



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

GARY TSAI, M.D.
Bureau Director
Substance Abuse Prevention and Control Bureau
1000 South Fremont Avenue, Building A-9 East, 3rd Floor, Box 34
Alhambra, California 91803
TEL (626) 299-4101 • FAX (626) 458-7637

www.publichealth.lacounty.gov

BOARD OF SUPERVISORS

Hilda L. Solis
First District

Holly J. Mitchell
Second District

Lindsey P. Horvath
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

September 15, 2023

SAPC INFORMATION NOTICE 23-09

TO: Los Angeles County Driving Under the Influence Program Providers
FROM: Gary Tsai, M.D., Bureau Director *AT*
Substance Abuse Prevention and Control
SUBJECT: DRIVING UNDER THE INFLUENCE PARTICIPANT FEES AND FINANCIAL ASSESSMENTS

Under the delegated authority issued to the Los Angeles County Department of Public Health, Bureau of Substance Abuse Prevention and Control (SAPC) on May 17, 2017, this Information Notice serves to review and remind Driving Under the Influence (DUI) program providers of DUI participant fees and financial assessment requirements.

PROGRAM FEES

Per [California Code of Regulations \(CCR\), Title 9, Division 4, Chapter 3, Subchapter 3, Article 1](#), DUI programs are required to provide the following program services:

- Participant Enrollment
- Assessment of Participant’s Alcohol or Drug Problem
- Educational Sessions
- Group Counseling Sessions
- Individual Counseling Sessions
- Face-to-Face Interviews
- Additional County Requirements
- Referral to Ancillary Services

Part of the program fee may include the state licensing fee and county administration and monitoring fee.

Per CCR, Title 9, Division 4, Chapter 3, § 9878(g), the DUI program can also charge participants, except those unable to pay for services, for the following additional services:

- Leave of Absence
- Returned check (excluding bank charge)
- Missed Activity
- Rescheduling
- Transfer-Out (excluding transfer of non-enrolled participants and administrative referrals)
- Transfer-In
- Reinstatement
- Duplicate DL 101 (research)
- Late Payment Fee
- Alcohol/Drug Screening (positive result)

Participants eligible for the reduced program fee based on incomes equal to or less than the General Relief benefit level can only be charged the following additional services:

- Rescheduling (\$5.00)
- Reinstatement (\$10.00)
- Transfer-Out (\$5.00)

STANDARDIZED PAYMENT SCHEDULE

Per CCR, Title 9, Division 4, Chapter 3, § 9878(d), DUI programs must establish and use a standardized payment schedule to determine each participant's assessed program fee and schedule for payment of fees.

The standardized payment schedule shall include the following:

- The program fee and additional fees broken out by unit cost of the service.
- The monthly income level that the DUI program requires the participant to pay the maximum program fee of \$5.00.
- The monthly income level that the DUI program allows to extend payment of the program fee or reduce the assessed program fee.
- The DUI program has elected to use the extended payment option or the reduced fee option.
- A schedule for payment of fees, including the amount of down payment and amount and frequency of required payments.
- A sample of the participant contract containing the terms and conditions for a fee assessment and payment schedule.

DUI programs must document participants' assessed program fee and payment schedule in the participant contract signed at enrollment.

ENROLLMENT FEES AND DOWN PAYMENTS

Per the June 2022 MOU Amendment between SAPC and DUI agencies, the administration and monitoring fee of \$50 per participant enrollment became effective July 1, 2022. Enrollment/intake fees are fees participants pay to the DUI program for the cost of the intake, including an assessment of the participant's alcohol or drug use, and the administration and monitoring fees to the state and county (e.g., \$17 and \$50, respectively). Enrollment/intake fees should be based on the actual costs of enrolling a participant and are not refundable to a participant should the participant choose to transfer to another DUI program or be terminated from the program.

Down payments are fees participants pay to the DUI program for the cost of the intake/enrollment and costs for services to be provided after enrollment. DUI programs must refund part of the down payment for services not provided by the program to participants.

DUI programs are not allowed to collect down payment fees or enrollment/intake fees from participants eligible for the reduced program fee of \$5.00 or less. Any fees collected from these participants prior to enrollment must be refunded if they are deemed eligible for the reduced program fee.

FINANCIAL ASSESSMENTS

Per CCR, Title 9, Division 4, Chapter 3, § 9879 (b), the DUI program shall post a notice at each location at which program services are provided, in a location visible to all participants and to the general public, stating that:

- (1) A participant may request the DUI program to conduct a financial assessment, in accordance with this regulation, to determine their ability to pay the program fee.
- (2) The DUI program shall not deny services to a participant if, based on the results of a financial assessment, the DUI program determines that the participant is unable to pay the full program fee as shown on the standardized payment schedule.

Additionally, per CCR, Title 9, Division 4, Chapter 3, § 9878 (f), if the participant notifies the DUI program that he/she is unable to pay the fee shown on the standardized payment schedule, the DUI program shall perform a financial assessment, in accordance with Section 9879.

Participants are not required to demonstrate that they receive General Relief to pay the program fee of no more than \$5.00 per month. However, they must demonstrate that their income is equal to or less than the General Relief benefit level (\$221).

REGULATIONS

For more information, please visit:

- [Health and Safety Code, Division 10.5, Chapter 9 \(commencing with Section 11836\)](#)
- [Title 9, California Code of Regulations, Division 4, Chapter 3 \(commencing with Section 9795\)](#)

Thank you in advance for ensuring your agency is in full compliance with the Title 9 rules and regulations and your Memorandum of Understanding (MOU) with SAPC. As detailed in your MOU, SAPC's Contracts and Compliance Division conducts monitoring a minimum of two (2) times per FY to ensure compliance with §11837.6 of the Health and Safety Code.

If you have any questions or need additional information, please contact the Contracts and Compliance Division or your assigned Contract Program Auditor by telephone at (626) 299-4532, or by email at sapcmonitoring@ph.lacounty.gov.

GT:gp