

(a) Failure of the client to give written consent to the driver safety plan;

(b) Failure of the client to participate promptly in accordance with s. HSS 62.04 (8) (c) in the driver safety plan programs;

(c) Failure of the client to accept driver safety plan programs by not attending or not cooperating; or

(d) Failure of the client to show reasonable progress in completing the driver safety plan according to the goals set out in the individualized treatment plan.

Note: Reports of non-compliance for failure to complete assessment, pay assessment fee or to comply with the driver safety plan will result in suspension of the client's operating privilege by the department of transportation until the client is in compliance. For notice of the indefinite suspension and the client's rights to review and reinstatement, see ch. Trans 107.

History: Cr. Register, January, 1984, No. 337, eff. 2-1-84.

HSS 62.06 Training requirements. All assessment providers and driver safety plan program providers shall receive training from their respective agencies for the routine processing of court-ordered and department of transportation-ordered clients. Information and training assistance may be requested from the department. Information may be requested from the department of transportation.

(1) **ASSESSMENT STAFF TRAINING.** Facilities providing assessment shall arrange for department-approved assessment training for all assessment personnel. With assistance from the designated coordinator, assessment personnel shall be oriented to local procedures for clients, including identification of approved program providers.

Note: Assessment training registration forms may be obtained from and should be returned to UWEX-Center for Alcohol and Other Drug Studies, 322 Lowell Hall, 610 Langdon Street, Madison, WI 53706.

(2) **PROGRAM PROVIDER TRAINING.** Driver safety plan program providers shall be familiar with state reporting requirements and shall be responsible for providing the training necessary for competent service provision. Board-operated and board-contracted program providers may request assistance from the designated coordinator.

History: Cr. Register, January, 1984, No. 337, eff. 2-1-84.

HSS 62.07 Conflict of interest guidelines. The conflict of interest guidelines in this section apply to approved public treatment facilities providing assessment and driver safety programs under this chapter.

(1) **CLIENT CHOICE OF PROGRAM PROVIDER.** Clients shall be allowed to select providers of the programs included in their driver safety plans, based on the following considerations:

(a) The client shall be shown a list of all approved public and private program providers in the board area, as well as other approved program providers close to where the client lives, who offer the programs required to fulfill the driver safety plan;

(b) The client shall be informed about the rates charged for a program provider's services and whether the client is liable for the full cost of the services or may be eligible as a board client for reduced costs according to his or her ability to pay;

(c) The client shall be told that if he or she elects to receive services from an approved provider other than the client's board-operated or board-contracted program provider, the client is responsible for the full cost of the services; and

(d) The client shall agree to be responsible for the cost or the cost based on ability to pay of the programs received from the provider of his or her choice.

(2) SEPARATION OF ASSESSMENT AND PROGRAM PROVISION. (a) The facility that assesses a client may not also provide the client with the program or programs called for in the client's driver safety plan unless the department has approved the facility to do both in accordance with the following criteria:

1. The board operates or contracts for both assessment and treatment programming from the same agency and there are limited resources in the area;

2. The board does not thereby duplicate or support duplication of established and approved programs; and

3. The board is not forced to dismantle existing programming or fire personnel to effect separate facilities.

(b) Paragraph (a) shall not prohibit development of programming where appropriate programming is not available.

(3) CLIENT CHOICE ACKNOWLEDGMENT. The client shall be asked to acknowledge in writing that he or she has been given information about all available and appropriate providers of driver safety programs and about the provisions of subs. (1) and (2) before selecting a program provider. This acknowledgment shall be kept in the client's file.

(4) CONFLICT OF INTEREST MONITORING. Boards shall monitor assessment facility compliance with this section and may withhold or withdraw contracts based on documented findings of conflict of interest.

History: Cr. Register, January, 1984, No. 337, eff. 2-1-84.

HSS 62.08 Enforcement. (1) COMPLIANCE REQUIRED FOR DEPARTMENT FUNDING. All board-operated and board-contracted assessment providers and program providers shall comply with this chapter as a condition for department funding. Compliance shall be enforced as specified under s. HSS 61.20.

(2) COMPLIANCE REQUIRED FOR OTHER PROGRAM PROVIDERS. All other program providers under this chapter shall comply with this chapter's relevant standards and all other applicable state statutes and administrative rules.

History: Cr. Register, January, 1984, No. 337, eff. 2-1-84.