



ISSUE MEMORANDUM

DATE	May 13, 2009
TO	SB 1441 Substance Abuse Coordination Committee
FROM	SB 1441 Uniform Standards Staff Working Group Glenn Mitchell Physician Assistant Committee
SUBJECT	SB 1441 Uniform Standard # 6

SB 1441 REQUIREMENT

(6) Standards used in determining whether inpatient, outpatient, or other type of treatment is necessary.

DRAFT UNIFORM STANDARD #6

In determining whether inpatient, outpatient, or other type of treatment is necessary, the Board shall consider the following criteria:

- recommendation of the clinical diagnostic evaluation pursuant to Uniform Standard #1;
- license type;
- licensee's history;
- licensee's medical history and current medical condition;
- documented length of sobriety/time that has elapsed since substance abuse;
- scope and pattern of substance use;
- licensee's treatment history;
- nature, duration, and severity of substance abuse; and,
- threat to himself/herself or the public.

DISCUSSION

In considering the standards used to determine if inpatient, outpatient, or other types of treatment may be required, members of the working group believe that most of the criteria applied in Uniform Standard 5 would be appropriate for this standard.

It was recognized that in determining if treatment is required, a board should also consider if the licensee presents a threat to himself/herself or the public. This standard was added.

These standards will provide a comprehensive overview of the licensee to determine if treatment is appropriate.

PROS/CONS

Uniform Standard #6 was drafted to permit the board to apply specific criteria to evaluate the licensee's history, medical condition, substance abuse issues, and risk factors to determine an appropriate course of treatment.

No strong arguments, either for or against this standard, were identified in the group's discussion.

PUBLIC COMMENT

Several public comments were received concerning this standard.

- 1. A comment noted that the standard does not address the licensee's medical condition. It is believed that to determine the type of treatment necessary would require a medical history and an evaluation of the licensee's current medical condition. It was suggested that "medical needs" be added to the list of criteria.**

The comment was considered by members of the staff working group. When determining appropriate treatment for the licensee, a board would take into consideration the recommendation of the clinical diagnostic evaluation pursuant to Uniform Standard #1. The clinical diagnostic evaluation would include an evaluation of the licensee's prior and current medical condition, in addition to an assessment of their substance abuse issues.

- 2. A comment was made suggesting that an evaluation for the type of treatment appropriate for the licensee be made by an evaluation committee and not an individual.**

This standard was drafted to allow a board to decide if a committee or individual may make a determination regarding the appropriate type of treatment.

- 3. Written comments addressed the necessity for treatment requirements if the professional is testing clean or if drug treatment is required in all cases.**

It is recognized that inpatient, outpatient, or other treatments may not be appropriate in many cases. This standard was drafted to permit a board to determine if a specific type of treatment is necessary.