

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 53

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

(Public)

Sponsors: Senators Martin of Guilford; Conder, Folger, Forrester, Harris, Hoyle, Kaplan, Lee, Lucas, Marshall, Martin of Pitt, Parnell, Perdue, Walker, Ward, Warren, Winner of Mecklenburg, Gunter, and Sands.

Referred to: Corrections/Punishment.

February 10, 1994

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH PILOT PROGRAMS FOR TREATMENT OF PAROLEES
3 AND PROBATIONERS WITH SUBSTANCE ABUSE PROBLEMS AND TO
4 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 PAROLEES AND**
10 **PROBATIONERS WITH**
11 **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 parolees and probationers with substance abuse problems. These programs
16 should give emphasis to serving parolees and probationers with serious substance abuse
17 histories, with first priority given to parolees. The programs should provide intensive
18 treatment, which treatment should be used by the courts as a condition of probation and
19 parole when appropriate. This treatment should start immediately upon the beginning
20 of the probation term or parole discharge.

21 **"§ 143B-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 to design, coordinate, plan,
3 implement, and evaluate the pilot programs established pursuant to this Article. The
4 Interagency Task Force shall consist of staff from the Department of Correction
5 Substance Abuse Program, the Department of Correction Adult Probation and Parole
6 Program, the Department of Human Resources' Substance Abuse Services, the Parole
7 Commission, to be renamed the Post-Release Supervision and Parole Commission as of
8 the effective date of the Structured Sentencing Act, Chapters 538 and 539 of the 1993
9 Session Laws, and any other State or local programs the Department of Correction
10 considers necessary. The Task Force shall also include two representatives of business
11 and industry who have an interest in job placement for ex-offender recovering substance
12 abusers, two ex-offender recovering substance abusers, and representatives of any other
13 organizations the Department of Correction considers necessary.

14 The Department of Correction shall provide the staffing for the Interagency Task
15 Force.

16 **"§ 143B-132. Interagency Task Force; Request for Proposal planning and**
17 **development process; identification of funding sources, barriers to**
18 **treatment, and lack of treatment capacity.**

19 (a) The Interagency Task Force shall prepare a process for the development of a
20 Request for Proposal process that will result in the funding of at least three pilot
21 programs for high-risk parolees and probationers with substance abuse problems. As
22 part of the Request for Proposal planning and development process, the Interagency
23 Task Force shall clearly identify the target population to be served, the method of
24 selecting the target population, the appropriate diagnostic instruments for this selection,
25 and the appropriate components and evaluation instruments.

26 (b) The Interagency Task Force shall identify the extent to which current federal
27 and State funding and resources may be used to treat parolees and probationers with
28 substance abuse problems and the extent to which other federal funds can be obtained
29 for this purpose. The Interagency Task Force shall also identify current barriers to
30 effective utilization of existing treatment programs and shall highlight the lack of
31 treatment capacity.

32 **"§ 143B-133. Interagency Task Force; Request for Proposal evaluation criteria,**
33 **treatment component requirements.**

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

- 36 (1) The proposed provider's ability to use existing substance abuse
37 treatment resources and other resources such as education, job training,
38 and placement, in order to build a collaborative approach to the
39 delivery of services to the target population;
40 (2) The proposed provider's ability to develop a plan for how services are
41 to be provided if the resources described in subdivision (1) of this
42 section are not currently available;

1 (3) The proposed provider's identification of local area mental health
2 groups, State-Local Community Partnership participants, and nonprofit
3 organizations as advisors or service providers; and

4 (4) The proposed provider's ability to provide treatment and case
5 management services for up to 60 clients.

6 (b) The Interagency Task Force shall require that the following treatment
7 components are included in all responses to the Request for Proposal process, together
8 with a detailed proposal on how the components will be provided, in order to be
9 considered:

10 (1) Regular drug testing;

11 (2) Regular counseling and self-development treatments;

12 (3) Monitoring by case managers;

13 (4) Establishment of criteria for successful program completion; and

14 (5) Establishment of local advisory boards made up of individuals similar
15 to those making up the Interagency Task Force, with the addition of a
16 superior court judge.

17 **"§ 148-34. Interagency Task Force; pilot program selection; reporting.**

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

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

24 Sec. 2. There is appropriated from the General Fund to the Department of
25 Correction the sum of fifty thousand dollars (\$50,000) for the 1993-94 fiscal year and
26 the sum of one million six hundred thousand dollars (\$1,600,000) for the 1994-95 fiscal
27 year to implement this act. No less than eighty percent (80%) of these funds shall be
28 used to fund the pilot programs. The balance of the funds shall be used to administer
29 the Interagency Task Force and its activities, hire necessary personnel, and use
30 consulting services when necessary. Funds not expended by the end of each fiscal year
31 shall not revert but shall remain available for use in subsequent fiscal years.

32 Sec. 3. This act becomes effective April 1, 1994.