



**2018**

**Alcohol & Other Drug  
Screening Specialist  
Manual**



**HEALTH SYSTEMS DIVISION**

Version 1.0

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## **INTRODUCTION**

This manual is intended for use by Oregon’s Alcohol and Other Drug Screening Specialists (ADSS) to assist in maintaining compliance with Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). This manual offers guidance for providing court-ordered screening, referral, and monitoring for individuals adjudicated for Driving under the Influence of Intoxicants (DUII) in Oregon.

The goal of the manual is to address frequently asked questions regarding the roles and responsibilities of an ADSS; however, it is impossible to anticipate every possible scenario. ADSS are encouraged to contact the DUII Information Specialist with any questions related to this manual.

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500 Summer Street NE, E-86  
Salem, OR 97301  
Fax: (503) 378-8467  
Email: [DUII.info@oha.oregon.gov](mailto:DUII.info@oha.oregon.gov)

## **OVERVIEW**

Oregon's DUII laws are described in detail in [Chapter 813 of the Oregon Revised Statutes](#). ADSS are expected to have an understanding of those statutes and any subsequent revisions enacted by the Oregon State Legislature.

The law requires anyone who receives a DUII in Oregon – whether they are under a diversion agreement or have been convicted – to complete both a screening interview and a Division approved treatment program<sup>1</sup>. While the process is similar for both adjudication types (diversion or conviction), there are significant differences that should be noted.

Individuals under a diversion agreement are generally required to complete the screening, treatment, and all other court-ordered obligations within 12 months. The court may grant an extension when there are extenuating circumstances; however, this is not a guarantee. Individuals who do not complete their diversion agreement within the court-ordered time frame risk having their diversion terminated resulting in a DUII conviction. Additionally, individuals under a diversion agreement agree to maintain abstinence from the use of intoxicants<sup>2</sup> during the entire diversion period.

Individuals convicted of a DUII generally do not have a specified time period within which to complete the screening and treatment requirements<sup>3</sup>; however, the Department of Motor Vehicles (DMV) is unable re-instate the individual's driving privileges without proof of treatment completion<sup>4</sup> for 15 years from the date of conviction.

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<sup>1</sup> Unless waived by the court.

<sup>2</sup> Except as allowed in [ORS 813.200\(5\)](#).

<sup>3</sup> Unless otherwise ordered by the court.

<sup>4</sup> Or court order as allowed in [ORS 813.022](#).

## **THE ROLE OF THE ADSS**

As described in [ORS 813.021](#) and [ORS 813.260](#), the ADSS fulfills four important roles: screening; referral; monitoring; and reporting. Each of these roles are discussed in greater detail in this manual, but a brief description of each is provided below:

*Screening* – The ADSS facilitates the completion of a standardized screening tool used to identify indicators of a potential substance use disorder.

*Referral* – The ADSS conducts facilitated referral to a Division approved DUII services provider.

*Monitoring* – The ADSS receives status reports as well as completion/discharge notices for DUII services providers. The ADSS also receives reports from Ignition Interlock Device (IID) installers.

*Reporting* – The ADSS reports each individual’s successful completion or failure to complete the screening and treatment to the appropriate court.

## **BECOMING AN ADSS**

Individuals providing ADSS services in Oregon must be both certified by OHA and designated by at least one Oregon court. ADSS are expected to understand and maintain substantial compliance with the application and certification standards outlined in [OAR 415-054-0463 through 415-054-0481](#).

### ***Minimum Qualifications***

Individuals must meet the following minimum experience requirements to be certified as an ADSS<sup>5</sup>:

- A Bachelor Degree in a behavioral health field; or
- Four years of full-time supervised experience in the behavioral health services field with a minimum of two years of experience providing substance use disorder evaluation or treatment; or
- A combination of an Associate Degree in a behavioral health field and two years of full-time supervised experience providing substance use disorder evaluation or treatment.

Individuals recovering from substance use disorders must be able to document continuous abstinence under independent living conditions or recovery housing for the immediate past two years.

### ***Initial/Renewal Application***

Individuals seeking initial or renewal certification as an ADSS are required to submit an application using Division approved forms and procedures. Applications are available for download at <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>. Applications may also be requested by sending an email to [DUII.Info@dhsoha.state.or.us](mailto:DUII.Info@dhsoha.state.or.us).

**Please note that OHA will not accept incomplete applications.** Incomplete applications will be returned along with a notice outlining the missing information.

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<sup>5</sup> ADSS requesting renewal certification are not required to re-submit verification of minimum qualifications.

Applicants are encouraged to resubmit their application when they are able to include all required information.

### ***Background Checks***

OHA will initiate a background check as required in [OAR 415-054-0464](#) upon receipt of a completed application. Background checks are used to identify applicants with potentially disqualifying convictions and conditions. A weighing test is used to make a final fitness determination.

Background checks are conducted through the Department of Human Services Background Check Unit (BCU), and may take 6-8 weeks or longer. **New or renewal certificates will only be issued after a background check has been completed.**

### ***Court Designation***

ADSS may only conduct screenings for individuals adjudicated by the court(s) the ADSS is designated by<sup>6</sup>. Each court determines how many ADSS are necessary and which ADSS to designate.

Individuals interested in becoming an ADSS are encouraged to contact the Trial Court Administrator or Presiding Judge for the court(s) they wish to serve to determine if additional ADSS services are needed. Applications for certification as an ADSS require designation from at least one Oregon court.

ADSS requesting renewal of their certification must submit current designation letters with their renewal application. A sample designation letter is available online at: <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>.

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<sup>6</sup> Unless ordered by the court.



## ***Certification Reviews***

Certification is contingent on demonstration of substantial compliance with applicable laws and administrative rules. Certification reviews are conducted as allowed in [OAR 415-054-0469 through 415-054-0471](#). ADSS are expected to have read and understand the types of reviews that may be conducted. At a minimum site reviews will be conducted within 6 months of initial certification, and every three years thereafter prior to issuance of a renewal certificate.

Certification reviews are conducted by the assigned Licensing & Certification Compliance Specialist and may also include the DUII Coordinator. Questions regarding certification review policies, procedures, and practices should be directed to:

**Simon Williams**

Licensing & Certification Compliance Specialist

Phone: 503-945-6555

Email: [Simon.O.Williams@dhsosha.state.or.us](mailto:Simon.O.Williams@dhsosha.state.or.us)

## **CONFLICT OF INTEREST**

Unless providing services through an agency designated by OHA as a Sole Service Provider or a Demonstration Project (described below), an ADSS must be free from conflict of interest. [OAR 415-054-0462\(7\)](#) defines conflict of interest as “use of a personal relationship to obtain financial gain or avoidance of financial detriment, making business decisions that create a pattern of biased or preferential treatment, or initiating a professional role with someone with whom there was a pre-existing personal relationship. The conflict of interest may be actual or potential.”

Examples of conflict of interest may include, but are not limited to:

- Being employed by a Division approved DUII services provider;
- Receiving free office space, email service, or support services from a Division approved DUII services provider;
- Receiving goods or cash from a Division approved DUII services provider for referrals to their program;
- Providing ADSS services for an individual with whom there was a pre-existing personal relationship;

**ADSS must immediately notify the Division of any actual or potential conflict of interest.**

### ***Sole Service Provider***

When an ADSS is designated by a court in a county with only one Division approved DUII services provider, the ADSS may be employed by that DUII services provider if designated as a Sole Service Provider.

The roles of the ADSS and DUII services provider remain separate within a Sole Service Provider. ADSS do not provide DUII Education or Rehabilitation services, and ADSS records are kept separate from the individual’s clinical record.

Division approved DUII services providers may apply for designation as a Sole Service Provider as outlined in [OAR 415-054-0545](#). Sole Service Provider applications are available online at <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>.

### ***Demonstration Project***

Demonstration projects must demonstrate the effectiveness of combining the ADSS and treatment functions within a single agency or organization. In a demonstration project the ADSS may also provide DUII Education or DUII Rehabilitation services, and records may be combined.

Division approved DUII services providers may apply for designation as a Demonstration Project as outlined in [OAR 415-054-0550](#). Sole Service Provider applications are available online at <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>.

## **SCREENING**

ADSS are expected to understand and maintain substantial compliance with the screening requirements outlined in [OAR 415-054-0485](#). It is important to note that ADSS do not conduct diagnostic assessments, and as such are not responsible for the diagnosis of a substance use disorder or level of care determination. Rather, the purpose of the screening is to identify potential substance use disorder risk factors, and make a preliminary recommendation for services.

The screening interview should incorporate information provided by the individual through completion of the Texas Christian University (TCU) Drug Screen 5<sup>7</sup> which screens for mild to severe substance use disorders based on the *Diagnostic and Statistical Manual of Mental Disorders* (DSM 5). As the TCU is a self-administered screening tool, additional information from court documents, arrest reports, or driving records may also be included *when available to the ADSS*.

Individuals should be recommended for DUII Rehabilitation if they score 2 or higher on the TCU Drug Screen 5 or exhibit other risk factors which may include:

- A BAC of 0.15 or higher;
- Prior alcohol or other drug related arrest(s);
- Prior diagnosis or treatment of a substance use disorder.

Individuals who score 0 or 1 on the TCU Drug Screen 5 and do not exhibit other risk factors for a substance use disorder may be recommended for a DUII Education program.

It should be made clear to the individual that the ADSS makes a recommendation based on the information provided during the screening interview, but the DUII service provider will make the final level of care determination after completing a clinical diagnostic assessment per the requirements in [OAR 309-019-0135](#).

The ADSS should discuss confidentiality with every individual being screened, and clearly describe what information will be released and to whom. The ADSS is responsible for understanding their obligations for maintaining confidentiality

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<sup>7</sup> All required forms are available at <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>.

under both [HIPPA](#) and [42 CFR Part 2](#), and is responsible to ensure that protected health information and substance use disorder treatment records are not released without the proper consent for release of information.

The ADSS should also discuss any specific service needs the individual may have and barriers that may prevent the individual from successfully completing a DUII services program. Examples of barriers an individual may face are:

- Lack of transportation,
- Limited financial resources,
- Variable work schedules,
- Lack of safe and affordable childcare,
- Lack of stable housing,
- Limited English proficiency,
- Co-occurring mental health disorders,
- Co-occurring physical health conditions.

These issues should be documented on the Screening & Referral Report form<sup>8</sup>.

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<sup>8</sup> All required forms are available at <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>.

## **REFERRAL**

ADSS are expected to understand and maintain substantial compliance with the referral requirements outlined in [OAR 415-054-0490](#). As noted in the previous section, ADSS are not responsible for substance use disorder diagnosis or for determining the level of care an individual receives. Nevertheless, the information collected during the screening interview provides vital information for the DUII service provider, and should inform the referral process.

### ***In-State Referrals***

Residents of Oregon must be referred to a Division approved DUII service provider<sup>9</sup>. Division approved DUII service providers are listed in the Oregon Substance Use Disorder Services Directory which is available online at <http://www.oregon.gov/oha/HSD/AMH/publications/provider-directory.pdf>. The directory is updated monthly based on information provided by HSD's Licensing and Certification Unit.

After completing the screening interview, the ADSS must provide the individual with a list of Division approved DUII service providers within the geographic area preferred by the individual, and any other geographic area capable of responding to the specific needs of an individual. A list of the providers offered must be included in the individual's record, and must be signed and dated by the individual.

**Individuals must be made aware of their right to be referred to a Division approved DUII services provider of their choice, and be free from undue influence or coercion when choosing a provider.**

**The ADSS may not deny a referral to any Division approved DUII service provider except in cases where the referral would constitute an imminent health or safety risk to the individual. Any denial must be clearly documented in the individual record and include the reason for denial including the specific health or safety risk posed. The ADSS must make a report to the**

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<sup>9</sup> Unless otherwise ordered by the court.

**Division within three calendar days of denying a referral to a Division approved DUII services provider.**

A copy of the Screening and Referral form and completed TCU Drug Screen 5 shall be provided to the individual and the Division approved DUII services provider selected by the individual within five calendar days of the screening.

***Out-of-State Referrals***

Individuals who are residents of states other than Oregon may be referred to a program licensed or certified to provide by their state of residence to provide DUII services. Individuals who are under a diversion agreement or are on probation (bench or supervised) may require permission from the court to complete treatment out-of-state. ADSS are expected to understand the processes and procedures for the court(s) they are designated by.

Unless the court has ordered that the individual must complete a program which meets the requirements set out in [OAR 309-019-0195](#), individuals may complete a program as required in their state of residence.

A copy of the Screening and Referral form, completed TCU Drug Screen 5, and applicable OARs shall be provided to the individual and the out-of-state service provider within five calendar days of the screening.

HSD will issue DUII Treatment Completion Certificates (DTCC) for individuals convicted of DUII who are referred to an out-of-state service provider on or after April 1, 2018. ADSS are encouraged to make copies of the necessary forms available, and may also direct form requests to the DUII Information Specialist at [DUII.Info@dhsosha.state.or.us](mailto:DUII.Info@dhsosha.state.or.us).

## **TRANSFERS**

An individual may request a transfer to a different Division approved DUII services provider or out-of-state treatment provider by submitting a written request to the ADSS<sup>10</sup>. However, it is important that the individual understands the potential risks associated with transferring services including, but not limited to:

- Increased out-of-pocket expenses, and
- Being unable to complete the terms of their diversion agreement within the court-ordered timeframe.

**The ADSS may not deny a transfer request to any Division approved DUII service provider except in cases where the referral would constitute an imminent health or safety risk to the individual. Any denial must be clearly documented in the individual record and include the reason for denial including the specific health or safety risk posed. The ADSS must make a report to the Division within three calendar days of denying a referral to a Division approved DUII services provider.**

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<sup>10</sup> Unless otherwise ordered by the court.



## **MONITORING**

ADSS are expected to understand and maintain substantial compliance with the monitoring requirements outlined in [OAR 415-054-0510](#). It is the ADSS responsibility to understand and ensure compliance with [HIPPA](#) and [42 CFR Part 2](#).

ADSS monitor the progress of each individual they screen through receipt of status reports from the DUII services providers. DUII services providers are required in [OAR 309-019-0195](#) to submit reports to the ADSS as allowed by [HIPPA](#) and [42 CFR Part 2](#):

- No later than 30 calendar days from the date of referral;
- Every 30 calendar days while enrolled in DUII Rehabilitation;
- No later than 14 calendar days from the date of discharge;
- No later than seven calendar days from the written request of the ADSS.

ADSS who do not receive reports as required by Rule are encouraged to contact the DUII Coordinator for assistance.

### ***Ignition Interlock Device Reports***

[ORS 813.602](#) and [ORS 813.630](#) ignition interlock device installers to report the installation or removal of the device, any tampering with the device, and any negative reports received from the device to the ADSS. The process for notifying the court of the individual's compliance with IID requirements shall be determined by agreement between the court and the ADSS.

Please note that it is the responsibility of the IID installer to provide these reports. The statute does not require the ADSS to ensure the installers comply with their reporting requirements. However, ADSS should have a clear understanding of Oregon's IID statutes including, but not limited to which individuals are required to have an IID installed.

**When the ADSS receives a negative report from an IID installer for an individual who is enrolled in a DUII services program, the ADSS must notify the DUII services provider of the negative report within 72 hours of receipt of the report.**

It is important to note that individuals who enter into a diversion agreement with the court are required to maintain abstinence from the use of intoxicants except as allowed in [ORS 813.200](#) throughout the diversion period. Negative reports may constitute violation of the individual's diversion agreement, and should be reported to the court as determined by agreement between the court and the ADSS.

## **REPORTING**

ADSS are expected to understand and maintain substantial compliance with the reporting requirements outlined in [OAR 415-054-0530](#).

The ADSS shall report to the appropriate court within 14 days<sup>11</sup> after being notified of an individual's successful completion or failure to complete the treatment program. The form of this report shall be determined by agreement between the court and the ADSS.

ADSS are also required to submit monthly screening reports to the Health Systems Division. Reporting forms are available for download at <http://www.oregon.gov/oha/HSD/AMH-DUII/Pages/ADSS.aspx>, and are due no later than the 10<sup>th</sup> of each month. ADSS are required to submit their reports using secure email to [ADSS.Reports@dhsoha.state.or.us](mailto:ADSS.Reports@dhsoha.state.or.us).

ADSS who do not conduct any screenings during a calendar month must notify the Division by sending an email to [ADSS.Reports@dhsoha.state.or.us](mailto:ADSS.Reports@dhsoha.state.or.us) no later than the 10<sup>th</sup> of the following month.

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<sup>11</sup> Unless otherwise agreed to in writing with the court.

## **INTERPRETER OR TRANSLATION SERVICES**

ADSS are eligible for reimbursement for services provided by a:

- [Qualified interpreter for an individual with a disability](#);
- [Qualified interpreter for an individual with limited English proficiency](#); or
- [Qualified translator](#)<sup>12</sup>.

ADSS may submit an invoice including proof of reimbursable expenditures to the DUII Information Specialist. Invoices may be submitted:

- Via email:

[DUII.info@oha.oregon.gov](mailto:DUII.info@oha.oregon.gov)

- Via US Postal Mail:

DUII Information Specialist  
OHA Health Systems Division  
500 Summer Street NE, E-86  
Salem, OR 97301

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<sup>12</sup> As defined in [45 CFR Part 92](#).

## **MANUAL FEEDBACK**

Feedback on the ADSS Manual is encouraged and appreciated. Please submit any comments, requests for clarification, or suggested corrections to:

DUII Information

Specialist

Email: [DUII.info@oha.oregon.gov](mailto:DUII.info@oha.oregon.gov)