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April 12, 2017

The Honorable Pat Bates
California State Senate
State Capitol, Room 305
Sacramento, CA 95814

RE: SB 34 (Bates) Residential treatment facilities. –SUPPORT

Dear Senator Bates,

The Association of California Cities – Orange County (ACC-OC) would like to express its support for Senate Bill 34 (Bates), a measure that would clarify the policies and procedures for residential treatment facilities operating in California. We at ACC-OC feel strongly about the importance of increasing the oversight of local drug and alcohol treatment facilities, which will ultimately result in better quality care for the residents. Not only does SB 34 make vital clarifications to the language in existing state law, it also empowers local governments to contribute to the oversight of local facilities.

Existing law states that an alcoholism or drug abuse recovery or treatment facility is any facility that provides 24-hour residential *nonmedical services* to adults who are recovering from problems related to alcohol and/or drug use. Recovery houses or other group living facilities that provide no care or supervision are exempt from the licensing requirements under the Community Care Facilities Act (CCFA). This language leaves open for interpretation what exactly constitutes a licensable nonmedical service; SB 34 closes this gap by providing clear, specific examples of such services. SB 34 also takes important steps toward bringing residential treatment facilities under the same guidelines that apply to other community care facilities under CCFA, by increasing local control and specifying facility spacing requirements.

Currently, DHCS is the only entity that has the authority to enforce residential treatment facility regulations and inspect noncompliant facilities in response to a complaint. Therefore, when issues arise, a city's only recourse is often to file a complaint with DHCS. And according to DHCS, there are only 16 investigative Complaint Analysts handling the entirety of the state's noncompliant sober living home and facility investigations—all of whom are located in Sacramento. This has caused a backlog in complaint processes, investigation response, and general monitoring. SB 34 directly addresses this by authorizing local authorities to prosecute a violation of the State's residential treatment facility laws as a misdemeanor, just as they do now for violations of the CCFA.

In recent years, Orange County has seen a massive increase in alcoholism and drug abuse recovery and treatment facilities. Overall, California has nearly 2,000 licensed facilities and countless unlicensed homes – a staggering 15% of which are saturated in Orange County.



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As of October 2016, there were 83 licensed drug and alcohol treatment facilities and 95 unlicensed sober living homes within the City of Costa Mesa alone. Given these numbers, providing rules and regulations that are clear, understandable, and sufficiently detailed for all operators, clients, community members and staff involved in the sober living home process is of the utmost importance.

The ACC-OC is a non-profit organization that proudly represents the interests of the 34 Orange County cities and the County of Orange. ACC-OC serves as a resource for elected officials and municipalities, focusing on three key initiatives: education that empowers, policy that is collaborative, and advocacy that is service-oriented. We are committed to finding fair solutions to challenges that affect our cities, and this bill is a commonsense approach towards that effort. For this and the reasons described above, the Association of California Cities – Orange County is proud to support SB 34.

Should you have any questions about our position or about ACC-OC, please contact Diana Coronado, ACC-OC's Legislative Affairs Director, at (714) 953-1300 or at dcoronado@accoc.org. We hope to be a resource to you, and we look forward to working with you and your office on this legislation.

Sincerely,

Heather Stratman
Chief Executive Officer
Association of California Cities – Orange County