

**CHAPTER FIFTY-EIGHT**

**SUBSTANCE ABUSE TREATMENT PLAN**

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## CHAPTER FIFTY-EIGHT

### SUBSTANCE ABUSE TREATMENT PLAN

#### I. PURPOSE

The purpose of this directive is to establish guidelines for the Substance Abuse Treatment Plan.

#### II. DISCUSSION

This General Order applies to all Monroe County Sheriff's Office members.

It is a generally accepted fact that an individual who participates in a comprehensive, carefully monitored treatment plan has a significantly better chance of remaining sober/drug-free than one who does not. The procedures outlined in this chapter are intended to maximize the likelihood of success for those to whom it applies.

#### III. DEFINITIONS

1. Substance Abuse – The intake, by drinking, smoking, eating, inhaling, swallowing, or injecting intravenously or subcutaneously, of any illegal substance, or of any legal substance to such an extent that it has an adverse effect on the member's ability to perform his/her assigned job, or results in a complaint or complaints to the Sheriff's Office which are investigated and found to be true.
2. Treatment Facility – A facility that specializes in initial intervention, and treatment of substance abuse. Treatment must be based on a comprehensive treatment plan and can include treatment options including, but not limited to, detoxification, in-patient and out-patient treatment, or any combination of levels of care.

#### IV. POLICY AND PROCEDURE

##### A. Referral for Evaluation

1. In the event of an incident which suggests that substance abuse by a member may be impairing his/her assigned job, a referral may be made for a substance abuse evaluation. a referral may also be made on the basis of a complaint or complaints to the Sheriff's Office.
2. A member who is determined to be in need of assistance will be referred to the agency's Employee Assistance Program (EAP). The Sheriff's Office will provide written notice to support such a directive.
3. The EAP must conduct the evaluation using recognized standards and procedures, and must report to the Sheriff's office the presence or absence of an identified substance abuse problem. This written report will be directed to the director of Human Resources.
4. In the event that the evaluation identifies a substance abuse problem, it will be the responsibility of the EAP to develop a comprehensive treatment plan which meets the treatment needs of the individual members. This recommended treatment plan will be submitted to the Director of Human Resources, without undue delay.
5. The member will be required to adhere to and complete the treatment program prescribed by the EAP.
6. Once directed to obtain treatment, the member or the Sheriff's Office will request assistance from the EAP who will make a referral for care to the appropriate facility or provider. This office will also monitor member compliance with the treatment plan and is obligated to report non-compliance to the Director of Human Resources.

## **B. Entering a Substance Abuse Treatment Program**

1. A member, who voluntarily admits him/herself into treatment may elect to participate in this program, but will not be required by this policy to do so. Should such a member elect to participate in this program, he/she must sign a contract for completion.
  2. A member who is directed by the Sheriff's Office to enter treatment as a condition of continued employment will be required, before entering treatment, to sign a contract to successfully complete the Sheriff's office program. Such a member will be required to comply with the initial treatment plan and any modifications to the plan during the course of treatment. Failure to follow such rules (e.g., refusing to sign a waiver for release of the recommendations to the sheriff's Office) is grounds for immediate termination of employment. This signed contract will be provided to the evaluating psychologist and the treatment professional.
  3. When a member enters a treatment facility, s/he will continue to receive a regular paycheck until all his/her accumulated compensatory time, then all sick leave, then all annual leave, has been exhausted. If the member belongs to the sick leave pool, s/he may apply to the pool in accordance with established policies. This time will be covered under FMLA.
- C.** The treatment plan may include recommendations for in-patient treatment, out-patient counseling by a professional specializing in substance abuse issues, a schedule for anonymous support group meetings, random urine and/or blood tests, etc. In most cases, the Sheriff's Office will accept and use the treatment center's recommendations as the member's complete treatment plan, but reserves the right to add reasonable stipulations to the plan.
- D.** Failure of a member to successfully complete his/her after-care/treatment plan is grounds for termination of employment. The Sheriff's Office is under no obligation to wait until the end of a treatment plan, and reserves/reasserts the right to terminate a member's employment if s/he is not complying with any/all requirements of the treatment plan.
- E.** The Sheriff's Office will cover portions of the cost inherent in some of the steps in the follow-up program. Example: If Monroe County's group insurance pays 80% of the cost of a counseling session, the Sheriff's office will reimburse the member for the remaining 20% upon receipt of supporting paperwork. Nothing in this policy is to be construed as requiring the Sheriff's office to pay or reimburse for goods or services not directly prescribed in the treatment plan.

## **F. Documentation and Record-Keeping**

1. Documentation of compliance with steps in the treatment plan, such as counseling sessions, attendance at meetings, urine tests, etc., will be submitted by the member to the Human Resources Division. The responsibility for ensuring the documentation is recorded lies exclusively with the member, and the Human Resources Division bears no responsibility for contacting or reminding the member of any aspect of his/her treatment plan.
2. The Human Resources Division will maintain substance abuse treatment records as part of members' medical files, which are protected and not available for public review.

## **G. Returning to Duty**

1. Based on the recommendation of the treating professional, the Sheriff will determine whether the member may return to duty and, if so, in what capacity, for the time of his/her treatment plan. During the time of the treatment plan, the member will be considered to be on probation.

2. When the member has successfully completed his/her treatment plan, the final decision to end the member's probation and/or to return the member to his/her former position rests with the Sheriff, who may elect to extend the member's probationary status for a reasonable length of time based on his/her performance during treatment.

H. Nothing in this policy will constrain the Sheriff's Office from terminating a member's employment as a result of his/her substance abuse with no offer of an opportunity to receive substance abuse treatment. Holding a member's position while a member is in treatment and maintaining him/her on the Sheriff's Office payroll are entirely at the discretion of the Sheriff's Office, and will be considered on a case-by-case basis.