

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
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References/Authority KRS 196.035, 197.020, 202A.400, 218A, 241.010, 319.005 908 KAR 1:370 ACA 4-4377, 4-4396, 4-4433, 4-4437, 2-CO- 4F-01	Subject SUBSTANCE ABUSE PROGRAM	

I. DEFINITIONS

“Adjunct staff” means an employee of Department of Corrections who works in conjunction with the Substance Abuse Program.

“AODA Programs” means Alcohol and Other Drug Abuse Programs.

“Department” means the Department of Corrections.

“Division” means the Division of Mental Health and Substance Abuse.

“Social Service Clinician” or “SSC” means an employee of the Department of Corrections so designated by personnel specifications.

“Substance” means any illegal substance whose purpose is to have a mood altering effect and a drug as defined in KRS Chapter 218A or alcohol as defined in KRS 241.010.

“Volunteer” means a person, at least 21 years of age, who provides a service to the Department of Corrections in conjunction with the Substance Abuse Program and staff, and does not receive a salary for performing this service; a volunteer may include a practicum student and intern.

II. POLICY and PROCEDURES

A. Program Description: Substance Abuse Program

1. A core intensive program shall consist of, at a minimum, a six (6) months residential program maintained at facilities designated by the Department of Corrections. The primary intensive substance abuse program shall be coordinated by the Office of AODA Programs within the Division of Mental Health and Substance Abuse.

Policy Number	Effective Date	Page
13.8	February 1, 2013	2

2. Program Components

- a. The program shall use nationally recognized models for the population in this particular therapeutic setting. These models shall be regularly reviewed and revised accordingly.
- b. Components may include:
 - (1) Psycho-education about chemical dependency;
 - (2) Application of a twelve (12) step model to managing chemical dependency;
 - (3) Relapse prevention strategies;
 - (4) Cognitive strategies to correct criminal thinking;
 - (5) Aftercare programming for those who have completed the program;
 - (6) Other appropriate care and components; and
 - (7) Urine drug testing of an individual participating in the core intensive substance abuse program.
- c. The core intensive program shall be a zero tolerance, drug and alcohol free environment. An inmate who receives a positive drug or alcohol test shall be immediately removed from the program, but may reapply. In addition to any disciplinary sanctions which may be applied to the inmate, a termination review shall be conducted by the program staff and the inmate shall be advised what he needs to do to be readmitted. This may vary for each individual based on his specific needs; the plan generally shall call for a period of drug or alcohol free testing and involvement in lower level substance abuse programming such as AA or NA meetings. Consideration of re-application to the program shall be made based upon satisfactory completion of the requirements of the termination review, availability of resources, and demonstrated compliance on the part of the inmate.
- d. Ancillary interventions

Additional mental health services shall be considered ancillary to primary drug and alcohol treatment and shall not be seen as a substitute for the substance abuse programs. These may include psychiatric treatment, individual counseling, and self-help programs, including the twelve (12) step program, and may be made available to the inmate depending upon the resources and need at each institution.

Policy Number	Effective Date	Page
13.8	February 1, 2013	3

B. Program Description: Community AODA Program

1. The community based substance abuse program for the Department shall be coordinated by the Office of AODA Programs within the Division of Substance Abuse.
2. The program available within each Probation and Parole District may vary depending upon available local resources.
3. Program Components
 - a. Treatment opportunities may include a residential program, a day program, an intensive outpatient program, an outpatient program, general aftercare, or a relapse prevention support group.
 - b. The Substance Abuse SSC within each district may conduct drug and alcohol education groups and relapse prevention and aftercare groups, in addition to monitoring contracted community based services.
 - c. A provider holding a contract with the Department shall drug test an offender on a random basis and shall report the results of a positive urinalysis immediately to the Probation and Parole Office.

C. Application: Substance Abuse Program

Each inmate applicant shall complete an application to the Substance Abuse Program. A completed application shall be forwarded to the appointed designee with the Office of AODA.

D. Program Participation Refusal

Each inmate may refuse admission to the program by signing a written refusal. A copy of the written refusal shall be entered into KOMS. Meritorious Good Time may not be awarded to an inmate who refuses the program.

E. Application: Community AODA Programs

1. An offender shall access these programs by receiving a referral from the Probation and Parole Officer to the Substance Abuse SSC for an assessment and treatment recommendation.
2. A community offender shall be referred if he:
 - a. Produces a positive urinalysis;

Policy Number	Effective Date	Page
13.8	February 1, 2013	4

- b. Has a documented substance abuse history; or
- c. Is returning to the community from an institutional substance abuse program.

F. Admissions: Substance Abuse Program

Program staff shall review the applicant's admission criteria which may include results of screening measures of drug and alcohol abuse and dependency, criminal history, time served to date, parole status, and appropriateness for intensive residential treatment. The program shall screen out an applicant with psychological problems which may render current efforts ineffective. An applicant shall meet the following minimum eligibility requirements to gain admission to the program.

1. The applicant shall not have received an adjudication of a Category 4 or above disciplinary violation within the past sixty (60) days prior to application. An applicant who is accepted, but not yet transferred to the program, may be rejected for a disciplinary adjudication. Multiple disciplinary convictions that are Category 3 or below shall be reviewed by program staff and may be considered to deny entry to the program;
2. The applicant shall not be actively psychotic;
3. The applicant shall be likely to benefit from this form of treatment, with this determination being made by a Department Program Administrator within the Division of Substance Abuse.
4. Selection for admission in the Substance Abuse Program shall be made by staff conducting the program and may also include clinical interviews, review of collateral information, and other more formal assessment strategies in order to make a determination of an applicant's appropriateness for treatment;
5. The clinical data which may be considered include:
 - a. Results of screening and assessment measures;
 - b. Criminal history;
 - c. Time served to date;
 - d. History of prior interventions;
 - e. Types of substances used;
 - f. Disciplinary history; and

Policy Number	Effective Date	Page
13.8	February 1, 2013	5

g. Presentence Investigation (P.S.I.)

6. Ultimate discretion for admission into the Substance Abuse Program shall remain with the Department Substance Abuse Program Administrator.
7. The applicant shall be notified by memorandum whether or not he has been admitted into the program.

G. Admissions: Community AODA Programs

An offender with a substance abuse problem shall be matched to the appropriate level of care upon return to the community or upon his entry into probationary status.

1. The SSC responsible for coordinating substance abuse services may conduct an in-depth drug and alcohol psychosocial assessment and administer a variety of assessment instruments. The data obtained from these assessment activities shall be reviewed and a recommendation made for the appropriate level of care.
2. The SSC shall facilitate a referral to the appropriate community based organization responsible for providing that level of services to an offender.
3. An offender receiving parole and returning to a community setting shall have a high priority for being placed in an intensive substance abuse service. SAP graduates shall meet with Community SSCs to review aftercare plans and determine substance abuse referrals. Community SSCs shall make every effort to meet with SAP and Therapeutic Community graduates during a parolee's initial meeting with the probation and parole officer.
4. In general, a community based client shall be matched to the appropriate level of treatment and shall complete all subsequent levels of care as he moves toward participation in the least intensive level of intervention, a monthly relapse prevention and aftercare group.

H. Attendance: Substance Abuse Program

1. An offender shall attend all scheduled sessions. Failure to attend may result in termination from the program.
2. Any absence shall be documented and included in progress reports.

Policy Number	Effective Date	Page
13.8	February 1, 2013	6

I. Attendance: Community AODA Programs

1. An offender shall abide by the attendance policies set forth by the community provider contracted to provide the community based substance abuse program.
2. A provider shall immediately report an unexcused absence to the designated staff person within the Probation and Parole Office.

J. Participant Evaluation: Substance Abuse Program

1. Each participant shall be evaluated by staff of the Substance Abuse Program on the following criteria:
 - a. Attendance;
 - b. Participation;
 - c. Attentiveness;
 - d. Behavior; and
 - e. Knowledge.
2. Each participant shall be given verbal feedback of his progress in the program and have aftercare recommendations discussed with him.

K. Participant Evaluation: Community AODA Programs

The provider shall provide the designated staff person within the Probation and Parole Office with a timely summary of an offender's participation. The provider may use a format agreed upon by the SSC, supervising probation and parole officer, and the provider organization.

L. Confidentiality: All Programs

Consistent with practices within the professional mental health and substance abuse community and federal laws, information obtained in the course of an inmate's treatment shall be considered confidential. However, Program staff may:

1. Release information pursuant to KRS 202A.400 if there appears to be a danger to the health and safety of an inmate, staff, or other person or a threat to the security of the institution;
2. Release information to prison and probation and parole officials regarding the fact that an inmate had a substance abuse problem in the past; and

Policy Number	Effective Date	Page
13.8	February 1, 2013	7

3. Communicate information to community treatment agencies for the purpose of planning aftercare.

M. Discharge and Termination Criteria: Substance Abuse Program

A participant of the Substance Abuse Program may be administratively discharged or terminated from the program based on the following:

1. Successful completion of all program requirements;
2. Failure to comply with program requirements;
3. Failure to comply with program, institutional, or dormitory rules which results in the issuance of a disciplinary report;
4. Placement in disciplinary or administrative segregation so that the participant is unable to attend the program;
5. Voluntary withdrawal from the program;
6. Medical reasons that preclude participation in the program;
7. Violation of attendance policy;
8. Failure to complete any other component of the treatment plan as designated by the SSC or other assigned program staff; and
9. Testing positive for drugs.

N. Discharge and Termination from Community AODA Programs

Discharge and termination from this program shall be made after a meeting between the SSC, the provider, and the probation and parole officer supervising the case. Participants of the Community AODA Program may be discharged or terminated from the program based on the following:

1. Successful completion of all program requirements;
2. Failure to comply with program requirements;
3. Voluntary withdrawal from the program;
4. Medical reasons that preclude participation;
5. Termination by the treatment provider for rule violation; and

Policy Number	Effective Date	Page
13.8	February 1, 2013	8

6. Failure to complete any other component of the treatment plan as designated by the SSC, Probation and Parole Office, or other assigned program staff.

O. Appeals of Termination from the Substance Abuse Program

1. The program participant may appeal termination from the Substance Abuse Program by submitting a written appeal to the Program Administrator of the program for the Department or the designee within seven (7) days from written receipt of the termination. The Program Administrator or the designee shall forward a written response to the program participant within twenty-one (21) days of receipt of the appeal. The decision shall be final.
2. If a program participant is terminated from the Substance Abuse Program, he may reapply thirty (30) days after the final termination date or at the discretion of the Program Administrator. Reapplication shall not guarantee readmission to the program.

P. Staffing: Substance Abuse Program

Administrative and program staff shall be approved by the Division of Substance Abuse. Security staff shall be provided by the institution housing the program.

1. The AODA Program Administrator shall oversee all residential Substance Abuse Programs.
2. The Program Administrator shall oversee the residential Substance Abuse Program and provide clinical and administrative supervision for that program.
3. The SSC assigned to the program shall conduct daily programming and perform other duties as described in personnel specifications.
4. Security staff shall abide by the security procedures of the institution housing the program.

Q. Miscellaneous

1. Record Keeping
 - a. Treatment files shall be maintained separately from institutional files. The files may include:
 - (1) Application form;

Policy Number	Effective Date	Page
13.8	February 1, 2013	9

- (2) Notification of acceptance or rejection;
- (3) Program agreement or contract;
- (4) Progress notes;
- (5) Psychological data and psychological reports;
- (6) Releases of information;
- (7) Discharge summaries or termination forms;
- (8) Individual course work;
- (9) Individual treatment plan;
- (10) Individual aftercare recommendations; and
- (11) Other relevant materials.

b. Discharge summaries or termination forms and individual aftercare recommendation shall be maintained in institutional and Central Office files. Discharge summaries shall be sent to Central Office thirty (30) days prior to graduation.

2. Upon successful completion of the program, the participant shall be given a certificate of completion. The original shall be given to the participant and copies shall be retained in the participant's treatment file and placed into KOMS.
3. A discharge summary shall be completed and submitted to the Parole Board. A copy shall be retained in the participant's file and placed into KOMS. A copy may be sent to an appropriate source requesting the information.

R Organization and Administration of Utilization Review and Quality Assurance for the AODA Substance Abuse Program/Governing Authority.

1. The Department of Corrections Division of Substance Abuse has established policies to help ensure the health, safety and well being of inmates enrolled in the Substance Abuse Program.
 - a. All inmates in the substance abuse program shall adhere to Corrections Policy and Procedures.

Policy Number	Effective Date	Page
13.8	February 1, 2013	10

- b. Corrections Policies and Procedures which are not secured may be reviewed upon request.

2. Utilization Review

- a. Each inmate's progress shall be reviewed and documented in writing on a monthly basis.
- b. The Utilization Review Team shall consist of clinical staff that provides clinical services to the inmates in the substance abuse program.
- c. The Program Administrator shall be responsible for the utilization review of services provided by the substance abuse treatment program.

3. Quality Assurance Program

- a. Inmates in the Substance Abuse Program shall be provided quality substance abuse treatment services in a setting that promotes their health, safety and well-being.
- b. The Department of Corrections Division of Mental Health Program Administrators shall conduct an announced audit of the Substance Abuse Program annually.
- c. The Quality Assurance Team shall consist of at least two (2) auditors appointed by the Department Program Administrator responsible for the oversight of the program.
- d. The Quality Assurance Team shall share preliminary results with program staff in the form of a face-to-face meeting following the audit. Official finding shall be sent to the Program director within ten (10) business days of the audit.
- e. The Quality Assurance Team shall identify findings that require a plan of correction. If required, the plan of correction shall be submitted to the Department of Corrections Division of Substance Abuse within ten (10) business days.