

WHAT IT DOES -- Protects a vulnerable population and promotes cost effective outcomes for individuals in recovery from substance use disorder using market incentives and education to promote the use of ethical and best practices. It empowers consumer choice and provides them with a means of reporting concerns.

- Defines recovery housing in statute.
- Directs HHSC to adopt standards that are consistent with nationally recognized standards and recognize one or more credentialing organizations to develop and administer a voluntary certification program. ***Voluntary certification avoids the fair housing rights discrimination of mandatory certification.***
- Establishes credentialing organization requirements including application, certification, recertification, and disciplinary procedures, training requirements and code of ethics.
- Excludes other housing models or facilities such as boarding homes, nursing and continuing care facilities, assisted living, IDD group homes, family shelters, child care facilities, hotels...
- Requires certified recovery housing to be managed by trained administrators, ensuring a designated person is responsible for knowing and upholding laws, ethics and standards.
- Directs HHSC to prepare an annual report on recovery housing certifications and revocations.
- Prohibits recovery homes from engaging in patient brokering or kickbacks and from using false, misleading or deceptive marketing.
- **Incentivises voluntary certification by:**
 - Strengthening the fair housing rights of residents in certified recovery housing
 - Requiring state funded recovery housing to be certified, and
 - Restricting referrals from state funded and licensed facilities and licensed professionals

WHY WE NEED IT -- Well operated recovery housing is a proven and cost effective means of promoting recovery from substance use issues and cost savings. However, there has been rise in “bad players” given the current marketplace:

- Fraudulent business practices, patient brokering, kickbacks and misleading marketing cause unethical referrals, financial exploitation and inadequate support.
- Lack of knowledge around scope of service, codes of ethics and best practices can result in negligence, relapse, injury or death of residents.
- Charges have been filed against recovery housing related to sexual harassment and exploitation.
- Individuals have a difficult time distinguishing recovery housing that use best practices from “bad players” and those just claiming to be recovery housing.
- Individuals do not know where to report concerns and fear repercussions (e.g. losing their housing, support, job or career).
- State agencies that received concerns regarding recovery housing have no mechanism for recording or addressing the complaints.
- State and local government are restricted from regulating recovery housing (e.g. required licensure) due to the fair housing rights of residents, which is why the National Council on Behavioral Health and Model State Drug Laws recommend voluntary recovery housing certification as the solution.

References:

1. National Council on Behavioral Health. (2018). Building Recovery: State Policy Guide for Supporting Recovery Housing. [Building Recovery: State Policy Guide for Supporting Recovery Housing](#)