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October 22, 2013

COURT DESIGNATION CLARIFICATION MEMO

Attn: All State Courts

Background:

As you may know, the Letter of Agreement between the departments currently known as Michigan Department of Licensing and Regulatory Affairs (LARA) and State Court Administrative Office (SCAO) expired on September 30, 2006. The Agreement was based on sections 625 and 625b of Public Act 300 of 1949, as amended, which provide that the Office of Substance Abuse Services (LARA) has the authority and responsibility to designate persons or agencies, including individuals or probation departments, to conduct screening and assessment of persons convicted of violations of the Act. Since then, the two departments have continued to operate under this expired agreement.

Moving Forward:

As LARA and SCAO continue to streamline processes and efficiencies, it has been decided that LARA will issue a Screening, Assessment, Referral, Follow-up (SARF) license in place of the former Court Designation certificate eliminating the need for a letter of agreement. Since the Court Designation provides essentially the same services as a SARF license, a SARF license will be issued in place of the Court Designation. The service category on the license will display as "SARF-Court Designation" so that it can be easily identified as a license that has been issued to a court.

All existing Court Designation licenses will be converted to a SARF-Court Designation. To apply for a new SARF-Court Designation license, the court will be required to fill out an application ([LARA/SUB-500](#)) and submit it to LARA at least 30 days prior to initiation of service. Licenses will be required to be renewed annually as required by MCL 333.6238. Currently, there is no licensing fee and licenses are to be renewed online on or before July 31st of each year.

Onsite inspections will be conducted on all new programs and periodically at existing programs. Inspections will verify compliance with Substance Abuse Licensing Rules R325-14101 thru 325.14125, R325.14201 thru 325.14214 and R325.14601 thru 325.14623. These administrative rules, license applications and other licensing information can be found at:

http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303_30419---,00.html

LARA will no longer issue a special 309 Designation to independent Substance Abuse programs that provide screening and assessments to the courts. If a Substance Abuse program is licensed for SARF, they are considered designated by LARA to provide screening and assessments in accordance with Act 300 of 1949 as amended.

The attached Appendix can be used as a resource; however, information contained within the Appendix should not be construed as a requirement. If you would like a list of current Substance Abuse programs licensed to provide SARF, have any questions or need any technical assistance, please call 517-241-1970.

APPENDIX for COURT DESIGNATION CLARIFICATION MEMO

Screening

Screening is defined as the use of a brief standardized questionnaire to determine the possible presence of an alcohol or other drug use problem.

A court screening should address the following:

- a) facts pertaining to the offense,
- b) criminal history and driving record,
- c) blood alcohol concentration and any urinalysis results, and
- d) probation history.

The following standardized screening instruments are available, but courts are allowed to use other standardized screening instruments:

- a) Alcohol, Smoking and Substance Involvement Screening Test (ASSIST)
- b) Alcohol Use Disorders Identification Test (AUDIT),
- c) Cut Down, Annoyed, Guilty, Eye-Opener (CAGE),
- d) Drug Abuse Screening Test (DAST),
- e) Michigan Alcoholism Screening Test (MAST),
- f) Short Michigan Alcohol Screening Test,
- g) Michigan Alcoholism Screening Test-Geriatric (MAST-G) [designed for older adults],
- h) Substance Abuse Subtle Screening Inventory (SASSI),
- i) Tolerance, Worried, Eye-opener, Amnesia, C(K)ut-down (TWEAK),
- j) Driver Risk Inventory II (DRI-II) and
- k) Hopkins 20-Questions Test (New Hopkins 20-Questions - for alcoholism).

The Substance Abuse and Mental Health Services Administration's website: <http://www.samhsa.gov> should be consulted periodically for updates in screening instruments.

Assessment

Assessment is defined as a one-to-one clinical evaluation of a defendant's alcohol and/or drug use that results in a formal substance use disorder diagnostic impression according to current *Diagnostic and Statistical Manual* criteria. The assessment will aid the judge in determining the most appropriate level of treatment.

A written summary of the assessment should address all of the following domains:

- a) Alcohol and/or drug treatment history,
- b) history of drug/alcohol use,
- c) family drug/alcohol history,
- d) mental health/psychiatric status and history,
- e) family relationship and social support system,
- f) criminal history,
- g) employment and vocational needs,
- h) medical status, and
- i) level of intervention recommended by an assessment tool.

APPENDIX for COURT DESIGNATION CLARIFICATION MEMO (continued)

The following standardized assessment tools are recommended, but courts are allowed to use other standardized assessment instruments:

- a) NEEDS Assessment (NEEDS),
- b) Addiction Severity Index – Lite (ASI-Lite),
- c) Substance Abuse Life Circumstances Evaluation (SALCE),
- d) Global Appraisal Of Individual Needs (GAIN)
- e) Level of Care Utilization System (LOCUS)
- f) Recovery Attitude and Treatment Evaluator (RAATE)
- g) Adolescent Drug Abuse Diagnosis (ADAD),
- h) Clinical Institute Withdrawal Assessment for Alcohol – Revised (CIWAA-R), and
- i) Structured Clinical Interview for the DSM (SCID).

The Substance Abuse and Mental Health Services Administration’s website: <http://www.samhsa.gov> should be consulted periodically for updates in assessment instruments.

Note that the use of a standardized assessment instrument does not replace the need to obtain information directly from the individual in an interview.

Patient Placement

The current edition of the *American Society of Addiction Medicine (ASAM) Patient Placement Criteria* is a good tool to use in determining the most appropriate level of care when concluding an assessment.

Credentials

There are currently no minimum credential requirements in statute or administrative rule for court staff to conduct a screening or assessment. However, current industry standards (including all MDCH and MDOC funded services) call for staff who conduct assessments to have one of the following minimum credentials, or equivalent:

1. Certified Criminal Justice Professional (CCJP),
2. Certified Alcohol and Drug Counselor (CADC),
3. Certified Advanced Alcohol and Drug Counselor (CAADC),
4. Certified Co-Occurring Disorder Professional Diplomate (CCDP-D), or
5. Certified Co-Occurring Disorder Professional (CCDP).

These credentials can be obtained through the Michigan Certification Board for Addiction Professionals (MCBAP) an IC&RC member board (www.mcbap.com). A three year Development Plan can be secured through MCBAP for staff working toward meeting credential requirements in the areas of education/training, experience, supervision, testing, and signature on a code of ethics.