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Requirements for Approval, Operation and Monitoring of Alcohol Education and Treatment Programs in the Pretrial Alcohol Education System

Secs. 54-56g-1—54-56g-4.

Repealed, June 1, 1992.

Sec. 54-56g-5. Definitions: for the purpose of sections 5 to 13 inclusive

(A) “Pretrial Alcohol Education System” means a system created by the Legislature to deal with the problems caused by alcohol-impaired drivers on Connecticut’s roads and highways. Through the cooperation of the courts, the Office of Adult Probation, the Alcohol and Drug Abuse Commission and Approved Alcohol Education and Treatment Programs, education and treatment services are offered to eligible participants.

(B) “Approved Alcohol Education and Treatment Program” (“program”) means a program which has been inspected by the Alcohol and Drug Abuse Commission and found to meet the minimum standards of sections 6 and 7 as being able to supply evaluation, education and treatment services to participants in the Pretrial Alcohol Education System.

(C) “Participant” means a person charged with or convicted of a violation of Connecticut General Statutes Sec. 14-227a who has been found eligible to participate in the Pretrial Alcohol Education System.

(D) “Evaluation” means a procedure conducted by an Evaluator consisting of an interview with the participant and a review of diagnostic test results and other information which indicates the degree of the participant’s involvement with alcohol and determines to which phase of the program, education or treatment, the participant will be assigned.

(E) “Evaluator” means a person who meets the requirements for evaluators contained in section 10 who will evaluate and assign each participant to a phase of the program on the basis of the results of that evaluation.

(F) “Drinking Driver Attitude Reassessment Course” means the educational phase of the Alcohol Education and Treatment program, an 8 session, 16 hour course which is designed to improve the participant’s decision-making ability in regard to future drinking and driving behavior and to increase his knowledge of driver safety and alcohol’s effect on driving behavior.

(G) “Group Interaction” means the 10 session 15 hour phase of the Alcohol Education and Treatment Program which uses group therapy techniques and alcohol education to enable the participant, whose evaluation indicates the possibility of a drinking problem to understand and confront his drinking/driving behavior and begin to deal with it in a positive way.

(H) “Program Administrator” means the person designated by an approved Alcohol Education and Treatment Program to fulfill administrative responsibilities, meet record keeping and reporting requirements and act as the authorized agent of the program.

(I) “Instructor” means a person employed by an approved Alcohol Education and Treatment Program to conduct the Drinking Driver Attitude Reassessment Course, who has met the minimum requirements for instructors contained in section 11.

(J) “Therapist” means a person with demonstrated experience and competency in group interaction who is utilized by an approved Alcohol Education and Treatment Program to conduct Group Interaction meetings and who has met the minimum requirements for therapists contained in section 12.

(K) "BAC" means blood alcohol content and refers to the results of blood, breath, or urine tests given to participants at the time of the participant's arrest.
(Effective August 19, 1982)

Sec. 54-56g-6. Program approval

(a) Application procedure

1. An agency, organization, corporation, partnership or individual which applies for approval of an Alcohol Education and Treatment Program shall have its physical facilities and its plan for providing a group interaction program approved by the Alcohol and Drug Abuse Commission.

2. The agency, organization, corporation, partnership or individual which applies for approval shall submit the following information to the Alcohol and Drug Abuse Commission:

(A) The name and address of the agency, organization, corporation, partnership or individual making application.

(B) The address of each location where evaluations, the Drinking Driver Attitude Reassessment Course and Group Interaction will be held.

(C) The names and qualifications of the program administrator, participant evaluators, instructors and therapists.

(D) A description of the agency, organization, corporation, partnership or individual's history of dealing with persons with alcohol problems, persons who have been arrested or convicted of alcohol related traffic offenses and persons who have been referred by the courts or the Office of Adult Probation.

(E) A plan which describes how the agency, organization, corporation, partnership or individual will implement Group Interaction.

3. If any portion of the program will be subcontracted a draft which clearly indicates all the terms of the subcontract shall be submitted to the Alcohol and Drug Abuse Commission. The subcontractor shall be responsible for submission of all information required by sections 5 to 13 inclusive for that portion of the program which he proposes to supply.

(b) Criteria for program approval

1. The agency, organization, corporation, partnership or individual seeking approval of its program shall offer the program in a geographical location where a need for new services has been determined to exist by the Office of Adult Probation.

2. The physical facilities the program will utilize shall:

(A) be sufficiently spacious to accommodate up to 40 persons for the Drinking Driver Attitude Reassessment Course and up to 15 persons for Group Interaction,

(B) meet all applicable local and state zoning, building, fire, health and safety regulations and standards,

(C) have sufficient furniture, equipment and supplies to accommodate the participants,

(D) be in a central location with adequate parking facilities to accommodate the program participants,

(E) have been inspected and found to meet the foregoing requirements by the Alcohol and Drug Abuse Commission

3. The program must be able to hold a minimum of 6 Drinking Driver Attitude Reassessment Courses and 6 Group Interaction phases per year and have the ability to add up to 6 additional sessions of each if required to do so.

(Effective August 19, 1982)

Sec. 54-56g-7. General requirements

(a) Each Approved Alcohol Education and Treatment Program shall designate a program administrator who shall be responsible for:

- (1) participant record keeping,
- (2) reporting to the Office of Adult Probation and the Alcohol and Drug Abuse Commission as required by these regulations,
- (3) staff selection and supervision,
- (4) establishing operating procedures for the program.

(b) Each Approved Alcohol Education and Treatment Program shall establish a participant record keeping system which will chronicle the participant's involvement in the program from the time the participant is assigned to the program until his relationship with the program terminates. The record for each participant shall include:

- (1) the results of all tests and examinations given to the participant,
- (2) the results of the evaluation and the phase to which the participant was assigned,
- (3) a notation of any referrals of the participant to other alcohol or drug treatment agencies,
- (4) copies of all reports received from other agencies including the Office of Adult Probation concerning the participant,
- (5) copies of all correspondence to, from or relating to the participant, including notes of any telephone conversations with or about the participant,
- (6) a consent to release of information form signed by the participant permitting release of information by the program to the court and the Office of Adult Probation,
- (7) a record of the participant's attendance at the program phase to which he was assigned,
- (8) any documents supporting an excused absence and the date on which the missed session was made up,
- (9) a duplicate of the notice of successful completion including the date upon which the program requirements were satisfied and the date upon which notification of successful completion was mailed to the Office of Adult Probation,
- (10) documentation indicating a violation of an attendance or participation requirement which precludes the possibility of the participant's successful completion of the course and the date and manner in which the participant and the Office of Adult Probation were notified of the violation,
- (11) any change in program assignment and the reasons supporting such change.
- (12) for participants enrolled in Group Interaction the record shall include the therapist's assessment of the person's behavior and participation during each session.

(c) All client records shall be maintained for a period of seven years.

(d) All required record keeping and reporting shall be in accordance with federal confidentiality regulations 42 CFR part 2.

(e) Each meeting of a Drinking Driver Attitude Reassessment Course or Group Interaction shall be held at the original location or locations approved by the Alcohol and Drug Abuse Commission unless prior written approval for a change of location has been obtained from the Alcohol and Drug Abuse Commission.

(f) The program shall schedule meetings of the Drinking Driver Attitude Reassessment Course and Group Interaction so that they begin no earlier than 6:00 p.m. on weekdays or 9:00 a.m. on Saturdays and end no later than 10:30 p.m. on weekdays or 5:00 p.m. on Saturdays. No meetings shall be held on Sundays or legal holidays. The program must have a prior written approval of the Alcohol and Drug Abuse

Commission if it wishes to schedule meetings at times other than those permitted by this section.

(g) The program shall attempt to notify all participants by telephone if it is necessary to postpone a scheduled meeting. Postponed meetings must be promptly rescheduled.

(h) The program shall use a curriculum approved by the Alcohol and Drug Abuse Commission for the Drinking Driver Attitude Reassessment Course. Any substantial deviations from approved curriculum shall have the prior written approval of the Alcohol and Drug Abuse Commission.

(i) The program shall follow a plan for Group Interaction approved by the Alcohol and Drug Abuse Commission. Any substantial deviation or change in the plan shall have the prior written approval of the Alcohol and Drug Abuse Commission.

(j) The program shall assign no more than 20 participants to each session of the Drinking Driver Attitude Reassessment Course.

(k) The program shall assign no more than 12 participants to each Group Interaction session.

(l) When enough participants have been assigned to either phase of the Alcohol Education and Treatment Program so that the program is ready to hold a session of either phase, the participants assigned to that phase shall be notified by mail sent to their home addresses of the date, time, and location of the session. A copy of attendance and participation requirements shall be included in the notice. The notice must be mailed at least one full week prior to the starting date of the session.

(m) When an Approved Alcohol Education and Treatment Program wishes to appoint a new individual to the position of program administrator, instructor, therapist or participant evaluator, it must notify the Alcohol and Drug Abuse Commission of the identity of the new appointee and supply information which demonstrates that the new appointee meets the requirements of these regulations.

(n) Each program shall schedule the 8 meetings of each session of the Drinking Driver Attitude Reassessment Course so that participants may complete that phase in eight weeks. Programs may schedule two meetings per week.

(o) Each program shall schedule the 10 meetings of each session of Group Interaction so that participants may complete the phase in no less than 10 weeks.

(p) Each program shall permit non-English speaking and hearing impaired participants to be accompanied by a person qualified to act as an interpreter. The interpreter shall confine his participation to that role.

(q) Each program shall provide the opportunity for every participant during the last session of the phase to which he was assigned to make written comments on the value and relevance of the material presented, the effectiveness of the instructor or therapist in delivering that program phase and to make written suggestions for improving the phase. The program shall not require the participant's signature or other identifying information on the above commentary.

(Effective August 19, 1982)

Sec. 54-56g-8. Evaluation

(a) Upon notification by the Office of Adult Probation that a participant has been assigned to the program an evaluation meeting with the participant shall be scheduled.

(b) The evaluation of the participant shall be made after the program has obtained the following:

(1) the participant's full name, home address and telephone number

(2) a consent to release of information form signed by the participant which permits the program to release information about the client to the court and the Office of Adult Probation

(3) results of the BAC tests taken after the participant was arrested. If the participant refused to take the test, then notice of the refusal may be accepted in lieu of the test results.

(4) the participant's driving record showing prior alcohol related arrests and convictions and a record of other alcohol related arrests, if available.

(c) At the evaluation meeting the evaluator shall determine to which program phase the participant shall be assigned. In making this determination, the evaluator shall consider the participant's score on the Mortimer-Filkins Test, the BAC at the time of the participant's arrest, prior alcohol related arrests and convictions, (if such records are available) the participant's history of treatment for alcohol related problems and whether the participant is a first offender or is a second or subsequent offender.

(d) The participant shall be notified at the evaluation meeting or by mail sent to his home address of his program assignment, the time and place of meetings, attendance and participation requirements and the starting date of the session to which he was assigned and shall receive written information describing the program and listing the rules and requirements for successful completion of the program. Such notice shall be given at least one week before the date of the first meeting.

(Effective August 19, 1982)

Sec. 54-56g-9. Completion and reporting requirements

(a) The instructor or therapist shall read the requirements for successful completion of the program at the first meeting of each session. The requirements shall be prominently displayed in the meeting room at all times Alcohol Education and Treatment Program meetings are in session.

(b) In order to successfully complete the Drinking Driver Attitude Reassessment Course the participant shall:

- (1) cooperate in the evaluation procedure,
- (2) attend all scheduled meetings of the course,
- (3) participate in discussions and required activities,
- (4) complete all assignments,
- (5) arrive on time and remain until the end of the meeting,
- (6) arrive sober and refrain from consuming any alcoholic beverages or any drugs during a course meeting except those prescribed for the participant by a licensed physician,
- (7) refrain from disruptive behavior during meetings.

(c) Every scheduled meeting of the Drinking Driver Attitude Reassessment Course must be attended in order to successfully complete the course. Under the following conditions a participant who fails to attend a session may be permitted to transfer to and complete the course during a subsequent session with the permission of the program administrator:

- (1) death in the immediate family, supported by a newspaper death notice or other evidence acceptable to the program administrator
- (2) serious illness or injury of the participant or a member of his immediate family supported by a physician's signed statement
- (3) other good cause acceptable to the program administrator. Such rescheduling shall only be permitted once for each participant.

(d) The program administrator shall give or mail notice of successful completion to all participants who fulfill the requirements of the Drinking Driver Attitude Reassessment Course within one week of the date of successful completion. Notice of the participant's successful completion shall be mailed to the Office of Adult Probation within the same time period.

(e) The program administrator shall notify the Office of Adult Probation and the participant within one week of the occurrence of any infraction which precludes successful completion of the Drinking Driver Attitude Reassessment Course.

(f) A participant in the Drinking Driver Attitude Reassessment Course who is precluded from successful completion because of a violation of the requirements may elect to attend a subsequent Group Interaction phase in lieu of being returned to the judicial system. If such election is made, the participant must successfully complete Group Interaction in order to successfully complete the program. The program shall promptly notify the

Office of Adult Probation of any transfer between program phases.

(g) The participant in Group Interaction shall fulfill the following requirements:

- (1) cooperate in the evaluation procedure,
- (2) attend all scheduled meetings of Group Interaction unless excused for reasons acceptable to the program administrator on no more than two occasions,
- (3) participate in discussions,
- (4) complete all assignments,
- (5) arrive on time and remain until the end of the meeting,
- (6) arrive sober and refrain from consuming any alcoholic beverages or any drugs during a Group Interaction meeting except those prescribed for the participant by a licensed physician,
- (7) refrain from disruptive behavior during meetings.

(h) The program administrator shall notify the participant and the Office of Adult Probation within 1 week from the date of the last required meeting attended by the participant that the participant has fulfilled the requirements of Group Interaction. The notice sent to the Office of Adult Probation shall include the therapist's assessment of the client's progress in dealing with his drinking problem and any recommendations concerning additional treatment needs.

(i) The program administrator shall notify the Office of Adult Probation and the participant within one week of the date of the occurrence of any infraction which precludes the possibility that the participant can fulfill the requirements of Group Interaction.

(j) A participant shall not be permitted to attend any meetings of either the Drinking Driver Attitude Reassessment Course or Group Interaction nor receive a certificate of successful completion after notification is received by the program from the Office of Adult Probation that the participant is no longer eligible to attend the program.

(Effective August 19, 1982)

Sec. 54-56g-10. Evaluators

(a) Each person who wishes to act as a participant evaluator shall:

(1) be certified as an alcoholism counselor by the Connecticut Alcoholism Counselor Certification Board, or be eligible for such certification within 1 year after beginning employment as an Evaluator,

(2) have at least 1 year's experience in evaluating persons with alcohol related problems,

(3) have successfully completed an evaluator's training course approved by the Alcohol and Drug Abuse Commission.

(b) No person who has been arrested and convicted of an alcohol or drug related traffic offense or who has had his license suspended or revoked, or who has been arrested and convicted of any alcohol or drug related offense within the preceding three years shall be permitted to become an Evaluator.

(c) No person shall continue to act as an Evaluator after being arrested and convicted of an alcohol or drug related traffic offense, or after having had his license suspended or revoked for any violation of the Motor Vehicle Code or after being arrested and convicted of any alcohol or drug related offense.

(Effective August 19, 1982)

Sec. 54-56g-11. Instructors

(a) Each person who wishes to act as an instructor for a Drinking Driver Attitude Reassessment Course shall:

(1) be a high school graduate or holder of a high school equivalency diploma,

(2) hold a valid Connecticut driver's license,

(3) have at least three years of driving experience,

(4) have successfully completed a Drinking Driver Attitude Reassessment Instructor's training course approved by the Alcohol and Drug Abuse Commission,

(5) participate in additional education courses and workshops for Drinking Driver Attitude Reassessment Course instructors as they become available.

(b) No person who has been arrested and convicted of an alcohol or drug related traffic offense or who has had his license suspended or revoked, or who has been arrested and convicted of any alcohol or drug related offense within the preceding three years shall be permitted to become a Drinking Driver Attitude Reassessment Course Instructor.

(c) No person shall continue to act as a Drinking Driver Attitude Reassessment Course Instructor after being arrested and convicted of an alcohol or drug related traffic offense, or after having had his license suspended or revoked for any violation of the Motor Vehicle Code or after being arrested and convicted of any alcohol or drug related offense.

(Effective August 19, 1982)

Sec. 54-56g-12. Therapist

(a) Each person who wishes to act as a therapist for Group Interaction shall:

(1) be certified as an alcoholism counselor by the Connecticut Alcoholism Counselor Certification Board, or be eligible for such certification within one year after beginning employment as a group interaction therapist.

(2) have at least one year's experience in conducting group therapy in the alcohol treatment field.

(3) participate in education courses and workshops for Group Interaction therapists as they become available.

(b) No person who has been arrested and convicted of an alcohol or drug related traffic offense or who has had his license suspended or revoked, or who has been arrested and convicted of any alcohol or drug related offense within the preceding three years shall be permitted to become a therapist.

(c) No person shall continue to act as a therapist after being arrested and convicted of an alcohol or drug related traffic offense, or after having had his license suspended

or revoked for any violation of the Motor Vehicle Code or after being arrested and convicted of any alcohol or drug related offense.

(Effective August 19, 1982)

Sec. 54-56g-13. Program inspection

(a) Each Approved Alcohol Education and Treatment Program and each agency, organization, corporation, partnership, or individual which is applying for approval of an Alcohol Education and Treatment Program shall permit authorized representatives of the Alcohol and Drug Abuse Commission to make periodic inspections of all Pretrial Alcohol Education and Treatment program facilities and records, to have access to all the participants' written comments on the program as required by Sec. 7 (g) of these regulations and to visit the Drinking Driver Attitude Reassessment classroom and Group Interaction site while each is in session if such visits are deemed necessary by the Alcohol and Drug Abuse Commission in order to monitor the program's compliance with these regulations.

(b) The Alcohol and Drug Abuse Commission monitor shall visit all approved programs at least once yearly and may visit more frequently if in the monitor's discretion such additional visits are necessary during the term of the program's contract,

(c) The Alcohol and Drug Abuse Commission shall mail a written report of the results of the inspection to the program administrator and the Director of the Office of Adult Probation within 15 working days after each inspection.

(d) If the results of the inspection are unsatisfactory, the Alcohol and Drug Abuse Commission shall notify the program in writing of the specific areas in which the program has failed to meet the requirements of sections 5 to 13 inclusive and shall offer specific suggestions to correct the deficiencies.

(e) A program which has had an unsatisfactory inspection report shall be reinspected by the Alcohol and Drug Abuse Commission monitor after a reasonable time to permit the program to correct the deficiencies has elapsed.

(f) A program which fails to meet the minimum requirements after a second inspection shall no longer be deemed to be an approved program and the Alcohol and Drug Abuse Commission shall notify the Office of Adult Probation of the program's change of status immediately.

(g) An Approved Alcohol Education and Treatment Program shall submit a Participant Information Form to the Alcohol and Drug Abuse Commission for each participant referred to that program. Such forms shall contain all information requested by the Alcohol and Drug Abuse Commission and shall be submitted in the manner and at the time required by that Commission.

(Effective August 19, 1982)