

Links to contact information for California Assembly Health Committee
<http://ahea.assembly.ca.gov/>

Example Text

March 14, 2016

The Honorable Dr. Jim Wood, Chair
Assembly Health Committee
State Capitol, Room 3120
Sacramento, CA 95814

RE: Assembly Bill 2403—OPPOSE

Dear Chair Wood,

We are writing to express our opposition to Assembly Bill 2403 (Assembly Member Bloom) relating to drug and alcohol abuse treatment. AB 2403 is an act to amend Section 11834.09 of the California Health and Safety Code (HSC) by requiring all residential treatment facilities affiliated through common ownership or management to be re-licensed as single facilities, even when they are far apart in distance or have very minor ties.

The passage of this bill would eviscerate the zoning protections afforded to small alcohol and drug treatment facilities that serve six or fewer individuals, and would give local governments the power to impose additional requirements that include shutting down such facilities. The proposed bill will threaten addiction treatment facilities and diminish access to treatment for the State's disabled residents. The proposed bill is contrary to the State's explicit policy of encouraging the development of addiction treatment facilities, would limit the licensing authority of the state, and would grant local municipalities' new power to force residential treatment centers from their communities. It should not be enacted.

Residential substance-abuse treatment facilities are widely recognized as an essential element in the treatment of addiction, and for decades, California's policy has been to encourage and facilitate the establishment of addiction treatment centers. The consistent opposition to that policy has come from the "not-in-my-backyard" (NIMBY) movement voiced by local municipalities and neighborhood advocates.

To combat NIMBYism, the Fair Housing Act, Americans with Disabilities Act, and California law have limited local zoning interference by exempting treatment facilities serving six or fewer individuals from certain zoning laws. AB 2403 would undermine those protections by forcing even the most minor connections between facilities (such as sharing a consultant) to require the State to issue a single license to two facilities, thereby pushing the total occupancy over six and circumventing the protection in the law for small group homes.

In a time when addiction is public health crisis and we face a shortage of care facilities, AB 2403 is a bad idea. We urge the Health Committee to oppose AB 2403 and to support regulation of drug and alcohol treatment for homes of six or fewer exclusively at the state level.