

3.1 Substance Abuse Commitment

Involuntary commitment for substance abuse treatment is the judicial procedure to compel a substance abuser to submit to treatment. While many of the procedures are the same as or similar to those for involuntary commitment for mental health treatment, there are differences in the statutes allowing treating professionals to tailor treatment for substance abusers. This chapter will focus on the statutes applicable specifically to substance abuse commitment, while noting procedures that parallel those for mental health commitment.

The major substantive difference between substance abuse commitment and commitment for mental health treatment is that the respondent in a substance abuse proceeding is committed to the care of the area authority or a physician, rather than to a 24-hour facility. The commitment term may be up to 180 days, during which treatment may be either on an inpatient or outpatient basis, as determined by the area authority or physician. The area authority or physician must, however, request a supplemental hearing for court review of any proposed inpatient treatment period exceeding forty-five consecutive days.

A substance abuse commitment, unlike a mental health commitment, must be reported to the North Carolina Department of Motor Vehicles. *See infra* § 3.6C. This can result in the client's loss of driving privileges, a collateral consequence that threatens the client's future ability to maintain employment, maintain a household, and maintain appointments with a community treatment provider. It is important that this information be provided to a client facing a substance abuse commitment.