



CHAPTER 5

Rules and Regulations for Substance Abuse Standards

Special Populations for Substance Abuse Services

Section 1. Authority. These rules are promulgated by the Wyoming Department of Health pursuant to W.S. § 9-2-2701 and the Wyoming Administrative Procedure Act at W.S. § 16-3-101, *et seq.*, to establish standards for community substance abuse prevention, early intervention, recovery support services and treatment services, and to provide a full continuum of quality, research-based, best practice substance abuse services to Wyoming citizens.

Section 2. Criminal Justice Population, including Misdemeanor Criminal Offenders and Felony DUI Criminal Offenders under the Addicted Offenders Accountability Act.

(a) Misdemeanor Criminal Offenders. All persons convicted of a third DUI misdemeanor within five (5) years under W.S. § 31-5-233(e) shall receive, as part of a presentence report, a substance abuse assessment from a certified program in accordance with W.S. § 7-13-1302. Any person convicted of a fourth or subsequent DUI within five (5) years for a violation of W.S. § 31-5-233(e) has committed a felony and is subject to treatment as a qualified offender under Chapter 5, Section 1, under these rules.

(b) Description of Services. Programs providing substance abuse treatment services to clients in the criminal justice system must, in addition to applicable requirements, meet the following protocols.

(i) In addition to meeting the General Requirements of these rules and those sections applicable to the modality of treatment offered, a program may be certified to provide treatment to criminal offenders. The program is required to provide treatment that is identified as an evidence-based practice in the treatment of the criminal justice client. The program must assure that individual clients receive treatment and other interventions that specifically address the person's criminal behavior(s) and thinking. Such a program must also agree to comply with all court orders and cooperate with probation and parole agents in sharing information reasonably necessary for both to fulfill their obligations. Drug and alcohol testing shall be conducted with offenders in coordination with the legal system overseeing the client. Where possible, these programs shall use restorative justice principles in the individualized treatment plans of offenders.

(ii) Treatment services are based on the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Improvement Protocol 44 (TIP) Series publication, "Treatment of the Criminal Justice Client."

(iii) Clients are required to provide written consent in compliance with 42 CFR, Part 2 and 45 CFR, Part 160 and 164, for the exchange of information between treatment programs and the corrections system. This release per 42 CFR, Part 2, does not require an expiration of the release due to criminal justice status. If a person refuses to sign the release, the program may deny services.

(iv) The clinical staff persons providing treatment to criminal justice offenders shall demonstrate training, education, and knowledge in the treatment of the criminal population per TIP 44 Substance Abuse Treatment for Adults in the Criminal Justice System. This training shall be documented in the staff record with number of hours attended and who provided the training.

(v) If the client fails to attend required treatment without permission as prescribed by the court, the program must notify the court or its representative within three (3) days of the client not showing.

(vi) The program shall develop in collaboration with the court or its representative a case plan that identifies the roles and responsibilities of the client, program and court.

(vii) Programs shall develop referral sources in the areas of: housing, employment, mental health, education, and other services, as required.

Section 3. Adolescent Treatment Services.

(a) Description of Services.

(i) In addition to meeting the General Requirements of these rules and those sections applicable to the modality of treatment offered, a program may be certified to provide treatment to adolescents.

(ii) Treatment services are based on the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Improvement Protocol 32 (TIP) Series publication, "Treatment of Adolescents with Substance Abuse Disorders."

(iii) Adolescent services are provided for clients age 13 through 17. If the individual started the program prior to turning age 18, they may complete the program after they turn age 18.

(vi) At a minimum, services shall include:

(A) Behavioral health services designed specifically to address the multifaceted needs of this population.

(B) Such services in addition to general treatment requirements shall tailor services to the particular safety, developmental, educational, healthcare, family needs, and preferences of children and adolescents.

(C) Educational service needs shall be assessed and provided for adolescents in residential treatment services that comply with the Wyoming State Board of Education.

(D) An education discharge transition plan shall be developed prior to the client being discharged. At a minimum, this plan will address educational needs of the client and the transition of the client back into school.

(v) Programs that provide treatment for children and adolescents shall comply with the program descriptions set forth in the ASAM Patient Placement Criteria Manual.

Section 4. Co-Occurring Treatment Services.

(a) Description of Services.

(i) In addition to meeting the General Requirements of these rules and those sections applicable to the modality of treatment offered, a program may be certified to provide treatment to co-occurring clients. Treatment services are based on the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Improvement Protocol (TIP) Series publication, "Substance Abuse Treatment with Co-Occurring Disorders."

(ii) At a minimum, services shall:

(A) Address a high level of relapse potential with more intense level of services.

(B) Adapt program materials and methods of counseling to individuals with mental disorders.

(C) Provide and utilize skill building groups, as appropriate.

(D) Provide intensive case management.

(E) Emphasize motivation enhancement, including outreach for clients with active substance abuse disorders and severe mental disorders who are disengaged.

Section 5. Women's Specific Treatment Services.

(a) Description of Services.

(i) In addition to meeting the General Requirements of these rules and those sections applicable to the modality of treatment offered, a program shall be certified to provide treatment to women if it is receiving women's Set-Aside funding through the SAPT Federal Block Grant. Programs not receiving funding may also apply for this special population service. Treatment services are based on the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Improvement Protocol (TIP) Series publication, "Substance Abuse Treatment for Pregnant, Substance-Using Women, Substance Abuse Treatment for Women Offenders and Gender Specific Treatment and Treatment with Co-Occurring Disorders."

(ii) At a minimum, services shall include:

- (A) Gender specific treatment;
- (B) Reintegration with family services, when applicable;
- (C) Vocational skills training;
- (D) Parenting skills;
- (E) Reproductive and other health education and referrals;
- (F) Ways of meeting needs of food, clothing, and shelter;
- (G) Transportation;
- (H) Sexual abuse/trauma treatment, when applicable; and
- (I) Domestic/family violence counseling, when applicable.

Section 6. Residential Treatment for Persons with Dependent Children.

(a) Description of Services.

(i) In addition to meeting the General Requirements of these rules and those sections applicable to the modality of treatment offered, a program may be certified to provide treatment to persons with dependent children. Treatment services are based on the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Improvement Protocol (TIP) Series publication, "Substance Abuse Treatment for Persons with Children."

(ii) At a minimum, services shall include:

(A) Gender specific treatment and family treatment of substance abuse impact on school aged children, pre-school children, toddlers, and infant children;

(B) Child development and age appropriate behaviors;

(C) Parenting skills appropriate for infants, toddlers, pre-school, and school aged children;

(D) Impact of prenatal tobacco/alcohol/drug exposure on child development, fetal alcohol syndrome/effects; and

(E) Recognition of sexual acting-out behavior.