



Kolpia Counseling Services  
611 Siskiyou Blvd. Ste 8 Ashland, OR 97520 P: (541)482-1718 F: (541)482-0964  
836 E Main St. Ste 6 Medford, OR 97504 P: (541)500-8023 F: (541)500-8065

## **DUII PROGRAM AGREEMENT**

Kolpia Counseling Services offers a DUII Services Program that operates in accordance with all state requirements as defined in OAR 309-019-0195. Our certified alcohol and drug counselors work with you to complete a comprehensive assessment based on the guidelines set by the American Society of Addiction Medicine (ASAM) that will help determine your appropriate level of care. If your needs exceed Kolpia's available levels of care provided, our counselors help facilitate access to necessary and available services. Individuals who enroll in the DUII Services Program must fulfill the requirements as dictated by the Oregon Health Authority to be successfully completed from the DUII Education or DUII Rehabilitation program (for additional details please refer to the State of Oregon website at: <http://www.oregon.gov/oha/amh/duii/Pages/certificate.aspx>).

DUII Education or DUII Rehabilitation for Oregon Residents (see above website for non-residents):

**DUII Education** is for individuals who have no previous DUIIs and do not meet diagnostic criteria for a substance use disorder. Individuals referred to DUII Education must:

- Complete a minimum of 12 hours of education over a minimum of 4 sessions over 4 weeks, and
- Abstain from use of intoxicants as evidenced by negative urinalysis reports, except as allowed in Oregon Revised Statute (ORS) 813.200.

\*Individuals who provide a positive urinalysis test or who self-report use of a substance during treatment **must also complete DUII Rehabilitation.**

**DUII Rehabilitation** is for individuals who have had a previous DUII or meet diagnostic criteria for a substance use disorder. Individuals referred to DUII Rehabilitation must:

- Complete DUII Education,
- Complete additional substance use disorder treatment services deemed necessary by the diagnostic assessment, and
- Abstain from use of intoxicants as evidenced by negative urinalysis tests, except as allowed in ORS 813.200, while outside of a controlled environment for no less than the final 90 days of DUII Rehabilitation.

### **DUII Urinalysis & Service Agreement Policy:**

Kolpia utilizes the practice of regular urinalysis testing (UAs) as a means of detecting substance use by clients during treatment to both meet the state requirements of verified monitored abstinence and as an important tool in maintaining a safe and secure environment. In an effort to be transparent about our expectations, we are providing all clients a copy of the rules regarding UAs and participation in DUII treatment at Kolpia so you can make informed choices and not be caught by surprise if a violation occurs.

- Each person will receive an initial UA which will serve as the baseline upon enrollment to Kolpia Counseling. Clients who test positive for an illegal substance, alcohol, or THC during your initial UA will be exempt from consequences. However, the expectation is that subsequent UAs will be negative in order for the abstinence requirement mandated by the state to be met. The 90 day period of verified abstinence does not begin until the first favorable UA has been provided.

- If a person is a regular marijuana user (whether recreational use or medical marijuana prescribed), but received a DUII for alcohol or other substances (including marijuana), the state requires that you be free of all substances while in treatment. To this end, we will support regular users to become abstinent to be in compliance by doing a weekly UA to monitor for decreased levels of THC in your urine (confirmed by the testing lab) to reflect a normal titration from THC during the treatment process.
- Individuals with a Medical Marijuana Card will not be able to continue using cannabis while in treatment for DUII. Both medical and recreational users will have 30 days to have your system completely clean of THC. If your levels continue to go down from the date of your first UA, there will be no negative consequences; however, the 90 days of continued abstinence will not begin until the first favorable UA is provided.
- Individuals who are on a prescribed drug that has the possibility of showing up positive on a UA **must** provide Kolpia Counseling with a copy of your current prescription (either from your PCP or via a print-out from your pharmacy). This includes over-the-counter drugs that are recommended by your PCP that have the potential to come up positive in your UA (see list below). Failure to do so and testing positive for these substances will result in a being counted as a positive UA and the count for abstinence will begin over from the date of the next negative (favorable) UA provided.
- All individuals participating in the DUII program will be required to provide two to five (2 - 5) urinalysis samples per month on a random basis. Once a baseline has been established, clients will be expected to remain abstinent from all mood/mind-altering chemicals (as evidenced by negative UAs) until you successfully complete your treatment plan in order to receive a status of "Completed" and your DUII Treatment Completion Certificate (if a conviction).
- If an individual has a positive (unfavorable) UA after the baseline (and after THC levels have reached zero), then the count for your monitored abstinence will begin over from the date of the next negative UA provided. There may also be an increase in treatment to help support you in achieving and maintaining abstinence. Heavy THC users may experience a positive test for THC after testing at zero due to the way the body eliminates THC from the system. If this happens, the 90 days will restart with the next favorable UA, but no increase to treatment would be necessary as long as the levels are consistent with normal elimination and not with continued use.
- All UAs must be considered 'valid'; since dilute UAs are considered 'invalid', these will be treated as though they are positive which means your time will start over from the date of the first valid/negative UA following the dilute UA. In order to avoid having a dilute UA, it is strongly recommended that individuals refrain from drinking an excessive amount of liquids for 2 hours immediately prior to providing a sample – this will ensure that your UA is concentrated enough to pass.
- The final UA, prior to completing treatment must be taken within the last 2 weeks before the completion of the DUII Education/Rehabilitation Program. This UA must be negative -- since Kolpia Counseling Services must be able to substantiate that you've been abstinent from all mood/mind-altering chemicals at a minimum during the last 90 days of treatment.
- Following the initial negative UA, clients who provide a positive UA during the course of their treatment program will be required to participate in additional treatment. Per state guidelines, if originally assessed at education level only, clients will be required to participate at the rehabilitation level, and if already participating in rehabilitation, clients will have additional treatment requirements.
- It is understandable that clients may have difficulty maintaining an abstinent lifestyle, especially if they have an extensive history of substance use. Clients who are unable to abstain from substance use during the course of their treatment will be supported in their treatment process. Depending on circumstances, clients may be re-evaluated to determine if they meet the ASAM criteria for a more intensive level of treatment – which may or may not include residential treatment. This is done to both

help them to successfully meet their DUII mandated court requirements and to learn to live a healthier lifestyle free of substance use (and for those who are on Diversion, to help them not lose that status if possible). If a client in the DUII Services Program continues to be unable to remain abstinent with additional treatment support and refuses to participate in a more appropriate level of care to support their monitored abstinence as required by the state, they will be staffed by the Kolpia treatment team and may be discharged from services at Kolpia. Being discharged from treatment will result in a status update to JCCJ/courts reflecting incomplete treatment, as well as losing credit for any groups and services attended to-date. A status of discharge without successful completion could also carry additional legal consequences including loss of diversion status, bench warrant, impact on long-term driving privileges, etc. It is important to communicate with the courts and your attorney to fully understand any potential repercussions to not successfully completing your program.

- Any client who is suspected of being under the influence (i.e. smelling of any substance, nodding off or sleeping during group, inappropriate or odd behavior) may be asked to leave group, and will be required to meet with their counselor individually to explore barriers to being able to fully engage in group and remain abstinent during their treatment program. The group will not be counted toward completion of your program.
- There are dietary and personal hygiene substances that may show up on UAs, these have the potential to result in a positive UA. As such, you should avoid the following while enrolled in the DUII Services Program (these are examples and list is not all-inclusive - ultimately it is the responsibility of the client to be aware of what is in products you use or substances you ingest, and whether it might result in a positive UA):
  - Anything containing alcohol (sauces, marinade, non-alcoholic beer, etc). Some examples include:
    - Mouthwash and colognes - get alcohol-free mouthwash and do not use alcohol-based colognes
    - Alcohol based hand-sanitizer
    - Tinctures
    - Medicines containing alcohol (e.g. over the counter cough and cold medicines such as Robitussin, Nyquil, Dimetapp, Vicks, etc)
  - Cough and cold over the counter remedies that contain dextromethorphan (DXM)
  - Anything containing THC
  - Kratom, spice, etc
  - Street drugs
  - Accepting medication from someone else without knowing exactly what it is (i.e. OTC ibuprofen vs controlled substance)
  - Prescription drugs UNLESS you provide verification of a current and valid prescription, and supply us with prescribing doctor's name and correct phone number on an initialed and signed release (ROI) to confirm medical oversight
  - Poppy seeds
  - Kombucha tea- it's fermented; avoid all fermented substances
  - Breath spray
  - Coca tea (mate de coca)
- A quick internet search can help you determine whether a product is something you should avoid while participating in a monitored substance use program. Again, the above list is not all-inclusive and it is ultimately the responsibility of the client to have awareness around what they are exposed to while participating in a monitored substance use program. Environmental awareness is also important while participating in the program. Exposure through unintended contact can also result in a positive UA, and there is no way to differentiate intended versus unintended use or exposure. Thus, it is vitally important

to be aware of your environment and contact to prevent unintended exposure/ingestion, as the lab test is the only data considered in determining a favorable or unfavorable UA result.

- Clients who have a negative UA, and are on a prescription that should result in a positive UA, will be referred to their prescriber to address their need to focus in treatment on issues underlying their underuse or misuse of their medication.
- If a client refuses to take a UA when requested (prior to leaving the premises if requested at the time of a scheduled onsite service, and within 24 hours of a phone request), they will be counted as having a positive UA and the 90 day count for monitored abstinence will restart with the first following negative UA. If the client refuses again, Kolpia will be required to report their refusal and noncompliance to the ADSS/court. If a client is struggling to achieve abstinence, they may self-report in lieu of providing a UA. UAs may be paused until a client feels they can successfully provide favorable UAs, in order to help them focus on learning new skills and tools to support abstinence prior to attempting the 90 days of monitored abstinence.
- In order to maintain a safe environment for those genuinely seeking support for substance use, Kolpia Counseling has a no-tolerance policy for holding or “gifting” alcohol or drugs while on-site -- this includes non-prescription (such as over the counter cold medicine), prescription, or illegal drugs, or alcohol. Such actions will result in one or more of the following: a) being charged with the appropriate law violation (if substances are illegal and/or not prescribed to the client), b) being reported to their Probation or Parole Officer or the court, and c) being discharged from Kolpia Counseling.
- If it is determined that a client has been distributing alcohol or other substances, or dealing/selling any substances (e.g., non-prescription, prescription, or illegal drugs) on the premises of Kolpia Counseling to other clients, this will result in immediate termination from Kolpia Counseling Services Treatment Program. In addition, the individual may face criminal charges for dealing illegal substances.
- Kolpia’s goal is to provide a safe and supportive treatment environment for all clients. In order to achieve this, we expect every client to behave in a respectful manner toward both other clients and Kolpia staff. This includes not showing up to groups under the influence, not asking other clients out or requesting phone numbers, respecting the privacy of other group members (i.e. attendance at groups as well as anything discussed in groups), using respectful language when participating in group discussions - no excessive profanity or referring to any group (i.e. gender, race, sexual orientation, etc) in a degrading manner or with offensive language. If any client exhibits any of these behaviors they will be given an opportunity to correct the behavior(s). If the client fails to correct the behavior(s) after receiving feedback, they may be discharged from the program, losing credit for any treatment completed up through that point, and will not have the opportunity to complete their DUII Services Program at Kolpia.

All clients will meet with their individual counselor to design a Service and Support Plan (treatment plan) based on the outcome of your ASAM Assessment -- once the plan has been reviewed and agreed on by both parties, it is understood that the client commits to showing up for all scheduled appointments and activities, including groups, individual counseling sessions, and requested UAs. Completion of DUII Services includes successfully completing all components of your Service and Support Plan. Below is an outline of the expectations that will ensure that you receive ‘credit’ for actively participating in your treatment program -- resulting in a successful graduation from treatment.

### **Attendance Expectations:**

- 1. Check in for group at the front desk before attending any group. If you do not check in prior to group you may not receive credit for the group. It is recommended to arrive 15 minutes prior to group in case you are asked to provide a UA.**

2. For telehealth services, be in a private location where no one else can see/hear you or other participants. Have appropriate technology and a reliable internet connection. Be prepared by joining 5 minutes prior to your scheduled time, appropriately dressed, devices charged, ready to participate fully. Stay in camera frame at all times with camera on and no virtual backgrounds. No eating full meals, exercising, walking, cooking, folding laundry, etc during services. You must remain visible, focused, and engaged throughout the service and appropriately participate. You must be physically in the state of Oregon even when attending remotely. Also, if joining from a location other than the address Kolpia has on file for you, you must let the provider know the address of your current physical location.
3. Be ON TIME to group – the doors will be locked 5 minutes after the group begins. No one will be allowed in past this time. For telehealth services, no one will be admitted to groups 5 minutes after group begins. Be sure to allow enough time when joining that you can contact the office for assistance prior to group starting if experiencing technical problems.
4. If you have two unexcused service encounters (i.e., miss two groups or a group and an individual session) in a row, or within a two week period (whichever is less), then *your 90 day monitored abstinence period starts over.*
5. Participants are expected to give 1 business day notice if you anticipate missing a group or individual session, otherwise this will be considered an unexcused absence (no show). If a pattern of missed or canceled appointments emerges, this will be discussed between you and your primary counselor. If the pattern of poor attendance persists, this may lead to being discharged from the program, which will also result in a status update to JCCJ/courts reflecting noncompliance and incomplete treatment, as well as losing credit for any groups and services attended to-date.
6. If you do not show up for a scheduled appointment and the agency has no contact from you within the following five business days, you will no longer be considered a client of Kolpia and will be discharged as a result of having left against clinical advice. This will also result in a status update to JCCJ/courts reflecting noncompliance and incomplete treatment, as well as losing credit for any groups and services attended to-date.

*“I \_\_\_\_\_ (Print Name) understand that participation in treatment at Kolpia Counseling Services is completely voluntary. I understand that I have the right to refuse Alcohol/Drug Treatment or Mental Health Treatment services, but doing so may jeopardize my status with ADSS. In addition, I realize that I may be referred to a different treatment program to receive the treatment needed, if it is determined that I cannot be adequately served at Kolpia. I understand and agree to abide by the above UA & Attendance Policies, and was given the opportunity to ask questions prior to signing this Agreement.”*

Client’s Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Counselor’s Signature: \_\_\_\_\_ Date: \_\_\_\_\_