

(I) The Opioid Maintenance Therapy Program Director shall be:

I. An Alabama licensed Registered Nurse, Nurse Practitioner, Physician, or Physician's Assistant, who has two (2) years direct care substance related disorders treatment experience, or

II. An individual with a master's degree in a behavioral health related field and at least two (2) years direct care substance use disorders treatment experience.

(II) The entity shall provide written documentation of the program director's responsibilities and the processes through which they are implemented, which shall include, at a minimum:

I. Manage the day to day operation of the program as according to duties delegated by the program sponsor.

II. Maintain regular office hours, which coordinate with the operation of the program.

III. Be readily accessible to the State Opioid Treatment Authority.

(iii) Medical Director: The Level I-0 Program shall have a medical director who shall be a physician who is licensed to practice in the State of Alabama and who has a minimum of one (1) year experience in the treatment of Opioid dependency.

(I) The entity shall provide written documentation of the medical director's responsibilities and the processes through which they are implemented, which shall, at a minimum, include:

I. Administration of all Level 1-0 medical services performed by the program.

II. Ensure that the Level I-0 Program complies with all applicable federal, state and local laws and regulations relative to medical care.

III. Attend weekly staffings with counselors, or document in the client record alternative and equivalent supervisory contact on a weekly basis.

A. When the medical director is unable to attend a weekly staffings, the entity must date the occurrence and provide

written documentation of how equivalent supervisory contact was accomplished, e.g. by phone, electronic correspondence, etc.

IV. Maintain ongoing communication with clients' physicians regarding the prescription of psychoactive and/or control medication during Opioid Maintenance Therapy, and to coordinate client care in regard to other medical needs.

V. Maintain ongoing communication with Obstetrics and Gynecology physicians when providing Opioid Maintenance Therapy services to pregnant women.

VI. Perform client physical examinations prior to dosing and provide thorough documentation of each client's Opioid dependency at the time of admission.

VII. Perform annual client physical examinations.

VIII. Authorize:

- A. All initial dose orders.
- B. All dose and phase changes.
- C. All take-home medications.
- D. All changes in frequency of take-home medications.
- E. Opioid withdrawal protocols.

IX. Delegate responsibility for medical care and procedures to other Opioid Maintenance Therapy Program physicians and physician extenders.

(II) The entity shall provide written documentation that the Level I-O Program's medical director, or a staff physician supervised and assigned by the medical director, is physically present in the clinic a minimum of two (2) hours per week for each fifty (50) clients enrolled in the program.

(iv) Pharmacist: The level I-O Program shall have an Alabama licensed pharmacist on its staff.

(I) The entity shall provide written documentation of the pharmacist's responsibilities and the processes through which they are implemented, which shall, at a minimum, include:

- I. Prepare all take-home medication.

II. Conduct, at a minimum, an annual physical drug inventory.

III. Assist in the development of program policies and procedures governing medication administration, dispensing, use and security.

(v) Nursing Personnel: The entity shall have an adequate number of Alabama licensed nurses to assure that all medications utilized during Opioid Maintenance and Withdrawal Therapy are administered in compliance with Alabama Board of Nursing regulations.

(i) Supervise and delegate responsibilities to the Licensed Practical Nurses (LPNs) on staff.

(ii) There shall be a Registered Nurse (RN) or Licensed Practical Nurse (LPN) on site during all hours of the Level 1-0 Program's operation.

(vi) Clinical Supervision: The entity shall have a clinical director who shall provide routine clinical supervision of each Level I-O Program employee who provides treatment and recovery support services.

(vii) All direct care personnel shall have the qualifications as a qualified paraprofessional to provide the specific services delineated in the entity's program description for this level of care.

(viii) The entity shall document the daily availability of an adequate number of personnel to sustain the Level I-O Program as delineated in its operational plan and the rules specified, herein.

(ix) All clients will be assigned to the caseload of a primary counselor. The caseload of each primary counselor shall not exceed forty (40) individuals.

(x) The entity shall document the daily availability of the medical director, or a physician under the supervision and authority of the medical director, during medication dispensing and clinic operating hours, either in person or by telephone.

(xi) The entity shall establish a written protocol for notifying the State Opioid Treatment Authority, within forty-eight (48) hours, of any replacement or other change in the status of the program sponsor or medical director.

22. Training. The entity shall provide written documentation that:

(i) All Level I-O Program personnel complete the core training curriculum, as specified in Rule 580-9-44-.02(3).

(ii) The entity shall provide written documentation that all clinical and medical services staff in a Level I-O Program receive training during the initial twelve (12) months employment and develop basic competencies in the following areas:

(I) Opioid addiction treatment methodologies.

(II) Regulatory requirements for Opioid addiction treatment.

(III) Biopsychosocial dimensions of alcohol and drug use disorders.

(IV) Motivational and engagement strategies.

(V) Pharmacotherapy for Opioid dependency.

(VI) ASAM Patient Placement Criteria.

(VII) Assessment of and service planning to address biopsychosocial needs of individuals with Opioid dependency and related disorders.

(iii) Physicians who dispense methadone and other Opiate replacement drugs must receive a minimum of eight (8) hours of training each year relevant to Opioid Maintenance Therapy approved by SAMHSA and the State Opioid Treatment Authority.

23. Service Intensity: The entity shall develop, maintain and document implementation of written policies and procedures relative to Level I-O service intensity, which shall, at a minimum, include the following specifications:

(i) The dose and intensity of Level I-O Treatment Services shall be established on the basis of the unique assessed needs of each client served.

(ii) The program shall demonstrate appropriate staffing to provide core counseling services.

(I) Issues identified through the assessment and ongoing reassessment process must be addressed directly in a therapeutic setting or referred to an appropriate, qualified entity.

(II) If no clinical services are indicated for a client, appropriate identification shall be documented in the clinical record.

(III) In no case shall counseling services be scheduled less frequent than one session (individualized or group) per month.

24. Length of Service: The entity shall provide written documentation that the duration of treatment in each Level I-O Program shall vary as determined by:

(i) The severity of the client's illness.

(ii) The client's ability to comprehend the information provided and use that information to implement treatment strategies and attain treatment goals.

(iii) The appearance of new problems that require another level of care.

(iv) The client's desire to continue treatment.

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