

RCW 9.94A.664 Residential substance use disorder treatment-based alternative.

(1) (a) A sentence for a residential substance use disorder treatment-based alternative shall include a term of community custody equal to one-half the midpoint of the standard sentence range or two years, whichever is greater, conditioned on the offender entering and remaining in a residential substance use disorder treatment program certified by the department of health for a period set by the court up to six months with treatment completion and continued care delivered in accordance with rules established by the health care authority. In establishing rules pursuant to this subsection, the health care authority must consider criteria established by the American society of addiction medicine.

(b) The sentence may include an indeterminate term of confinement of no more than thirty days in a facility operated or utilized under contract by the county in order to facilitate direct transfer to a residential substance use disorder treatment facility.

(2) (a) During any period of community custody, the court shall impose treatment and other conditions.

(b) The department shall, within available resources, make substance use disorder assessment and treatment services available to the offender during any term of community custody, and within available resources, make domestic violence treatment services available to a domestic violence offender during the term of community custody.

(3) (a) If the court imposes a sentence under this section, the treatment provider must send the treatment plan to the court within thirty days of the offender's arrival to the residential substance use disorder treatment program and, when applicable, the domestic violence treatment program.

(b) Upon receipt of the plan, the court shall schedule a progress hearing during the period of treatment, and schedule a treatment termination hearing for three months before the expiration of the term of community custody.

(c) Before the progress hearing and treatment termination hearing, the treatment provider and the department shall submit written reports to the court and parties regarding the offender's compliance with treatment and monitoring requirements, and recommendations regarding termination from treatment.

(4) At a progress hearing or treatment termination hearing, the court may:

(a) Authorize the department to terminate the offender's community custody status on the expiration date determined under subsection (1) of this section;

(b) Continue the hearing to a date before the expiration date of community custody, with or without modifying the conditions of community custody; or

(c) Impose a term of total confinement equal to one-half the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

(5) If the court imposes a term of total confinement, the department shall, within available resources, make substance use disorder assessment and treatment services available to the offender during the term of total confinement and subsequent term of community custody. [2020 c 252 § 3. Prior: 2019 c 325 § 5003; 2019 c 263 § 504; 2009 c 389 § 5.]

Effective date—2020 c 252: See note following RCW 9.94A.660.

Effective date—2019 c 325: See note following RCW 71.24.011.

Findings—Intent—2019 c 263 §§ 202-803: See note following RCW 10.01.240.

Effective date—2019 c 263 §§ 501-504, 601, 602, and 701-708: See note following RCW 9.94A.500.

Effective date—2009 c 389 §§ 1 and 3-5: See note following RCW 9.94A.505.