

---

HOUSE BILL 2421

---

State of Washington

58th Legislature

2004 Regular Session

By Representatives Pearson, O'Brien, Carrell, Sullivan, Mielke, McDonald, Kristiansen, Lovick, Ahern, Sehlin, Bailey and Condotta

Read first time 01/14/2004. Referred to Committee on Judiciary.

1 AN ACT Relating to standardized chemical dependency assessment  
2 protocols; adding new sections to chapter 70.96A RCW; and creating a  
3 new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that standardized  
6 chemical dependency assessment protocols should be required in court-  
7 involved chemical dependency cases to ensure accurate assessments and  
8 treatment plans. Assessment protocols should require that collateral  
9 background information be obtained along with a drug screen urinalysis  
10 obtained at time of assessment and that a standardized assessment  
11 summary should be required in all court-involved assessments. Less  
12 than accurate criminal history and substance use history substantively  
13 affects proper treatment placement of individuals. Historically,  
14 assessments have been based solely on the self-report of defendants  
15 whose reporting history may not be accurate. Accurate assessments and  
16 treatment plans are necessary so that individuals receive appropriate  
17 treatment interventions and are not put at risk of reoffending by  
18 continuing to become intoxicated and driving a vehicle placing the

1 public at risk. The legislature intends to establish standardized  
2 chemical dependency assessment protocols to be used uniformly  
3 statewide.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.96A RCW  
5 to read as follows:

6 (1) Court-involved assessments are limited to persons who meet the  
7 criteria of WAC 388-805-815.

8 (2) A chemical dependency professional or trainee supervised under  
9 WAC 388-805-210 or a probation assessment officer or intern supervised  
10 under WAC 388-805-230 must conduct each client assessment and ensure  
11 the assessment includes the requirements of WAC 388-805-310 and all the  
12 following:

13 (a) An evaluation of a copy of the analysis of the client's blood  
14 alcohol level and other drug levels at the time of arrest, if  
15 available, and the client's self-reported driving record and a copy of  
16 the client's abstract of driving record, if available. The evaluation  
17 must include a statement regarding the blood alcohol level and the  
18 client's self-reported driving record, and a clinical interpretative  
19 statement about the abstract of driving record that includes a fifteen  
20 year history of all alcohol-related convictions and related offenses  
21 reduced to lesser offenses, and deferred prosecutions, and how they  
22 relate to the assessment and diagnosis;

23 (b) A release of information from the client for the court of  
24 jurisdiction or judicial information system to receive a summation of  
25 the client's compiled case history. If collateral information is not  
26 obtained, circumstances preventing such efforts shall be reported to  
27 the court;

28 (c) A copy of the police report in cases where the blood or breath  
29 alcohol concentration test was refused;

30 (d) A drug screen urinalysis. Results are to be assessed and  
31 included in the written assessment and recommendations. If a request  
32 for drug screen urinalysis is refused, circumstances surrounding the  
33 refusal shall be included in the assessment.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.96A RCW  
35 to read as follows:

36 Court-involved assessments shall use the chemical dependency

1 assessment summary form provided in this section as a cover document  
2 for all assessments and treatment recommendations. The form must read  
3 as follows:

4 Chemical Dependency Assessment Summary Form

5 Client Name: . . . . .  
6 Date of Birth: . . . . .  
7 Address: . . . . .  
8 Phone Number: . . . . .  
9 Court: . . . . .  
10 Diagnostic Assessment: . . . . .  
11 Treatment Recommendations-Level & Duration: . . . . .  
12 Factors Considered in Recommendations: . . . . .  
13 BAC Level or Refusal Analysis: . . . . .  
14 Any Alcohol-Related Arrests or Reduced Charges: . . . . .  
15 UA obtained at time of assessment: . . .Yes . . .No  
16 Results: . . . . .  
17 Prior Evaluation: . . .Yes . . .No  
18 A/DIS: . . .Yes . . .No  
19 Deferred Prosecution: . . .Yes . . .No  
20 Treatment: . . .Yes . . .No  
21 If prior treatment, explain: . . . . .  
22 Client Authorized Disclosure to: . . . . .Attorney . . . . .Court  
23 . . . . .Law Enforcement . . . . .Treatment Agency . . . . .Child  
24 Protective Services . . . . .Physician . . . . .Family

25 NOTE: This assessment and treatment recommendations are voided if the  
26 client fails to fully disclose prior criminal history, treatment,  
27 assessment, or other relevant information. Recommendations for  
28 continuing care will be made periodically to the court and the client  
29 based on an ongoing assessment of need.

30 Date: . . . . .  
31 . . . . .

32 Treatment Counselor  
33 \*Full evaluation and any other necessary documentation are attached.

--- END ---