A. Generations of Clinical Care

(a) Complications-driven Treatment
   - No diagnosis of Substance Use Disorder
   - Treatment of complications of addiction with no continuing care
   - Relapse triggers treatment of complications only

   ![Diagram of Complications-driven Treatment]

(b) Diagnosis, Program-driven Treatment
   - Diagnosis determines treatment
   - Treatment is the primary program and aftercare
   - Relapse triggers a repeat of the program

   ![Diagram of Diagnosis, Program-driven Treatment]

(c) Individualized, Clinically-driven Treatment

![Diagram of Individualized, Clinically-driven Treatment]
(d) **Client-Directed, Outcome-Informed Treatment**

---

**PARTICIPANT ASSESSMENT**

Data from all BIOPSYCHOSOCIAL Dimensions

**PROGRESS**

Treatment Response:
Clinical functioning, psychological, social/interpersonal LOF
*Proximal Outcomes e.g., Session Rating Scale, Outcome Rating Scale*

**PROBLEMS or PRIORITIES**

Build engagement and alliance working with multidimensional obstacles inhibiting the client from getting what they want.
What will client do?

**PLAN**

BIOPSYCHOSOCIAL Treatment
Intensity of Service (IS) - Modalities and Levels of Service

---

**B. Overview of ASAM Criteria Assessment Dimensions and Levels of Care**

1. **Assessment of Biopsychosocial Severity and Function** *(The ASAM Criteria 2013, pp 43-53)*

The common language of 6 ASAM Criteria dimensions determine needs/strengths in behavioral health:

1. Acute intoxication and/or withdrawal potential
2. Biomedical conditions and complications
3. Emotional/behavioral/cognitive conditions and complications
4. Readiness to Change
5. Relapse/Continued Use/Continued Problem potential
6. Recovery environment

<table>
<thead>
<tr>
<th>Assessment Dimensions</th>
<th>Assessment and Treatment Planning Focus</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acute Intoxication and/or Withdrawal Potential</td>
<td>Assessment for intoxication and/or withdrawal management. Detoxification in a variety of levels of care and preparation for continued addiction services</td>
</tr>
<tr>
<td>2. Biomedical Conditions and Complications</td>
<td>Assess and treat co-occurring physical health conditions or complications. Treatment provided within the level of care or through coordination of physical health services</td>
</tr>
<tr>
<td>3. Emotional, Behavioral or Cognitive Conditions and Complications</td>
<td>Assess and treat co-occurring diagnostic or sub-diagnostic mental health conditions or complications. Treatment provided within the level of care or through coordination of mental health services</td>
</tr>
<tr>
<td>4. Readiness to Change</td>
<td>Assess stage of readiness to change. If not ready to commit to full recovery, engage into treatment using motivational enhancement strategies. If ready for recovery, consolidate and expand action for change</td>
</tr>
<tr>
<td>5. Relapse, Continued Use or Continued Problem Potential</td>
<td>Assess readiness for relapse prevention services and teach where appropriate. If still at early stages of change, focus on raising consciousness of consequences of continued use or problems with motivational strategies</td>
</tr>
<tr>
<td>6. Recovery Environment</td>
<td>Assess need for specific individualized family or significant other, housing, financial, vocational, educational, legal, transportation, childcare services</td>
</tr>
</tbody>
</table>
2. **Biopsychosocial Treatment - Overview: 5 M’s**
   * Motivate - Dimension 4 issues; engagement and alliance building
   * Manage - the family, significant others, work/school, legal
   * Medication – withdrawal management; HIV/AIDS; anti-craving anti-addiction meds; disulfiram, methadone; buprenorphine, naltrexone, acamprosate, psychotropic medication
   * Meetings - AA, NA, Al-Anon; Smart Recovery, Dual Recovery Anonymous, etc.
   * Monitor - continuity of care; relapse prevention; family and significant others

3. **Treatment Levels of Service** - *(The ASAM Criteria 2013, pp 106-107)*
   1. Outpatient Services
   2. Intensive Outpatient/Partial Hospitalization Services
   3. Residential/Inpatient Services
   4. Medically-Managed Intensive Inpatient Services

<table>
<thead>
<tr>
<th>ASAM Criteria Level of Withdrawal Management Services for Adults</th>
<th>Level</th>
<th>Note: There are no separate Withdrawal Management Services for Adolescents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambulatory Withdrawal Management without Extended On-Site Monitoring</td>
<td>1-WM</td>
<td>Mild withdrawal with daily or less than daily outpatient supervision; likely to complete withdrawal management and to continue treatment or recovery</td>
</tr>
<tr>
<td>Ambulatory Withdrawal Management with Extended On-Site Monitoring</td>
<td>2-WM</td>
<td>Moderate withdrawal with all day WM support and supervision; at night, has supportive family or living situation; likely to complete WM.</td>
</tr>
<tr>
<td>Clinically-Managed Residential Withdrawal Management</td>
<td>3.2-WM</td>
<td>Moderate withdrawal, but needs 24-hour support to complete WM and increase likelihood of continuing treatment or recovery</td>
</tr>
<tr>
<td>Medically-Monitored Inpatient Withdrawal Management</td>
<td>3.7-WM</td>
<td>Severe withdrawal and needs 24-hour nursing care and physician visits as necessary; unlikely to complete WM without medical, nursing monitoring</td>
</tr>
<tr>
<td>Medically-Managed Inpatient Withdrawal Management</td>
<td>4-WM</td>
<td>Severe, unstable withdrawal and needs 24-hour nursing care and daily physician visits to modify WM regimen and manage medical instability</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ASAM Criteria Levels of Care</th>
<th>Level</th>
<th>Same Levels of Care for Adolescents except Level 3.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early Intervention</td>
<td>0.5</td>
<td>Assessment and education for at risk individuals who do not meet diagnostic criteria for Substance-Related Disorder</td>
</tr>
<tr>
<td>Outpatient Services</td>
<td>1</td>
<td>Less than 9 hours of service/week (adults); less than 6 hours/week (adolescents) for recovery or motivational enhancement therapies/strategies</td>
</tr>
<tr>
<td>Intensive Outpatient</td>
<td>2.1</td>
<td>9 or more hours of service/week (adults); 6 or more hours/week (adolescents) to treat multidimensional instability</td>
</tr>
<tr>
<td>Partial Hospitalization</td>
<td>2.5</td>
<td>20 or more hours of service/week for multidimensional instability not requiring 24 hour care</td>
</tr>
<tr>
<td>Clinically-Managed Low-Intensity Residential</td>
<td>3.1</td>
<td>24 hour structure with available trained personnel; at least 5 hours of clinical service/week</td>
</tr>
<tr>
<td>Clinically Managed Population-Specific High-Intensity Residential Services (Adult criteria only)</td>
<td>3.3</td>
<td>24 hour care with trained counselors to stabilize multidimensional imminent danger. Less intense milieu and group treatment for those with cognitive or other impairments unable to use full active milieu or therapeutic community</td>
</tr>
<tr>
<td>Clinically-Managed High-Intensity Residential</td>
<td>3.5</td>
<td>24 hour care with trained counselors to stabilize multidimensional imminent danger and prepare for outpatient treatment. Able to tolerate and use full active milieu or therapeutic community</td>
</tr>
<tr>
<td>Medically-Monitored Intensive Inpatient</td>
<td>3.7</td>
<td>24 hour nursing care with physician availability for significant problems in Dimensions 1, 2 or 3. Sixteen hour/day counselor ability</td>
</tr>
<tr>
<td>Medically-Managed Intensive Inpatient</td>
<td>4</td>
<td>24 hour nursing care and daily physician care for severe, unstable problems in Dimensions 1, 2 or 3. Counseling available to engage patient in treatment</td>
</tr>
<tr>
<td>Opioid Treatment Services</td>
<td>OTS</td>
<td>Opioid Treatment Program (OTP) – agonist meds: methadone, buprenorphine; Office Based Opioid Treatment (OBOT); antagonist medication - naltrexone</td>
</tr>
</tbody>
</table>
C. Engaging the Participant in Accountable, Collaborative Care - Natural Change and Self-Change ands Dimension 4, Readiness to Change


The Transtheoretical Model (TTM) illuminates the process of natural recovery and the process of change involved in treatment-assisted change. But “treatment is an adjunct to self-change rather than the other way around.” “The perspective that takes natural change seriously…shifts the focus from an overemphasis on interventions and treatments and gives increased emphasis to the individual substance abuser, his and her developmental status, his and her values and experiences, the nature of the substance abuse and its connection with associated problems, and his or her stage of change.” (DiClemente, 2006)

1. What Works in Treatment - The Empirical Evidence

(a) Extra-therapeutic and/or Client Factors (87%)

(b) Treatment (13%):
   - 60% due to “Alliance” (8%/13%)
   - 30% due to “Allegiance” Factors (4%/13%)
   - 8% due to model and technique (1%/13%)


2. Definitions of Compliance and Adherence

Webster’s Dictionary defines “comply” as follows: to act in accordance with another’s wishes, or with rules and regulations. It defines “adhere”: to cling, cleave (to be steadfast, hold fast), stick fast.

3. Assessing Readiness to Change

* Transtheoretical Model of Change (Prochaska and DiClemente):
  - Pre-contemplation: not yet considering the possibility of change although others are aware of a problem; active resistance to change; seldom appear for treatment without coercion; could benefit from non-threatening information and information to raise awareness of a possible “problem” and possibilities for change.
  - Contemplation: ambivalent, undecided, vacillating between whether he/she really has a “problem” or needs to change; wants to change, but this desire exists simultaneously with resistance to it; may seek professional advice to get an objective assessment; motivational strategies useful at this stage, but aggressive or premature confrontation provokes strong resistance and defensive behaviors; many Contemplators have indefinite plans to take action in the next six months or so.
  - Preparation: takes person from decisions made in Contemplation stage to the specific steps to be taken to solve the problem in the Action stage; increasing confidence in the decision to change; certain tasks that make up the first steps on the road to Action; most people planning to take action within the very next month; making final adjustments before they begin to change their behavior.
  - Action: specific actions intended to bring about change; overt modification of behavior and surroundings; most busy stage of change requiring the greatest commitment of time and energy; care not to equate action with actual change; support and encouragement still very important to prevent drop out and regression in readiness to change.
**Maintenance:** sustain the changes accomplished by previous action and prevent relapse; requires different set of skills than were needed to initiate change; consolidation of gains attained; not a static stage and lasts as little as six months or up to a lifetime; learn alternative coping and problem-solving strategies; replace problem behaviors with new, healthy life-style; work through emotional triggers of relapse.

**Relapse and Recycling:** expectable, but not inevitable setbacks; avoid becoming stuck, discouraged, or demoralized; learn from relapse before committing to a new cycle of action; comprehensive, multidimensional assessment to explore all reasons for relapse.

**Termination:** this stage is the ultimate goal for all changers; person exits the cycle of change, without fear of relapse; debate over whether certain problems can be terminated or merely kept in remission through maintenance strategies.

* **Readiness to Change** - not ready, unsure, ready, trying, (doing what works): Motivational interviewing (Miller and Rollnick)

4. **Developing the Treatment Contract** *(The ASAM Criteria 2013, page 58)*

<table>
<thead>
<tr>
<th>Client</th>
<th>Clinical Assessment</th>
<th>Treatment Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>What?</strong></td>
<td>What does client want?</td>
<td>What does client need?</td>
</tr>
<tr>
<td><strong>Why?</strong></td>
<td>Why now?</td>
<td>Why? What reasons are revealed by the assessment data?</td>
</tr>
<tr>
<td></td>
<td>What's the level of commitment?</td>
<td></td>
</tr>
<tr>
<td><strong>How?</strong></td>
<td>How will s/he get there?</td>
<td>How will you get him/her to accept the plan?</td>
</tr>
<tr>
<td></td>
<td>Where will s/he do this?</td>
<td>Where is the appropriate setting for treatment?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>What is indicated by the placement criteria?</td>
</tr>
<tr>
<td><strong>When?</strong></td>
<td>When will this happen?</td>
<td>When? How soon?</td>
</tr>
<tr>
<td></td>
<td>How quickly?</td>
<td>What are realistic expectations?</td>
</tr>
<tr>
<td></td>
<td>How badly does s/he want it?</td>
<td>What are milestones in the process?</td>
</tr>
</tbody>
</table>

5. **The Coerced Client and Working Together**

The mandated client can often present as hostile and resistant because they are at “action” for staying out of jail; keeping their driver’s license; saving their job or marriage; or getting their children back. In working with referral agencies whether that be a judge, probation officer, child protective services, a spouse, employer or employee assistance professional, the goal is to use the leverage of the referral source to hold the client accountable to an assessment and follow through with the treatment plan.

Criminal justice professionals such as judges, probation and parole officers untrained in addiction and mental health run the risk of thinking that mental health and addiction issues can be addressed from a criminal justice model. They can see mandated treatment for addiction and mental health problems as a criminal justice intervention e.g., mandate the client to a particular level of care of addiction treatment for a fixed length of stay as if ordering an offender to jail for a jail term of three months.
Unfortunately, clinicians and programs often enable such criminal justice thinking by blurring the boundaries between “doing time” and “doing treatment”. Clinicians say that they cannot provide individualized treatment since they have to comply with court orders for a particular program and level of care and length of stay. For everyone involved with mandated clients and think this way, the 3 C’s are important:

3 C’s

- **Consequences** – It is within criminal justice’s mission to ensure that offenders take the consequences of their illegal behavior. If the court agrees that the behavior was largely caused by addiction and/or mental illness, and that the offender and the public is best served by providing treatment rather than punishment, then clinicians provide treatment not custody and incarceration. The obligation of clinicians is to ensure a person adheres to treatment; not to enforce consequences and compliance with court orders.

- **Compliance** – The offender is required to act in accordance with the court’s orders; rules and regulations. Criminal justice personnel should expect compliance. But clinicians are providing treatment where the focus is not on compliance to court orders. The focus is on whether there is a disorder needing treatment; and if there is, the expectation is for adherence to treatment, not compliance with “doing time” in a treatment place.

- **Control** – The criminal justice system aims to control, if not eliminate, illegal acts that threaten the public. While control is appropriate for the courts, clinicians and treatment programs are focused on collaborative treatment and attracting people into recovery. The only time clinicians are required to control a client is if they are in imminent danger of harm to self or others. Otherwise, as soon as that imminent danger is stabilized, treatment resumes collaboration and client empowerment, not consequences, compliance and control.

The clinician should be the one to decide on what is clinically indicated rather than feeling disempowered to determine the level of service, type of service and length of service based on the assessment of the client and his/her stage of readiness to change. Clinicians are just that, not right arms of the law or the workplace to carry out mandates determined for reasons other than clinical.

Thus, working with referral sources and engaging the identified client into treatment involves all of the principles and concepts above to meet both the referral source and the client wherever they are at; to join them in a common purpose relevant to their particular needs and reason for presenting for care now at this point in time. The issues span the following:

- **Common purpose and mission** – public safety; safety for children; similar outcome goals

- **Common language of assessment of stage of change** – models of stages of change

- **Consensus philosophy of addressing readiness to change** – meeting clients where they are at; solution-focused; motivational enhancement

- **Consensus on how to combine resources and leverage to effect change, responsibility and accountability** – coordinated efforts to create incentives for change and provide supports to allow change

- **Communication and conflict resolution** - committed to common goals of public safety; responsibility, accountability, decreased legal recidivism and lasting change; keep our collective eyes on the prize “No one succeeds unless we all succeed!”
D. Relapse/Continued Use/Continued Problem Potential - Dimension 5 (The ASAM Criteria 2013, pp 401-410)

A. Historical Pattern of Use
   1. Chronicity of Problem Use
      • Since when and how long has the individual had problem use or dependence and at what level of severity?
   2. Treatment or Change Response
      • Has he/she managed brief or extended abstinence or reduction in the past?

B. Pharmacologic Responsivity
   3. Positive Reinforcement (pleasure, euphoria)
   4. Negative Reinforcement (withdrawal discomfort, fear)

C. External Stimuli Responsivity
   5. Reactivity to Acute Cues (trigger objects and situations)
   6. Reactivity to Chronic Stress (positive and negative stressors)

D. Cognitive and behavioral measures of strengths and weaknesses
   7. Locus of Control and Self-efficacy
      • Is there an internal sense of self-determination and confidence that the individual can direct his/her own behavioral change?
   8. Coping Skills (including stimulus control, other cognitive strategies)
   9. Impulsivity (risk-taking, thrill-seeking)
  10. Passive and passive/aggressive behavior
      • Does individual demonstrate active efforts to anticipate and cope with internal and external stressors, or is there a tendency to leave or assign responsibility to others?

Example Policy and Procedure to Deal with Dimension 5 Recovery/Psychosocial Crises

Recovery and Psychosocial Crises cover a variety of situations that can arise while a patient is in treatment. Examples include, but are not limited to, the following:

1. Slip/ using alcohol or other drugs while in treatment.
2. Suicidal, and the individual is feeling impulsive or wanting to use alcohol or other drugs.
3. Loss or death, disrupting person's recovery and precipitating cravings to use/other impulsive behavior.
4. Disagreements, anger, frustration with fellow patients or therapist.

The following procedures provide steps to assist in implementing the principle of re-assessment and modification of the treatment plan:

1. Set up a face-to-face appointment as soon as possible. If not possible in a timely fashion, follow the next steps via telephone.
2. Convey an attitude of acceptance; listen and seek to understand the patient's point of view rather than lecture, enforce "program rules," or dismiss the patient's perspective.
3. Assess the patient's safety for intoxication/withdrawal and imminent risk of impulsive behavior and harm to self, others, or property. Use the six ASAM assessment dimensions to screen for severe problems and identify new issues in all biopsychosocial areas.
1. Acute intoxication and/or withdrawal potential
2. Biomedical conditions and complications
3. Emotional/behavioral/cognitive conditions and complications
4. Readiness to Change
5. Relapse/Continued Use/Continued Problem potential
6. Recovery environment

4. If no immediate needs, discuss the circumstances surrounding the crisis, developing a sequence of events and precipitants leading up to the crisis. If the crisis is a slip, use the 6 dimensions as a guide to assess causes. If the crisis appears to be willful, defiant, non-compliance with the treatment plan, explore the patient's understanding of the treatment plan, level of agreement on the strategies in the treatment plan, and reasons s/he did not follow through.

5. Modify the treatment plan with patient input to address any new or updated problems that arose from your multidimensional assessment in steps 3 and 4 above.

6. Reassess the treatment contract and what the patient wants out of treatment, if there appears to be a lack of interest in developing a modified treatment plan in step 5 above. If it becomes clear that the patient is mandated and “doing time” rather than “doing treatment and change,” explore what Dimension 4, Readiness to Change motivational strategies may be effective in re-engaging the patient into treatment.

7. Determine if the modified strategies can be accomplished in the current level of care, or a more or less intensive level of care in the continuum of services or different services such as Co-Occurring Disorder Enhanced services. The level of care decision is based on the individualized treatment plan needs, not an automatic increase in the intensity of level of care.

8. If, on completion of step 6, the patient recognizes the problem/s, and understands the need to change the treatment plan to learn and apply new strategies to deal with the newly-identified issues, but still chooses not to accept treatment, then discharge is appropriate, as he or she has chosen not to improve his/her treatment in a positive direction. Such a patient may also demonstrate his/her lack of interest in treatment by bringing alcohol or other drugs into the treatment milieu and encouraging others to use or engage in gambling behavior while in treatment. If such behavior is a willful disruption to the treatment milieu and not overwhelming Dimension 5 issues to be assessed and treated, then discharge or criminal justice graduated sanctions are appropriate to promote a recovery environment.

9. If, however, the patient is invested in treatment as evidenced by collaboration to change his/her treatment plan in a positive direction, treatment should continue. To discharge or suspend a patient for an acute recollection of signs and symptoms breaks continuity of care at precisely a crisis time when the patient needs support to continue treatment. For example, if the patient is not acutely intoxicated and has alcohol on his/her breath from a couple of beers, such an individual may come to group to explore what went wrong to cause a recurrence of use and to gain support and direction to change his/her treatment plan.

Concerns about “triggering” others in the group are handled no differently from if a patient was sharing trauma issues, sobbing and this triggered identification and tearfulness in other group members. Such a patient with Posttraumatic Stress Disorder would not be excluded from group or asked to leave for triggering others.

10. Document the crisis and modified treatment plan or discharge in the medical record.
E. **How to Organize Assessment Data to Focus Treatment**

- **What Does the Client Want? Why Now?**
  - Does client have immediate needs due to imminent risk in any of the six assessment dimensions?
  - Conduct multidimensional assessment
  - What are the DSM-5 diagnoses?
  - Multidimensional Severity / LOF Profile
  - Identify which assessment dimensions are currently most important to determine Tx priorities
  - Choose a specific focus and target for each priority dimension
  - What specific services are needed for each dimension?
  - What “dose” or intensity of these services is needed for each dimension?
  - Where can these services be provided, in the least intensive, but safe level of care or site of care?
  - What is the progress of the treatment plan and placement decision; outcomes measurement?

*(The ASAM Criteria 2013, p 124)*

F. **Moving from Punishment to Accountability for Lasting Change – Implications for Sanctions and Incentives**

(Tips and Topics, Volume 12, No. 6, September 2014. www.changecompanies.net; click on Blogs; click on Tips and Topics and go to the Archives on left hand side.)

1. Sanction for lack of good faith effort and adherence in treatment based on the clinical assessment of the person’s needs, strengths, skills and resources. Don’t sanction for signs and symptoms of their addiction and/or mental illness in a formulaic manner that is one-size-fits-all.
2. The treatment provider is responsible for careful assessment and person-centered services and to keep the court apprised of any risk to public safety. The court should be informed about the client’s level of good faith effort in treatment; and whether the client is improving in function at a pace consistent with their assessed needs, strengths, skills and resources. The provider should not just report on passive compliance with attendance and production of positive or negative drug screens - passive compliance is not functional change.

3. If the client is not changing their treatment plan in a positive direction when outcomes are poor e.g., positive drug screens, attendance problems, passive participation, no change in peer group activities and support groups like AA etc., then the client is “doing time” not “doing treatment and change.” Providers need to then inform the judge that the client is out of compliance with the court order to do treatment. The client consented to do treatment not just do time and should be held accountable for their individualized treatment plan. If the client is substantively modifying their treatment plan in a positive direction in response to poor outcomes; and adhering to the new direction in the treatment plan, then the client should continue in treatment and not be sanctioned for signs and symptoms of their illness(es).

4. Incentives for clients can be explored and matched to what is most meaningful to them. For example, incentives that allow a client to choose a gift certificate or coupon for a restaurant may be meaningful for some clients. But others may find assistance in seeing their children; or receiving help with housing; or advocacy to change group attendance times to fit better their work schedule to be more meaningful incentives to be used. This requires an individualized approach recommended to the court by providers who should know their client’s needs, skills, strengths and resources. It is too much to expect the judge can work all this out in a busy schedule of court appearances.

5. A close working relationship between the client, judge, court team and treatment providers is needed to actualize this approach.

These ideas come from my clinical bias and experience, but they are offered with awareness:

• That we need more discussion to make this work in the world of courts and criminal justice.
• That to achieve the public safety outcomes we all want, we have to move treatment from a passive compliance and a ‘jumping through the hoops’ mentality that allows many clients to “do time” in treatment instead of “doing treatment and change”.
• That treatment providers will need to rise to the occasion and improve assessment and person-centered treatment planning that values outcomes-driven services.
• That judges and court personnel can expect treatment providers to design and deliver individualized care; and to keep them well-informed on any threats to public safety. Reports need to be on functional improvement not just compliance with attendance and drug screens.

**LITERATURE REFERENCES**

“A Technical Assistance Guide For Drug Court Judges on Drug Court Treatment Services” - Bureau of Justice Assistance Drug Court Technical Assistance Project. American University, School of Public Affairs, Justice Programs Office. Lead Authors: Jeffrey N. Kushner, MHRA, State Drug Court Coordinator, Montana Supreme Court; Roger H. Peters, Ph.D., University of South Florida; Caroline S. Cooper BJA Drug Court Technical Assistance Project. School of Public Affairs, American University. May 1, 2014.


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