

AMENDED IN ASSEMBLY APRIL 18, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 395

Introduced by Assembly Member Fox
(Coauthor: Assembly Member Chesbro)

February 15, 2013

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 amended, 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, *as specified*, 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:

3 11834.02. (a) As used in this chapter, “alcoholism or drug
4 abuse recovery or treatment facility” or “facility” means either of
5 the following:

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

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

20 (b) As used in this chapter, “adults” includes, but is not limited
21 to, all of the following:

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

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

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

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

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