

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 125

Short Title: DOC/DHR Pilot Sub. Abuse/Funds.

(Public)

Sponsors: Representatives Alexander; Bowman, D. Brown, Church, Colton, Cunningham, Gottovi, Hill, H. Hunter, and Oldham.

Referred to: Appropriations.

February 14, 1994

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH PILOT PROGRAMS FOR TREATMENT OF
3 PROBATIONERS AND PAROLEES WITH SUBSTANCE ABUSE PROBLEMS
4 AND TO APPROPRIATE FUNDS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 148 of the General Statutes is amended by adding a new
7 Article to the end to read:

8 **"ARTICLE 13.**
9 **"PILOT PROGRAMS FOR TREATMENT OF PROBATIONERS AND**
10 **PAROLEES**
11 **WITH HISTORIES OF SERIOUS SUBSTANCE ABUSE.**

12 **"§ 148-130. Pilot programs' purpose.**

13 The purpose of the pilot programs established pursuant to this Article is to provide
14 for the identification, appropriate assessment, and intensive out-patient treatment of
15 high-risk probationers and parolees with substance abuse problems. These programs
16 should give emphasis to serving probationers and parolees with serious substance abuse
17 histories who have been convicted of offenses in the Intermediate Sanction range. The
18 programs should provide intensive treatment, which treatment should be used by the
19 courts as a special condition of probation and parole, when appropriate. This treatment
20 should start immediately upon the beginning of the probation term or parole discharge.

21 **"§ 148-131. Interagency Task Force; administration of pilot programs;**
22 **membership; staffing.**

1 The Department of Correction, after consultation with the Department of Human
2 Resources, shall convene an Interagency Task Force of no more than 15 members to
3 design, coordinate, plan, implement, and evaluate the pilot programs established
4 pursuant to this Article. The Interagency Task Force shall consist of staff from the
5 Department of Correction Substance Abuse Program, the Department of Correction
6 Adult Probation and Parole Program, the Department of Human Resources' Substance
7 Abuse Services, the Parole Commission, to be renamed the Post-Release Supervision
8 and Parole Commission as of the effective date of the Structured Sentencing Act,
9 Chapters 538 and 539 of the 1993 Session Laws, a Community Penalties Program
10 Director designated by the Administrative Office of the Courts, and any other State or
11 local programs the Department of Correction, the Department of Human Resources, and
12 the Administrative Office of the Courts consider necessary. The Task Force shall also
13 include a representative of business and industry who has an interest in job placement
14 for ex-offender recovering substance abusers, two ex-offenders, one of whom shall be a
15 recovering substance abuser, and representatives of any other organizations the
16 Department of Correction, the Department of Human Resources, and the Administrative
17 Office of the Courts consider necessary.

18 The Department of Correction shall provide the staffing for the Interagency Task
19 Force.

20 **"§ 148-132. Interagency Task Force; Request for Proposal planning and**
21 **development process; identification of funding sources, barriers to**
22 **treatment, and lack of treatment capacity.**

23 (a) The Interagency Task Force shall prepare a process for the development of a
24 Request for Proposal process that will result in the funding of at least two pilot
25 programs for high-risk probationers and parolees with substance abuse problems, one of
26 which shall serve a predominantly rural area and one of which shall serve a
27 predominantly urban area. As part of the Request for Proposal planning and
28 development process, the Interagency Task Force shall clearly identify the target
29 population to be served, the method of selecting the target population, the appropriate
30 diagnostic instruments for this selection, and the appropriate components and evaluation
31 instruments.

32 (b) The Interagency Task Force shall identify the extent to which current federal
33 and State funding and resources may be used to treat probationers and parolees with
34 substance abuse problems. The Interagency Task Force shall also identify current
35 barriers to effective utilization of existing treatment programs and shall highlight the
36 lack of treatment capacity.

37 **"§ 148-133. Interagency Task Force; Request for Proposal evaluation criteria,**
38 **treatment component requirements.**

39 (a) In its evaluation of the responses to the Request for Proposal process, the
40 Interagency Task Force shall consider:

- 41 (1) The proposed provider's ability to use existing substance abuse
42 treatment resources and other resources such as education, job training,
43 and placement, in order to build a collaborative approach to the
44 delivery of services to the target population;

- 1 (2) The proposed provider's ability to develop a plan for how services are
2 to be provided if the resources described in subdivision (1) of this
3 section are not currently available;
- 4 (3) The proposed provider's identification of local area mental health
5 groups, State-Local Community Partnership participants, and nonprofit
6 organizations as advisors or service providers; and
- 7 (4) The proposed provider's ability to provide treatment and case
8 management services for up to 60 clients.
- 9 (b) The Interagency Task Force shall require that the following treatment
10 components are included in all responses to the Request for Proposal process, together
11 with a detailed proposal on how the components will be provided, in order to be
12 considered:
- 13 (1) Regular drug testing;
- 14 (2) Monitoring by case managers;
- 15 (3) Establishment of criteria for successful program completion;
- 16 (4) Establishment of local advisory boards made up of individuals similar
17 to those making up the Interagency Task Force, with the addition of a
18 superior court judge, a district court judge, or both; and
- 19 (5) Evaluation of:
- 20 a. The pilot program itself; and
- 21 b. The pilot program's clients' outcome, including the clients'
22 fingerprinted arrest records, their employment status, and their
23 taxpaying status, at the end of the program.

24 **"§ 148-134. Interagency Task Force; pilot program selection; reporting.**

25 (a) The Interagency Task Force shall select the two pilot programs no later than
26 six months after the effective date of this act.

27 (b) The Department of Correction shall report by March 1, 1995, to the General
28 Assembly on the planning, development, and implementation of the pilot programs, and
29 to the Mental Health Study Commission by November 1, 1995, on the costs and benefits
30 of the pilot programs."

31 Sec. 2. (a) There is appropriated from the General Fund to the Department of
32 Correction the sum of twenty-five thousand dollars (\$25,000) for the 1993-94 fiscal
33 year to administer the Interagency Task Force and its activities and the sum of one
34 million three hundred sixty-six thousand dollars (\$1,366,000) for the 1994-95 fiscal
35 year to implement this act. Of the funds appropriated for the 1994-95 fiscal year, no
36 less than ninety percent (90%) shall be used to fund the pilot programs. The balance of
37 the funds shall be used to administer the Interagency Task Force and its activities, hire
38 necessary personnel, and use consulting services when necessary. Funds not expended
39 by the end of each fiscal year shall not revert but shall remain available for use in
40 subsequent fiscal years.

41 Sec. 3. This act is effective upon ratification.