



7.3.17 CHARITABLE CHOICE NONDISCRIMINATION

Issue Date: 08/19/2025

Revision History: 10/2013

References: 42 USC 300x-65; 42 CFR Part 54; DHCS\County of Sonoma DMC-ODS Intergovernmental Agreement; DHCS\County of Sonoma Biennial SUBG Application

Policy Owner: Behavioral Health Division – Substance Use Disorder (SUD) and Community Recovery Services Section Manager

Director Signature: **Signature on File**

I. Policy Statement

Sonoma County Department of Health Services, Behavioral Health Division (DHS-BHD), Substance Use Disorder (SUD), and Community Recovery Services Section will comply with Title 42 Code of Federal Regulations (CFR) Part 54, to ensure that no federal funds shall be used by the county or its subcontractors for sectarian worship, instruction, proselytization, or to provide any direct, immediate, or substantial support to any religious activity.

II. Scope

This policy applies to all DHS-BHD “Covered Persons” including employees (full-time, part-time, extra-help), unpaid interns, paid interns, temporary agency workers, registered volunteers, and all individual providers contractually designated as covered persons. Covered Persons do not include Community Based Organization (CBO) staff.

III. Definitions

- A. Drug Medi-Cal Organized Delivery System (DMC-ODS) Plan: the Prepaid Inpatient Health Plan (PIHP) operating in Sonoma County, serving eligible residents and providing automatic and mandatory enrollment of Medi-Cal

members, defined by a State-County contract partnership between the California Department of Health Care Services (DHCS) and Sonoma County.

- B. Substance Use Prevention, Treatment, and Recovery Services Block Grant (SUBG): Federal funds awarded by the State of California. Defined by a State-County contract partnership between California Department of Health Care Services (DHCS) and Sonoma County.

IV. Policy

- A. Religious organizations that provide programs that meet the requirements for federal funding are eligible to compete and contract to provide SUD services. Federal, state and local government agencies receiving federal funds shall not discriminate against an organization applying for funding on the basis of religion, or the organization's religious character or affiliation.
- B. DHS-BHD SUD services and all its contracted network providers shall be required to notify members of their right to be referred to self-help programs and to be referred to another program if they object to the religious nature of the program selected at intake. Religious organizations shall establish a referral process to a reasonably accessible program for members who may object to the religious nature of programs offered by the contracted network provider. Adherence to this requirement will be monitored by DHS-BHD annual monitoring site visits and/or a review of the annual tracking form submitted by contracted network providers.
- C. All SUD contracts shall include language prohibiting discrimination against individuals on the basis of religion.
- D. Referral information is submitted to the state annually. Contracted network providers shall be required to report any referrals that were made due to the religious nature of the contracted network provider's program to the DHS-BHD SUD section manager or designee.

V. Procedures

- A. DHS-BHD SUD section manager reviews the Charitable Choice Requirements Tracking Form (BH SUD 101A), submitted annually by all contracted network providers for any reports/referrals resulting in a member who might have objected to the religious nature of a program.
- B. The DHS-BHD SUD section manager or designee shall compile results received from the Charitable Choice Requirements Tracking Form and use the Charitable Choice Requirements Reporting Form, (BH SUD 101B), to submit to DHCS, all reported referrals made due to members objecting to the religious nature of the available treatment program. Annually, prior to October 1, the submission of the reporting form to DHCS shall be made via email to

CharitableChoice@dhcs.ca.gov or to the email address noted in the most current DHCS\County Intergovernmental Agreement.

- C. At the time of DHS-BHD's annual audit of each SUD contracted network provider, DHS-BHD's Quality Assurance staff will review policies, procedures, and protocols, to ensure no federal funds were used by the subcontractors for sectarian worship, instruction, proselytization, or to provide any direct, immediate, or substantial support to any religious activity. The policy or procedure should also articulate their referral process to a reasonably accessible program for members who may object to the religious nature of the program.

VI. Forms

- A. Charitable Choice Requirements Tracking Form, BH SUD 101A
- B. Charitable Choice Requirements Reporting Form, BH SUD 101B

VII. Attachments

None