



FOR IMMEDIATE RELEASE
Thursday, October 25, 2007

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ASSEMBLY MEMBER DESAULNIER AND NONPROFIT EXPOSE DEADLY FLAWS IN CALIFORNIA ADDICTION TREATMENT

State Records Shows Inadequate Regulation, Standards and Oversight Allow Untrained, Unskilled and Unethical Counselors to Jeopardize Lives, Health and Addiction Recovery

MARTINEZ— A new report, compiled from State records, shows that inadequate regulation and standards have allowed unskilled and unethical counselors to harm those undergoing substance abuse treatment and hamper the recovery of the very people they were supposed to help. The report, by The Justin Foundation, shows the need for Assembly Bill 1367, Assembly Member DeSaulnier's measure to create a certification with tougher standards for addiction treatment professionals in California.

The study by The Justin Foundation, based in Danville, Calif., analyzes seven years of investigations of substance abuse treatment centers that were conducted by the California Department of Alcohol and Drug Programs (DADP). The department oversees the state's substance abuse treatment facilities.

"For most Californians, rehab is not the glitzy, star-studded yoga retreat portrayed in celebrity magazines," said Cathie Smith, president and founder of The Justin Foundation. "Rehab with unskilled or unethical counselors can be harmful and, in some cases, deadly.

"We have been waging a war on drugs, but we haven't provided the oversight or the focus on quality of care to effectively battle the disease of addiction," finished Ms. Smith.

"We are talking about the treatment of a serious disease. If these types of infractions occurred in a hospital facility, there would be serious public outcry. We can't allow the stigma of drug use to keep people from getting the treatment they deserve," said Assembly Member DeSaulnier.

Key points of the study include:

- Of 67 rehab patient deaths investigated by the DADP, staff failures played a role in 27 (40 percent.) In one case, a man just released from a hospital's mental health unit committed suicide after a counselor refused his request to return to the hospital. In another case, a patient died after two staff members refused to provide cardiopulmonary resuscitation (CPR).
- The study found inadequate supervision of treatment facilities can endanger the public. Three teens were stabbed and a fourth injured in a fight with four inmates who slipped out the window of a recovery center in Northern California. The counselor who was supposed to be supervising the four inmates in the recovery center was at a neighboring facility.

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- Often, according to the study, treatment centers mislead potential clients by advertising services and expertise they do not provide.
- The study details how unskilled counselors and inadequate supervision can be a lethal combination. For example, a 3-year-old boy died of methadone poisoning after drinking his aunt's take-home medication from a Bay Area treatment center. The staff allowed the aunt to take the medication home, even though they knew she was caring for a small child and that her live-in partner was still abusing illegal drugs.

"We cannot continue to fail the people of California in the egregious ways this report details. Our state regulations are shameful, requiring minimal hours of education and on-the-job training for a counselor to become 'certified.' And this certification applies to only 30 percent of counselors in substance abuse treatment programs," continued DeSaulnier.

"Assembly Bill 1367 is a step to ensuring quality addiction care and safety within treatment for our loved ones," finished DeSaulnier.

In its current form, AB 1367 establishes voluntary licensure for substance abuse treatment counselors in private facilities. The bill would enact a regulatory program under the Board of Behavioral Sciences (Board) that would issue licenses to addiction counselors meeting rigorous levels of training and education. The Board would be authorized to administer tests, assess license fees and discipline licensees for cases of impropriety.

Assembly Member DeSaulnier and Ms. Smith are scheduled to present the study's findings during testimony at the Oct. 30 California Assembly Business and Professions Committee hearing in Monterey Park on AB 1367. Discussion will include the need to address the state of addiction care across public and private sectors.

The Justin Foundation report, *War on Addiction*, will be made available on www.thejustinfoundation.org and www.assembly.ca.gov/desaulnier after Noon on Thursday, October 25, 2007.

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The Justin Foundation

Ms. Smith created The Justin Foundation after her 22-year-old son, Justin, died while undergoing treatment at a substance abuse center. The Justin Foundation is a nonprofit organization dedicated to assisting individuals and families affected by drug abuse and to furthering formal education and certification of substance abuse counselors. Its goal is for every drug treatment facility to be a safe place for those who desire healing from addiction.

Assembly Member Mark DeSaulnier

Throughout his 20-year career in local government and state regulation, DeSaulnier has pioneered other health-related projects, including a county-wide Women's Health Program. He also led county measures to fight childhood obesity, reduce suicide rates and strengthen second-hand smoke regulations.