

10A NCAC 27G .3804 PURPOSE AND SCOPE

(a) These Rules set forth procedures for providing, supervising and reporting DWI substance abuse assessments and the treatment and education (ADETS) provided to DWI offenders.

(b) Assessments may be sought either voluntarily on a pre-trial basis, by order of the presiding judge and as a condition for driver license reinstatement.

(c) These Rules apply to any facility that conducts DWI assessments and alcohol and drug education traffic schools (ADETS) or treatment.

(d) In order to perform DWI assessments, a facility shall be authorized by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services to provide services to this population (See Rule .3806); and

- (1) be licensed by the State to provide services to individuals with substance abuse disorders; or
- (2) provide substance abuse services and be exempt from licensure under G.S. 122C-22; and
- (3) follow state DWI laws, administrative rules contained in this Section and the generic rules for substance abuse facilities contained in 10A NCAC 27G .0100 through .0700. The rules can be found in Division publication APSM 30-1, "RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE FACILITIES AND SERVICES", and include any subsequent editions and amendments. This publication may be obtained through the Division of MHDDSAS at a cost of five dollars and seventy-five cents (\$5.75).

History Note: Authority G.S. 20-179(e)(6); 122C-142.1;
Eff. April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.