



## **7.3.7 DRIVING UNDER THE INFLUENCE (DUI) PROGRAM VIRTUAL SERVICES**

Issue Date: 06/02/2026

Revision History: Not Applicable

References: CCR Title 9, Chapter 3; CCR Title 9, Chapter 8; DHCS BHIN 24-012; HSC 11833, Chapter 7.2; HSC 11836-11838.11, Chapter 9; AB-118 (Budget Act of 2023: Health), Section 4992.3 of the Business & Professions Code

Policy Owner: Behavioral Health Division, DUI Program Manager

Director Signature: **Signature on File**

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### **I. Policy Statement**

It is the policy of the Sonoma County Department of Health Services – Behavioral Health Division (DHS-BHD) to ensure compliance with the requirements outlined in the Behavioral Health Information Notice (BHIN) 24-012, and any subsequent superseding BHINs, for the provision of Driving Under the Influence (DUI) services in a virtual setting.

### **II. Scope**

This policy applies to all Covered Persons, which includes all County of Sonoma employees (full-time, part-time, extra-help), and all additional persons who are performing services for DHS, with the exception of Community Based Organization (CBO) staff. This policy also applies to all DUI Program participants receiving virtual services.

### **III. Definitions**

A. Electronic Signature: An electronic signature is a digital version of a conventional handwritten signature. DUI programs that use electronic signatures must require a digital certificate to verify the signer's identity. This ensures that the signature is authentic and cannot be forged. Electronic signatures may also be used to

capture relevant information, such as the date and time a document was digitally signed.

- B. Hybrid Services: Are a combination of virtual and in-person sessions within a scheduled program. However, they do **not** include a blend of virtual and in-person formats within the **same** session. Each service must be conducted either entirely virtual or entirely in-person.
- C. Program Sobriety: Requires that participants shall not attend program services or activities (virtual or in-person) or be on the DUI Program premises while under the influence of any amount of alcohol or drugs, or be convicted of a subsequent DUI offense while enrolled in a DUI Program.
- D. Pronoun Usage: Throughout this policy, the singular "they/their" is used as a gender-neutral pronoun to promote clarity, readability, and inclusivity.
- E. Virtual Services: Virtual Services refers to the provision of synchronous counseling by a licensed DUI Program counselor via real-time video over the Internet. DUI programs are required to use a Health Insurance Portability and Accountability Act (HIPAA)-compliant platform when delivering virtual services.

#### **IV. Policy**

##### **A. Physical Site**

- 1. The DUI Program will maintain a physical site location where in-person services are provided, and the hours of operation shall be posted by the program entrance.

##### **B. Counselor Behavior and Professionalism in Virtual Services**

- 1. Counselors will follow the counselor behavior and professionalism virtual services procedures listed in the Live Virtual Services Manual and Contract for the Sonoma County DUI Program.
- 2. Counselors will follow all DUI Program rules, including but not limited to, those in the Live Virtual Services Manual and Contract.

##### **C. Virtual Screening Services**

- 1. All participants will be screened to determine if virtual services are appropriate.
  - a. Participants must have access to adequate internet services.
  - b. Participants must have appropriate equipment (i.e., computer, phone, tablet, or equivalent technology with video and audio capabilities).

2. All participant screening documents within the Live Virtual Services Manual and Contract will be maintained in the participant case folder.
3. Virtual Services Impairment Identification and Management Program participants must not attend virtual services while under the influence of any amount of alcohol or drugs.
4. If a DUI Counselor observes a participant displaying indicators of drug impairment, they shall:
  - a. Immediately contact a second DUI Program staff member to join the virtual session as an observer.
  - b. Proceed to follow the procedures outlined in the Live Virtual Services Manual and Contract.

#### D. Connectivity Issues During Virtual Services

1. DUI Program staff will follow procedures outlined in the Live Virtual Services Manual and Contract for connectivity issues, and for how to obtain credit for the session.

### V. **Procedures**

#### A. Physical Site

1. The DUI Program manager will ensure the hours of operation are posted by the program entrance in a manner such that:
  - a. They are accessible to the general public and participants, in large print.
  - b. They are available in alternative formats, upon request.
2. Updates or changes to the hours of operation or schedule of services shall be reported to the Department of Healthcare Services (DHCS) within 14 days of the change.
3. The DUI Program's voicemail greetings and website shall include the hours of operation.
4. All virtual services available to participants will be offered in-person.
5. The DUI Program manager ensures that the address of the physical site matches the address listed on the DUI operation license issued by DHCS.

#### B. Counselor Behavior and Professionalism in Virtual Services

1. DUI Program counselors shall receive training on virtual services:

- a. Prior to rendering any virtual services.
- b. Annually thereafter, in subsequent calendar years.

C. Virtual Screening Services

1. DUI Program counselor shall:
  - a. Review and co-sign the Live Virtual Services Manual and Contract with each virtual service participant.
    - i. Emphasize the participant's right to choose from in-person, hybrid, or virtual services.
  - b. Review and co-sign the key program policies with each virtual service participant.
  - c. Review and co-sign the Education and Primary Counselor Contact Information with each virtual service participant.
2. Impairment Identification and Management: Counselors shall observe participants for any indicators of drug impairment, to include but not be limited to, the following:
  - a. Constricted or dilated pupils
  - b. Slurred or rapid speech
  - c. Impaired coordination
  - d. Body tremors
  - e. Green coating on the tongue
  - f. Paranoid hallucinations
  - g. Muscle rigidity
  - h. Confused, disordered, or dizzy appearance
  - i. Agitated behavior
  - j. Lethargy, stupor, or blank stare
  - k. Sleeping
  - l. Disruptive, belligerent, or otherwise appearing unable to pay attention and participate in the session.

3. Counselors observing any indicators of drug impairment will immediately get a second DUI Program staff member to join the virtual session as an observer.
4. Counselors will document their final decisions in the participant's file, noting specific behaviors and symptoms.
5. Participants determined to be under the influence will be asked to leave the virtual session immediately and will not receive credit.
6. Disputing Findings
  - a. Participants may obtain an independent drug test at their expense.
  - b. The DUI Program will accept results if:
    - i. The drug screening test was conducted by a clinical laboratory licensed by the Department of Health; and
    - ii. The drug screening test was conducted within 24 hours of the time that the DUI Program or its staff determined that the participant was under the influence of drugs.
7. Further Consequences
  - a. The DUI Program shall dismiss the participant if it is determined that the participant used alcohol or illicit drugs while participating in the virtual session.
8. Non-Discriminatory Practice
  - a. The DUI Program will not dismiss a participant for using medication prescribed by a licensed physician and used according to the prescription guidelines, unless it impairs participation (e.g., falling asleep, unable to pay attention).
9. Record Keeping
  - a. All interactions, observations, decisions, and communications related to the impairment must be documented in the participant's record, to ensure transparency and compliance with regulatory requirements.

#### D. Connectivity Issues During Virtual Services

1. Connectivity Issues Lasting One Minute or Less
  - a. To receive credit for attendance, participants are expected to log onto counseling sessions early to address any technical issues.

- b. If a participant experiences a disconnection or other connectivity issues that last one minute or less during a virtual session, the participant will be allowed to continue once connectivity is restored.
  - c. The participant will be required to remain in the session for an additional minute beyond the scheduled session time to discuss the connectivity issue with the counselor.
  - d. Credit for attending the session will be granted provided the participant completes the additional minute of session time to address any concerns related to the connectivity issue.
2. Connectivity Issues Exceeding One Minute
- a. If a participant experiences connectivity issues that last longer than one minute, no credit shall be given for that session.
  - b. The participant will be removed from the session and recorded as a "reschedule" for that session.
  - c. The participant will not be charged for the rescheduled session.
  - d. The counselor will document the reasons for the participant's removal from the session and the exact time of removal.
  - e. The counselor must communicate with the participant regarding the removal from the session and offer any needed technical support to prevent future issues.
3. Technical Support and Notification Issues
- a. During office hours (8:00 AM – 4:30 PM), participants experiencing technical issues during virtual services should contact: (707) 565-7640 or email: [Clerical.Info@sonomacounty.gov](mailto:Clerical.Info@sonomacounty.gov).  
  
After office hours, the DUI Program Manager can be reached at: [Shelley.Alves@sonomacounty.gov](mailto:Shelley.Alves@sonomacounty.gov).
  - b. Support will only be provided if less than one (1) minute of group time has been missed. If technical issues exceed this timeframe, the participant will need to reschedule. Counselors will not provide technical assistance during group sessions, as their focus will remain on facilitating the session.
4. Persistent Connectivity Issues
- a. If connectivity issues persist over a consecutive 21-day period or surpass the allowed absences, the participant is at risk of program termination.

- b. If connectivity issues persist over multiple sessions, counselors are responsible for documenting incidents and outcomes and providing the necessary support to address any concerns related to technical disruptions.
- c. Counselors will offer the participants an in-person Zoom tutorial appointment to address and potentially resolve these issues.
- d. The counselor will document whether the participant accepts or declines this appointment, in the participant's file.

**VI. Forms**

None

**VII. Attachments**

Attachment #1: Live Virtual Services Manual and Contract for the Sonoma County DUI Program