

RCW 10.05.150 Alcoholism program requirements. (Effective until January 1, 2026.) A deferred prosecution program for alcoholism shall be for a two-year period and shall include, but not be limited to, the following requirements:

(1) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

(2) Participation in an intensive inpatient or intensive outpatient program in a state-approved substance use disorder treatment program;

(3) Participation in a minimum of two meetings per week of an alcoholism self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program;

(4) Participation in an alcoholism self-help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;

(5) Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;

(6) Not less than monthly outpatient contact, group or individual, for the remainder of the two-year deferred prosecution period;

(7) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;

(8) All treatment within the purview of this section shall occur within or be approved by a state-approved substance use disorder treatment program as described in *chapter 70.96A RCW;

(9) Signature of the petitioner agreeing to the terms and conditions of the treatment program. [2016 sp.s. c 29 s 527; 1999 c 143 s 43; 1985 c 352 s 17.]

***Reviser's note:** Chapter 70.96A RCW was entirely repealed or recodified as sections in chapter 71.24 RCW by 2016 sp.s. c 29, effective April 1, 2018.

Effective dates—2016 sp.s. c 29: See note following RCW 71.05.760.

Short title—Right of action—2016 sp.s. c 29: See notes following RCW 71.05.010.

Legislative finding—Severability—1985 c 352: See notes following RCW 10.05.010.

RCW 10.05.150 Deferred prosecution for substance use disorder or mental health co-occurring disorder—Requirements. (Effective January 1, 2026.) (1) A deferred prosecution for either substance use disorder or mental health co-occurring disorder shall be for a two-year period and shall include, but not be limited to, the following requirements:

(a) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

(b) All treatment within the purview of this section shall occur within or be approved by a state-approved behavioral health agency as described in chapter 71.24 RCW;

- (c) Signature of the petitioner agreeing to the terms and conditions of the treatment program;
 - (d) Periodic, random urinalysis or breath analysis;
 - (e) If the petitioner fails to remain abstinent, a full substance use disorder reassessment and recommended treatment;
 - (f) No less than weekly approved outpatient counseling, whether group or individual, for a minimum of six months following the intensive phase of treatment;
 - (g) No less than monthly outpatient contact, whether group or individual, for the remainder of the two-year deferred prosecution period; and
 - (h) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician.
- (2) A deferred prosecution for substance use disorder shall include the following requirements:
- (a) Completion of an intensive outpatient treatment program or residential inpatient treatment program, depending on the severity of the diagnosis; and
 - (b) Participation in a minimum of two meetings per week of a substance use disorder self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program.
- (3) A deferred prosecution for mental health co-occurring disorder shall include the following requirements:
- (a) Completion of the requirements described in subsection (2) of this section, or completion of an outpatient program as determined by the petitioner's diagnostic evaluation; and
 - (b) Completion of individual or group mental health services.
- [2024 c 306 s 22; 2016 sp.s. c 29 s 527; 1999 c 143 s 43; 1985 c 352 s 17.]

Effective date—2024 c 306: See note following RCW 9.94A.661.

Effective dates—2016 sp.s. c 29: See note following RCW 71.05.760.

Short title—Right of action—2016 sp.s. c 29: See notes following RCW 71.05.010.

Legislative finding—Severability—1985 c 352: See notes following RCW 10.05.010.