

AMENDED IN ASSEMBLY MAY 24, 2021

AMENDED IN ASSEMBLY APRIL 5, 2021

AMENDED IN ASSEMBLY MARCH 11, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 666**

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**Introduced by Assembly Member Chiu**  
**(Coauthors: Assembly Members Quirk-Silva, Stone, Ting,**  
**Villapudua, and Waldron)**  
**(Coauthor: Senator Wiener)**

February 12, 2021

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An act to add Chapter 3.6 (commencing with Section 11794.5) to Part 2 of Division 10.5 of the Health and Safety Code, relating to substance abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 666, as amended, Chiu. Substance use disorder workforce development.

Existing law imposes various requirements on the State Department of Health Care Services relating to the administration of alcohol and drug programs, including, but not limited to, providing funds to counties for planning and implementing local programs to alleviate problems related to alcohol and other drug use, reviewing and certifying alcohol and other drug programs that meet state standards, developing and maintaining a centralized data collection system to gather and obtain information on the status of the alcohol and other drug abuse problems in the state, and licensing and regulating alcoholism or drug abuse recovery or treatment facilities.

This bill, the Combating the Overdose and Addiction Epidemic by Building the Substance Use Disorder Workforce (CODE W) Act, would require the department, on or before July 1, 2022, to issue a statewide substance use disorder (SUD) workforce needs assessment report that evaluates the current state of the SUD workforce, determines barriers to entry into the SUD workforce, and assesses the state’s systems for regulating and supporting the SUD workforce. The bill would require the department, as soon as possible, but no later than January 1, 2024, and taking into consideration the needs assessment report, to create and implement an SUD workforce development program that supports a career ladder for the SUD workforce, and that, at a minimum, provides a number of program elements, including fee waivers to cover costs related to testing, registration, and certification for specified individuals, and tuition reimbursements for undergraduate and graduate students who complete coursework in programs related to SUDs. *The bill would make implementation of those program elements contingent upon an appropriation by the Legislature for that purpose, as specified.*

The bill would require the department to annually report to the Legislature regarding the progress of the implementation of the SUD workforce development program, as specified, and would make related findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 Combating the Overdose and Addiction Epidemic by Building the
- 3 Substance Use Disorder Workforce (CODE W) Act.
- 4 SEC. 2. (a) The Legislature finds and declares all of the
- 5 following:
- 6 (1) Although the addiction treatment field is growing due to
- 7 increases in insurance coverage for behavioral health services,
- 8 which includes mental health and substance use services, and the
- 9 rising rate of military veterans seeking behavioral health services,
- 10 serious workforce shortages exist for the substance use disorder
- 11 (SUD) workforce in California.
- 12 (2) There are 2.7 million individuals, or about 10 percent of all
- 13 Californians, who had an SUD in the past year, yet only 1 in 10
- 14 of those individuals received treatment.

1 (3) California lags the nation in its percentage of SUD providers.  
2 There are less than 20,000 SUD providers currently certified in  
3 California, and fewer than 700 of the nearly 140,000 physicians  
4 licensed to practice medicine in California maintain an addiction  
5 specialty certification. Addiction treatment programs have cited  
6 to lack of qualified staff as a primary reason that they are unable  
7 to expand provision of services to clients.

8 (4) The California Mental Health and Substance Use Needs  
9 Assessment submitted to the State Department of Health Care  
10 Services in 2012 reports that, nationally, approximately 8.9 million  
11 adults have a cooccurring disorder, but only 7.4 percent of those  
12 adults receive treatment for both conditions and almost 56 percent  
13 receive no treatment at all.

14 (5) Treatment disparity is due in part to the imbalance in  
15 financial resources for the treatment of mental health versus the  
16 treatment of substance use disorders in the state, as there is no  
17 specific allotment for the SUD workforce in the Office of Statewide  
18 Health Planning and Development’s yearly budget for the  
19 behavioral health workforce.

20 (6) Factors contributing to workforce shortages include all of  
21 the following:

22 (A) The SUD workforce is older, on average, than that of other  
23 health care areas.

24 (B) SUD treatment workers experience empathy fatigue leading  
25 to frequent turnover.

26 (C) The average salary for SUD counselors in California is  
27 \$38,571, which is 18 percent below the national average.

28 (7) The State Department of Health Care Services’ “White Paper  
29 on California Substance Use Disorder Treatment Workforce  
30 Development” set workforce goals for the SUD profession,  
31 including that the department and providers of SUD services across  
32 California should make a concerted effort to recruit young  
33 individuals, males, and racial or ethnic minorities into the SUD  
34 workforce because fewer members of these groups are represented  
35 in the workforce, and generally it is preferable for clients to receive  
36 treatment from individuals who are of similar age, gender, and  
37 racial or ethnic background.

38 (8) There are additional vulnerable populations that could benefit  
39 from a more diverse workforce, including people who identify as  
40 lesbian, gay, bisexual, or transgender (LGBT), people who have

1 been diagnosed with hepatitis C or human immunodeficiency virus  
2 (HIV), and those who have been involved in the criminal justice  
3 system who often face social stigma, discrimination, ~~harassment~~  
4 *harassment*, and other challenges not encountered by people who  
5 do not identify with these categories.

6 (9) California's existing behavioral health workforce fails to  
7 represent the diverse linguistic and cultural backgrounds of the  
8 state's population struggling with an SUD. The 2010 United States  
9 Census indicates that almost 38 percent of the population of  
10 California is of Hispanic or Latino origin, while 15 percent of the  
11 population are Asian American. In the County of Los Angeles  
12 alone, it is reported that 36 percent of residents were born outside  
13 of the United States, and 57 percent speak a language other than  
14 English. California's behavioral health workforce remains  
15 predominately White and English speaking.

16 (10) A lack of a behavioral health professional curriculum in  
17 multiple languages discourages non-English speakers from entering  
18 the profession, and fails to encourage English language  
19 development for SUD providers who are unable to successfully  
20 pass competency examinations. This contributes to a workforce  
21 that does not reflect the diversity of those they provide treatment  
22 to.

23 (b) Therefore, it is the intent of the Legislature to provide  
24 resources to the State Department of Health Care Services, in order  
25 to achieve all of the following through the administration of this  
26 act:

27 (1) California can better assess the number and quality of SUD  
28 providers, including, but not limited to, peer and licensed  
29 professionals and paraprofessionals, with specialized training in  
30 SUD.

31 (2) The number of qualified SUD providers can be expanded  
32 to meet the demands of California's SUD treatment system's needs.

33 (3) Individuals with a professional license whose scope includes  
34 the treatment of individuals with an SUD and who seek to improve  
35 their knowledge and competency in treating SUDs may be provided  
36 resources to pursue this professional goal.

37 (4) Language and racial disparities in the health care workforce  
38 can be addressed by recruiting, educating, and training a more  
39 diverse pool of applicants for certification and licensure to treat  
40 SUDs.

1 (5) Employers can adequately review staffing and treatment  
2 protocols to ensure that racially diverse and LGBTQ individuals  
3 feel safe and confident that their needs will be met in treatment.

4 SEC. 3. Chapter 3.6 (commencing with Section 11794.5) is  
5 added to Part 2 of Division 10.5 of the Health and Safety Code,  
6 to read:

7  
8 CHAPTER 3.6. SUBSTANCE USE DISORDER WORKFORCE  
9 DEVELOPMENT

10  
11 11794.5. For purposes of this chapter, “substance use disorder  
12 professional” or “SUD professional” means an individual registered  
13 with, or certified by, a certifying organization approved by the  
14 State Department of Health Care Services pursuant to Section  
15 11833.

16 11794.6. (a) ~~(1)~~—On or before July 1, 2022, the State  
17 Department of Health Care Services shall develop a statewide  
18 substance use disorder (SUD) workforce needs assessment report  
19 that evaluates the current state of the SUD workforce, determines  
20 barriers to entry into the SUD workforce, and assesses the state’s  
21 systems for regulating and supporting the SUD workforce. The  
22 department shall submit this report to the Legislature and post the  
23 report on its internet website.

24 ~~(2)~~  
25 (b) A report to be submitted pursuant to paragraph (1) shall be  
26 submitted in compliance with Section 9795 of the Government  
27 Code.

28 ~~(b)~~  
29 11794.7. (a) Taking into consideration the needs assessment  
30 report described in ~~subdivision (a)~~, Section 11794.6, the  
31 department, as soon as possible, but no later than January 1, 2024,  
32 shall create and implement an SUD workforce development  
33 program that supports a career ladder for the SUD workforce, and  
34 that, at a minimum, provides all of the following elements:

35 (1) Paid tuition for ~~at least 1,000~~ students attending vocational  
36 education programs related to substance use disorders approved  
37 by the Bureau for Private Postsecondary Education.

38 (2) Fee waivers to cover costs related to testing, registration,  
39 and certification for ~~at least 1,000~~ individuals who are seeking

1 registration and certification with a certifying organization  
 2 approved by the department pursuant to Section 11833.

3 (3) Fee waivers to cover costs of portfolio review for ~~at least~~  
 4 ~~1,000~~ individuals who are seeking registration and certification  
 5 with a certifying organization approved by the department pursuant  
 6 to Section 11833.

7 (4) Tuition reimbursement for undergraduate and graduate  
 8 students who complete coursework in programs related to SUDs.

9 (5) Tuition reimbursement for licensed mental health and  
 10 medical professionals to complete SUD-specific courses.

11 (6) Grants for community behavioral health organizations to  
 12 recruit and train individuals representing vulnerable populations.

13 *(b) (1) This section shall become operative only upon*  
 14 *appropriation. Upon an appropriation by the Legislature for these*  
 15 *purposes, the department shall make reasonable efforts to address*  
 16 *all program elements specified in subdivision (a).*

17 ~~(e)~~

18 (2) The department may prioritize the implementation of the  
 19 program elements specified in subdivision (b) based on which  
 20 program elements may be implemented at the earliest possible  
 21 date.

22 ~~11794.7.~~

23 *11794.8.* The department may enter into an interagency  
 24 agreement with the Office of Statewide Health Planning  
 25 Development to implement the program elements described in  
 26 paragraphs (4) and (5) of subdivision ~~(b)~~ of Section ~~11794.6.~~ *(a)*  
 27 *of Section 11794.7.*

28 ~~11794.8.~~

29 *11794.9.* It is the intent of the Legislature that the  
 30 implementation of this chapter be funded first by funds awarded  
 31 to the state from the settlement agreement and related documents  
 32 entered into on February 4, 2021, by the state and McKinsey &  
 33 Company, ~~Inc.~~ *Inc.*, and then with moneys from the General Fund  
 34 in a total amount from both fund sources that does not exceed nine  
 35 million dollars (\$9,000,000).

36 ~~11794.9.~~

37 *11794.10.* (a) The department shall annually report to the  
 38 Legislature regarding the progress of the implementation of the  
 39 SUD workforce development program, including, but not limited

1 to, the number of new SUD professionals entering the profession,  
2 demographic data about the workforce, and any remaining funding.  
3 (b) A report to be submitted pursuant to subdivision (a) shall  
4 be submitted in compliance with Section 9795 of the Government  
5 Code.

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