



He-A 907.13 Exit Evaluation and Assessment Interview.

(a) Following each client's completion of all the required sessions, and prior to the client leaving the 7-day residential program, a LADC shall conduct an exit evaluation and assessment interview.

(b) The exit evaluation and assessment interview shall:

- (1) Be a personal, individual interview performed by a LADC employed by the phase II program provider;
- (2) Be at least one hour in length;
- (3) Follow and be separate from the class sessions;
- (4) Include discussion of the 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 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 shall issue a positive finding, thus overcoming the presumption of successful completion described in He-A 904.05(a), if any of the following exists:

- (1) The client meets diagnostic criteria for alcohol or other substance abuse and/or dependence in accordance with the Diagnostic and Statistical Manual of Mental Disorders, 4th Edition;
- (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; or
- (4) The client is under the age of 21 and had a BAC of 0.08 or higher at the time of arrest.

(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 907.14, 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 907.16; and
- (2) Act on his or her right to an alcohol program completion hearing before the department of safety, pursuant to RSA 265-A:42 and Saf-C 204.20.

He-A 907.14 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 in order to provide approved aftercare services:
 - 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; or
 - 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 have met the requirements in (a)(4)-(5) above;

(f) For those clients convicted under RSA 265-A: 3, or convicted under RSA 265-A:2, I and sentenced pursuant to RSA 265-A:18, IV, the following shall occur:

- (1) The phase II program staff shall inform the client that, pursuant to RSA 265-A: 18, I(b)(3), I(c)(3), or IV(a)(3), he or she must begin the further counseling requirements within 60 days of being released from the 7-day residential program or some other time that the court has ordered;

He-A 907.15 Compliance with Further Counseling Requirements.

(a) Compliance with further counseling requirements shall include the following:

(1) The client shall begin fulfilling the further counseling requirement within 60 days after the client has completed the 7-day residential program; and

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

He-A 907.16 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 907.14(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 phase II provider to forward all clinical data to the LADC, or other provider that has met the requirements of He-A 907.14(a)(4)-(5), conducting the second opinion evaluation.

(e) The phase II provider shall forward clinical data to the LADC, or other provider that has met the requirements of He-A 907.14(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 907.14(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 his or her right to a hearing before the department of safety, pursuant to RSA 265-A:42 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 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 previously 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 907.14(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 907.17 Alcohol Program Completion Hearing.

(a) A client may request a hearing with the department of safety, pursuant to RSA 265-A:42 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 265-A:42, V, the phase II program provider shall have the burden of proving that the client has not successfully completed the program.

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