

**Bureau of Prisons, Justice**

**§ 550.54**

**§ 550.43 Drug counseling.**

(a) Drug counseling shall be provided to sentenced inmates in contract community treatment centers who have drug aftercare as a condition of release.

(b) Counseling shall include a minimum of a 30-minute session each week, provided by qualified staff.

(c) Center staff shall document in the inmate's file the date and time of each counseling session. The counselor must prepare a monthly summary of each inmate's progress. This report shall be placed in the inmate's file.

**§ 550.44 Procedures for arranging drug counseling.**

The contract center staff shall hold a program planning conference with a sentenced inmate who has drug aftercare as a condition of release. At this meeting, held within one week of the inmate's arrival at the center, plans are made for the inmate to receive drug counseling. The meeting is attended by center staff, the inmate, and the Chief U.S. Probation Officer or designee.

**Subpart F—Drug Abuse Treatment Programs**

SOURCE: 59 FR 53343, Oct. 21, 1994, unless otherwise noted.

**§ 550.50 Purpose and scope.**

The Bureau of Prisons provides, subject to the availability of appropriated funds, drug abuse treatment programs to inmates.

[60 FR 27693, May 25, 1995]

**§ 550.51 Institutional organization/staff roles and responsibilities.**

(a) *Drug abuse treatment coordinator.* The Warden shall designate a drug abuse treatment coordinator for his/her institution.

(b) *Drug abuse treatment specialist.* All institutions shall employ a drug abuse treatment specialist. The drug abuse treatment specialist is responsible for providing drug abuse education and non-residential drug abuse treatment services to the inmate population, under the supervision of the drug abuse treatment coordinator. In institutions with residential drug abuse treatment

programs, additional drug abuse treatment specialist staff are employed to provide treatment services on the residential drug abuse treatment unit.

**§ 550.52 Admission and Orientation program.**

Drug abuse treatment coordinators at all institutions shall ensure that inmates are informed during the Admission and Orientation program about local and Bureau-wide drug abuse programming and treatment opportunities.

[60 FR 27693, May 25, 1995]

**§ 550.53 Screening and referral.**

A psychologist or drug abuse treatment specialist shall interview all new institution admissions for drug abuse problems. A record review will be performed by a case manager in the normal course of his/her duties. Based on these reviews and interviews, drug abuse treatment staff shall make an appropriate drug education/treatment referral.

**§ 550.54 Requirements for drug abuse education course.**

(a)(1) *Mandatory participation.* An inmate is required to participate in the drug abuse education course if he/she has been sentenced or returned to custody as a violator after September 30, 1991 and it is determined by unit and/or drug abuse treatment staff through a combination of interview and file review that:

(i) There is evidence in the Presentence Investigation that alcohol or other drug use contributed to the commission of the instant offense;

(ii) Alcohol or other drug use was a reason for violation either of supervised release, including parole, or BOP community status (CCC placement) for which the inmate is now incarcerated; or

(iii) The inmate was recommended for drug programming during incarceration by the sentencing judge.

(2) *Voluntary participation.* Inmates who are not required by paragraph (a)(1) of this section to participate in the drug abuse education course may request to participate voluntarily in the drug abuse education course when

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participant space is available. Volunteers must have the approval of the drug abuse treatment coordinator. Priority consideration shall be given to those inmates whose participation has been recommended by unit or treatment staff.

(b) *Sanctions.* An inmate who is required by paragraph (a)(1) of this section to participate in the drug abuse education course and who refuses participation, withdraws, is expelled, or otherwise fails to meet the attendance and examination requirements shall be held at the lowest pay grade (Grade 4) within the institution and shall be ineligible for community programs. Inmates may be permitted to receive work promotions during their participation or while on a "waiting list" for the drug abuse education course. The Warden may make exceptions to the provisions of this paragraph for good cause with reasons for such exceptions documented in writing.

(c) *Exemptions.* An inmate may be exempted from the required drug abuse education course due to cognitive impairment or other learning disabilities only after evaluation and recommendation by a psychologist. An inmate may also be exempted from the drug abuse education course if that inmate does not have enough time remaining to serve to complete the drug abuse education course, or if that inmate volunteers for, enters and completes a residential drug abuse treatment program, or if he/she completes a structured drug abuse treatment program at one of the Bureau of Prisons' Intensive Confinement Centers (ICC).

(d) *Written consent.* All inmates who enter the drug abuse education course (whether as mandatory or as voluntary participants) are required to sign an agreement to participate prior to admission to the course.

(e) *Completion.* Completion of the drug abuse education course requires attendance and participation during course sessions and a passing grade on an examination given at the end of the course. Inmates required to participate in this course ordinarily are provided at least three chances to pass the final examination before privileges are lost or sanctions (see paragraph (b) of this section) are invoked. A certificate of

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achievement will be awarded to all who successfully complete the program. A copy of this certificate will be forwarded to the unit team for placement in the inmate's central file.

[59 FR 53343, Oct. 21, 1994, as amended at 60 FR 27694, May 25, 1995]

**§ 550.55 Non-residential drug abuse treatment program.**

Non-residential drug abuse treatment is provided at all institutions and ordinarily consists of individual and/or group counseling and self-help programming provided through the institution's Psychology Services department.

(a) *Eligibility.* An inmate must meet all of the following criteria to be eligible for the non-residential drug abuse treatment program.

(1) The inmate must have a verifiable documented drug abuse problem.

(2) The inmate must have no serious mental impairment which would substantially interfere with or preclude full participation in the program.

(3) The inmate must sign an agreement acknowledging his/her program responsibility.

(b) *Application/Referral/Placement.* Participation in the non-residential drug abuse treatment program is voluntary. An inmate may be referred for treatment by unit and/or drug treatment staff or may apply for these programs by submitting a request to a staff member (ordinarily, a member of the inmate's unit team or the drug abuse treatment coordinator). The decision on placement is made by the drug abuse treatment coordinator.

(c) *Withdrawal/expulsion.* An inmate may withdraw voluntarily from the program. The drug abuse treatment coordinator may remove an inmate from the program based upon disruptive or negative behavior.

[59 FR 53343, Oct. 21, 1994. Redesignated and amended at 60 FR 27694, May 25, 1995]

**§ 550.56 Institution residential drug abuse treatment program.**

Residential drug abuse treatment is available at selected Bureau of Prisons institutions. It is a course of individual and group activities provided by a