

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 728  
Second Edition Engrossed 5/4/95

Short Title: Substance Abuse Changes.

(Public)

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Sponsors: Senators Plyler, Conder, Plexico, Jordan, Hobbs, Rand, and Perdue.

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Referred to: Appropriations

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April 17, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPLACE THE SUBSTANCE ABUSE PROGRAM WITHIN THE  
3 DEPARTMENT OF CORRECTION WITH THE DIVISION OF ALCOHOLISM  
4 AND CHEMICAL DEPENDENCY PROGRAMS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 143B-262.1 is repealed.

7 Sec. 2. Chapter 143B of the General Statutes is amended by adding a new  
8 section to read:

9 "**§ 143B-262.1A. Department of Correction – Division of Alcoholism and Chemical**  
10 **Dependency Programs.**

11 (a) An Assistant Secretary for Alcoholism and Chemical Dependency Programs  
12 shall be employed and shall report to the Office of the Secretary of Correction.

13 The responsibilities of the Assistant Secretary and staff shall include the following:

14 (1) Administration and coordination of all alcoholism and chemical  
15 dependency programs, grants, contracts, and related functions in the  
16 Department of Correction;

17 (2) Development and maintenance of working relationships and agreements  
18 with agencies and organizations that will assist in developing and

- 1           operating alcoholism and chemical dependency treatment and recovery  
2           programs in the Department of Correction;
- 3           (3)   Development and coordination of the use of volunteers in alcoholism  
4           and chemical dependency programs;
- 5           (4)   Development and coordination, with the Office of Staff Development  
6           and Training, of special training programs related to alcoholism and  
7           chemical dependency;
- 8           (5)   Development of programs that provide effective treatment for inmates,  
9           probationers, and parolees with alcoholism and chemical dependency  
10           problems;
- 11           (6)   Maintenance of contact with key leaders in the alcoholism and chemical  
12           dependency field, the service structure of various recovery programs,  
13           and other supporters of the program in the Department of Correction;
- 14           (7)   Direct supervision of the directors of treatment units, specialized  
15           personnel, and programs that exist or may be developed in the  
16           Department of Correction; and
- 17           (8)   Assistance in the development of policies and procedures to provide  
18           access to employees with alcoholism, chemical dependency, or other  
19           problems.
- 20        (b)   Preference shall be accorded to qualified recovering alcoholics and addicts in  
21        the employment of alcoholism and chemical dependency counselors.
- 22        (c)   Duties of the directors of facilities of the Division of Alcoholism and Chemical  
23        Dependency Programs, prison treatment unit supervisors, and regional supervisors shall  
24        include the following:
- 25           (1)   Implementation and management of treatment programs for inmates and  
26           other Department of Correction offenders with alcoholism or chemical  
27           dependency problems;
- 28           (2)   Supervision of personnel assigned to treatment programs;
- 29           (3)   Assistance in developing treatment programs for offenders with  
30           alcoholism or chemical dependency problems;
- 31           (4)   Recruitment and development of staff for the Division of Alcoholism  
32           and Chemical Dependency Programs and other staff as required;
- 33           (5)   Assistance in developing linkage and follow-up of inmates between the  
34           treatment program, related agencies, organizations, and other facilities  
35           of the Department of Correction;
- 36           (6)   Responsibility for treatment plans and daily activities and schedules for  
37           all assigned inmates;
- 38           (7)   Development of methods for involving families in programs to the  
39           extent deemed appropriate and useful; and
- 40           (8)   Other duties as required.
- 41        (d)   In the Division of Prisons, there shall be a unit superintendent responsible for  
42        all matters pertaining to the facility, including custody, administration, and support staff  
43        as required. A residential chemical dependency treatment program offered in a Division

1 of Prisons facility shall be self-contained, so that the residential and treatment program  
2 space is separate from any other program or inmate housing.

3 The Secretary of Correction may designate alcohol and drug treatment facilities to be  
4 operated by the Division of Alcoholism and Chemical Dependency Programs and  
5 administered under the direction of the Assistant Secretary.

6 (e) Extensive use may be made of inmates working in the role of ancillary staff,  
7 peer counselors, role models, or group leaders as the program manager determines.  
8 Additional resource persons, who may be required for specialized treatment activities,  
9 presentations, or group work, may be employed on a fee or contractual basis."

10 Sec. 3. G.S. 143B-264 reads as rewritten:

11 "**§ 143B-264. Department of Correction – organization.**

12 The Department of Correction shall be organized initially to include the Post-Release  
13 Supervision and Parole Commission, the Board of Correction, the Division of Prisons,  
14 the Division of Youth Development, the Division of Adult Probation and Parole, and  
15 such other divisions as may be established under the provisions of the Executive  
16 Organization Act of 1973.

17 ~~The Department shall establish a Substance Abuse Program. All substance abuse~~  
18 ~~programs established or in existence shall be administered by the Department of~~  
19 ~~Correction under the Substance Abuse Program.~~

20 The Department shall establish the Division of Alcoholism and Chemical Dependency  
21 Programs. All alcoholism and chemical dependency programs established or in existence  
22 shall be administered by the Department of Correction under the Division of Alcoholism  
23 and Chemical Dependency Programs."

24 Sec. 4. This act becomes effective July 1, 1995.