

## 拾肆、毒品戒治相關事項

### 14. Drug Rehabilitation

問 14-1、請問施用毒品者進入勒戒所、戒治所及監獄執行的時機分別為何？

Q14-1: When will a drug user be sent to an observation and rehabilitation center, compulsory rehabilitation center or prison for their offense?

答：

一、進入勒戒所之時機：

(一)初次施用毒品者。

(二)觀察勒戒或強制戒治執行完畢釋放後，3年後再次施用毒品者。

二、進入戒治所時機：受觀察勒戒人有繼續施用毒品傾向者。

三、進入監獄時機：觀察勒戒或強制戒治執行完畢釋放後，3年內再次施用毒品者。

A:

1. Time to be sent to an observation and rehabilitation center:

(1) First time drug abusers.

(2) Repeat drug abusers who use drugs again 3 years or more later after being released following the completion of an observation and rehabilitation program or compulsory rehabilitation program.

2. Time to be sent to a compulsory rehabilitation center: Delinquents under observation and rehab who have the tendency to use drugs continuously.

3. Time to be sent to prison: Repeat drug abusers who use drugs again within 3 years after being released following the completion of an observation and rehabilitation program or compulsory rehabilitation program.

問 14-2、請問受觀察勒戒人將在何處執行觀察勒戒處分？

Q14-2: Where will people under observation and rehab undergo rehabilitation?

答：

本署於100年10月1日指定新店、臺中、高雄、臺中女子與高雄女子戒治所、臺北女子、臺東、花蓮、澎湖與金門看守所，及臺北、臺南與高雄少年觀護所等13所附設勒戒處所。各法院及檢察署對到案之受觀察勒戒人將直接送至各勒戒處所執行，或暫時收容於原來之勒戒處所，並於一週內再行解送至各專責勒戒處所執行。

A:

The Agency of Corrections instructed on October 1, 2011 the setup of abstention and rehabilitation centers under 13 correctional facilities, including Xidian, Taichung, Kaohsiung, Taichung Women's and Kaohsiung Women's Compulsory Rehabilitation Center, Taipei

Women's, Taitung, Hualien, Penghu and Kinmen Detention Center, as well as Taipei, Tainan and Kaohsiung Detention House. People under rehab and observation by the order of a court or prosecutor are sent directly to such an abstention and rehab center, or temporarily held at the original rehabilitation center and then transferred to the designated rehab center within one week.

問 14-3、請問觀察勒戒及強制戒治的期間各需要多久呢？

Q14-3: How long are the durations for an observation and rehabilitation program and a compulsory rehabilitation program?

答：

- 一、觀察勒戒的期間不得逾二月。強制戒治的期間為六個月以上，直至無繼續強制戒治之必要時為止，但最長不得逾一年。
- 二、勒戒所應注意觀察受觀察勒戒人在所勒戒之情形，經醫師研判觀察受處分人無繼續施用毒品傾向後，陳報該管檢察官准予停止受觀察勒戒之處分。
- 三、受戒治人接受戒治處遇屆滿六個月後，經依「戒治處分執行條例」規定之停止戒治評估後，認為無繼續強制戒治之必要者，戒治所得檢具事證，報請指揮執行之檢察官、法院裁定停止戒治後，辦理出所。
- 四、家屬不能自行向檢察官申請辦理停止觀察勒戒或強制戒治之處分。

A:

1. The duration of an observation and rehabilitation program shall not exceed 2 months. The duration of a compulsory rehabilitation program shall be 6 months or longer until there is no need to continue the program. However the longest duration shall not exceed 1 year.
2. An observation and rehabilitation center should observe the condition of a person undergoing observation and rehabilitation. If a doctor determines that the person does not exhibit the tendency to continue the use of drugs, the center should report to the public prosecutor in charge of the case to approve the discontinuation of rehabilitation program.
3. For people undergoing compulsory rehabilitation, the compulsory rehabilitation center will conduct assessment after 6 months of drug rehabilitation treatment in accordance with the Act of Execution of Drug Abuser Treatment. If the compulsory rehabilitation center finds that compulsory drug abuse treatment is no longer necessary, the compulsory rehabilitation center may present supporting documents to the prosecutor or court under which treatment order is enforced for the issuance of a release order.
4. Families of people undergoing observation and rehabilitation or compulsory rehabilitation cannot apply to prosecutors on their own to discontinue the observation and rehabilitation or compulsory rehabilitation program.

問 14-4、請問觀察勒戒費用如何計算與繳交呢？

**Q14-4: What are the fees for undergoing an observation and rehabilitation program and how to make payment?**

答：

一、受觀察勒戒人每人每日之勒戒費用收取標準如下：

(一)伙食費及用費：

1.成年受觀察勒戒人每人每(勒戒)日新臺幣(以下同)67元(澎湖、金門、綠島地區為78元，馬祖地區為107元)。

2.少年受觀察勒戒人自106年2月10日起每人每(勒戒)日90元(澎湖、金門、綠島地區為90元，馬祖地區為107元)。

(二)藥品材料費：每人每(勒戒)日33元。

(三)尿液篩檢材料費：每人每次200元。

(四)診療費：每人每(勒戒)日40元。

(五)其他受觀察勒戒人在勒戒處所因個案所需之支出費用：以個案實際支出為計算依據。

二、勒戒費用免繳之情形：

(一)自首：依裁定內容記載為憑。

(二)貧困：欲申請免繳勒戒費用者，應於勒戒期間，或勒戒處所催繳期間，或行政執行處通知繳納期間，提出現時貧困無力負擔之證明文件(鄉鎮市區公所以上出具之低收入戶證明文件)，可就未繳納部分之費用申請免繳；但已繳納(扣繳)部分，則不予退還。

三、繳交方式：

(一)出所後：家屬或受勒戒人出所後欲繳納勒戒費用，可至原執行機關總務科繳納，或利用郵政劃撥方式繳納(受勒戒人出所時執行機關會告知劃撥帳號)，劃撥時請於通訊欄註明受勒戒人之姓名及身分證字號。

(二)執行中：受勒戒人執行中，除依規定應自保管金中扣繳費用之方式外，若欲自願先行繳納勒戒費用，可以書面方式表明，執行機關會依程序辦理勒戒費用之收取作業。

A:

1. The daily charges for people under rehab and observation (per person) are as follows:

(1) Meals and daily supplies:

a. For adults under observation and rehabilitation, NT\$67 per person per (rehab) day (NT\$78 in Penghu, Kinmen and Ludao areas, and NT\$107 in Matsu area).

b. For juveniles under observation, NT\$90 per person per day starting February 10, 2017 (NT\$90 in Penghu, Kinmen and Ludao areas, and NT\$107 in Matsu area).

(2) Medicine: NT\$33 per person per (rehab) day.

(3) Urine drug test: NT\$200 per person each time.

- (4) Medical fees: NT\$40 per person per (rehab) day.
- (5) Other fees will be computed based on the actual expenses incurred.
2. Exemption of rehabilitation fees:
  - (1) Voluntary surrender: Based on the content of court ruling.
  - (2) Impoverishment: People who would like to request exemption of rehabilitation fees should submit proof of financial hardship (certificate of low-income household issued by the township or district office) during the rehab period, or during the payment period specified in the collection notice the person receives from the rehabilitation center or an administrative enforcement agency. This way, they can be exempted from paying the fees owed. But the payment already made or deducted will not be refunded.
3. How to make payment:
  - (1) After release: If people who have been in rehab program or their families would like to pay the rehabilitation fees after they are released, they can make payment at the General Affairs Section of the rehabilitation center or send payment by postal remittance (the rehabilitation center will inform the delinquents the post office giro number upon their release). When sending postal remittance, the sender should indicate in the correspondence column the name and ID number of the person being in rehab program.
  - (2) While in the rehab program: While people are undergoing rehabilitation, the rehabilitation center may deduct rehabilitation fees from their safekeeping account, and if a person is willing to pay the fees in advance, he or she can indicate so in writing and the rehabilitation center will charge the fees according to the established procedure.

**問 14-5、請問戒治費用如何計算與繳交呢？**

**Q14-5: What are the fees for undergoing a compulsory rehabilitation program and how to make payment?**

答：

一、受戒治人每人每日之戒治費用收取標準如下：

(一)伙食費及用費：

1.成年受戒治人自 110 年起每人每（戒治）日新臺幣（以下同）73 元（澎湖、金門、綠島地區為 87 元，馬祖地區為 117 元）。

2.少年受戒治人自 106 年 2 月 10 日起每人每（戒治）日 90 元。

(二)授課鐘點費：每人每（戒治）日 30 元。

(三)教材編印及書籍費：每人每（戒治）日 6 元。

(四)尿液篩檢材料費：每人每次 200 元。

(五)技訓材料費：每人每日 11 元（未施以技能訓練課程者免予收取）。

(六)藥品材料費：每人每（戒治）日 10 元。

(七)其他受戒治人在戒治所因個案所需之支出費用：以個案實際支出為計算依據。

二、戒治費用免繳之情形：

(一)自首：依裁定內容記載為憑。

(二)貧困：欲申請免繳戒治費用者，應於戒治期間，或戒治所催繳期間，或行政執行處通知繳納期間，提出現時貧困無力負擔之證明文件（鄉鎮市區公所以上出具之低收入戶證明文件），可就未繳納部分之費用申請免繳；但已繳納（扣繳）部分，則不予退還。

三、繳交方式：

(一)出所後：家屬或受戒治人出所後欲繳納戒治費用，可至原執行機關總務科繳納，或利用郵政劃撥方式繳納（受戒治人出所時執行機關會告知劃撥帳號），劃撥時請於通訊欄註明受戒治人之姓名及身分證字號。

(二)執行中：受戒治人執行中，除依規定應自保管金中扣繳費用之方式外，若欲自願先行繳納戒治費用，可以書面方式表明，執行機關會依程序辦理戒治費用之收取作業。

A:

1. The daily charges for individuals undergoing drug abuse treatment (per person) are as follows:

(1) Meals and daily supplies:

a. For adults undergoing rehab, NT\$73 per person per (rehab) day (NT\$87 in Penghu, Kinmen and Ludao areas, and NT\$117 in Matsu area).

b. For juveniles undergoing rehab, NT\$90 per person per day starting February 10, 2017.

(2) Instructor fees: NT\$30 per person per (rehab) day.

(3) Teaching materials and book fees: NT\$6 per person per (rehab) day.

(4) Urine drug test: NT\$200 per person each time.

(5) Skill training material fees: NT\$11 per person per day (waived if no skill training courses are taken).

(6) Medicine: NT\$10 per person per (rehab) day.

(7) Other fees will be computed based on the actual expenses incurred.

2. Exemption of treatment fees:

(1) Voluntary surrender: Based on the content of court ruling.

(2) Impoverishment: Individuals who like to request exemption of treatment fees should submit proof of financial hardship (certificate of low-income household issued by the township or district office) during the treatment period, or during the payment period specified in the collection notice the person receives from the treatment center or an administrative enforcement agency. This way, they can be exempted from paying the fees owed. But the payment already made or deducted will not be refunded.

3. How to make payment:

- (1) After release: If individuals under compulsory rehabilitation or their families would like to pay the treatment fees after the individuals are released, they can make payment at the General Affairs Section of the treatment center or send payment by postal remittance (the treatment center will inform the individuals the post office giro number upon their release). When sending postal remittance, the sender should indicate in the correspondence column the name and ID number of the individual having received treatment.
- (2) While in the rehab program: While individuals are undergoing compulsory rehabilitation, the compulsory rehabilitation center may deduct rehabilitation fees from their safekeeping account, and if an individual is willing to pay the fees in advance, he or she can indicate so in writing and the compulsory rehabilitation center will charge the fees according to the established procedure.

問 14-6、新收收容人被驗出毒品反應，請問會如何處理？

Q14-6: What will be done if a newly admitted inmate is tested positive for drugs?

答：

依據特定人員尿液採驗辦法，矯正機關對於收容人實施尿液檢驗，驗出毒品陽性反應者，將製作談話筆錄瞭解原因，並將尿液再送至衛生福利部認可之濫用藥物尿液檢驗機構進行確認檢驗。經確認檢驗結果仍為陽性者，將依法函送司法機關偵辦。

A:

Pursuant to the Regulations Governing Urine Sample Testing for Specific Categories of People, a correctional facility should produce interview records on inmates who are tested positive for drugs to learn possible causes and send the inmate's urine sample to a drug abuse urine testing institution accredited by the Ministry of Health and Welfare for confirmation. If the testing result is still positive, the facility shall forward the case to the judicial authority for investigation.