

C. L. "BUTCH" OTTER – Governor RICHARD M. ARMSTRONG – Director ROSS EDMUNDS- Administrator DIVISION OF BEHAVIORAL HEALTH 450 West State Street, 3rd Floor P.O. Box 83720 Boise, Idaho 83720-0036 PHONE 208-334-6997

DATE April 9, 2013

TO: SUBSTANCE USE DISORDERS SERVICES PROVIDERS AND

**STAKEHOLDERS** 

FROM: IDAHO DEPARTMENT OF HEALTH AND WELFARE

SUBJECT: IDAPA 16.07.20 CRIMINAL HISTORY AND BACKGROUND CHECK

**NEGOTIATED RULEMAKING** 

The Division of Behavioral Health (DBH) is currently working to build a peer recovery system and one of the issues that has come up as a barrier in Idaho is the requirements around background checks. The current requirement in IDAPA 16.07.20 does not work for the services that are being provided and does not fit the model of recovery services that DBH is promoting. DBH has also received complaints from substance use disorders treatment providers regarding the current rule as it negatively impacts their workforce and their ability to provide treatment services.

DBH would like to work with providers and other interested parties through the negotiated rulemaking process to develop a Criminal History and Background Check rule that both protects the client and acknowledges those who are successful in their recovery by allowing them to work in the treatment field.

## What is Negotiated Rulemaking?

Negotiated rulemaking is a process in which interested members of the public) and a state agency seek a consensus on the content of a rule. The process is generally informal and flexible and allows agencies to gather input and discuss rule content with stakeholders.

Individuals wishing to participate in the negotiated rulemaking process may do any of the following:

- 1. Attend a negotiated rulemaking meeting (see meeting details below);
- 2. Provide oral or written recommendations, or both, at a negotiated rulemaking meeting;
- 3. Submit written recommendations and comments at any time to:

Treena Clark, Program Specialist IDHW, Division of Behavioral Health P.O. Box 83720 Boise, Idaho 83720-0036 <a href="mailto:clarkt@dhw.idaho.gov">clarkt@dhw.idaho.gov</a>

### **MEETING SCHEDULE**

A public meeting(s) on the negotiated rulemaking is being held via video conferencing at the times and locations listed below. Individuals wishing to participate may either call in on the conference line or join via video conference at any of the regional locations listed.

# Monday, April 22, 2013

12:30 p.m. – 2:30 p.m. (Pacific Daylight Time) 1:30 p.m. – 3:30 p.m. (Mountain Daylight Time)

Conference Call #: 1-866-210-1669

Participant #: 1547741

# Wednesday, April 24, 2013

1:00 p.m. – 3:00 p.m. (Pacific Daylight Time) 2:00 p.m. – 4:00 p.m. (Mountain Daylight Time)

Conference Call #: 1-866-210-1669

Participant #: 8492209

### **VIDEO CONFERENCING LOCATIONS**

Region I Office - Coeur d'Alene	Region II Office - Lewiston
Main Conference Room	1st Floor Conference Room
2195 Ironwood Court	1118 "F" Street
Coeur d'Alene, ID 83814	Lewiston, ID 83501
Region III Office – Caldwell	Region IV Office - Boise
Owyhee Conference Room (Rm. 226)	Room 137
3402 Franklin Road	1720 Westgate Drive, Suite A
Caldwell, ID 83605	Boise, ID 83704
Region V Office – Twin Falls	Region VI Office – Pocatello
Room 116	Room 225
823 Harrison	421 Memorial Drive
Twin Falls, ID 83301	Pocatello, ID 83201
Region VII Office – Idaho Falls	ORIGINATING LOCATION
Conference Room 240	IDHW Central Office
150 Shoup Ave.	Conference Room 3A (3rd floor)
Idaho Falls, ID 83402	450 West State Street
	Boise, ID 83702

Questions regarding the negotiated rulemaking meetings may be directed to Treena Clark at <a href="mailto:clarkt@dhw.idaho.gov.">clarkt@dhw.idaho.gov.</a>

Thank you.