

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES
OFFICE OF DRUG ABUSE'S INTERACTION WITH THE SEED, INC.

I. Statement of Problem and Specific Issues

Florida Statutes, Chapter 397, charges the Department of Health and Rehabilitative Services with the responsibility of licensing drug abuse treatment and education programs and the development and administration of standards for these programs. The Department has delegated this function to the Office of Drug Abuse. In January, 1973 the Standards Manual for licensing of drug abuse treatment and education programs was promulgated by the Department and the licensing procedures are set forth on page three of the Standards Manual. The crux of the problem between the Office of Drug Abuse and The Seed, Inc., (brief description in Section II), centers around the licensing procedure for a new Seed facility in Dade County.

In brief, The Seed, Inc., has questioned the validity of the licensing procedure and has generally failed to or been reluctant to comply with all requirements for licensing. The specific requirements at issue are:

A. Requirement:

Applications for licensing must be submitted to the Regional Coordinator of the Office of Drug Abuse.

Issue: The application submitted by the Seed/Dade County program did not contain the following information vital to the issuance of a license:

- (1) Did not submit required documentation that the Dade operation complies with the local fire, health and safety regulations;
- (2) Did not submit source and application of funds statement and balance sheet indicating assets and liabilities for the Dade County operation. An audit report for the 1972 operation of Seed, Inc., indicating cash receipts and disbursements was submitted. However, from this report, it is not possible to discern the information required by the fiscal statement forms.

The Department believes that the program and fiscal information requested is reasonable and essential and is unable to understand why Seed, Inc., would be unwilling or unable to provide the information. In addition, there are other items of information less vital which the Seed has also failed to provide; i.e., name and qualifications of the program director.

B. Requirement:

Regional Coordinator in conjunction with the Youth Coordinator reviews application and performs an on-site evaluation of the program.

Issue: The ~~information~~ requested in the license application is necessary to conduct an effective on-site evaluation. This factor plus the reluctance on the part of the Seed, Inc., to allow entry and review of its program operations has hampered fulfillment of this requirement.

C. Requirement:

Presentation of program to the Regional Advisory Council for their review and comment.

Issue: The Department of Health and Rehabilitative Services, Office of Drug Abuse, in order to entertain the needs and input of representatives of various local groups has established 11 Regional Councils throughout the 11 Department of Health and Rehabilitative Services service regions as advisory bodies to the Office of Drug Abuse. The 11 Chairmen of these councils are appointed by the Office of the Governor. In the Department of Health and Rehabilitative Services Region XI (Dade and Monroe Counties) the Regional Council is designated as the Drug Abuse Task Force of the Dade County Health Planning Council and the Regional Chairman appointed by the Governor is also the Chairman of the Drug Abuse Task Force. To date, the Seed, Inc./Dade facility has not been reviewed by the Regional Advisory Council and we have been informed that the Seed would be unwilling to do so on the basis that there is no statutory or legal authority for this requirement.

This is the same procedure by which over 80 programs to date have been licensed by the Department of Health and Rehabilitative Services, Office of Drug Abuse for 1973. Additionally, the recommendations of the

Regional Advisory Councils have been seriously considered by the Department of Health and Rehabilitative Services, Office of Drug Abuse but in no way have these recommendations dictated the issuance or non-issuance of a license to operate a drug abuse treatment or education program.

The Department believes that the information required in each of these three requirements is reasonable and essential.

II. Program Description and Background

A. Program Description:

The Seed is a modified non-residential drug rehabilitation program primarily involved with young (average age 16), multi-racial, poly-drug users of both sexes and utilizing the techniques of peer group pressure as the preferred method of behavior change. Additionally, the program stresses and also relies greatly on parental involvement, not only in the program itself and in the provision of foster homes, but also in preparing food and providing transportation for approximately 600 youths at the Broward facility and an indeterminate number at the Dade facility.

The extent of drug usage generally consists of the experimentation and continued use of a variety of drugs with minimal occurrence of hard-core (opiates and the more potent barbiturates) addiction. The use and abuse of alcohol would be included in this pattern of poly-drug use.

The normal stay in the program is initially for an intensive 10 A.M. to 10 P.M. schedule each day for two weeks, followed by a three month schedule of three week-nights plus Saturday or Sunday for the entire day. This schedule is doubled for court referrals.

Funding sources are varied and include grants from two federal sources, grants from local units of government and private contributions, to include fees charged to parents when appropriate. (See attached audit submitted by the Seed. Inc.)

B. Background:

Since its inception in 1970 there has been a climate of controversy and conflict between the Seed, Inc./Office of Drug Abuse and selected representatives in local communities regarding the operation and licensing of the Seed program. Through these negotiations, the Office of Drug Abuse has sought the advise and assistance of various local organizations in attempting to arrive at a fair judgment.

These have included:

- (1) The Department of Health and Rehabilitative Services sponsored an evaluation team composed of a variety of people representing different areas of expertise in August of 1972,
- (2) Consultation with the National Institute of Mental Health, the Law Enforcement Assistance Act and the Special Action Office for Drug Abuse Prevention regarding their respective reviews and evaluations of the Seed.

- (3) ~~State~~ of the report of the Task Force of the Health Planning Council on the advisability of the Seed or a Seed-type program in Dade County.
- (4) Application by the Seed in November of 1972 to operate a non-residential treatment center in Dade County. Problems developed with the facility, necessitating a move to a new building, which according to the Administrative Code, (10 A3.09) requires a re-application for license to operate a program in a new facility. Since that time, there have been numerous contacts regarding the licensing procedure.
- (5) At present, the Seed, Inc., has not complied with all the requirements of the licensing process as specified in Section I, Statement of Problem and Specific Issues.

III. Recommendations:

The Department of Health and Rehabilitative Services recommends that the Governor appoint an objective and impartial committee to investigate and review the following:

- A. Has the Seed, Inc., complied with all the requirements of the licensing procedure? And,
- B. If the Seed, Inc., has not complied, are the requirements not met by the Seed reasonable and valid in terms of accepted administrative practise?

IV. Program Activity and Description

See insert

V. Recommendations

The Division of Health and Rehabilitative Services recommends that the SAODAP and specifically Dr. J. Jaffe select a group of 3 or 4 persons prominent in the field of drug abuse treatment and prevention. One of these persons would be selected by _____ to be chairman of a special evaluation committee to review and inspect the Seed, Inc. The suggested composition of the committee would be representatives of FMA, Department of Education, Criminal Justice System, Clergy, Business and Youth,,

The suggested charges to the proposed committee are:

- 1) Is the Seed's treatment program acceptable in light of other methods of drug treatment and rehabilitation throughout the country?
- 2) Is there anything about the Seed program that could be detrimental to youth or families?
- 3) Is the program in compliance with the Standards of the SDAP and does it comply with the regulation of the licensing process?
- 4) Are these standards and regulations reasonable?
- 5) Should The Seed, Inc. be expanded in other areas?
- 6) Conduct a full auditing of all sources of cash and non-cash receivables and disbursements and all assets and liabilities.

Description of The Seed, Inc.

The Seed is a modified non-residential drug rehabilitation program primarily involved with young (average age 16), multi-racial, poly-drug users of both sexes and utilizing the techniques of peer group pressure as the preferred method of behavior change. Additionally, the program stresses and also relies greatly on parental involvement, not only in the program itself and in the provision of foster homes, but also in preparing food, providing transportation and other additional services without compensation for approximately 600 youths at the Broward facility and an indeterminate number at the Dade facility.

The extent of drug usage generally consists of the experimentation and continued use of a variety of drugs with minimal occurrence of hard-core (opiates and the more potent barbiturates) addiction. The use and abuse of alcohol would be included in this pattern of poly-drug use.

The normal stay in the program is initially for an intensive 10 A.M. to 10 P.M. each day for two weeks and followed by a three month schedule of three week-nights plus Saturday or Sunday for the entire day. This schedule is doubled for court referrals.

Funding sources are varied and include grants from two federal sources, grants from local units of government and private contributions, to include fees charged to parents when appropriate. (See attached audit submitted by the Seed, Inc.)

In summary, The Seed, Inc. makes unique use of foster homes in rehabilitating young poly-drug users by means of peer group pressure to conform with drug-free behavior patterns.

Department of Health and Rehabilitative Services
Drug Abuse Program Contacts with The Seed

First contacts were made with The Seed in 1970, when the Department of Health and Rehabilitative Services Drug Abuse Program was first organized and prior to the amendment to Chapter 397 Florida Statutes, which provided for the licensing of drug treatment and education programs. These early contacts were consultative, particularly in the area of funding. A total of seven staff visits were made to The Seed between December 1970 and July 1972 for various reasons.

When the licensing law became effective in January 1972, The Seed applied for and was issued a license to operate a non-residential treatment center in Broward County. Licenses are issued to drug treatment programs after evaluation by a Health and Rehabilitative Services Drug Abuse Program regional staff, review of his recommendations by the regional council, and final review of both by Drug Abuse Program central office staff.

The Seed has generated publicity and controversy since its inception. Many expressions of concern from private citizens and public officials prompted the formation of an evaluation committee which conducted a review of the program in August and September, 1972. A copy of the committee report is enclosed.

The NIMH, the Special Action Office for Drug Abuse Prevention and LEAA staff, have evaluated The Seed. At about the same time, Mr. Barker expressed interest in expanding his program into

Dade County. The Dade County Health Planning Council conducted an in depth evaluation of the Broward program prior to its move to Miami. See attached. He presented his proposal to the Health Planning Council of Dade County which concurred. Accordingly, in November 1972, The Seed submitted an application to operate a non-residential treatment center in Dade County. Problems developed with the facility, necessitating a move to a new building, which according to the Administrations Code, (10 A3.09) requires a re-application for license to operate a program in a new facility. Since that time, there have been numerous contacts regarding the licensing procedure.

The Issues

The current issue relates to the Seed's unwillingness to work through the local Department of Health and Rehabilitative Services Drug Abuse Council, which is a task force of the Health Planning Council for Metro Dade County, the Chairman, Everett Shockett, M.D., is a Governor's nominee to secure a license for the Dade facility. The council, with the assistance of the State Drug Abuse Office, has applied uniform standards to eighty-one drug treatment programs in Florida, fifteen in Dade County, eight in Broward County, including the Broward Seed program in that county. See attached Standards Manual promulgated under Florida Statute, Chapter 397.

Though the Broward Seed is currently licensed, there have been numerous questions raised about the program in 1972, some of which are still not answered, though The Seed does enjoy popular support from many persons associated with the program. The first serious questions were raised by Broward Representatives Poole and Trombetta, who personally visited the State Office in May, 1972, and raised questions as to the possibility of (1) mismanagement of private donations. Concern was expressed about the fact that the Director was also the Executive Director of the Board and that both he and his wife, the Assistant Director, were voting members of the Board, (2) the concern that The Seed was promoting itself at the expense of other programs (publically denouncing and down-grading other legitimate program efforts and (3) there was question of treatment technique

utilized by the program.

The current issue in Dade County is the failure of The Seed to comply with rules and regulations for the licensing process as required of all programs, to include review by Regional Council.

Another current issue is the expansion of The Seed, Inc. in to other areas of the State and the attendant problems associated with such an expansion.