



KATRINA FOLEY

ORANGE COUNTY BOARD OF SUPERVISORS
FIFTH DISTRICT

COUNTY ADMINISTRATION NORTH
400 W. CIVIC CENTER DR., SIXTH FLOOR
SANTA ANA, CA 92701
(714) 834-3550
Katrina.Foley@ocgov.com

June 15, 2023

Assemblymember David Alvarez
Chair
Joint Legislative Audit Committee
1020 N Street, Room 107
Sacramento, CA 95814

Senator Catherine Blakespear
Vice Chair
Joint Legislative Audit Committee
1021 O Street, Suite 7340
Sacramento, CA 95814

RE: Audit Request 2023-120: Department of Health Care Services – Licensed Recovery and Treatment Facilities – SUPPORT

Dear Chair Alvarez and Vice Chair Blakespear:

On behalf of the Orange County Fifth Supervisorial District, I write in strong support of Audit Request 2023-120 of the California Department of Health Care Services (DHCS) by Assemblymember Dianne Dixon and members of Orange County's legislative delegation, which will be heard in your Committee on June 26, 2023. This audit will ensure that DHCS is properly regulating facilities and complying with the law in a manner that protects residents of these facilities and the community at large.

Long known as "Rehab Riviera" for the unscrupulous drug treatment centers who exploit lax oversight and prioritize profits over people, in 2021 Orange County was named as the national epicenter for addiction industry fraud by the United States Department of Justice.

As the former Mayor of Costa Mesa, I led the development and implementation of a comprehensive Sober Living Home Action Plan and model ordinance to close policy gaps and combat bad faith actors across Orange County and California. The need for tighter regulations was tragically demonstrated when on November 3, 2018, Stephen Taylor Scarpa, a patient and employee at a Costa Mesa sober living home, struck and killed Costa Mesa Fire Department Captain Mike Kreza while under the influence of several narcotics.

The Sober Living Home Action Plan provided regulations limiting the number of facilities adjacent to each other to ensure adequate care and accountability for facility residents as well as over concentration in residential neighborhoods. Despite that the ordinances were deemed lawful and non-discriminatory, the state continues to penalize cities seeking to protect patients and residents.

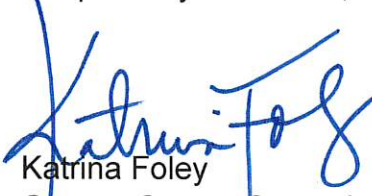
Proudly serving the cities of Aliso Viejo, Costa Mesa, Dana Point, Irvine, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Newport Beach, San Clemente, San Juan Capistrano and the unincorporated areas of Coto de Caza, Emerald Bay, Ladera Ranch, Las Flores, Rancho Mission Viejo, Stonecliffe, and Wagon Wheel

A June 13, 2023, Orange County Grand Jury report on sober living homes reaffirmed the need for the State's intervention. The Grand Jury found that while the need for sober living homes remain necessary, overconcentration, inadequate resident supervision and unregulated recovery programs continue to undermine clients seeking legitimate treatment. The report further found that potential lawsuits from sober living homes or our state government continue to create a roadblock for local governments seeking to implement regulatory ordinances.

These challenges necessitate review the policies of DHCS' concerning residential facilities that provide nonmedical recovery, treatment, and detoxification services.

For these reasons, I strongly support the audit request of DHCS to review these facilities and ensure they are serving the best interests of their residents and the surrounding communities. If you have any questions, or would like more information, please call my Chief of Staff, Nick Anas at 714-581-1502.

Respectfully submitted,



Katrina Foley
Orange County Supervisor, Fifth District

cc: Members, Joint Legislative Audit Committee
Members, Orange County Legislative Delegation
Wesley Opp, Chief Consultant, Joint Legislative Audit Committee
Tram Truong, Principal Consultant, Joint Legislative Audit Committee
Frank Kim, Orange County Executive Officer