



City of Malibu News

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Governor Brown Signs AB 3162: Reforming Licensing of Drug and Alcohol Rehabilitation Facilities to Protect Patients and Neighborhoods

(Malibu, CA) – In a major step toward protecting patients and communities throughout California, Governor Edmund G. Brown, Jr. signed Assembly Bill 3162 (AB 3162) last week, reforming requirements for the issuance of licenses for residential drug and alcohol treatment facilities.

Authored by California Assemblymember Laura Friedman and coauthored by Senator Henry Stern, Senator Ben Allen, Assemblymember Melissa Melendez, and Assemblymember Sharon Quirk-Silva, the bill has strong support from League of California Cities, the California Contract Cities Association (Contract Cities), California Association of Alcohol and Drug Program Executives, California Council of Community Behavioral Health Agencies, numerous mayors and councilmembers, and many others.

“The rapid growth of campus-style facilities by residential licensees raised red flags for cities,” said Councilmember Lou La Monte and a former president of Contract Cities. “I am proud to say Contract Cities brought critical attention and accountability to residential licenses.”

Over the past several years, Contract Cities and Councilmember La Monte lobbied state legislators to enact needed reforms of residential licenses.

“AB 3162’s passage marks a significant achievement in Contract Cities’ advocacy and represents the power of collaborative governance,” said Jorge Morales, President of Contract Cities. “Today, we have taken another step to strengthen local control.”

AB 3162 will require that all services permitted under a residential license are provided solely at the location where the State license is issued. In addition, the bill establishes a one-year provisional license to serve as a probationary period for new licenses so that the California Department of Health Care Services (DHCS) has time to analyze and determine compliance with regulations and updates fines for non-compliance to be commensurate with similar licensing fines.

“State-licensed residential alcohol and drug abuse treatment facilities are an important treatment model enabling patients to be integrated into communities throughout California,” stated Assemblymember Friedman. “However, existing regulations created a loophole that some licensees exploited by buying multiple houses in neighborhoods, often next door to each other, in order to combine services at multiple

addresses and increase their profits. AB 3162 enables the Department of Health Care Services to ensure compliance with existing licensing laws, thus protecting the patients and our communities.”

Residential alcohol and drug abuse treatment facilities are licensed by Department of Health Care Services (DHCS). Current law restricts those facilities which serve six or fewer persons in any one location. A residential treatment facility that serves six or fewer persons is considered a single-family residence, and no conditional use permit, zoning variance, or other zoning clearance shall be required. The intent of the six bed or less licensed treatment facility is to provide a truly residential, therapeutic environment for social integration to benefit people with disabilities, including recovering alcoholics and addicts. Under existing regulations, residential licensing does not require services permitted under a residential license to be exclusively provided at the location specified on the State issued license. Some operators have exploited this loophole, developing multi-structure, campus-style facilities that overwhelm the infrastructure of residential neighborhoods — and hinder the ability for patients to experience the environment needed to successfully re-integrate into communities.

“I am proud to co-author AB 3162 to reform outdated regulations for the licensing of residential drug and alcohol treatment facilities to enable DHCS to ensure compliance with existing licensing laws,” said Senator Stern. “AB 3162 is good for our communities, good for our neighbors, and most importantly, good for patients trying to recover.”

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