

1 AN ACT

2 relating to the creation of a voluntary accreditation for recovery
3 housing; authorizing fees.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle B, Title 6, Health and Safety Code, is
6 amended by adding Chapter 469 to read as follows:

7 CHAPTER 469. VOLUNTARY ACCREDITATION OF RECOVERY HOUSING

8 Sec. 469.001. DEFINITIONS. In this chapter:

9 (1) "Accrediting organization" means a nonprofit
10 organization the commission approves under Section 469.002 that
11 develops and administers recovery housing accreditation programs.

12 (2) "Commission" means the Health and Human Services
13 Commission.

14 (3) "Recovery house" means a shared living environment
15 that:

16 (A) promotes sustained recovery from substance
17 use disorders by integrating residents into the surrounding
18 community and providing a setting that connects residents to
19 supports and services promoting sustained recovery from substance
20 use disorders;

21 (B) is centered on peer support; and

22 (C) is free from alcohol and drug use.

23 (4) "State health care regulatory agency" has the
24 meaning assigned by Section [161.131](#).

1 Sec. 469.002. VOLUNTARY ACCREDITATION OF RECOVERY HOUSING.

2 (a) The commission shall adopt minimum standards for accreditation
3 as a recovery house that are consistent with the quality standards
4 established by the National Alliance for Recovery Residences and
5 the Oxford House Incorporated. The standards must prohibit an
6 accredited recovery house from providing personal care services, as
7 defined by Section 247.002.

8 (b) The commission may approve only the National Alliance
9 for Recovery Residences or the Oxford House Incorporated to serve
10 as an accrediting organization in the development and
11 administration of a voluntary accreditation program for recovery
12 housing in accordance with this chapter.

13 (c) An accrediting organization the commission approves
14 under this section must:

15 (1) establish recovery house accreditation
16 requirements that at a minimum include the accreditation standards
17 the commission adopts;

18 (2) establish procedures to:

19 (A) administer the issuance of recovery house
20 accreditation under this chapter, including application,
21 accreditation, reaccreditation, and disciplinary procedures; and

22 (B) assess application accreditation and
23 reaccreditation fees;

24 (3) provide training to recovery house responsible
25 parties designated under Section 469.004 and staff concerning the
26 accreditation standards the commission adopts;

27 (4) develop a code of ethics; and

1 (5) provide information to the commission for the
2 commission to compile the annual report required under Section
3 469.005.

4 Sec. 469.003. PLACES INELIGIBLE FOR ACCREDITATION AS
5 RECOVERY HOUSE. The following places are ineligible for
6 accreditation as a recovery house:

7 (1) a home and community support services agency
8 licensed under Chapter 142;

9 (2) a nursing facility licensed under Chapter 242;

10 (3) a continuing care facility regulated under Chapter
11 246;

12 (4) an assisted living facility licensed under Chapter
13 247;

14 (5) an intermediate care facility for individuals with
15 an intellectual disability licensed under Chapter 252;

16 (6) a boarding home facility as defined by Section
17 260.001;

18 (7) a chemical dependency treatment facility licensed
19 under Subchapter A, Chapter 464;

20 (8) a child-care facility licensed under Chapter 42,
21 Human Resources Code;

22 (9) a family violence shelter center as defined by
23 Section 51.002, Human Resources Code;

24 (10) an entity qualified as a community home under
25 Chapter 123, Human Resources Code; and

26 (11) a hotel, as defined by Section 156.001, Tax Code.

27 Sec. 469.004. REQUIRED DESIGNATION OF RECOVERY HOUSE

1 RESPONSIBLE PARTY BY CERTAIN RECOVERY HOUSES. (a) This section
2 does not apply to a recovery house accredited by Oxford House
3 Incorporated.

4 (b) The standards the commission adopts must require at
5 least one individual to be designated to serve as the responsible
6 party of an accredited recovery house.

7 (c) A designated individual:

8 (1) must satisfactorily complete training the
9 accrediting organization provides concerning the commission's
10 accreditation standards and the organization's accreditation
11 requirements; and

12 (2) is responsible for administering the recovery
13 house in accordance with the accreditation standards and
14 requirements.

15 (d) An accredited recovery house required to designate a
16 responsible party under this section must notify the accrediting
17 organization that issued the recovery house's accreditation before
18 the 30th business day after the date of any change to the designated
19 responsible party.

20 Sec. 469.005. ANNUAL REPORT. The commission shall prepare
21 an annual report that includes information on:

22 (1) the total number of accredited recovery houses;

23 (2) the number of recovery houses accredited during
24 the preceding year;

25 (3) any issues concerning the accreditation or
26 reaccreditation process;

27 (4) the number of accredited recovery houses that had

1 an accreditation revoked during the preceding year; and

2 (5) the reasons for the revocation.

3 Sec. 469.006. SOLICITING. A recovery house responsible
4 party designated under Section 469.004 or a recovery house's
5 employee or agent may not offer to pay or agree to accept, directly
6 or indirectly, overtly or covertly, remuneration in cash or in kind
7 to or from another for securing or soliciting a patient or patronage
8 for or from a person licensed, certified, or registered by a state
9 health care regulatory agency.

10 Sec. 469.007. CERTAIN ADVERTISING PROHIBITED. (a) A
11 recovery house may not advertise or otherwise communicate that the
12 recovery house is accredited by an accrediting organization unless
13 the recovery house is accredited by an accrediting organization in
14 accordance with this chapter.

15 (b) A recovery house may not advertise or cause to be
16 advertised in any manner any false, misleading, or deceptive
17 information about the recovery house.

18 Sec. 469.008. ENFORCEMENT. If an accredited recovery house
19 violates this chapter, the accrediting organization that issued the
20 accreditation to the recovery house may suspend the accreditation
21 for a period not to exceed six months while the accrediting
22 organization conducts an audit of the recovery house. After the
23 audit is complete, the accrediting organization may implement a
24 corrective action plan or revoke the accreditation.

25 Sec. 469.009. FUNDING. A recovery house that is not
26 accredited by an accrediting organization in accordance with this
27 chapter is ineligible for and may not receive state money.

1 SECTION 2. (a) Except as otherwise provided by this
2 section, this Act takes effect September 1, 2023.

3 (b) Section 469.009, Health and Safety Code, as added by
4 this Act, takes effect September 1, 2025.

President of the Senate

Speaker of the House

I certify that H.B. No. 299 was passed by the House on April 26, 2023, by the following vote: Yeas 138, Nays 7, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 299 was passed by the Senate on May 23, 2023, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor