

Marin County Health and Human Services Guidelines for Sober Living Environments

Purpose and Philosophy

It is the policy of the Marin County, Department of Health and Human Services to provide guidance and recommendations for the effective creation and operation of Sober Living Environments (“SLE”) in Marin County, California. The SLE is a safe, clean, sober, residential environment that promotes individual recovery through positive peer group interactions among house members and staff. Sober living housing is affordable, alcohol and drug free and allows the house members or residents to continue to develop their individual recovery plans and to become self supporting. In doing so, the SLE must co-exist in a respectful, lawful, non-threatening manner within residential communities in Marin County. These guidelines are a minimum standard to which Marin County Department of Health and Human Services will provide oversight and quality assurance through monthly reporting, semi-annual site visits and audits with contractual SLE services.

Marin County Department of Health & Human Services, Division of Mental Health and Substance Use Services would like to thank the Marin Recovery Project (MRP) for the amount of time, research and dedication they provided in developing these Guidelines for Marin County. The MRP consists of a group of self-identified peer leaders in our community whose major goals include: (1) Changing public perceptions of recovery; (2) Promoting effective public policy, and; (3) Demonstrating that recovery is working for millions of Americans.

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Policies and Procedures

Each House shall have a current Policies and Procedures Manual that sets forth the rules, regulations, expectations, governance and grievance procedures of the house. Each house member shall be familiar with the policies and procedures contained in the Policy and Procedures Manual and will sign an agreement to abide by them while a member of the house. At a minimum, a House Policies and Procedures Manual shall contain the following sections:

- A. Standards of Operation:** The SLE shall provide 24-hour safe housing, free from alcohol and other drugs which, at a minimum, shall include the following components:
1. Residents shall be required to attend regular house meetings with house managers, and/or operators. These meetings may be in a group setting with other residents of the SLE;
 2. Residents shall be provided with opportunities to engage in regular activities necessary (or optional) that define a residence such as cooking, laundry, housecleaning, yard work, etc;
 3. Each SLE shall have a "common area" with adequate space for the proper number of residents to assemble for social and/or other group activities;
 4. Each SLE shall have adequate personal space for each resident to be provided dignity, respect and appropriate privacy at all times, and the SLE will comply with applicable guidelines for the amount of square feet per resident and the number of residents per room;
 5. SLE operators and house managers shall take appropriate measures to ensure that the personal property of each resident is secure;
 6. The SLE shall establish and maintain a culture and environment that is welcoming and understanding to those they serve;
 7. All residents shall have access to the: kitchen, refrigerator, stove, dining room, laundry facilities, restrooms, and showers to ensure basic needs are met;
 8. The SLE shall post a written description of the procedural processes regarding chores, assignment of roommates, and primary house rules in a space that is accessible to all residents;
 9. The SLE shall be a non-smoking residence. If the operator's policy is to allow smoking on the property, a smoking area must be designated clearly in an outdoor space where smoke will not affect neighbors and is in compliance with any and all local smoking rules/ordinances. (A Good Neighbor Policy should also be established between the SLE operator and direct neighbors of the SLE) Any and all litter generated in a designated smoking area must be cleaned up daily;
 10. Each SLE shall afford residents opportunities to engage in daily recreational, cultural, physical, and spiritual activities, either as an individual or with a group;
 11. All SLE residents MUST be engaged in employment, treatment, education, volunteer work, active job search (for a defined period), or other approved daily activities conducive to the recovery process;
 12. SLE proprietors are responsible for ensuring neighborhood parking is in compliance with town/city ordinances and is NOT intrusive to neighbors;
 13. SLE proprietors shall establish and maintain a "Good Neighbor Policy."

B. Admission and Discharge

1. Each SLE shall have a written admission procedure;
2. Each SLE shall have a written policy for discharge, grounds for discharge and discharge protocols that address the personal property of residents, referral to further services, monies paid, and information sharing ,if applicable;
3. Each prospective resident shall be interviewed and assessed by the House Manager to determine whether he or she is an appropriate fit for the SLE;
4. If the prospective resident is referred from another source, the interviewer may contact that source as a means of gathering information about the suitability of the prospective resident and Releases of Information (HIPAA, 42-CFR) may be requested for this purpose;
5. If the prospective resident is currently involved with the criminal justice system (probation/parole), releases of information (42-CFR) may also be requested by the interviewer;
6. Any/all prescription medications must be disclosed by the prospective resident and a 7-day minimum supply must be on hand prior to the resident moving into the SLE. (Prospective residents CANNOT be denied services based on prescribed medications);
7. Copies of all policies, procedures, house rules and expectations shall be presented to the prospective resident during the interview process, and specific questions or concerns of the resident at this time should be recorded as a means of documenting their understanding of the rules and expectations;
8. Admission and SLE residency documents shall be kept in a resident's file at the premises at all times.

C. Eligibility for Residency: Eligibility shall be determined through a formal interview process set forth by the proprietor/management of the SLE. At a minimum, prospective residents must be willing to comply with and meet the following criteria:

1. Residents must demonstrate being clean and sober by one or more of the following means:
 - a. Submit a negative urinalysis sample;
 - b. Be actively enrolled in an alcohol and other drug treatment program;
 - c. Regular attendance at self-help groups such as AA, NA, CA, etc.
2. SLE residents must demonstrate employment (paid or volunteer), ability to pay, or making a good faith effort to do so (determined by SLE operator or House Manager), be actively enrolled in a formal alcohol or other drug treatment program or be involved with community service work for a minimum of 20 hours per week as acceptable by the SLE operator and the resident's supervising officer (if applicable).
3. Residents must possess a willingness and demonstrate the ability to comply with all SLE House rules, standards and procedures.

D. House Rules: SLE rules must be clearly defined; Any optional rules the SLE proprietor chooses to implement must be for the needs of the residents, shall not be overly burdensome, and must be consistent across multiple residents. The following should be considered minimum mandatory standards for every SLE:

1. There shall be no consuming alcohol and/or other drugs by anyone on the property of the SLE;
2. Alcohol and items containing alcohol shall not be brought onto the property for any reason;
3. Alcohol and other drug use may be grounds for dismissal from the SLE; Upon being notified of possible alcohol and/or other drug use by a resident, the House Manager shall first refer the resident for detoxification services for up to three days. Further, a resident has the right to file a grievance if dismissed from the residence without being referred to detoxification services. Note: The SLE operator or House Manager assumes NO fiscal responsibility for payment for detoxification for a resident of the SLE;
4. Regular attendance of house meetings shall be mandatory for all residents and it shall be the responsibility of SLE management to ensure proper participation;
5. Operators or House Managers in charge of an individual SLE facility must be accessible to residents daily. The operator and/or House Manager shall be clearly and easily identified and shall remain available at all times;
6. Each SLE shall have in its house rulebook a policy addressing visitation including hours, terms of contact, areas for visitation, visitor access, child visitation and monitoring, etc.

E. A Confidentiality Policy: The SLE shall protect the privacy of individuals being served and will not disclose confidential information without express written consent except as required or permitted by law. The House Manager will maintain release forms for house members to authorize the release of information. The SLE shall also affirmatively inform house members' of the privacy of information disclosed in house meetings or other SLE activities. SLE management shall remain knowledgeable of and obey all state and federal laws and regulations relating to confidentiality of records for the providers of services. Confidential information acquired during residency at the SLE shall be safeguarded from illegal or inappropriate use, access and disclosure, or from loss, unsecured maintenance of records or recording of an activity or presentation without appropriate releases. Forms will be provided to house members for the authorization to release information in compliance with Federal Law 42-CFR Ptl.

F. A Sexual Harassment and Verbal Abuse Policy: The SLE will not tolerate any behavior that is abusive, harassing or intimidating toward House Manager, volunteers, house members' or visitors.

G. A Weapons, Alcohol, Illegal Drugs and Illegal Activity Policy: The SLE strictly prohibits on its property the possession, and/or use of firearms, other weapons, illegal drugs, illegal activities and acts or threats of violence. Such acts shall be reported to the local law enforcement agencies immediately. Residents will be terminated from the house for such offenses. House Managers found to have violated the policy may face immediate termination. Each SLE shall have a written policy addressing weapons, alcohol and other drug use, relapse, and illegal activity by residents and staff.

H. A Prescribed Medication Policy: Each facility shall have a written policy regarding the use and storage of residents' prescribed medications. Medications must be properly secured. The policy concerning the storage of medications does not apply to those medications, such as an asthma inhaler, to which medical necessity requires the resident to have immediate access. The SLE shall not dispense medication but must ensure it is securely stored by the resident.

I. A Drug and Alcohol Testing Protocol as follows:

1. Each SLE shall have a written policy addressing the policies and procedures of specimen collection and shall maintain appropriate urinalysis equipment and/or access to an outside drug and alcohol testing service so that all residents may be tested at random to protect the safety and integrity of the house and its residents;
2. Parole, Probation or the Courts may impose and provide drug and alcohol testing to the residents referred by the Courts and/or Probation;
3. Positive drug tests of residents shall be reported immediately to the probation officer/parole agent or to the courts, as applicable.

J. Documentation/Record Keeping

1. Each SLE Manager shall keep a record of all residents as follows:
 - a. A resident's date of birth, emergency contact information, pertinent emergency medical information, list of current medications and pharmacy where prescriptions are on file, employer or school contact information and any releases of information that are deemed necessary by the House Manager. Incidents of relapse should also be documented;
 - b. A resident sign in/out sheet should be placed near the main entrance/exit of the residence;
 - c. Each SLE shall keep clear records of rent/expenses paid and provide each resident with a receipt each and every month, or as appropriate, when rent/expenses are paid;
 - d. The SLE shall have clear policies concerning curfew, prescribed medications, urinalysis monitoring, visitation, rent/expense payments, disposal of medications, relapse, resident/consumer conduct and expectations, and resident departures from those requirements shall be documented;
 - e. Each SLE shall have a specific policy addressing relapse and the actions taken by the house manager to address an incident of relapse.

K. An Incident Report Policy: The SLE House Manger will complete an internal incident report for all incidents involving house members. The incident report will be completed within 72 hours of the occurrence of an on-site incident or, in the case of an off-site incident when House Manager became aware of, or reasonably should have known of an incident that occurred. The incident report will provide:

1. A detailed description of the event including the date, time, location, individuals, name involved, and action taken.
2. The House Manager responsible for completing the report will sign it and record the date and time it was completed.
3. All incident reports will be stored in a single, separate file.
4. The House Manager or his/her designee will be responsible for reviewing incident reports and, all incidents will be evaluated to determine opportunities to improve.

Incidents involving criminal activity or the need for emergency services (IE: fire, 911, violence, or serious injury) shall be reported to Marin County's Department of Health and Human Services within 72 hours. Reports shall be made for all incidents including:

5. Any violation of client rights, including but not limited to, allegations of abuse, neglect and exploitation;
6. Accidents and injuries;
7. Illegal or violent behavior;
8. Fire;
9. Medical emergencies;
10. Psychiatric emergencies;
11. Suicide attempt by an active house member (on or off site);
12. Medical or psychiatric emergencies that result in admission to an inpatient unit of a medical or psychiatric facility;
13. Release of confidential information without house members' consent;
14. Any other significant disruptions or rules violations (site specific).

L. A Client Grievance Policy: Each SLE must have a written grievance procedure. Each house member will receive a copy of the grievance procedure within 48 hours of admission to the SLE. The House Manager will explain the grievance procedure clearly and, after this explanation and review, both the resident and the House Manager will sign the grievance procedure acknowledgement form which will be maintained in the SLE files. Copies of the grievance forms are to be readily available to house members. House Managers will advise house members whether they have cause or not to file a grievance about any violation of client rights or organization rules, but the house member may do so at his or her discretion. The SLE will provide necessary help and materials in order for the grievance form to be complete and appropriately submitted. If a grievance is made, the following may occur:

1. Marin County Department of Health and Human Services will evaluate the grievance thoroughly and objectively, obtaining additional information as needed;
2. Marin County Department of Health and Human Services will provide a response to the house member within fourteen (14) business days of receiving the grievance;
3. Marin County Department of Health and Human Services will provide technical assistance and mediate unresolved grievances when appropriate;
4. All grievances will be filed and documented, including the final disposition and keep record of it in a central file;
5. Marin County Department of Health and Human Services does not restrict or discourage, or will not interfere with house members communication with an attorney or other organizations for the purposes of filing or pursuing a grievance;
6. Marin County Department of Health and Human Services adheres to these standards to protect the welfare of the resident the SLE Manager/Proprietor, and the community at large.

M. SLE Manager's Requirements: Overall supervision for each SLE must be adequate for the number of people residing in the SLE and appropriate operators/House Managers must be accessible on an on-call basis 24 hours a day, 7 days a week. In addition, Operators/House Managers are expected to have the following qualifications and responsibilities:

1. House Managers must have at least two years of sobriety (if in recovery), be CPR certified, possess adequate crisis intervention skills and be trained in cultural competence;
2. At a minimum, House Managers are responsible for the safety of the premises and those who reside there. Additional responsibilities include; collection of rent (if appropriate per SLE operator) documentation and maintenance of records, uphold house rules, and supervise residents as needed, maintain property inside and out, ensure adherence to parking restrictions, smoking rules, etc are enforced;
3. If more than one manager is appointed to the SLE, shift notes should be kept as a means of documenting incidents, if they occur.

N. A Code of Conduct which provides that:

1. House Managers are to conduct themselves in a professional manner at all times, adhere to all policies and procedures including ethical and personal standards. House Managers are also expected to treat consumers/residents, volunteers, neighbors and guests with respect both on and off premises;
2. No SLE will permit any House Manager to enter into a business relationship with any house member or their family. They shall not employ them while the house member is living in the SLE;
3. House Managers, house members and/or volunteers shall not engage in any conduct of a criminal or disruptive nature that would bring discredit upon the House, its residents, the County of Marin or the State of California;
4. A violation of professional conduct may result in disciplinary action against the House Manager up to and including discharge from the SLE depending on the severity of the infraction;
5. All disciplinary actions will be handled on an individual basis and the discipline rendered will take into consideration overall work history, the nature of the offense and consideration of the extenuating circumstances, if any.
6. Willfully engaging in any act that can be shown to be harmful to the interest of the SLE or its residents may result in termination.

O. A Conflict of Interest Statement: No volunteer, agent, or participant is to attempt to secure privileges or advantages from anyone in the SLE.

P. Physical Environment of the SLE

1. Exit doors must be clearly marked and barriers to appropriate personal contact among residents should be eliminated;
2. Heating and cooling units shall be sufficient to keep residents comfortable at all times, and shall be in working order;
3. The SLE shall maintain zoning conformance, possess all required permits and follow all minimum fire prevention requirements including;
4. There shall be no smoking inside the building;

5. Any/all smoking materials must be disposed of safely and neatly outside the residence;
6. Stoves and cooking areas shall be kept clean and adequately maintained;
7. Smoke detectors and fire extinguishers shall be installed in accordance with the local Fire Marshal regulations and requirements;
8. Emergency exit routes and disaster plans should be clearly posted in common areas and reviewed annually;
9. Appropriate locks shall be in placed on all doors and windows.

Q. A Continuity Policy: In the event that the SLE is no longer able to continue its service, residents will be referred to other community agencies that can continue housing or rehabilitative support prior to the date of discontinuing service.