

By: Wilson

H.B. No. 4431

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a voluntary accreditation for recovery housing and the post-release housing of certain inmates on parole or to mandatory supervision in an accredited recovery house; authorizing fees.

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

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

CHAPTER 469. VOLUNTARY ACCREDITATION OF RECOVERY HOUSING

Sec. 469.001. DEFINITIONS. In this chapter:

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

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

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

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

(B) is centered on peer support; and

(C) is free from alcohol and drug use.

1 (4) "State health care regulatory agency" has the
2 meaning assigned by Section 161.131.

3 Sec. 469.002. VOLUNTARY ACCREDITATION OF RECOVERY HOUSING.

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

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

15 (c) An accrediting organization the commission approves
16 under this section must:

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

20 (2) establish procedures to:

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

24 (B) assess application accreditation and
25 reaccreditation fees;

26 (3) provide training to recovery house responsible
27 parties designated under Section 469.004 and staff concerning the

1 accreditation standards the commission adopts;

2 (4) develop a code of ethics; and

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

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

9 (1) a home and community support services agency
10 licensed under Chapter 142;

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

12 (3) a continuing care facility regulated under Chapter
13 246;

14 (4) an assisted living facility licensed under Chapter
15 247;

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

18 (6) a boarding home facility as defined by Section
19 260.001;

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

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

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

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

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

2 Sec. 469.004. REQUIRED DESIGNATION OF RECOVERY HOUSE
3 RESPONSIBLE PARTY BY CERTAIN RECOVERY HOUSES. (a) This section
4 does not apply to a recovery house accredited by Oxford House
5 Incorporated.

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

9 (c) A designated individual:

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

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

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

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

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

25 (2) the number of recovery houses accredited during
26 the preceding year;

27 (3) any issues concerning the accreditation or

1 reaccreditation process;

2 (4) the number of accredited recovery houses that had
3 an accreditation revoked during the preceding year; and

4 (5) the reasons for the revocation.

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

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

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

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

27 Sec. 469.009. FUNDING. A recovery house that is not

1 accredited by an accrediting organization in accordance with this
2 chapter is ineligible for and may not receive state money.

3 SECTION 2. Section 508.157, Government Code, is amended by
4 amending Subsection (b) and adding Subsection (e-2) to read as
5 follows:

6 (b) If the department does not operate or contract for the
7 operation of a residential correctional facility in the county of
8 legal residence of an inmate or releasee, the department may issue,
9 for an inmate described by Subsection (a) or for a releasee, payment
10 for the cost of temporary post-release housing that:

11 (1) meets any conditions or requirements imposed by a
12 parole panel;

13 (2) is located in the county of legal residence of the
14 inmate or releasee; and

15 (3) except as provided by Subsections [~~Subsection~~
16 (e-1) and (e-2)], is in a structure that existed on June 1, 2009, as a
17 multifamily residence or as a motel to which Section 156.001, Tax
18 Code, applies.

19 (e-2) The department may pay for the cost of temporary
20 post-release housing under Subsection (b) only in a recovery house,
21 as defined by Section 469.001, Health and Safety Code, that is
22 accredited under Chapter 469, Health and Safety Code. Subsection
23 (b)(3) does not apply to a recovery house accredited under Chapter
24 469, Health and Safety Code.

25 SECTION 3. (a) Except as otherwise provided by this
26 section, this Act takes effect September 1, 2023.

27 (b) Section 508.157(b), Government Code, as amended by this

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1 Act, and Section 508.157(e-2), Government Code, as added by this
2 Act, take effect September 1, 2024.

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