
HOUSE BILL 1340

State of Washington 60th Legislature 2007 Regular Session

By Representatives Pearson, Moeller, O'Brien, Lovick and Upthegrove

Read first time 01/17/2007. Referred to Committee on Judiciary.

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

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.96A RCW
5 to read as follows:

6 (1) This section applies to alcohol and drug assessments conducted
7 on persons convicted of a violation of RCW 46.61.502 or 46.61.504 as
8 well as persons charged with a violation of those provisions who are
9 petitioning for a deferred prosecution under RCW 10.05.020. All such
10 alcohol and drug assessments shall be performed in accordance with this
11 section and section 2 of this act.

12 (2) Every assessment shall be conducted by a chemical dependency
13 professional certified by the department of health under chapter 18.205
14 RCW, by a chemical dependency professional trainee who is directly
15 supervised by a supervisor approved under department of health rules,
16 or by a probation assessment officer qualified under department of
17 social and health services rules pursuant to RCW 46.61.516.

18 (3) An evaluation shall be made of a copy of the analysis of the
19 client's blood alcohol level and other drug levels at the time of

1 arrest, if available, and the client's self-reported driving record and
2 a copy of the client's abstract of driving record. The evaluation must
3 include a statement regarding the blood alcohol level and the client's
4 self-reported driving record, and a clinical interpretative statement
5 about the abstract of driving record that includes a fifteen-year
6 history of all alcohol-related convictions and related offenses reduced
7 to lesser offenses, and deferred prosecutions, and how they relate to
8 the assessment and diagnosis.

9 (4) A release of information shall be obtained from the client for
10 the court of jurisdiction or judicial information system to receive a
11 summation of the client's defendant case history if the initial finding
12 is other than substance dependence. If collateral information is not
13 obtained, circumstances preventing such efforts shall be included in
14 the assessment.

15 (5) A copy of the police report shall be obtained in cases where
16 the blood or breath alcohol concentration test was refused. If the
17 police report was not reviewed in cases of refusal, circumstances
18 preventing such efforts shall be included in the assessment.

19 (6) A drug screen urinalysis shall be obtained if the initial
20 finding is other than substance dependence. Results are to be assessed
21 and included in the written assessment and recommendations. If a
22 request for drug screen urinalysis is refused, circumstances
23 surrounding the refusal shall be included in the assessment.

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

26 Assessments conducted under section 1 of this act shall use a
27 chemical dependency assessment summary for all assessments and
28 treatment recommendations. The summary shall include:

- 29 Client Name:
- 30 Date of Birth:
- 31 Address:
- 32 Phone Number:
- 33 Court:
- 34 Diagnostic Assessment:
- 35 Treatment Recommendations - Level and Duration:
- 36 Factors Considered in Recommendations:
- 37 BAC Level or Refusal Analysis:

1 Any Alcohol-related Arrests or Reduced Charges:
2 UA obtained at time of assessment: Yes No
3 Results:
4 Prior Evaluation: Yes No
5 A/DIS: Yes No
6 Deferred Prosecution: Yes No
7 Treatment: Yes No
8 If prior treatment, explain:
9 Client Authorized Disclosure to: Attorney
10 Court Law Enforcement Treatment Agency
11 . . Child Protective Services Physician Family
12 NOTE: This assessment and treatment recommendations are voided if the
13 client fails to fully disclose prior criminal history, treatment,
14 assessment, or other relevant information. Recommendations for
15 continuing care will be made periodically to the court and the client
16 based on an ongoing assessment of need.
17 Date:
18 Treatment Counselor Signature and Credentials
19 *Full evaluation and any other necessary documentation are attached.

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