

Webinar Series: Session 5

Intoxicated Driver Program

Katie Behl

Intoxicated Driver Program Coordinator
Bureau of Prevention Treatment and Recovery
Division of Care and Treatment Services

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WISCONSIN DEPARTMENT
of HEALTH SERVICES

Today's Agenda

- Introduction
- Goals and objectives
- Announcements
 - IDP-approved training
 - IDP conference
- Explanation of revised Wis. Admin. Code. ch. DHS 75 and the impacts on the Intoxicated Driver Program (IDP)
- Contact information

Goals and Objectives

The goal of this webinar to prepare agencies for the revised Wis. Admin. Code ch. DHS 75 as it relates to IDP.

- Understand certification requirements for IDP assessment agencies
- Review of the new Wis. Admin. Code. § DHS 75.15 Intervention Service and Intoxicated Driver Services
- Discuss transition planning

IDP-Approved Training (IDP-AT)

- New online training is currently in a test run.
- IDP-AT will be fully online and on demand to better meet the needs of new hires.
- Three phases of the training
 - Phases 1 and 2 – Self-paced, online
 - Phase 3 – “Live” training cohort with facilitators
 - IDP-AT credentialing badge
 - IDP-AT in training credentialing badge
- IDP-AT will launch statewide on July 1, 2022.

IDP Annual Conference

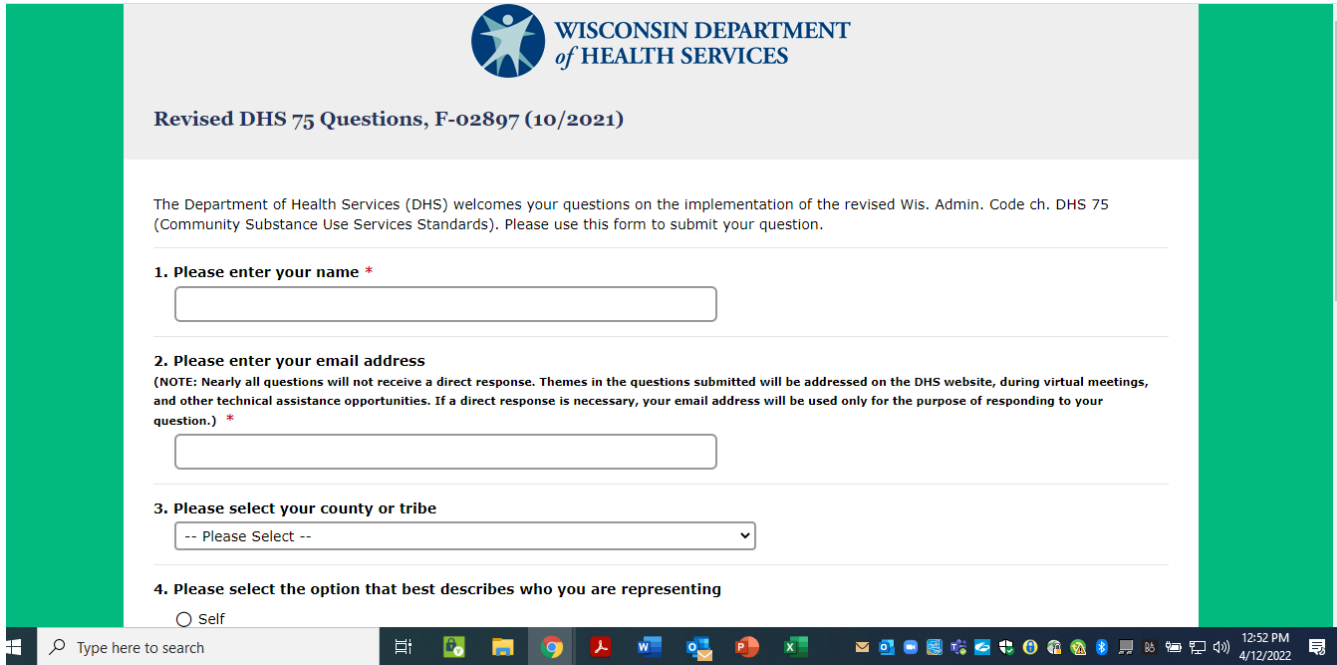
- Virtual IDP conference is scheduled for Friday, May 20, 2022, from 8:30 a.m. to 4:30 p.m.
- The conference is geared toward IDP assessors and supervisors.
- The conference is approved for the required annual six continuing education credits for assessors.


DHS 75: Disclaimer

Nothing stated during this webinar is intended to interpret administrative rule language. The information provided in today's presentation and subsequent presentations is intended to assist in providers with an understanding of the revised rule and should not be construed as legal interpretation.

Any formal guidance issued regarding the rule will be identified as such and will follow the approved process.

Questions? Use the online form.



 **WISCONSIN DEPARTMENT**
of **HEALTH SERVICES**

Revised DHS 75 Questions, F-02897 (10/2021)

The Department of Health Services (DHS) welcomes your questions on the implementation of the revised Wis. Admin. Code ch. DHS 75 (Community Substance Use Services Standards). Please use this form to submit your question.

1. Please enter your name *

2. Please enter your email address
(NOTE: Nearly all questions will not receive a direct response. Themes in the questions submitted will be addressed on the DHS website, during virtual meetings, and other technical assistance opportunities. If a direct response is necessary, your email address will be used only for the purpose of responding to your question.) *

3. Please select your county or tribe

-- Please Select --

4. Please select the option that best describes who you are representing

Self

Windows taskbar: Type here to search, 12:52 PM 4/12/2022

<https://www.dhs.wisconsin.gov/rules/dhs75-implementation.htm>



DHS 75.15 Intervention Service and Intoxicated Driver Services

DHS 75.15(1) Service Description for an Intervention Service

Intervention services are delivered in a wide variety of settings and are designed to explore and address risk factors that appear to be related to substance use, to assist the individual in recognizing the consequences of harmful substance use, and to provide information for individuals to make behavioral changes.

DHS 75.15(1) Service Description for an Intervention Service

Intervention services may include:

- Screening
- Brief intervention and referral
- Psychoeducational services
- Pre-treatment intervention groups
- Case management
- Health education
- Outreach and in-reach programs
- Problem identification

DHS 75.15(1) Service Description for an Intervention Service

Intervention services may include:

- Information dissemination
- Alternative education
- Intoxicated driver assessments and support services provided to reduce the effects of substance-related concerns by identifying and engaging the individual to change behavior or to participate in treatment or other wellness services.

DHS 75.15(2) Applicability

DHS 75.15 applies to:

- Intervention services, as required by contract with DHS.
- Intoxicated driver services.
- An intervention service that requests certification.

DHS 75.15(3) Service Description for Intoxicated Driver Services

Intoxicated driver intervention services are specific services within the Intoxicated Driver Program under Wis. Admin. Code ch. DHS 62, utilized to reduce risk of reoccurrence of impaired driving. These services include intoxicated driver assessments, driver safety planning and monitoring, and alternative education services.

DHS 75.15(4) Definitions

- Alternative education
- Intervention service

DHS 75.15(5) General Requirements

Governing Authority/Entity Owner

The governing authority or entity owner of a service shall do all of the following...

DHS 75.15(5) General Requirements Governing Authority/Entity Owner

Designate a member or representative of the governing body that is legally responsible for the operation of a service that has the authority to conduct the policy, actions, and affairs of the service, to complete the entity owner background check and to be the entity owner responsible for a service.

DHS 75.15(5) General Requirements Governing Authority/Entity Owner

Appoint a service director whose qualifications, authority, and duties are defined in writing.

DHS 75.15(5) General Requirements

Governing Authority/Entity Owner

Establish written policies and procedures for the operation of the service and exercise general direction over the service. Policies and procedures must be written to insure all of the following...

DHS 75.15(5) General Requirements

Governing Authority/Entity Owner

- Compliance with local, state, and federal laws.
- That no person will be denied service or discriminated against on the basis of sex, race, color, creed, sexual orientation, disability, or age, in accordance with 45 CFR part 92 and Title VI of the Civil Rights Act of 1964, as amended, 42 USC 2000d, Title XI of the Education Amendments of 1972, 20 USC 1681–1686 and s. 504 of the Rehabilitation Act of 1973, as amended, 29 USC 794, and the Americans with Disabilities Act of 1990, as amended, 42 USC 12101–122.

DHS 75.15(5) General Requirements

Caregiver Background Check

At the time of hire, employment, or contract, and every four years after, the service shall conduct and document a caregiver background check following the procedures in Wis. Stat. § 50.065 and Wis. Admin. Code ch. DHS 12.

DHS 75.15(5) General Requirements

Caregiver Background Check

A service shall not employ or contract the service if the person has been convicted of the crimes or offenses, or has a governmental finding of misconduct, found in Wis. Stat. § 50.065, and Wis. Admin. Code ch. DHS 12, Appendix A, unless the person has been approved under the DHS rehabilitation process, as defined in Wis. Admin. Code ch. DHS 12.

DHS 75.15(5) General Requirements

Personnel Records

Employee records shall be available upon request at the service for review by the department. A separate record for each employee shall be maintained, kept current, and at a minimum, include...

DHS 75.15(5) General Requirements

Personnel Records

- A written job description including duties, responsibilities, and qualifications required for the employee.
- Beginning date of employment.
- Qualifications based on education or experience.
- A completed caregiver background check following procedures under Wis. Stat. § 50.065 and Wis. Admin. Code ch. DHS 12.

DHS 75.15(5) General Requirements

Personnel Records

- A copy of a signed statement regarding confidentiality of client information.
- Documentation of any required training.
- A copy of any required licenses or certifications.

DHS 75.15(5) General Requirements

Confidentiality

A service shall have written policies, procedures and staff training to ensure compliance with confidentiality provisions of 42 CFR part 2, 45 CFR parts 164 and 170, and Wis. Stat. § 51.30, and Wis. Admin. Code ch. DHS 92. Each staff member shall sign a statement acknowledging his or her responsibility to maintain confidentiality of personal information about persons served.

DHS 75.15(5) General Requirements Policies, Procedures, and Service Description

A service shall develop written policies, procedures, and service descriptions for each intervention service to be provided.

DHS 75.15(5) General Requirements

Submissions to DHS

The service shall submit each service description, along with written policies and procedures, to DHS with the initial certification application, and submit any updates to DHS when needed.

DHS 75.15(5) General Requirements

Staff Knowledge and Training

Service staff shall have knowledge, training, and experience in the service which they are responsible for providing, including substance use intervention, screening, and referral.

DHS 75.15(5) General Requirements

Referral

The service shall develop and maintain a written record of certified substance use treatment resources for referral, and shall refer clients as indicated for further assessment and treatment services.

DHS 75.15(5) General Requirements Evaluation

The service shall have an evaluation plan that includes goals of the service, measurable outcomes and objectives related to the service goals, and an annual report of progress related to goals and objectives that is available to the department and the public.

DHS 75.15(7) Case Records for Persons Receiving Intervention Services

A service shall keep a case record for every person receiving intervention services, except where the only contact is made by telephone.

DHS 75.15(7) Case Records for Persons Receiving Intervention Services

A case record prepared under this subsection shall include all of the following information:

- The individual's name, address, phone contact information, date of birth, and relevant demographic information.
- The individual's admission date.
- Substance use information about the individual and the reason for referral.

DHS 75.15(7) Case Records for Persons Receiving Intervention Services

A case record prepared under this subsection shall include all of the following information:

- The results of any screening completed.
- A sufficient assessment of the individual's dimensional risk and severity of need to determine preliminary level of care.

DHS 75.15(7) Case Records for Persons Receiving Intervention Services

A case record prepared under this subsection shall include all of the following information:

- Service recommendations, referrals, and follow-up services and activities completed for the individual.
- Documentation of each contact the service has with the client or a collateral source.

DHS 75.15(8) Additional Requirements for Intoxicated Driver Services

If an intervention service is designated by a county human service board under Wis. Admin. Code § DHS 62.04 as an intoxicated driver assessment facility, the intervention service shall also comply with the requirements under Wis. Admin. Code ch. DHS 62.

DHS 75.15(8) Additional Requirements for Intoxicated Driver Services

A public or private treatment facility designated by a county as the intoxicated driver program assessment service shall be certified under this section prior to conducting intoxicated driver program assessments.

DHS 75.15(8) Additional Requirements for Intoxicated Driver Services

A case record for an intoxicated driver assessment service shall include a copy of the DHS-approved intoxicated driver assessment tools, the driver safety plan, progress reports, and verification of service completion or evidence of noncompliance.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

General

Alternative education programs shall be modeled after group dynamic traffic safety and multiple offender traffic safety program. An alternative education program shall be conducted in a constructive, interactive, and trusting atmosphere and that include all of the following as part of its curriculum...

DHS 75.15(8) Alternative Education Programs for Intoxicated Drivers

General

- Review and discussion of operating while intoxicated laws and penalties.
- Discussion of the central causes and consequences of operating while intoxicated.
- Discussion of the effects of alcohol and substances on the mind, body, and driving ability.
- Discussion of the psychosocial factors involved in substance use.

DHS 75.15(8) Alternative Education Programs for Intoxicated Drivers

General

- Education about blood alcohol concentration.
- Education about substance use and substance use disorders, and where participants are in regards to severity of substance use.
- Education about and assistance in developing and following a personal change plan.

DHS 75.15(8) Alternative Education Programs for Intoxicated Drivers

General

Programs in lieu of a multiple offender traffic safety program shall involve concerned others, such as a spouse, parent, adult relative, or other appropriate person approved by the instructor, and shall provide education on basic skills in the areas of stress reduction, substance use refusal, interpersonal communication, and anger management.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

General

Classroom instruction time for programs that are in lieu of group dynamic traffic safety programs shall be a minimum of 16 hours.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

General

Classroom instruction time for programs that are in lieu of multiple offender traffic safety programs shall be a minimum of 24 hours, including a group-oriented follow-up session. The group-oriented follow-up session shall be held within 3 months after completion of the initial 23 hours of the program.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

General

If a participant's residence is 60 miles or more from the site of the group-oriented follow-up session, the follow-up session may be conducted by phone with the participant and a concerned other, such as a spouse, parent, adult relative, or other appropriate person.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

General

- Classroom instruction time may not exceed 8 hours per day.
- A report of course completion or non-completion shall be submitted to the intoxicated driver assessment facility designated under Wis. Admin. Code § DHS 62.04 (1) for each client assessed by that facility.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

General

The effectiveness of alternative education programs shall be evaluated by administering pretests and post-tests of knowledge gained by participants, changed attitudes of participants, and participant satisfaction surveys.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Instructors conducting alternative education shall have the following qualifications.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Substance use service experience equal to one of the following.....

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Two years of employment experience or a comparable amount of experience and education in the area of substance use counseling, assessment, education, or treatment, or related fields such as student assistance program director or employee assistance program director.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Completed a minimum of a one-semester, 3-credit, 45-hour course in the areas of substance use disorder education or treatment from an accredited college or university.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Group process experience equal to one of the following...

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

- Two years of employment experience in group process work or group counseling as a treatment or education professional.
- Completed a minimum of a one-semester, 3-credit, 45-hour course in the area of group work methods, group counseling or group process from an accredited college or university.
- Bachelor's or master's degree in guidance counseling, psychology, behavioral studies, or social work.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

- Hold a valid driver's license from the state of Wisconsin or from the jurisdiction in which the person resides. Programs having nonresident instructors shall maintain a record of the nonresident's driver's license and traffic conviction status in the past 12 months.
- Possess a satisfactory driving record as defined under Wis. Admin. Code § Trans 106.02 (11).

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

An individual may not be employed as an instructor until six months after the date of any traffic conviction that results in an accumulation of seven or more points against the individual's driver's license, or until 12 months from the date of an operating while intoxicated conviction under Wis. Stats. §§ 23.33, 30.68, 346.63, 350.101, 940.09, or 940.25, or an order under Wis. Stat. § 343.305.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Instructors under this section are not eligible to receive a three-point reduction by completing a traffic safety course.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Once employed as an instructor under this section, an individual's failure to maintain a satisfactory driving record shall result in the suspension of the individual's instruction duties for six months from the date of conviction for a violation which places the point total over six points or for 12 months from the date of an operating while intoxicated conviction.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

If additional points are incurred or the individual is convicted of operating while intoxicated during the suspension period, the individual's instruction duties shall be suspended for 12 months from the date of conviction for a violation which results in points or for 24 months from the date of an operating while intoxicated conviction.

DHS 75.15(9) Alternative Education Programs for Intoxicated Drivers

Instructor Qualifications

Instructors shall document receiving a minimum of six hours of continuing education in a related area, approved by the department, during each 12 months that the individual is employed as an instructor under this section. This training may include formal courses awarding credits or continuing education units, workshops, seminars, or correspondence courses.

Summary


- DHS 75.15 (1) – Service Description for an Intervention Service
- DHS 75.15 (2) – Applicability
- DHS 75.15 (3) – Service Description for Intoxicated Driver Services
- DHS 75.15 (4) – Definitions
- DHS 75.15 (5) – General Requirements for Intervention Services and Intoxicated Driver Services
- DHS 75.15 (6) – Location of Service Delivery
- DHS 75.15 (7) – Case Records for Persons Receiving Intervention Services
- DHS 75.15 (8) – Additional Requirements for Intoxicated Driver Services
- DHS 75.15 (9) – Alternative Education Programs for Intoxicated Drivers

Text of Revised Rule Online

Revised DHS 75 Implementation

Improving substance use services

The new Wis. Admin. Code ch. DHS 75 was published October 25, 2021. This administrative rule sets the minimum standards for substance use prevention, intervention, and treatment services delivered across a variety of settings and levels of care. With a goal of supporting access to services throughout the state, the new rule eases requirements for providers in many areas while maintaining safety and quality of care standards.

[View the text of the new Wis. Admin Code ch. DHS 75](#)  (PDF)





Key revisions

The new Wis. Admin. Code ch. DHS 75:

- Revises outdated language to reflect industry standards, reduce stigma, and incorporate best

Keep in touch

[Join our email list](#)  to receive information about implementation of the revised Wis. Admin. Code ch. DHS 75.

If you have questions, [complete this online form](#) .

Attention DQA regulated entities

Providers certified under Wis. Admin.

<https://www.dhs.wisconsin.gov/rules/dhs75-implementation.htm>

Contact Information

Katie Behl

Intoxicated Driver Program Coordinator
Division of Care and Treatment Services

608-640-7291

katie.behl@dhs.wisconsin.gov

www.dhs.wisconsin.gov/idp