

# FAQs



**BJA**  
Bureau of Justice Assistance  
U.S. Department of Justice

# RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) FOR STATE PRISONERS PROGRAM

## What is the RSAT for State Prisoners Program?

The RSAT for State Prisoners Program's objectives are to enhance the capabilities of state, local, and Indian tribal governments to provide residential substance use disorder (SUD) treatment to adult and juvenile populations during detention or incarceration; prepare them for their reintegration into a community by incorporating reentry planning activities into their treatment programs; and assist them and their communities throughout the reentry process by delivering community-based treatment and other broad-based aftercare services.

## What is the authorizing legislation for the RSAT State Prisoners Program?

The RSAT Program was created by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) and codified at 34 U.S.C. § 10421 et. seq. To view this, follow this link: [https://uscode.house.gov/view.xhtml?req=\(title:34%20section:10421%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:34%20section:10421%20edition:prelim)).

## What entity is eligible to receive funding?

Only states, as defined by this program, are eligible to apply and must designate a single State Administering Agency (SAA) that has authority to apply on their behalf. States often rely on a single entity within the state (e.g., SAA, Department of Corrections, Department of Public Safety, Governor's Office) to oversee the RSAT for State Prisoners Program and its subgrantees.

For purposes of this program, "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Eligible entities must provide a 25 percent cash or in-kind match to the grant award.

## Can states award subgrants?

Yes, states may award subgrants through a competitive or noncompetitive process to state agencies and units of local government, including

## ABOUT BJA

BJA helps America's state, local, and tribal jurisdictions reduce and prevent crime, lower recidivism, and promote a fair and safe criminal justice system. BJA provides a wide range of resources, including grants and funding, training and technical assistance, to law enforcement, courts and corrections agencies, treatment providers, reentry practitioners, justice information sharing professionals, and community-based partners to address chronic and emerging criminal justice challenges nationwide. To learn more about BJA, visit [bja.ojp.gov](http://bja.ojp.gov) or follow us on Facebook ([www.facebook.com/DOJBJA](http://www.facebook.com/DOJBJA)) and Twitter (@DOJBJA). BJA is a component of the Department of Justice's Office of Justice Programs.

federally recognized Indian tribes, as well as to community-based service providers. BJA encourages states to support programs willing to comply with the RSAT for State Prisoners Program requirements and guidance on evidence-based and promising practices. To view these practices, visit <https://www.rsat-tta.com/Training-Curricula/Curricula>.

### What types of programs may be supported using RSAT for State Prisoners Program funds?

RSAT for State Prisoners Program funds must be used to support the provision of SUD treatment to adult and juvenile populations during detention or incarceration and recovery support and aftercare services post release. Treatment for co-occurring substance use and mental health disorders may also be provided using RSAT for State Prisoners Program funds. Treatment programs and their associated requirements include:

**Residential SUD treatment programs in prisons and juvenile detention centers** must meet all of the following criteria:

- (1) Engage individuals with SUD or co-occurring substance use and mental health disorders for a period of between 6 and 12 months.
- (2) Require periodic/random drug testing of individuals while they are in the program and under community supervision.

- (3) Establish a therapeutic community (i.e., program participants are set apart from the general population).

- (4) Provide aftercare services.

**Residential SUD treatment programs in jails** must meet all of the following criteria:

- (1) Engage individuals with SUD or co-occurring substance use and serious mental health disorders for at least 3 months.
- (2) Require periodic/random drug testing of individuals while they are in the program and under community supervision.
- (3) Make every effort to establish a therapeutic community.
- (4) Provide aftercare services.

**Jail-based SUD treatment programs** that initiate or continue evidence-based SUD treatment programs, including medication-assisted treatment, in pretrial populations and/or foster connections to SUD treatment in the community upon pretrial release.

**Aftercare services** include case management and the full continuum of recovery and aftercare services, which may include human service and rehabilitation programs such as educational and job training, parole supervision, half-way house, self-help, and peer group programs.

### What is a residential program?

Prison, juvenile, and jail programs that provide SUD treatment for 6–12 months (for prisons and

juvenile programs) or at least 3 (for jail programs) to participants in a therapeutic community.

### **What does “therapeutic community” mean?**

This refers to use of residential treatment facilities that are set apart from the general correctional population in either a separate facility or a dedicated housing unit that is used exclusively for RSAT and/or other SUD treatment programs.

Jails that do not have the capacity to establish a therapeutic community are encouraged to group RSAT program participants within the general correctional setting.

### **Is drug testing required for all individuals participating in prison, jail, and aftercare programs?**

Drug testing is required for individuals participating in any RSAT program supported by RSAT for State Prisoners Program funds, as well as while participating in aftercare programs until they are no longer under the custody of the state.

### **For how long is drug testing required?**

To be eligible to receive funds, a state must agree to implement or continue to require urinalysis or other proven, reliable forms of testing, including periodic and random testing of an individual, (1) before the individual enters a RSAT program and during the period in which they participate in the

treatment program and (2) when released from a RSAT program if the individual remains in the custody of the state.

### **What does “periodic drug/alcohol testing” mean?**

Periodic drug/alcohol testing is scheduled and typically performed at time periods throughout the year. An example is annual periodic testing.

### **Do states have to use RSAT for State Prisoners Program funds to support residential or jail-based SUD treatment programming?**

Yes, at least 10 percent of the total amount made available to a state for any fiscal year must be used to make grants to local correctional and detention facilities in the state (provided such facilities exist therein) for the purpose of assisting jail-based SUD treatment programs that are effective and science-based.

### **Are jails that charge fees to individuals for the cost of incarceration (pay-to-stay) eligible to receive RSAT funds?**

Jails that operate a pay-to-stay program that offers individuals the opportunity to pay a fee to upgrade their accommodations are prohibited from receiving RSAT funds; however, jails that use other types of fee-sharing approaches are not prohibited from receiving RSAT funds.

### **What are evidence- or science-based SUD treatment programs that may be implemented in local correctional facilities or jails?**

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of the change and the extent to which it may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <https://crimesolutions.ojp.gov/> is one resource that applicants may use to find information about evidence-based SUD programs for populations in the criminal justice system.

### **Is medication-assisted treatment (MAT) considered an effective treatment?**

MAT is the use of medications in combination with counseling and behavioral therapies. It is considered to be an effective, comprehensive

treatment for individuals with alcohol and opioid use disorders.

### **Does the Americans with Disabilities Act (ADA) require provision of MAT?**

For information regarding ADA protections for individuals in opioid use disorder treatment or recovery, please see the Department of Justice Civil Rights Division's publication The Americans with Disabilities Act and the Opioid Crisis: Combating Discrimination Against People in Treatment or Recovery ([https://www.ada.gov/opioid\\_guidance.pdf](https://www.ada.gov/opioid_guidance.pdf)).

### **Can RSAT for State Prisoners Program funds be used to provide SUD treatment services to pretrial populations?**

Yes, RSAT for State Prisoners Program funds may be used to continue or initiate evidence-based SUD treatment to individuals detained by the jail pretrial as well as to support connecting these individuals to community-based treatment services.

### **Do SUD treatment aftercare services have to be residential?**

SUD treatment aftercare services may be residential or nonresidential. However, before the state can use RSAT for State Prisoners Program

funds to support nonresidential SUD treatment aftercare services, it must submit a certification to BJA that it is providing, and will continue to provide, an adequate level of residential SUD treatment aftercare services.

### **Are there any requirements for the service providers providing aftercare?**

To qualify as an aftercare program, the head of the SUD treatment program must work in conjunction with state and local authorities and organizations involved in SUD treatment to place program participants into community SUD treatment facilities upon their release.

### **How may RSAT for State Prisoners Program funds be used?**

In general, RSAT for State Prisoners Program funds may be used to hire additional personnel and purchase equipment, supplies, contractual support, training, technical assistance, and information systems to provide SUD or co-occurring substance use and mental health disorder treatment to individuals detained or incarcerated in jail or prison and recovery support or aftercare services post release. Funds may also be used to administer the grant.

### **Are there any limitations on the use of RSAT for State Prisoners Program funds, including expenditures that are specifically prohibited?**

RSAT funds may not be used to purchase vehicles or for land acquisitions or construction projects (see OJP guidance at <https://www.ojp.gov/funding/financialguidedojo/overview> for other unallowable costs).

### **Do I have to use all of my RSAT for State Prisoners Program funds in the same year the grant was awarded?**

No, you may carry over unspent funds into the following year.

### **Is the purchase of overdose reversal drugs or use of RSAT for State Prisoners Program funds to support medication-assisted treatment for addiction permissible?**

Medications, including overdose reversal drugs (e.g., naloxone), that are approved by the Food and Drug Administration may be purchased with RSAT for State Prisoners Program funds. However, any expenditure must have a clear nexus to the RSAT for State Prisoners Program's objectives.

**Can RSAT for State Prisoners Program funds be used to cover the costs associated with drug testing?**

Yes.

**Can RSAT for State Prisoners Program funds be used to cover administrative costs associated with managing the grant?**

Yes.

**Is the use of consultants or contractors to provide training allowable?**

Yes, provided the request has a clear nexus to the RSAT for State Prisoners Program's objectives.

**Is the purchase of transportation and housing vouchers permissible?**

Yes, provided the purchase has a clear nexus to the RSAT for State Prisoners Program's objectives.

**Can RSAT for State Prisoners Program funds be used to purchase items provided to individuals at reentry (e.g., reentry backpacks)?**

Yes, provided the purchase has a clear nexus to the RSAT for State Prisoners Program's objectives.

**Can RSAT for State Prisoners Program funds be used to pay rent or utilities for program participants?**

Yes, provided the payment has a clear nexus to the RSAT for State Prisoners Program's objectives. Additionally, payments must be made through a process that does not involve direct payment to program participants and supports confirmation that funds were used as intended.

**Can RSAT for State Prisoners Program funds be used to lease vehicles?**

Program providers may use RSAT for State Prisoners Program funds to lease vehicles provided they can demonstrate a nexus to the RSAT for State Prisoners Program's objectives. RSAT for State Prisoners Program funds may not be used to lease vehicles on behalf of program participants.

**Can RSAT for State Prisoners Program funds be used for costs associated with travel?**

States are required to set aside funds for two people to attend the annual RSAT for State Prisoners Program conference. Other travel may be approved based on a justification of how it supports the RSAT for State Prisoners Program's objectives.