

By: Murr

H.B. No. 299

A BILL TO BE ENTITLED

AN ACT

relating to creating a voluntary accreditation for recovery housing.

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 RECOVERY HOUSING

Sec. 469.0101. DEFINITIONS. In this chapter:

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

(2) "Accrediting organization" means a nonprofit organization that develops and administers recovery housing accreditation programs according to standards of the National Alliance for Recovery Residences or standards endorsed by Oxford House, Inc.

(3) "Recovery house" means a shared living environment that 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, is centered on peer support, and is free from alcohol and drug use.

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

Sec. 469.0102. VOLUNTARY ACCREDITATION OF RECOVERY

1 HOUSING. (a) The commission shall adopt minimum standards for
2 accreditation as a recovery house that are consistent with the
3 quality standards from the National Alliance for Recovery
4 Residences and Oxford House, Inc. The commission shall authorize
5 National Alliance for Recovery Residences state affiliate and
6 Oxford House as the accrediting organizations. The accrediting
7 organizations shall:

8 (1) establish recovery house accreditation
9 requirements that include, at minimum, the accreditation standards
10 adopted by the commission;

11 (2) establish procedures to:

12 (A) administer the issuance of recovery house
13 accreditation or charters under this chapter, including
14 application, accreditation, reaccreditation, and disciplinary
15 procedures;

16 (B) assess application, accreditation, and
17 reaccreditation fees; and

18 (3) provide training to recovery house responsible
19 parties and staff concerning the accreditation standards adopted by
20 the commission;

21 (4) develop a code of ethics; and

22 (5) provide information to the commission for the
23 commission to compile the annual report required under Section
24 469.0105.

25 (b) The following places are not eligible for accreditation
26 or charter as a recovery house:

27 (1) a chemical dependency treatment facility licensed

- 1 under Subchapter A, Chapter 464;
2 (2) a boarding home facility as defined by Section
3 260.001;
4 (3) a convalescent or nursing facility licensed under
5 Chapter 242;
6 (4) a continuing care facility regulated under Chapter
7 246;
8 (5) an assisted living facility as defined by Section
9 247.002;
10 (6) a home and community support services agency
11 licensed under Chapter 142;
12 (7) an intermediate care facility for individuals with
13 an intellectual disability licensed under Chapter 252;
14 (8) an entity qualified as a community home under
15 Chapter 123, Human Resources Code;
16 (9) a family violence shelter center as defined by
17 Section 51.002, Human Resources Code;
18 (10) a child-care facility as defined by Section
19 42.002, Human Resources Code; and
20 (11) a hotel as defined by Section 156.001, Tax Code.
21 (c) The commission's standards must prohibit an accredited
22 recovery house from providing personal care services as defined by
23 Section 247.002.

24 Sec. 469.0103. RECOVERY HOUSE RESPONSIBLE PARTY. (a) The
25 standards adopted by the commission must require that an accredited
26 or chartered recovery house designate one or more individuals as
27 the responsible party who are responsible for governing or

1 administering the recovery home according to accreditation or
2 charter standards and who have satisfactorily completed training
3 provided by the accrediting organization concerning the
4 commission's accreditation standards and the organization's
5 accreditation requirements.

6 Sec. 469.0104. ABSENCE OF RECOVERY HOUSE RESPONSIBLE PARTY.

7 (a) An accredited or chartered recovery house must notify the
8 accrediting organization that issued its accreditation before the
9 thirtieth business day after any change to the responsible party.

10 Sec. 469.0105. ANNUAL REPORT. The commission shall prepare
11 an annual report including information on:

12 (1) the total number of accredited or chartered
13 recovery houses;

14 (2) the number of recovery houses accredited and
15 chartered in the last year;

16 (3) any issues concerning the accreditation, charter
17 or reaccreditation process;

18 (4) the number of accredited and chartered recovery
19 houses that had a accreditation revoked within the last year; and

20 (5) the reasons for the revocation of an accreditation
21 or charter.

22 Sec. 469.0106. SOLICITING. A recovery house responsible
23 party or a recovery house's employee or agent may not offer to pay
24 or agree to accept, directly or indirectly, overtly or covertly,
25 remuneration in cash or in kind to or from another for securing or
26 soliciting a patient or patronage for or from a person licensed,
27 accredited, or registered by a state health care regulatory agency.

1 Sec. 469.0107. CERTAIN ADVERTISING PROHIBITED. (a) A
2 recovery house may not advertise or otherwise communicate that the
3 recovery house is accredited or chartered by an accrediting
4 organization unless the recovery house is accredited or chartered
5 by an accrediting organization.

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

9 Sec. 469.0108. ENFORCEMENT. If an accredited or chartered
10 recovery house violates this chapter, the accrediting organization
11 that issued the accreditation to the recovery house may suspend the
12 accreditation or charter for a period of six months while the
13 accrediting organization conducts an audit of the recovery house.
14 After the audit is complete, the accrediting organization may
15 implement a corrective action plan or revoke the accreditation or
16 charter.

17 Sec. 469.0109. DISCRIMINATION. A municipality or county
18 may not adopt or enforce an ordinance, order, or other regulation
19 that prevents a recovery house from operating in a residential
20 community.

21 Sec. 469.0110. FUNDING. A recovery house that is not
22 accredited or chartered under this chapter may not receive state
23 money.

24 Sec. 469.0111. REFERRAL LIMITATION. The following entities
25 may not refer an individual to a recovery house that is not
26 accredited or chartered:

27 (1) a state agency, as defined by Section [2054.003](#),

1 Government Code;

2 (2) an organization receiving money from this state;

3 (3) a facility licensed under Subtitle B, Title 4;

4 (4) a chemical dependency treatment facility licensed
5 under Subchapter A, Chapter 464; and

6 (5) a health care professional licensed under Title 3,
7 Occupations Code.

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

10 (b) Sections 469.0110 and 469.0111, Health and Safety Code,
11 as added by this Act, take effect September 1, 2025.