

**ASSEMBLY BILL**

**No. 395**

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**Introduced by Assembly Member Fox**

February 15, 2013

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An act to amend Section 11834.02 of the Health and Safety Code, relating to alcohol and drug programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 395, as introduced, Fox. Alcoholism and drug abuse treatment facilities.

Existing law requires the State Department of Alcohol and Drug Programs to license adult alcoholism and drug abuse recovery or treatment facilities, as defined.

This bill would include in the definition of alcoholism and drug abuse recovery and treatment facilities a premises, place, or building that does not require a health facility license and that provides a program, accredited by a nationally recognized accrediting organization, that uses a multidisciplinary team to provide 24-hour residential medical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 11834.02 of the Health and Safety Code
- 2 is amended to read:

1 11834.02. (a) As used in this chapter, “alcoholism or drug  
2 abuse recovery or treatment facility” or “facility” means ~~any~~ *either*  
3 *of the following*:

4 (1) A premises, place, or building that provides 24-hour  
5 residential nonmedical services to adults who are recovering from  
6 problems related to alcohol, drug, or alcohol and drug misuse or  
7 abuse, and who need alcohol, drug, or alcohol and drug recovery  
8 treatment or detoxification services.

9 (2) *A premises, place, or building that does not require a health*  
10 *facility license and that provides a program, accredited by a*  
11 *nationally recognized accrediting organization, that uses a*  
12 *multidisciplinary team to provide 24-hour residential medical*  
13 *services to adults who are recovering from problems related to*  
14 *alcohol, drug, or alcohol and drug misuse or abuse and who need*  
15 *alcohol, drug, or alcohol and drug recovery treatment or*  
16 *detoxification services.*

17 (b) As used in this chapter, “adults” ~~may include~~ *includes*, but  
18 is not limited to, all of the following:

19 (1) Mothers over 18 years of age and their children.

20 (2) Emancipated minors, which may include, but is not limited  
21 to, mothers under 18 years of age and their children.

22 (c) As used in this chapter, “emancipated minors” means  
23 persons under 18 years of age who have acquired emancipation  
24 status pursuant to Section 7002 of the Family Code.

25 (d) Notwithstanding subdivision (a), an alcoholism or drug  
26 abuse recovery or treatment facility may serve adolescents upon  
27 the issuance of a waiver granted by the department pursuant to  
28 regulations adopted under subdivision (c) of Section 11834.50.