



Driven To Make Our Roadways Safer

Best Practice Suggestions for California DUI Programs Services via Live Virtual Platforms

The California Association of DUI Treatment Programs (CADTP) presents updated Best Practice suggestions. DUI Programs that provided DUI Services via live virtual services during the COVID-19 pandemic met and created the Best Practices. As the pandemic ends, CADTP has updated the Best Practice Suggestions to ensure lasting quality DUI Program services utilizing Live Virtual Services that follow DUI Program regulations and generally accepted guidelines and platforms for telehealth.

Live Virtual Services are NOT online DUI Programs. DHCS does not license online DUI programs. For further reference, please visit this link: <https://cadtp.org/resources/>.

Live Virtual Services mean using qualified DUI Program staff, as defined in Title 9, to provide DUI Program services (enrollment, group, education, face to faces, and alcohol and drug use assessments) via a virtual platform. DUI programs must ensure adherence to state and federal requirements and generally accepted telehealth best practices. Reference the COVID-19 Behavioral Health Information Notice, the DHCS telehealth website, and the DHCS Telehealth FAQ.

DUI offenses create a public health risk. DUI Programs provide a critical service that promotes individual change, responsibility for actions, and understanding of the consequences of future DUI incidents. Incorporating Live Virtual Services via telehealth platforms in DUI Program services must continue to address this risk in conjunction with providing high-quality DUI treatment services. Live Virtual Services via a secure telehealth platform provided within DUI Program treatment increase access to DUI treatment services, thereby increasing successful program enrollment, completion, and public safety.

The California Association of DUI Treatment Programs (CADTP) is a non-profit organization formed as a partner to its Member Organizations to promote understanding and protect the California DUI Program system's integrity. CADTP is self-supported through membership dues, association activities, and contributions. CADTP's organizational membership currently includes a majority of the 222 DUI programs licensed by the California Department of Health Care Services - Licensing and Certification Division.

CADTP Mission

- Provide California's licensed DUI treatment programs a collective voice with the Department of Health Care Services,
- Promote the effectiveness of DUI treatment in reducing DUI offenses and enhancing public safety,
- Protect the integrity of the statewide DUI treatment program system through advocacy, education, and collaboration with Legislators, State and County officials, and other community stakeholders,
- Improve the quality of counseling services by being accredited to certify individuals providing counseling services to clients enrolled in substance use disorder [SUD] treatment programs.



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These Best Practices suggestions **address using Live Virtual Services** based on telehealth systems in providing direct DUI Program participant services.

BP 1	DUI Programs should utilize a HIPAA-compliant telehealth platform when providing Live Virtual participant services, including general communication with participants and DHCS when virtual monitoring occurs.
BP 2	<p>Incorporating Live Virtual Services must include safeguards to ensure the integrity of DUI Program attendance and the continued effectiveness in reducing recidivism of driving under the influence.</p> <p>DUI Programs must continue to offer in-person DUI Program services at their DHCS-licensed facility. Following Title 9 §9802, DHCS may only license programs with a location in which DUI program services are provided.</p>
BP 3	CADTP encourages programs to consider adding regularly scheduled in-person services for clients who attend Live Virtual Services to ensure the integrity of DUI Program treatment and public safety. For example, a monthly in-person face-to-face session.
BP 4	<p>DUI Programs must follow regulations regarding the enrollment of Out of County participants.</p> <p>Health & Safety Code 11837.2; a person is eligible to participate in a DUI program if the Program is operating in any of the following:</p> <ul style="list-style-type: none">A. <i>The county where the person is convicted.</i>B. <i>The county where the person resides.</i>C. <i>A county that has an agreement with the person's county of residence pursuant to Health and Safety Code (HSC), Section 11838.</i>D. <i>A participant may request transfer to another licensed program (1) in the same county in which the person has commenced participation in the Program, upon approval of that county's alcohol and drug program administrator, or (2) in a county other than the county in which the person has commenced participation in the Program, upon approval of the alcohol and drug program administrator of the county in which the person is participating and the county to which the person is requesting transfer.</i>



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<p>BP 5</p>	<p>CADTP encourages in-person enrollment when possible. In-person enrollment allows for the verification of the individual and their understanding of the regulations and expectations that govern their attendance and expected behavior(s) while participating in program services. In-person can also help to "connect" the participant to the DUI Program facility supporting the participant's ongoing engagement.</p> <p>Programs that enroll participants via a Live Virtual platform must ensure that all enrollment criteria and requirements follow Title 9 regulations for enrollment.</p> <p>The Program should conduct a Live Virtual Service Screening (BP 6) at the beginning of the enrollment session and ensure the participant agrees to the Live Virtual Service Agreement (BP 7).</p> <p>Enrollment documentation should include a picture ID to verify the participant's identity to ensure the integrity of DUI Program treatment.</p> <p>Live Virtual enrollments should always utilize a live video-based telehealth platform and use qualified staff as outlined in Title 9 regulations to conduct the enrollment session and documentation.</p>
<p>BP 6</p>	<p>The DUI Program should screen each participant for appropriateness before scheduling Virtual Services for DUI Program attendance. The outcome of the screening is retained in the participant's file.</p> <p>Screening criteria should include the following:</p> <ol style="list-style-type: none">1. The participant's availability of internet service.2. The participant has access to the appropriate equipment, a computer, phone, or tablet with video and audio capabilities.3. The participant verifies it is their choice to utilize Live Virtual Services for some or all of their DUI Program services.4. The participant agrees to and signs the Live Virtual Services Agreement Contract (BP 7).
<p>BP 7</p>	<p>The DUI Program should provide participants who choose Live Virtual Services with a Live Virtual Services Agreement Contract. The agreement should include, at minimum, the following:</p> <ol style="list-style-type: none">1. A description of Live Virtual Services and adherence to accepted telehealth guidelines,



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2. The virtual platform utilized by the Program, including confidentiality parameters,
3. A statement regarding the allowance of Live Virtual Services by the Department of Health Care Services,
4. A statement that the allowance of Live Virtual Services can expire at the direction of DHCS, and at that time, participants would transition to in-person services,
5. The confidentiality guidelines for Live Virtual Sessions, including confidentiality of other participants and the Virtual Sessions, and the consequences for violating the confidentiality of other participants,
6. The policy and results of tardiness to Virtual Sessions,
7. The absence policy and absence fees,
8. How to reschedule a missed Virtual Session and the reschedule fee,
9. The prohibition of alcohol/drug use before or during sessions and the consequences for insobriety,

Suggested verbiage for participant attendance at virtual sessions:

To continue eligibility for Live Virtual Services, participants must:

1. Log in to the scheduled session on time and stay engaged for the entire scheduled session.
2. Be in a quiet room with no other person present during all Virtual Sessions.
3. A Virtual Session may not be attended in a vehicle, outside, walking, exercising, eating, cooking, or in an area with other people. (The Program should add to the list as meets their specific experiences)
4. Attend the Virtual Session while sitting upright, not lying down.
5. While attending a Virtual Session (group, education, or face-to-face), your camera must be on and facing you for the entire session.
6. No smoking during the session.
7. No eating during sessions.
8. Do not attend the session while under the influence of any alcohol or other impairing drugs, and do not use any alcohol or other impairing drugs while in session.



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	<p>9. Do not verbally abuse staff or other participants or engage in disruptive behavior during the session.</p> <p>10. Ensure your payments are up to date according to your payment schedule; contact the office before the session if you cannot make a payment on time.</p> <p>11. Maintain the confidentiality of other participants. Violating other participants' confidentiality is grounds for dismissal from the DUI program.</p> <p>12. Do not provide false information or have someone else attend services in your place.</p> <p>13. If you do not follow the Live Virtual Services rules, the facilitator may remove you from the Virtual Session, and you will not receive credit for the session. If this happens, you must contact the office to reschedule the session. Rescheduling fees will apply.</p> <p>14. DUI programs may dismiss participants for failure to comply with program rules [Title 9, Section 9886(a)(3)].</p>
<p>BP 8</p>	<p>The DUI Program should have written procedures for scheduling Virtual Sessions, assigning an absence, and rescheduling for a missed session.</p> <p>The written procedure should define the difference between an absence and technical problems.</p> <p>Virtual Session absence and rescheduling charges cannot exceed the program's DHCS-approved absence fee.</p>
<p>BP 9</p>	<p>The DUI Program must have a process to verify and document participant attendance at Virtual Sessions. The attendance verification and documentation must meet all Title 9 requirements.</p> <p>Note: It is unacceptable to write "client attended via Zoom" (for example). A method to obtain the client and counselor's signature is required by regulation. The utilization of electronic signatures is an acceptable solution to documenting attendance.</p> <p>9852. Educational Sessions (excerpt)</p> <p><i>(i) The DUI program shall require each participant to sign a roster at each educational session in order to verify attendance. The DUI program shall maintain attendance rosters for each educational session. The attendance roster for each educational session shall list the following information:</i></p> <p><i>(1) Date of the session,</i></p>



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	<p>(2) Starting and ending time,</p> <p>(3) Topics presented or session number,</p> <p>(4) Printed and signed names of participants in attendance, and</p> <p>(5) Signature of the program staff who conducted the session.</p> <p>(j) The DUI program shall document attendance at educational sessions in each participant's case record.</p> <p>(k) No credit shall be given for attendance unless the participant attended the entire educational session as scheduled.</p> <p>9854. Group Counseling Sessions (excerpt)</p> <p>(i) The DUI program shall require each participant to sign a roster at each group counseling session in order to verify attendance. The DUI program shall maintain attendance rosters for all group counseling sessions. The attendance roster for each group counseling session shall list the following information:</p> <p>(1) Date of the session,</p> <p>(2) Starting and ending time,</p> <p>(3) Topics discussed or session number,</p> <p>(4) Written exercise to be conducted, if any, the purpose and desired outcome, and the amount of time allocated for participants to complete the exercise.</p> <p>(5) Printed and signed names of participants in attendance, and</p> <p>(6) Signature of the program staff who conducted the session.</p> <p>(j) The DUI program shall document attendance and participation at group counseling sessions in each participant record.</p> <p>(k) No credit shall be given for attendance unless the participant attended the entire group counseling session as scheduled.</p>
BP 10	The DUI Program should have written procedures for ensuring clients are not under the influence of alcohol or drugs while attending Virtual Sessions and the steps the Program will take when an individual is identified as under the influence during a Virtual Session.
BP 11	<p>The DUI Program should provide all staff with initial and ongoing training on providing live virtual services.</p> <ul style="list-style-type: none"> • Administrative and counselors: Training on all aspects of the virtual platform utilized by the Program. Training on the confidentiality and regulations that govern telehealth services. • Counselors: Providing effective clinical services via live virtual platforms is a newer skill for most counselors. The Program should provide training resources on how to



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	<p>conduct effective virtual counseling sessions. Additional resources can be found on CADTP's counselor certification website at www.cadtpcounselors.org.</p>
<p>BP 12</p>	<p>Group sessions provided via Live Virtual Platforms must follow current Title 9 regulations, including the time periods approved for the DUI Program by DHCS (if groups are approved for 2 hours, the virtual group must also be in session for 2 hours).</p> <p>Title 9 limits the group counseling session to fifteen (15) participants, and Virtual Sessions must adhere to the Title 9 requirements regarding the number of participants allowed in virtual group sessions.</p> <p>In an emergency, Title 9 allows seventeen (17) participants in a group session. The Program must document the reason for the emergency per regulations. The DUI program shall not include more than seventeen (17) participants per group counseling session for any reason.</p> <p>Following Title 9, the DUI program shall not use films or lectures to meet the number of hours of group counseling sessions required in section 9851.</p> <p>Following T 9 regulations, 9846 Staff Qualifications, and Function, group sessions must be facilitated by a SUD counselor registered or certified by a DHCS California Approved Certifying Agency or a licensed individual.</p> <p><i>Excerpt: (c) All DUI program staff who provide counseling services (as defined in Section 13005(a)(4)) shall be licensed, certified, or registered to obtain certification pursuant to Chapter 8 (commencing with Section 13000) or meet the qualifications required in subdivision (f).</i></p> <p><i>Review T 9 section 9846 for a full explanation of licensure, interns, and volunteer requirements.</i></p> <p>DHCS Behavioral Health Information Notice (BHIN) No: 23-008 Exemption from Registration or Certification Requirement: Assembly Bill (AB) 1860.</p> <p><i>Excerpt: AB 1860 exempts graduate students affiliated with university programs in psychology, social work, marriage and family therapy, or counseling who are completing supervised practicum hours, associates registered with the BBS, and licensed professionals from registration or certification requirements currently imposed by existing law.</i></p> <p><i>Review BHIN 23-800 for full details on this exemption.</i></p> <p>The DUI Program should have written procedures on how Virtual Sessions will:</p> <ol style="list-style-type: none"> 1. Verify client identity. 2. Address confidentiality.



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	<ol style="list-style-type: none">3. Identify alcohol/drug impairment.4. Document attendance and absences. <p>Group sessions must utilize a video-based virtual platform. Counselors should facilitate the group like an in-person group with all attendees participating.</p>
BP 13	<p>Tips for Counselors: Facilitating Virtual Meetings</p> <ol style="list-style-type: none">1. You are the role model for Virtual Etiquette.2. Ensure that you have a clean, work-appropriate background.3. Always have your camera ON and look into the camera when talking instead of looking at yourself.4. Eliminate distractions and focus on the group structure.5. Make sure to introduce everyone at the beginning like you would to an in-person group session.6. At the beginning of every session, review the Virtual meeting controls available for the participants, such as mute, unmute, video, etc.7. At the beginning of every session, review the program rules for Live Virtual group sessions.8. At the beginning of each group, use Chat to post the Live Virtual Services guidelines the participants agreed to when they enrolled in Virtual Services; direct participants to the chat box for the information posted.9. At the beginning of each group, use Chat to post emergency crisis services contact information for your county; direct participants to the chat box for the information posted.10. Try an icebreaker to get the interaction started.11. Use tools within the virtual platform to engage with the participants, including worksheets, file sharing, and annotation.12. Be aware of your audio and video settings.13. Use account settings and participants' options in host controls.14. Remember: The DUI program shall not use films or lectures to meet the number of hours of group counseling sessions required in section 9851.



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	<p>15. Log into your Virtual group at least 5 minutes early. Start and end the group on time.</p>
BP 14	<p>Education sessions provided via Live Virtual platforms must follow current T 9 regulations, including the time periods approved for the DUI Program by DHCS (if education sessions are approved for 2 hours, the Virtual education must also be in session for 2 hours).</p> <p>Following Title 9, the DUI program shall limit attendance at educational sessions to a maximum of thirty-five (35) program participants.</p> <p>Education sessions are facilitated by a staff member that meets the requirements described in T 9 § 9846 Staff Qualifications, and Function.</p> <p><i>(b) DUI program staff who conduct: Educational sessions shall have a minimum of two years of experience in providing alcohol and/or drug education and information to persons with alcohol and/or other drug problems in a classroom setting or meet the staff qualifications required in Section 9846(c) or Section 9846(f).</i></p> <p>The DUI Program should have written procedures on how Virtual Sessions will:</p> <ol style="list-style-type: none">1. Verify client identity.2. Address confidentiality.3. Identify alcohol/drug impairment.4. Document attendance and absences. <p>Education sessions must utilize a video-based virtual platform to ensure each client is in attendance and engaged for the entire educational session. Webinar meetings are appropriate for education sessions. Webinars offer pre-registration, collect attendance time in and out, and some systems provide engagement data.</p>
BP 15	<p>For Education Facilitators: Tips for Facilitating Virtual Education</p> <ol style="list-style-type: none">1. Introduce meeting controls and let your audience know how to interact with you.2. Review rules for Live Virtual education sessions at the beginning of each session.3. Use the Chat box at the beginning of each education to post the Live Virtual Services guidelines the participants agreed to when they enrolled in Virtual services; direct participants to the chat box for the information posted.



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	<ol style="list-style-type: none">4. Use the Chat box at the beginning of each education to post emergency crisis services contact information for your county; direct participants to the chat box for the information posted.5. Use Q&A and Chat boxes to answer questions during or after the presentation.6. Consider a panelist or co-host to help manage the meeting.7. Eliminate distractions and focus on the presentation.8. Be aware of your audio and video settings.9. Use account settings and participants' options in host controls.10. Log into your Virtual education at least 5 minutes early. Start and end the session on time.
BP 16	<p>Face-to-face sessions via a Live Virtual platform must follow current Title 9 regulations. The regulation requires Face-to-faces to be at least 15 minutes.</p> <p>Following T 9 regulations, § 9846 Staff Qualifications, and Function, group sessions are facilitated by a SUD counselor registered or certified by a DHCS California Approved Certifying Agency or a licensed individual.</p> <p><i>(c) All DUI program staff who provide counseling services (as defined in Section 13005(a)(4)) shall be licensed, certified, or registered to obtain certification pursuant to Chapter 8 (commencing with Section 13000) or meet the qualifications required in subdivision (f).</i></p> <p><i>Review T 9 section 9846 for a full explanation of licensure, interns, and volunteer requirements.</i></p> <p>CADTP encourages the use of video for Face-to-face sessions, although Face-to-face sessions conducted via video or telephonically are both viable options.</p> <p>As a "Best Practice Suggestion," the live virtual face-to-face is conducted utilizing a video telehealth platform. The Face-to-face session is the single point during the DUI Program treatment episode that the client receives individual attention. This critical interaction is best-served face to face via a live video virtual platform.</p> <p>Utilize face-to-face sessions to discuss the virtual services the client is receiving and any issues with their attendance that may be of concern.</p>



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BP 17	<p>Providers have reported that assigning an administrator to manage virtual session activities has allowed enhanced management of the sessions and provides the following benefits:</p> <ul style="list-style-type: none">• The counselor can focus on what is essential and not deal with the administrative work. The administrator can be a clerk, a manager, etc.• The administrator will admit each client individually; the clients must have their full name entered into the login, so it shows up on the screen for the counselor.• The administrator will not admit any clients after the start, which supports compliance with T 9 attendance regulations.• The administrator observes the group on their computer. If the administrator observes a participant not complying with the rules, they can immediately remove them from the session. This system also helps support the counselor; they have an eyewitness to the inappropriate behavior and do not have to disrupt their topic attending to those issues.• Staff should direct a client removed from a session to speak to an administrator who will explain the removal and rescheduling options.• The administrator can multitask during the session while ensuring compliance with session rules.
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Additional Resources:

- California Telehealth Resource Center: <https://caltrc.org/>
- DHCS Telehealth FAQ: <https://www.dhcs.ca.gov/provgovpart/Pages/TelehealthFAQ.aspx>
- Business and Professions Code 2290.5: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=2290.5.&lawCode=BPC
- CADTP Counselor Website: www.cadtpcounselors.org
- CADTP DUI Website: www.cadtp.org
- DHCS DUI Information: <https://www.dhcs.ca.gov/individuals/Pages/DUI.aspx>
- DHCS BHIN: https://www.dhcs.ca.gov/formsandpubs/Pages/Behavioral_Health_Information_Notice.aspx