

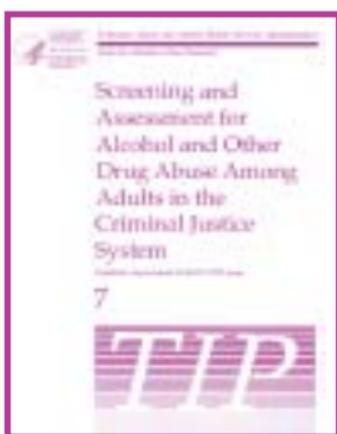
CSAT's
Knowledge Application Program

KAP Keys

For Clinicians

Based on TIP 7

*Screening and Assessment
for Alcohol and Other Drug
Abuse Among
Adults in the
Criminal
Justice System*



KAP KEYS Based on TIP 7
Screening and Assessment for Alcohol and Other Drug Abuse
Among Adults in the Criminal Justice System

Introduction

These KAP Keys were developed to accompany the Treatment Improvement Protocol (TIP) Series published by the Center for Substance Abuse Treatment (CSAT), Substance Abuse and Mental Health Services Administration. These KAP Keys are based entirely on TIP 7 and are designed to meet the needs of the busy clinician for concise, easily accessed "how-to" information.

For more information on the topics in these KAP Keys, readers are referred to TIP 7.

Other Treatment Improvement Protocols (TIPs) that are relevant to these KAP Keys:

TIP 25, *Substance Abuse Treatment and Domestic Violence (1997)* **BKD139**

TIP 26, *Substance Abuse Among Older Adults (1998)* **BKD250**

TIP 29, *Substance Use Disorder Treatment for People with Physical and Cognitive Disabilities (1998)* **BKD288**

TIP 32, *Treatment of Adolescents With Substance Use Disorders (1999)* **BKD307**

TIP 35, *Enhancing Motivation for Change in Substance Abuse Treatment (1999)* **BKD342**



Short Michigan Alcohol Screening Test

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KAP KEYS Based on TIP 7

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Answer Yes or No

1. Do you feel that you are a normal drinker? (By "normal" we mean that you drink less than or as much as most other people.) _____
2. Does your wife, husband, a parent, or other near relative ever worry or complain about your drinking? _____
3. Do you ever feel guilty about your drinking? _____
4. Do friends or relatives think you are a normal drinker? _____
5. Are you able to stop drinking when you want to? _____
6. Have you ever attended a meeting of Alcoholics Anonymous? _____
7. Has drinking ever created a problem between you and your wife, husband, parent, or other near relatives? _____
8. Have you ever gotten into trouble at work because of your drinking? _____
9. Have you ever neglected your obligations, your family, or your work for two or more days in a row because you were drinking? _____
10. Have you ever gone to anyone for help about your drinking? _____
11. Have you ever been in a hospital because of drinking? _____
12. Have you ever been arrested for driving under the influence of alcoholic beverages? _____
13. Have you ever been arrested, even for a few hours, because of other drunken behavior? _____

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Scoring

Each "yes" answer equals one (1) point. A score of 1 or 2 indicates there is no alcohol problem. A score of 3 indicates a borderline alcohol problem. A score of 4 or more indicates an alcohol problem.



Consent for the Release of Confidential Information: Criminal Justice System Referral

2

KAP KEYS Based on TIP 7

Screening and Assessment for Alcohol and Other Drug Abuse Among Adults in the Criminal Justice System

I, _____, hereby consent to communication

(Name of defendant)

between _____ and

(Treatment program)

(Court, probation, parole, and/or other referring agency)

the following information: _____

(Nature of the information, as limited as possible)

The purpose of and need for the disclosure is to inform the criminal justice agency(ies) listed above of my attendance and progress in treatment. The extent of information to be disclosed is my diagnosis, information about my attendance or lack of attendance at treatment sessions, my cooperation with the treatment program, prognosis, and _____

I understand that this consent will remain in effect and cannot be revoked by me until:

_____ There has been a formal and effective termination or revocation of my release from confinement, probation, or parole, or other proceeding under which I was mandated into treatment, or

(Other time when consent can be revoked and/or expires)

I also understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of substance abuse patient records and that recipients of this information may redisclose it only in connection with their official duties.

(Date)

(Signature of defendant/patient)

Prohibition on Redisclosing Information Concerning Substance Abuse Treatment Patients

Once the consent form has been properly completed, there remains one last formal requirement. Any disclosure made with written patient consent must be accompanied by a written statement that the information being disclosed is protected by Federal law and that the person receiving the information can-

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not make any further disclosure of such information unless permitted by the regulations. This statement, not the consent form itself, should be delivered and explained to the recipient at the time of disclosure or earlier.

The prohibition on redisclosure is clear and strict. Those who receive the notice are prohibited from rereleasing information except as permitted by the regulations. (Of course, an offender may sign a consent form authorizing such a redisclosure.)

See below for suggested statement language.

This notice accompanies a disclosure of information concerning a client in alcohol/drug abuse treatment, made to you with the consent of such client. This information has been disclosed to you from records protected by Federal confidentiality rules (42 CFR Part 2). The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

CLOSING THE TREATMENT
GAP
CSAT's Knowledge
Application
Program

Qualified Service Organization Agreement

3

KAP KEYS Based on TIP 7

Screening and Assessment for Alcohol and Other Drug Abuse Among Adults in the Criminal Justice System

XYZ Service Center ("the Center") and the _____

(Name of the program)

("the Program") hereby enter into a qualified service organization agreement, whereby the Center agrees to provide the following:

(Nature of services to be provided)

Furthermore, the Center:

1. Acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the Program about the patients in the Program, it is fully bound by the provisions of the Federal regulations governing Confidentiality of Substance Abuse Patient Records, 42 CFR Part 2: and
2. Undertakes to resist in judicial proceedings any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal confidentiality regulations, 42 CFR Part 2.

Executed this _____ day of _____, 200__

President
XYZ Service Center
(Address)

Program Director
(Name of Program)
(Address)



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Assessment: Evaluation or appraisal of a candidate's suitability for substance abuse treatment modality/setting. This evaluation includes information regarding current and past use/abuse of drugs; justice system involvement; medical, familial, social, educational, military, employment, and treatment histories; and risk for infectious diseases (e.g., sexually transmitted diseases, tuberculosis, HIV/AIDS, and hepatitis).

Jail: To hold a person in lawful custody, usually while he or she is awaiting trial. In some jurisdictions, jails are used punitively for offenders serving short-term sentences or sentences to work release or weekends in jail. Jails range in size from rural jails having a dozen cells to urban jails having thousands of cells.

Parole: Process of being released from prison before the completion of a sentence. Parole involves supervision and other stipulations and prohibitions on certain activities imposed by a board of parole.

Pre-release assessment: Infectious diseases risk assessment recommended for all potential parolees. This information should be available to the judge, prosecutor, and other participants at the time of the pre-sentence hearing or trial/sentencing. If the individual is paroled, this information should be conveyed to the parole officer for followup and evaluation. Recommendations for referral for treatment can be made at this time.

Prison: Secure institution in which offenders are confined after sentencing for crimes. Prisons are classified as minimum, medium, or maximum security facilities, based on the need for internal institutional fortification. Inmates are similarly classified, by severity of offense and/or other behavior, and are usually assigned to prisons having a corresponding level of security.

Probation: Sentence of community-based supervision. Probation includes stipulations and prohibitions on certain activities and often includes fines imposed by the court at the time of sentencing.

Risk/needs assessment: Comprehensive report that includes the client's social, criminal, and other history. The report usually includes a recommendation for sentencing if the client is found guilty.



Ordering Information

TIP 7

Screening and Assessment for Alcohol and Other Drug Abuse Among Adults in The Criminal Justice System

Easy Ways to Obtain Free Copies of All TIP Products

1. Call SAMHSA's National Clearinghouse for Alcohol and Drug Information (NCADI) at 800-729-6686, TDD (hearing impaired) 800-487-4889.
2. Visit CSAT's Website at www.csat.samhsa.gov

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