

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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NCJRS

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ACQUISITIONS

REPORT TO THE LEGISLATURE
HEALTH AND WELFARE AGENCY
DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS
DRIVING-UNDER-THE-INFLUENCE PROGRAM BRANCH
NOVEMBER 1993

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U.S. Department of Justice
National Institute of Justice

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JUSTIFICATION

INCREASE TO THE DRIVING-UNDER-THE-INFLUENCE PROGRAM LICENSING FEE

The Department requests to increase its licensing fee assessed to driving-under-the-influence (DUI) programs from \$10 to \$14 for each newly enrolled participant.

A report to the Legislature is required, pursuant to Health and Safety Code (HSC) Section 11837.5(f), whenever the Department of Alcohol and Drug Programs increases its licensing fees for DUI programs. The Department has prepared the attached report on the assets, liabilities, and balance in the Drinking Driver Program Licensing Trust Fund (DDPLTF), and an itemized statement of income and expenses for the trust fund since the last report was submitted for fiscal year (FY) 1989-90.

The Department's DUI Program Branch is responsible for licensing three types of DUI programs: a first offender program of 3 months duration, an 18-month multiple offender program, and a 30-month multiple offender program. State licensing provides centralized leadership with regard to program standards, quality assurance, and coordination. Every DUI program in the state is mandated to be licensed by the Department (HSC Section 11836.10).

In order to fund the licensure of DUI programs, providers are charged a licensing fee for each newly enrolled participant. This licensing fee is included as part of the overall fee assessed to each participant for the services provided by a DUI program. Fees collected are deposited in the DDPLTF and may not be used to support programs other than the DUI Program. In fact, HSC Section 11837.5(b) requires the DUI Program to set its licensing fee in an amount sufficient to cover all administrative costs incurred.

Previously, the licensing fee assessed to DUI programs was \$14 per newly enrolled participant. It was lowered to \$10 in 1990 to reduce the accumulation of excess revenues caused by insufficient expenditure authority in the DDPLTF. The Department now faces a shortfall in DUI program revenues and must reinstate the licensing fee to the \$14 level.

Participant Enrollments

Table 1 shows that participant enrollments in DUI programs decreased by 23 percent from FY 1990-91 to FY 1992-93. Because of this decline in enrollments, the amount of revenue collected by the Department has also diminished. We anticipate enrollments to stabilize at 120,000 for FY 1993-94.

TABLE 1

Type of Program	FY 1990-91	FY 1991-92	FY 1992-93	% Change from 1990-91
3-Month	116,216	102,457	87,030	-25%
18-Month	41,361	36,925	33,676	-19%
30-Month	433	420	246	-43%
Total	158,010	139,802	120,952	-23%

The number of DUI program enrollments is directly related to the number of DUI arrests. Table 2 shows that DUI arrests decreased 29 percent from 1990 through 1992 and that there was a corresponding reduction in alcohol-involved fatal crashes (-26 percent), and alcohol-involved injury crashes (-24 percent).

TABLE 2

DUI Statistics	1990	1991	1992	% Change from 1990
DUI Arrests	366,834	312,571	260,150	-29%
Alcohol-Involved Fatal Crashes	2,126	1,837	1,565	-26%
Alcohol-Involved Injury Crashes	39,246	34,512	29,931	-24%

Number of Licensed Programs

The number of licensed programs primarily is influenced by the number of county and court jurisdictions and geographical areas, rather than participant enrollments. Although the number of participant enrollments has declined over the last two fiscal years, this is not true for the number of licensed programs. Table 3 shows that at the end of FY 1992-93, there were 382 licensed DUI programs, an increase of 13 programs (3.5 percent) during the fiscal year. We anticipate the number of programs and resultant workload to remain constant or slightly increase during FY 1993-94. Therefore, while the Department's revenues have declined, its costs of fulfilling its licensing mandates have not decreased.

TABLE 3

Type of License	# of Licenses as of 7/01/92	# of Licenses as of 6/30/93	Difference
First Offender	202	212	10
18-Month	126	129	3
30-Month	41	41	0
Total	369	382	13

On-Site Compliance Reviews

Efficiencies have been achieved by reducing the amount of time an on-site compliance review requires. There has been a reduction in the number of group counseling sessions attended by staff. Each group counseling session is two hours in length and staff previously attended as many as three sessions during the course of the review (e.g., some licensees have a 3-month program, 18-month program, and 30-month program at a single location). The on-site compliance review documents used by staff are continually reviewed and modified. The focus of the review is on compliance with regulations which assure the participant has participated in and completed all program services required for the issuance of a completion certificate and ultimately reinstatement of the drivers license.

An initial licensing application has been developed to replace the submission of proposals by applicants. Requiring structured applications will bring consistency to the documents submitted for obtaining a provisional license. This will reduce the amount of time needed for the application review and submission of additional documents by the applicant. As soon as regulations are promulgated this application also can be used for renewal licenses, resulting in further reductions in staff time.

The above evaluation of current administrative and programmatic activities has resulted in the identification and implementation of time-saving measures. This will result in staff having time to conduct follow-up visits to noncompliant programs to ensure that deficiencies are corrected and that quality services are provided to the participants.

Expenditures and Revenues

Health and Safety Code Section 11837.5(g) requires the Department to justify an increase in licensing fees by showing that sufficient assets are not currently available in the Drinking Driver Program Licensing Trust Fund and that current licensing fee collections are not sufficient to support expenses of the Department for DUI licensing activities.

Currently, the licensing fee is set at \$10 per participant. Based on an estimate of 121,000 new participants enrolling annually, the amount of revenue to be collected in FY 1993-94 will be \$1,210,000. This amount of revenue is insufficient to cover the cost of the Department's DUI Program. Estimated expenditures for FY 1993-94 are \$1,746,000 resulting in a shortfall of approximately \$536,000. A \$4 increase for the last six months of FY 1993-94 would raise \$242,000. This increase still would leave a shortfall of approximately \$294,000 which will be partially offset by approximately \$146,000 remaining in the trust fund at the end of FY 1992-93. The remaining shortfall of approximately \$148,000 will be resolved internally by the Department.

For FY 1994-95, the Department projects program enrollments and Department expenditures to remain relatively constant. However, the Department is developing final regulations to modify the method of assessing program licensing fees. The Department expects the regulations to be in place prior to the end of FY 1993-94. Instead of collecting licensing fees based on the number of persons who enroll in a program, the Department would collect licensing fees based on a percentage of the program's annual revenue for the previous fiscal year.

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

DRINKING DRIVER PROGRAM LICENSING TRUST FUND (139)
 ANNUAL REPORT ON ASSETS, LIABILITIES AND BALANCE
 AS OF 06/30/93

Fund Balance as of 07/01/92		\$638,538.38
ADD: REVENUES		\$1,139,722.00
DEDUCTIONS: EXPENDITURES		
PERSONAL SERVICES	\$740,261.73	
OPERATING EXPENSE & EQUIPMENT		
201 General Expense	13,791.99	
251 Communications	8,493.75	
261 Postage	4,535.34	
291 Travel: In-State	41,426.25	
311 Travel: Out-Of-State	301.71	
308 NonSalaried Consultant	2.53	
331 Training	1,700.44	
341 Facilities Expense	74,734.68	
382 Cons & Prof Serv-Indept	73,469.91	
427 Administration	491,936.30	
451 Equipment	30,699.33	
Operating Transfers-Out E/O D 92/93 - 30	32,000.00	
TOTAL OPERATING EXPENSE & EQUIPMENT	\$773,142.78	
TOTAL EXPENDITURES		1,513,404.51
Fund Balance as of 06/30/93		\$314,855.87
Pending E/O D 92/93 - 32 (Dated 07-09-93)		169,000.00
Adjusted Fund Balance		\$145,855.87

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

DRINKING DRIVER PROGRAM LICENSING TRUST FUND (139)
 ANNUAL REPORT ON ASSETS, LIABILITIES AND BALANCE
 AS OF 06/30/92

Fund Balance as of 07/01/91		\$1,060,006.31
ADD: REVENUES		\$1,459,793.42
DEDUCTIONS: EXPENDITURES		
PERSONAL SERVICES	\$562,959.55	
OPERATING EXPENSE & EQUIPMENT		
201 General Expense	21,362.02	
251 Communications	14,152.46	
261 Postage	3,579.19	
291 Travel	44,646.45	
305 NonSalaried Consultant	1,022.72	
331 Training	1,723.44	
341 Facilities Expense	57,414.65	
352 Cons & Prof Serv-Indept	70,000.00	
427 Administration	762,504.06	
451 Equipment	11,567.75	
TOTAL OPERATING EXPENSE & EQUIPMENT	\$1,015,272.80	
TOTAL EXPENDITURES		1,551,261.35
Fund Balance as of 06/30/92		\$634,535.35

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

DRINKING DRIVER PROGRAM LICENSING TRUST FUND (139)
 ANNUAL REPORT ON ASSETS, LIABILITIES AND BALANCE
 AS OF 06/30/91

Fund Balance as of 07/01/90		\$319,421.81
ADD: REVENUES		\$1,850,040.32
DEDUCTIONS: EXPENDITURES		
PERSONAL SERVICES	\$541,478.12	
OPERATING EXPENSE & EQUIPMENT		
201 General Expense	14,519.69	
251 Communications	11,085.57	
251 Postage	4,603.43	
291 Travel	39,170.95	
331 Training	887.26	
341 Facilities Expense	54,021.94	
382 Cons & Prof Serv-Indept	70,000.00	
418 NonSalaried Consultant	5,155.58	
427 Administration	373,192.41	
451 Equipment	4,240.47	
TOTAL OPERATING EXPENSE & EQUIPMENT	\$576,977.70	
TOTAL EXPENDITURES		1,118,455.82
Fund Balance as of 06/30/91		\$1,060,006.31

• Due to the inability of the Department to increase the expenditure authority for the Drinking Driver Program Licensing Trust Fund, expenditures in the amount of \$342,490.53 were charged against the Departments General Fund and Federal Trust Fund support appropriations.