

1-1 By: Murr, Wilson (Senate Sponsor - Johnson) H.B. No. 299
 1-2 (In the Senate - Received from the House April 27, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on Health &
 1-4 Human Services; May 21, 2023, reported favorably by the following
 1-5 vote: Yeas 7, Nays 1; May 21, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11		X		
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of a voluntary accreditation for recovery
 1-20 housing; authorizing fees.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle B, Title 6, Health and Safety Code, is
 1-23 amended by adding Chapter 469 to read as follows:

1-24 CHAPTER 469. VOLUNTARY ACCREDITATION OF RECOVERY HOUSING

1-25 Sec. 469.001. DEFINITIONS. In this chapter:

1-26 (1) "Accrediting organization" means a nonprofit
 1-27 organization the commission approves under Section 469.002 that
 1-28 develops and administers recovery housing accreditation programs.

1-29 (2) "Commission" means the Health and Human Services
 1-30 Commission.

1-31 (3) "Recovery house" means a shared living environment
 1-32 that:

1-33 (A) promotes sustained recovery from substance
 1-34 use disorders by integrating residents into the surrounding
 1-35 community and providing a setting that connects residents to
 1-36 supports and services promoting sustained recovery from substance
 1-37 use disorders;

1-38 (B) is centered on peer support; and

1-39 (C) is free from alcohol and drug use.

1-40 (4) "State health care regulatory agency" has the
 1-41 meaning assigned by Section 161.131.

1-42 Sec. 469.002. VOLUNTARY ACCREDITATION OF RECOVERY HOUSING.

1-43 (a) The commission shall adopt minimum standards for accreditation
 1-44 as a recovery house that are consistent with the quality standards
 1-45 established by the National Alliance for Recovery Residences and
 1-46 the Oxford House Incorporated. The standards must prohibit an
 1-47 accredited recovery house from providing personal care services, as
 1-48 defined by Section 247.002.

1-49 (b) The commission may approve only the National Alliance
 1-50 for Recovery Residences or the Oxford House Incorporated to serve
 1-51 as an accrediting organization in the development and
 1-52 administration of a voluntary accreditation program for recovery
 1-53 housing in accordance with this chapter.

1-54 (c) An accrediting organization the commission approves
 1-55 under this section must:

1-56 (1) establish recovery house accreditation
 1-57 requirements that at a minimum include the accreditation standards
 1-58 the commission adopts;

1-59 (2) establish procedures to:

1-60 (A) administer the issuance of recovery house
 1-61 accreditation under this chapter, including application,

2-1 accreditation, reaccreditation, and disciplinary procedures; and
2-2 (B) assess application accreditation and
2-3 reaccreditation fees;
2-4 (3) provide training to recovery house responsible
2-5 parties designated under Section 469.004 and staff concerning the
2-6 accreditation standards the commission adopts;
2-7 (4) develop a code of ethics; and
2-8 (5) provide information to the commission for the
2-9 commission to compile the annual report required under Section
2-10 469.005.

2-11 Sec. 469.003. PLACES INELIGIBLE FOR ACCREDITATION AS
2-12 RECOVERY HOUSE. The following places are ineligible for
2-13 accreditation as a recovery house:

2-14 (1) a home and community support services agency
2-15 licensed under Chapter 142;
2-16 (2) a nursing facility licensed under Chapter 242;
2-17 (3) a continuing care facility regulated under Chapter
2-18 246;
2-19 (4) an assisted living facility licensed under Chapter
2-20 247;
2-21 (5) an intermediate care facility for individuals with
2-22 an intellectual disability licensed under Chapter 252;
2-23 (6) a boarding home facility as defined by Section
2-24 260.001;
2-25 (7) a chemical dependency treatment facility licensed
2-26 under Subchapter A, Chapter 464;
2-27 (8) a child-care facility licensed under Chapter 42,
2-28 Human Resources Code;
2-29 (9) a family violence shelter center as defined by
2-30 Section 51.002, Human Resources Code;
2-31 (10) an entity qualified as a community home under
2-32 Chapter 123, Human Resources Code; and
2-33 (11) a hotel, as defined by Section 156.001, Tax Code.

2-34 Sec. 469.004. REQUIRED DESIGNATION OF RECOVERY HOUSE
2-35 RESPONSIBLE PARTY BY CERTAIN RECOVERY HOUSES. (a) This section
2-36 does not apply to a recovery house accredited by Oxford House
2-37 Incorporated.

2-38 (b) The standards the commission adopts must require at
2-39 least one individual to be designated to serve as the responsible
2-40 party of an accredited recovery house.

2-41 (c) A designated individual:
2-42 (1) must satisfactorily complete training the
2-43 accrediting organization provides concerning the commission's
2-44 accreditation standards and the organization's accreditation
2-45 requirements; and
2-46 (2) is responsible for administering the recovery
2-47 house in accordance with the accreditation standards and
2-48 requirements.

2-49 (d) An accredited recovery house required to designate a
2-50 responsible party under this section must notify the accrediting
2-51 organization that issued the recovery house's accreditation before
2-52 the 30th business day after the date of any change to the designated
2-53 responsible party.

2-54 Sec. 469.005. ANNUAL REPORT. The commission shall prepare
2-55 an annual report that includes information on:

2-56 (1) the total number of accredited recovery houses;
2-57 (2) the number of recovery houses accredited during
2-58 the preceding year;
2-59 (3) any issues concerning the accreditation or
2-60 reaccreditation process;
2-61 (4) the number of accredited recovery houses that had
2-62 an accreditation revoked during the preceding year; and
2-63 (5) the reasons for the revocation.

2-64 Sec. 469.006. SOLICITING. A recovery house responsible
2-65 party designated under Section 469.004 or a recovery house's
2-66 employee or agent may not offer to pay or agree to accept, directly
2-67 or indirectly, overtly or covertly, remuneration in cash or in kind
2-68 to or from another for securing or soliciting a patient or patronage
2-69 for or from a person licensed, certified, or registered by a state

3-1 health care regulatory agency.

3-2 Sec. 469.007. CERTAIN ADVERTISING PROHIBITED. (a) A
3-3 recovery house may not advertise or otherwise communicate that the
3-4 recovery house is accredited by an accrediting organization unless
3-5 the recovery house is accredited by an accrediting organization in
3-6 accordance with this chapter.

3-7 (b) A recovery house may not advertise or cause to be
3-8 advertised in any manner any false, misleading, or deceptive
3-9 information about the recovery house.

3-10 Sec. 469.008. ENFORCEMENT. If an accredited recovery house
3-11 violates this chapter, the accrediting organization that issued the
3-12 accreditation to the recovery house may suspend the accreditation
3-13 for a period not to exceed six months while the accrediting
3-14 organization conducts an audit of the recovery house. After the
3-15 audit is complete, the accrediting organization may implement a
3-16 corrective action plan or revoke the accreditation.

3-17 Sec. 469.009. FUNDING. A recovery house that is not
3-18 accredited by an accrediting organization in accordance with this
3-19 chapter is ineligible for and may not receive state money.

3-20 SECTION 2. (a) Except as otherwise provided by this
3-21 section, this Act takes effect September 1, 2023.

3-22 (b) Section 469.009, Health and Safety Code, as added by
3-23 this Act, takes effect September 1, 2025.

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