

# IDP Policies and Procedures



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# **Wis. Admin. Code ch. DHS 62**

# **Wis. Admin. Code ch. DHS 75**

- DHS 62 provides the minimum standard requirements of the Intoxicated Driver Program (IDP).
- The current DHS 75 that included additional requirements for IDP went into effect on October 1, 2022.

# DHS 62.04

## **Board responsibilities for ITP**

Pursuant to authority under [Wis. Stat. § 51.42](#), a board shall implement an ITP in the board's geographic area.

# DHS 62.04(1) and DHS 62.04(2)

- Designate a single intoxicated driver assessment facility that meets the qualifications and standards set forth under Wis. Admin. Code § DHS 62.05.
- Designate driver safety plan providers who provide treatment to clients.

# DHS 62.04(3) Written Policies, Procedures, and Guidelines

## Client records

- Custodian of client records
- Confidentiality of client records. Policies, procedures, or guidelines shall be consistent with [Wis. Admin. Code § DHS 62.13](#), [Wis. Admin. Code ch. DHS 92](#) and applicable state and federal laws
- Client record retention and disposal
- Transfer of client records between agencies

# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Collaboration with and consultation to the courts, assessment facilities, out-of state assessment agencies, and driver safety plan providers.

# DHS 62.04(3) Written Policies, Procedures, and Guidelines

Fees that may be charged to clients under [Wis. Admin. Code ch. DHS 1](#) and [Wis. Admin. Code § DHS 62.11](#) including notification to clients of the client's liability for fees.

# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Client rights and appeals of assessments, driver safety plans, and reports of noncompliance.



# DHS 62.04(3) Written Policies, Procedures, and Guidelines

Conflict of interest guidelines

# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Client referrals to driver safety plan providers, to assessment facilities within the geographic area and other counties, and to out-of-state assessment agencies.

# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Illegal discrimination by programs and staff.

# DHS 62.04(3) Written Policies, Procedures, and Guidelines

Training requirements

# DHS 62.04(3) Written Policies, Procedures, and Guidelines

Assessments, including screening instruments and driver safety plans.

# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Alternative education, including method for approvals.

# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Procedures for assessments and driver safety plan services for persons referred from another board's geographic area, another state, or the Wisconsin Department of Corrections

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Procedures for assessments and driver safety plan services for persons referred from another board's geographic area, another state, or the Wisconsin Department of Corrections



# **DHS 62.04(3) Written Policies, Procedures, and Guidelines**

Requests from assessment facilities to extend the time to conduct assessments or driver safety plans

# DHS 62.04(4) IPID Committee

A collection of agency and organization representatives appointed by a board to guide the development and implementation of the ITP.

# DHS 62.04(5)

## Designated Coordinator

- Participate in ITP development, implementation and problem resolution
- Consult as needed to assessment facilities, driver safety plan providers, local traffic safety coordinators, clients, and the public as appropriate on board policy and procedures, requirements of this chapter, and fees

# DHS 62.04(5)

## Designated Coordinator

- Inform the courts of the location, telephone number, and fees of the assessment facility
- Provide information about that board's assessment process that the court may use to inform adjudicated clients

# DHS 62.04(5)

## Designated Coordinator

Make the court aware that the court's order should:

- Refer a Wisconsin resident directly to an assessment facility in the resident's county of residence.
- Refer an individual without an established residence to the facility in the county of conviction.
- Refer an out-of-state resident to the facility in the county of conviction or to a Wisconsin border county facility when this is more convenient for the individual.

# DHS 62.04(5)

## Designated Coordinator

Inform the court about the use of the form MV 3632, Court Order for Intoxicated Driver Assessment and Driver Safety Plan.

# DHS 62.04(5)

## Designated Coordinator

Explain to the court the confidential nature of reports and the need for client consent for disclosure.

- Facilitate an IPID committee if a committee is appointed by the board
- Receive and maintain assessment facility and driver safety plan provider policies and procedures.

# DHS 62.04(5)

## Designated Coordinator

Approve:

- Screening instruments, in addition to the WAID, used by assessment facilities.
- Driver safety plans that recommend alternative education when factors such as the client's language, developmental disability, mental illness, cognitive deficit, illiteracy, or extreme hardship are present.
- Requests by an assessment facility for an extension of the time to complete the assessment and driver safety plan.



# DHS 62.04(5)

## Designated Coordinator

- Provide reports requested by the board.
- Train assessment facilities and driver safety plan providers on procedures of the ITP.

# DHS 75.15(5)

General requirements for intervention services and intoxicated driver services

# DHS 75.15(5)(a)

## Governing Body/Entity Owner

- Designate a member or representative of the governing body that is legally responsible for the operation of a service that has the authority to conduct the policy, actions, and affairs of the service, to complete the entity owner background check and to be the entity owner responsible for a service.
- Appoint a service director whose qualifications, authority, and duties are defined in writing.

# DHS 75.15(5)(a)

## Governing Body/Entity Owner

Establish written policies and procedures for the operation of the service and exercise general direction over the service. Policies and procedures must be written to insure all of the following:

- a. Compliance with local, state, and federal laws.

# DHS 75.15(5)(a)

## Governing Body/Entity Owner

Establish written policies and procedures for the operation of the service and exercise general direction over the service. Policies and procedures must be written to insure all of the following:

- Compliance with local, state, and federal laws.
- That no person will be denied service or discriminated against on the basis of sex, race, color, creed, sexual orientation, disability, or age.

# DHS 75.15(5)(b)

Caregiver background check requirement

# **DHS 75.15(5)(c)**

## **Personnel Records**

Employee records shall be available upon request at the service for review by DHS.

# DHS 75.15(5)(c)

## Personnel Records

A separate record for each employee shall be maintained, kept current, and at a minimum, include:

- A written job description including duties, responsibilities and qualifications required for the employee.
- Beginning date of employment.



# **DHS 75.15(5)(c)**

## **Personnel Records**

A separate record for each employee shall be maintained, kept current, and at a minimum, include:

- Qualifications based on education or experience.
- A completed caregiver background check.
- A copy of a signed statement regarding confidentiality of client information.
- Documentation of any required training.
- A copy of any required licenses or certifications.

# DHS 75.15(5)(d)

## Confidentiality

A service shall have written policies, procedures and staff training to ensure compliance with confidentiality provisions of [42 CFR part 2](#), [45 CFR parts 164](#) and [170](#), and [Wis. Stat. § 51.30](#), and [Wis. Admin. Code ch. DHS 92](#). Each staff member shall sign a statement acknowledging his or her responsibility to maintain confidentiality of personal information about persons served.

# **DHS 75.15(5)(e)**

## **Policies, Procedures, and Service Description**

A service shall develop written policies, procedures, and service descriptions for each intervention service to be provided.

# **DHS 75.15(5)(f)**

## **Submissions to DHS**

The service shall submit each service description, along with written policies and procedures, to the department with the initial certification application, and submit any updates to DHS when needed.

# **DHS 75.15(5)(g)**

## **Staff Knowledge and Training**

Service staff shall have knowledge, training, and experience in the service which they are responsible for providing, including substance use intervention, screening, and referral.

# DHS 75.15(5)(h) Referral

The service shall develop and maintain a written record of certified substance use treatment resources for referral and shall refer clients as indicated for further assessment and treatment services.

# **DHS 75.15(5)(i) Evaluation**

The service shall have an evaluation plan that includes goals of the service, measurable outcomes and objectives related to the service goals, and an annual report of progress related to goals and objectives that is available to the department and the public.

# DHS 75.15(7) Case Records

A service shall keep a case record for every person receiving intervention services, except where the only contact is made by telephone.



# DHS 75.15(7) Case Records

A case record prepared shall include all of the following information:

- The individual's name, address, phone contact information, date of birth, and relevant demographic information.
- The individual's admission date.
- Substance use information about the individual and the reason for referral.

# DHS 75.15(7) Case Records

A case record prepared under this subsection shall include all of the following information:

- The results of any screening completed.
- A sufficient assessment of the individual's dimensional risk and severity of need to determine preliminary level of care.

# DHS 75.15(7) Case Records

A case record prepared under this subsection shall include all of the following information:

- Service recommendations, referrals, and follow-up services and activities completed for the individual.
- Documentation of each contact the service has with the client or a collateral source.

# **DHS 62.05(1) Intoxicated Driver Assessment Facilities**

No agency may conduct intoxicated driver assessments and develop driver safety plans unless appointed by the board as a designated intoxicated driver assessment facility under [Wis. Admin. Code § DHS 62.04\(1\)](#).

# **DHS 62.05(1)(a) Intoxicated Driver Assessment Facilities**

An assessment facility shall implement written policies and procedures for:

- Client intake and orientation.
- Maintaining client records.
- Assessment and driver safety plans.
- Prohibiting illegal discrimination by the program and staff.
- Client rights and appeals process, including client notification of those rights.

# DHS 62.05(1)(a) Intoxicated Driver Assessment Facilities

An assessment facility shall implement written policies and procedures for:

- Collaborating and corresponding with other assessment facilities, the courts, the designated coordinator, the Wisconsin Department of Transportation, traffic safety schools, driver safety plan providers, and clients.
- Staff training.
- Reporting requirements.

# **DHS 62.05(1)(a) Intoxicated Driver Assessment Facilities**

An assessment facility shall implement written policies and procedures for:

- Fees.
- Conflict of interest guidelines.
- Quality assurance.

# DHS 62.05(1) Intoxicated Driver Assessment Facilities

An assessment facility shall:

- Maintain a list of plan providers and fees policies of these providers that is updated annually.
- Perform other appropriate duties as authorized by the board



# **DHS 62.05(2)(a)**

## **Staffing Requirements**

An assessment facility shall employ or contract with at least one intoxicated driver assessor.

# **DHS 62.05(2)(a)**

## **Staffing Requirements**

Each intoxicated driver assessor shall have successfully completed the intoxicated driver assessor training.

# DHS 62.05(2)(a)

## Staffing Requirements

Each intoxicated driver assessor shall have the qualifications of one of the following professions:

- A substance abuse counselor [[Wis. Admin. Code § DHS 75.02 \(84\)\(a\)](#)]
- A clinical supervisor [[Wis. Admin. Code § DHS 75.02 \(11\)](#)]
- A professional [[Wis. Admin. Code §§ DHS 61.06 \(1\) to \(13\)](#)]
- A social worker; marriage and family therapist; or professional counselor [licensed under [Wis. Stat. ch. 457](#)]

# DHS 62.05(2)(a)

## Staffing Requirements

- DHS may approve the employment of individuals with lesser qualifications if the assessment facility can demonstrate and document need.
- DHS may limit the duration of any exception granted.

# DHS 62.05(2)(b) Supervision

Competency in intoxicated driver assessment skills shall be documented through supervisor evaluations. The intoxicated driver program assessor shall be supervised by a superior who has completed the intoxicated driver assessment training and be knowledgeable in psychopharmacology of substances, addiction, and addiction treatment as evidenced by education, training, or experience.

# DHS 62.05(3)(a) Training

Assessment facilities shall arrange for attendance of its intoxicated driver assessors at DHS-approved assessor training and other staff development training including training in local procedures provided or arranged by the designated coordinator.

# DHS 62.05(3)(b) Training

Each assessor shall successfully complete a minimum of 6 hours of continuing education each year. Continuing education may include formal courses awarding credits or continuing education units, workshops, seminars, or correspondence courses.

# Policies and Procedures

Policies and procedures should be created by the county.

- High-level policies; not day-to-day practices of IDP.
- Include client records, custodian of client records, confidentiality policies, transfer between agencies.
- Identifies the approved IDP assessment agency for the county.
- Identifies designated coordinator/service director.



# Policies and Procedures

Policies and procedures should be created by the assessment agency.

- Policies on conducting assessments, waiting lists, staff training, referrals, communication with the courts and technical colleges.
- Policy on alternative education referrals.
- Procedure for referrals for treatment/education.

# Policies and Procedures

- Align all policies and procedures with best practices
- Considerations for agency policies and procedures:
  - Fees
  - Alternative education
  - License denial
  - Drug testing/abstinence
  - Noncompliance reporting
  - Amended driver's safety plans

# Questions Comments Discussion