

March 12, 1987
1085E/DE:lt

Introduced by: Ron Sims

Proposed No.: 87-108

ORDINANCE NO. 7999

AN ORDINANCE relating to substance abuse;
specifying the number of methadone treatment
programs to be licensed by King County;
amending Ordinance 7738, Sections 1, 2, 3,
4, 5, and 6 and K.C.C. 2.24.100.

PREAMBLE:

Under the King County Home Rule Charter Preamble in order to preserve a healthy environment and Home Rule Charter Section 220.20 which specifies the legislative powers of the Council and R.C.W. 69.54 which authorizes King County to license and monitor state certified methadone treatment programs, the county council recognizes that methadone is an addictive substance, that nevertheless has several important legal and justified uses and that one of its appropriate and legal uses is, in the drug treatment of persons addicted or habituated to opioids.

The council in Motion 3125 has previously stated its policy with respect to the goal of limiting methadone treatment in individual cases to no more than two years.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 7738, Sections 1-6 and K.C.C. 2.24.100

is hereby amended to read as follows:

A. There is established a joint division of alcoholism and substance abuse services within the Seattle-King County department of public health.

1. The division of alcohol and substance abuse services shall be responsible for the administration and staffing of all department programs relating to the prevention and treatment of alcoholism and substance abuse.

2. The division of alcoholism and substance abuse services shall include a manager and such staff as is necessary to accomplish its duties, subject to authorization by council. The management and administration of the division of alcoholism and substance abuse services shall be vested in the director of the Seattle-King County department of public health who shall appoint a manager for the division pursuant to Ordinance 1438, codified in Chapter 2.16. The staffing responsibilities shall be the responsibility of the manager in accordance with career service rules.

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1 3. The division shall provide staffing services to the King
2 County alcohol administrative board, provided that the King County
3 alcohol and substance abuse administrative board shall select and
4 employ one exempt senior staff position subject to the approval of
5 the county executive.

6 B. Substance Abuse - Methadone Treatment.

7 1. Definitions. As used in this ordinance, the following
8 words and terms shall have the meanings set forth herein:

9 a. "Certified methadone treatment program" means an
10 outpatient clinic certified for methadone treatment by state and
11 federal agencies(~~(, serving an average daily population of eleven~~
12 ~~or more)) and ((which)) is located in King County.~~

13 b. "Client" means an individual accepted for methadone
14 treatment by a certified methadone treatment program.

15 ~~((e.)) ("Average daily client population" means the average~~
16 ~~number of clients served each day during any calendar month.))~~

17 ~~((d.))~~ c. "Director" means the director of the Seattle-
18 King County department of public health or the director's designee.

19 ~~((e.))~~ d. "Council" means the King County Council as
20 defined by the King County Charter.

21 ~~((f.))~~ e. "Executive" means the King County Executive as
22 defined by the King County Charter, or the executive's designee.

23 2. Under the authority of R.C.W. 69.54.030, there shall be
24 four certified methadone treatment programs licensed by King
25 County to offer methadone treatment.

26 Provided that:

27 Treatment programs so certified as of March 12, 1986 shall be
28 licensed.

29 ~~((No-licensed))~~ Licensed certified methadone treatment
30 programs shall ~~((offer services to an average daily client~~
31 ~~population exceeding three hundred fifty program clients. -- This~~
32 ~~section shall not apply to a certified methadone treatment program,~~
33 ~~which serves an average daily client population of more than three~~

1 hundred-and-fifty-as-of-the-effective-date-of-this-ordinance;-until
 2 three-months-following-the-date-when-a-fourth-certified-methadone
 3 treatment-program-is-licensed-and-prepared-to-serve-a-client
 4 population-as-determined-by-the-director;-however;-until-that-time
 5 no-such-treatment-program-may-serve-an-average-daily-client
 6 population-of-more-than-seven-hundred-clients-)) not have a
 7 caseload in excess of three hundred fifty clients.

8 3. Section IV pursuant to KCC 2.98, RCW 69.54.0303, and WAC
 9 275-19, the director shall prepare and implement:

10 a. Procedures to annually license certified methadone
 11 treatment programs as county methadone treatment programs. Such
 12 procedures shall require current state certification, compliance
 13 with state treatment regulations, completion of all license
 14 application requirements established by the director and payment
 15 of the annual license fee. If an existing county licensed program
 16 loses its state certification, is found to be out of compliance
 17 with the treatment regulations promulgated by the state, fails to
 18 fulfill county licensing requirements or is no longer operating
 19 when its license expires, then, the director shall issue a new
 20 license or licenses but in no case more than a total of four
 21 licenses to a certified program or programs meeting all county
 22 licensing requirements and in the order that such license
 23 applications were received by the director, the first in time
 24 being first in right.

1 Provided that:

2 In the event that the county determines to provide methadone
3 treatment itself these annual licensing procedures shall not
4 apply, and no licenses shall be issued to certified methadone
5 treatment programs which are not operated by the county or the
6 Seattle-King County department of public health.

7 Provided Further that:

8 The licenses shall expire twelve months from the date of
9 issuance unless renewed. The director shall conduct a study of
10 the feasibility of the county operating a methadone treatment
11 program.

12 b. Procedures to monitor and enforce provisions of this
13 ordinance and RCW 69.54.0303.

14 4. The director shall provide the annual report to the
15 council which shall include the status of all county licensed
16 methadone treatment programs. (~~including the average daily client~~
17 ~~population for each treatment program during the previous year,~~
18 ~~the residency by county of every client at the time of program~~
19 ~~entry, and other information deemed relevant by the director.))~~

20 (~~5. If the average daily client population in any certified~~
21 ~~methadone treatment program reaches the maximums set forth in~~
22 ~~K.C.C. 20.24.100.B.2, such treatment programs shall give priority~~
23 ~~to King County residents for treatment when the average daily~~
24 ~~client population falls below such maximums.))~~

25 (~~6.))~~ 5. The executive shall propose for council adoption an
26 annual fee to be charged to each licensed certified methadone
27 treatment program to meet costs of carrying out the provisions of
28 this section. Such annual fees shall not be prorated or rebated
29 for any reason.

1 C. Should any section, subsection, paragraph, sentence,
2 clause or phrase of this ordinance be declared unconstitutional or
3 invalid for any reason, such decision shall not affect the
4 validity of the remaining portion of this section.

5 INTRODUCED AND READ for the first time this 17th
6 day of February, 1987.

7 PASSED this 30th day of March, 1987.

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 Gary Grant
11 Chair

12 ATTEST:

13 Dorothy M. Owens
14 Clerk of the Council

15 APPROVED this 8th day of April, 1987.

16 Don Hilp
17 King County Executive