**Memorandum of Understanding of Agency Responsibilities**

**and Commitments Between**

**The Utica Drug Court**

**And**

**Insight House Chemical Dependency Services, Inc.**

**Effective cooperation between the Utica Drug Court and the treatment providers is**

**the essential link for the success of individuals participating in City of Utica Drug Court.**

**Referrals from the Drug Court will be to treatment providers who are licensed by the New**

**York Office of Alcoholism and Substance Abuse Services who have agreed to participate within the following expectations:**

1. Insight House Chemical Dependency Services, Inc. shall have a representative present at the weekly Drug Court sessions. A representative shall also be present at the weekly **Utica Drug Court** staff meeting which will be held before each drug court session.
2. The Utica Drug Court shall provide the **Insight House Chemical Dependency Services, Inc.** with all information regarding court-mandated terms of treatment at the time of referral.
3. The Utica Drug Court Coordinator will make the initial level of care determination for Drug Court participants.  **Insight House Chemical Dependency Services, Inc.** in consultation with the **Utica Drug Court** Coordinator will administer the treatment recommendations set forth in the court-mandated terms of treatment**.**  **Insight House Chemical Dependency Services, Inc.** will make all other determinations regarding content and scope of treatment consistent with court-mandated terms of treatment. In the event a disagreement arises between **Insight House Chemical Dependency Services, Inc.** and **Utica Drug Court** regarding treatment, a representative from **Insight House Chemical Dependency Services, Inc.** will meet with the Drug Court Team to discuss the immediate issue of treatment. With the input of both **Utica Drug Court** Team, who have resources that may not be available to the Provider, and **Insight House Chemical Dependency Services, Inc.**, who have treatment information, a decision will be made by **Utica Drug Court** Team regarding treatment.The Court’s view of whether the Provider’s treatment is consistent with the court-mandated treatment shall govern. To the extent possible, the **Utica Drug Court** will endeavor to establish and maintain a partnership with **Insight House Chemical Dependency Services, Inc.** where treatment decisions for specific clients are mutually acceptable and information is easily accessible.
4. Insight House Chemical Dependency Services, Inc. will provide, to all clients that are referred from **Utica Drug Court**, within five (5) working days, a prompt and comprehensive assessment which will include, but not be limited to an alcohol and substance abuse history, medical and psycho-social history, educational needs, and vocational assessment. The assessment will be completed within the guidelines set forth by the Office of Alcoholism and Substance Abuse Services Regulations. The prospective client will be engaged in treatment services within the subsequent seven (7) working days following completion of the assessment.
5. Insight House Chemical Dependency Services, Inc. shall make all final determinations regarding the suitability of potential clients consistent with a written copy of the Provider’s established policy regarding acceptance of potential clients.
6. The Utica Drug Court will provide the Provider with written Consent to Release Information forms by fax or in person upon referral of a client.
7. If **Insight House Chemical Dependency Services, Inc.** determines that there is an appropriate treatment need for a change in level of care, such changes will occur **after** informing the **Utica Drug Court**. All referrals will be made only to Office of Alcoholism and Substance Abuse licensed treatment facilities.
8. Insight House Chemical Dependency Services, Inc. will complete a random Urinalysis and Breathalyzer screening for all **Utica Drug Court** clients a minimum of two (2) times per week. As required, such testing will be done on weekends by the treatment provider. All positive results obtained from the screening will be reported to the **Utica Drug Court** immediately. Both positive and negative results obtained from the screening will be included on the weekly report to the **Utica Drug Court**.
9. Insight House Chemical Dependency Services, Inc. will ensure that an appropriate Release of Information **will** be obtained from each client referred from the **Utica Drug Court**. This will be done to ensure the appropriate and timely sharing of information. The Release of Information form will be provided by the **Utica Drug Court** and shall meet all criteria of Code of Federal Regulations 42, pertaining to release of information, making clear reference to the Regulations. If a client refuses to sign such a Release of Information, the **Utica Drug Court** **will** be notified immediately by the treatment facility representative. **Insight House Chemical Dependency Services, Inc.** will submit written reports to the Court for each client on forms provided by the Court which include accounts as set forth in the Information Exchange Requirements provided by the **Utica Drug Court.** The Provider will provide information including but not limited to attendance, scope of treatment, quality of participation, problems, achievements and treatment accomplishments. The frequency and schedule of such reports will be determined by the Court based on the client’s court reporting schedule. In addition, the Provider is encouraged to initiate communication with the Court regarding a client’s treatment.
10. Insight House Chemical Dependency Services, Inc. will provide the appropriate level of care services to clients referred from the **Utica Drug Court** regardless of the client’s ability to pay. Self-pay clients will pay a Fee based upon a sliding fee scale. If **Insight House Chemical Dependency Services, Inc.** determines that they are unable to see a client due to inability to pay the **Utica Drug Court** Coordinator must be notified immediately. At that time, **Insight House Chemical Dependency Services, Inc.** will facilitate the appropriate referral to a treatment provider who is able to see that client with no or little ability to pay for services. If the client becomes non-compliant in fulfilling their individual responsibility for payment, the **Utica Drug Court** must be notified as soon as possible of this occurrence.
11. Insight House Chemical Dependency Services, Inc. will refer clients to community based resources that are provided by other Social Service and Human Service providers in the community when it has been determined that the client has shown the need for in the course of treatment. Such referral will be made known to the **Utica Drug Court** at the weekly staff meeting.
12. When it is determined that the client is ready to be discharged from treatment, **Insight House Chemical Dependency Services, Inc.** will present the client’s case at the **Utica Drug Court** staffing with recommendations. The **Utica Drug Court** will then make the appropriate decision based upon the initial Contract Agreement and the client’s participation in the drug court process.
13. If it is determined by **Insight House Chemical Dependency Services, Inc.** that the client is not participating appropriately within the parameters of the treatment plan expectations or has exhibited behavior which is not acceptable, and that dismissal from the Program is the only alternative left, this **shall** be presented at the **Utica Drug Court** staffing. Each situation will be looked at on a case by case basis with the final determination to be that which is considered most appropriate to assist the client to complete the **Utica Drug Court** contract successfully.

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**Donna M. Vitagliano Date**

**President and Chief Executive Officer**

**Insight House Chemical Dependency Services, Inc.**

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**Honorable John S. Balzano Date**

**Utica Drug Court Judge**