



## **He-A 707.12 Exit Evaluation and Assessment Interview**

(a) Following completion of all the required sessions, a LADC shall conduct an exit evaluation and assessment interview with each client, scheduled in accordance with the time frames specified below:

(1) The IDIP or WIDIP shall provide the client with an opportunity to complete the exit evaluation and assessment interview within 15 business days of the last session;

(2) If the client does not complete the exit evaluation and assessment interview within 3 months following the date of the last session, the client shall be required to submit to the provider an alcohol and drug abuse dependency evaluation that conforms to the requirements of the second opinion evaluation outlined in He-A 707.15(b)-(f) before the exit evaluation and assessment interview shall be conducted; and

(3) If the client does not complete the exit evaluation and assessment interview within one year following the date of the last session, the client's file shall be closed, pursuant to He-A 707.18, and the client shall be required to restart and complete the entire program, and pay all applicable fees.

(b) The exit evaluation and assessment interview shall:

(1) Be a personal, individual interview performed by a LADC employed by the IDIP or WIDIP;

(2) Be at least one hour in length;

(3) Follow and be separate from the class sessions;

(4) Include discussion of the objective diagnostic instruments and the interpretation of the client's scores;

(5) Include discussion of all substance abuse and dependence indicators presented by the client including the results of the diagnostic instruments in (b)(4);

(6) Include the LADC's assessment of the client's involvement with alcohol and other drugs; and

(7) Include either a positive or a negative finding for alcohol or other drug abuse and/or dependence and indicate if there is a need for further evaluation or counseling.

(c) The LADC conducting the exit evaluation and assessment interview **shall** issue a positive finding, thus overcoming the presumption of successful completion described in He-A 704.05(a), if **any** of the following exists:

- (1) The client's diagnostic test scores indicate alcohol or drug abuse or dependence, as follows:
  - a. The client's **DRI-II alcohol or drug scale** score is at the **60th percentile** or greater;
  - b. The client's **DRI-II Truthfulness Scale** score is at the **90th percentile** or greater; or
  - c. The client's **RIASI** score is **10** or greater;
- (2) The client is **age 21 or over** and had a blood alcohol concentration (**BAC**) of **0.16 or higher** at the time of arrest;
- (3) The client has **2 or more** alcohol or drug-related motor vehicle **arrests or convictions**;
- (4) The client is **under the age of 21** and had a **BAC of 0.08** or higher at the time of arrest; or
- (5) The client **meets diagnostic criteria** for alcohol or other substance **abuse and/or dependence** in accordance with the most recent version of the **Diagnostic and Statistical Manual for Mental Disorder** (currently the DSM-IV).

(d) The LADC conducting the exit evaluation and assessment interview **shall** issue a **negative** finding if none of the factors described in (c) exists. The LADC, after conferring with the program director, shall also issue a negative finding when factors in (c) exist but in the judgment of both the LADC and the program director a positive finding is clinically contraindicated.

(f) If there is a positive finding, the LADC shall refer the client for further counseling, pursuant to He-A 707.13, and inform the client as to the reason for the referral.

(g) If there is a positive finding and the client does not accept the finding or the further counseling requirements, he or she may:

- (1) Request a second opinion evaluation, pursuant to He-A 707.15; and
- (2) Act on his or her right to an alcohol program completion hearing before the department of safety, pursuant to RSA 263:65-a and Saf-C 204.20.

**He-A 707.13 Referral for Further Counseling** In cases when there is a positive finding for alcohol or other drug abuse and/or dependence and the client is referred for further counseling, the following shall occur.

(a) The LADC conducting the exit interview shall:

(1) Develop a preliminary treatment plan that outlines the method and duration of aftercare that the client shall undertake, and shall discuss it with the client;

(4) Inform the client of the minimum certification/licensure requirements an aftercare provider must hold to provide approved aftercare services, as follows:

a. Outpatient counseling with a New Hampshire LADC, or an International Certification and Reciprocity Consortium (IC&RC) reciprocal level counselor;

b. Outpatient counseling with a person working towards licensure as a New Hampshire LADC and who has passed the written examination required by the New Hampshire board of licensed alcohol and other drug abuse professionals and is under the direct supervision of a New Hampshire LADC; and

c. A licensed psychologist with a certificate from the American Psychological Association for the treatment of alcohol and other psychoactive substance abuse disorders;

(6) Provide the client with a list of referrals, which shall be aftercare providers that meet the requirements in (a)(4)-(5);

**He-A 707.14 Substantial Compliance with Further Counseling Requirements.**

(a) Substantial compliance with further counseling requirements shall include:

(1) The client shall begin fulfilling the further counseling requirements within 3 months from the date of the exit evaluation and assessment interview; and

(2) The client shall pay all costs associated with the further counseling requirements.

**He-A 707.15 Second Opinion Evaluation and Assessment.**

(a) If the client disagrees with the positive finding or the further counseling requirements, as determined by the client's exit evaluation and assessment interview, the client may request a second opinion evaluation and assessment.

(b) A second opinion evaluation and assessment shall be completed by a different LADC than the one who conducted the client's exit evaluation and assessment interview or by another provider that has met the requirements of He-A 707.13(a)(4)-(5).

(c) The client shall pay all costs associated with obtaining a second opinion evaluation.

(d) The client who requests a second opinion shall sign Form IDIP-020, consent for the release of treatment information, to allow the IDIP or WIDIP provider to forward all clinical data to the LADC, or other provider that meets the requirements of He-A 707.13(a)(4)-(5), conducting the second opinion evaluation.

(e) The IDIP or WIDIP shall forward clinical data to the LADC, or other provider that has met the requirements of He-A 707.13(a)(4)-(5), conducting the second opinion evaluation within 5 days of receiving Form IDIP-020.

(g) Upon receipt of the second opinion evaluation report from the LADC, or other provider that has met the requirements of He-A 707.13(a)(4)-(5), the program director and the LADC exit evaluator shall review the findings of both the original exit evaluation and assessment interview and the second opinion evaluation.

(h) If there is information missing from the second opinion evaluation report, the program director shall obtain the missing information from the provider who rendered the second opinion evaluation.

(i) If the results of the second opinion evaluation agree with the positive finding and the further counseling requirement of the original exit evaluation and assessment interview, the program director shall inform the client of his or her need to comply with the original further counseling requirement or act upon act on his or her right to a hearing before the department of safety, pursuant to RSA 263:65-a and Saf-C 204.20.

(j) If the results of the second opinion evaluation do not agree with the positive finding of the original exit evaluation and assessment interview, the program director and the LADC exit evaluator shall:

(1) Accept the second opinion evaluation as is and change the original further counseling requirements to coincide with the second opinion if new information is presented or existing information is clarified to indicate a different clinical finding;

(2) Communicate with the LADC, or other provider that has met the requirements of He-A 707.13(a)(4)-(5), that rendered the second opinion in order to address any new information or clarification of existing information and modify the original further counseling requirements accordingly; or

(3) Reject the second opinion evaluation if no new information or clarification of existing information has been received and maintain the client's need to comply with the original further counseling requirements.

(k) If, after reviewing the second opinion evaluation report, the program director finds that the client needs to comply with the original or modified further counseling requirements, the program director shall so inform the client.

(l) If, after reviewing the second opinion evaluation report, the program director finds that the client does not need further counseling, the program director shall so inform the client and shall send Form IDIP-021, program completion report, to the department of safety within 5 days of receiving the second opinion evaluation.

#### **He-A 707.16 Alcohol Program Completion Hearing.**

(a) A client may request a hearing with the department of safety, pursuant to RSA 263:65-a and Saf-C 204.20, in order to rebut the finding and/or the further counseling requirements as determined at the client's exit evaluation and assessment interview.

(b) At the alcohol program completion hearing conducted in accordance with Saf-C 204.20 and RSA 263:65-a, V, the IDIP or WIDIP shall have the burden of proving that the client has not successfully completed the program.

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