

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Public Health
For HB 248

Compiled on: Monday, March 13, 2023 8:09 PM

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Hearing Date: March 13, 2023 9:00 AM

Cynthia Humphrey
Assoc. of Substance Abuse Programs (ASAP)
KERRVILLE, TX

The Association of Substance Abuse Programs (ASAP) represents prevention, treatment, and recovery support service providers across the State. The Association is committed to the effective delivery of high-quality SUD services for all Texans and we believe HB 248 will help achieve that goal.

While the majority of treatment and recovery support service providers in Texas are responsible ethical operators who are committed to quality service provision, there are “bad actors” within the field who engage in fraudulent and harmful marketing practices. This has been very damaging to the industry and to those struggling with substance use disorders and their families.

One of these practices is known as patient brokering... when someone refers patients to a particular health care provider or facility in exchange for a benefit, bribe, bonus, rebate or kickback. Unfortunately, this isn’t a new practice. Texas dealt with it in the 1990’s by passing the Treatment Facilities Marketing Practices Act. After the law passed, the incidents of this fraudulent practice diminished.

However, with the increased demand for treatment services due to the opioid epidemic as well insurance reforms such as Mental Health Parity and Addiction Equity Act, there has been a reemergence of this practice and it has made its way into our state.

The Association believes patient brokering is an unethical and inappropriate practice in all its forms. It hurts our field, our programs and most importantly, our patients. HB 248 seeks to reinforce and fill gaps in the current law in several important ways:

- Establishes a Task Force to study and make recommendations on preventing fraudulent patient solicitation and to improve enforcement of current statutory provisions.
- Includes deceptive practices via the Internet
- Increases penalties and civil penalties for violations

We urge the committee to vote in favor of HB 248 in order to protect consumers and patients and keep unethical actors from exploiting the system in Texas.

Jason Howell

self; nonprofit administrator

Elgin, TX

Support the bill because Texans are being patient brokered within the state and out-of-state to exploit their savings and insurance. As other states have strengthened their laws, "bad players" are moving into Texas where they more easily get away with their corrupt business practices. Strengthening the current law will protect Texans and send a clear "don't tread on me" message to patient brokers.

Elizabeth Matt

self

Austin, TX

I support this bill

Elizabeth Matt

Self / Non-profit administrator

Austin, TX

I support this bill

Shane Reader, Dr.

Self

Corpus Christi, TX

I urge the Texas Legislature to pass HB 248. Too many patients receiving healthcare for substance use are misguided or coerced to enrich abusive treatment providers. This bill would help to stop bad actors from manipulating the treatment system at the cost of substance use patients.

Sydney Carter

Network of Behavioral Health Providers

Houston, TX

NBHP drops a card of support for this bill.

Teresa Wysocki
Oxford House Inc
Brownwood, TX

Dear Texas House Representative,

I am writing to express my opposition to the language in HB299 that designates a governing or administrating responsible party to the recovery home in Texas. As a concerned citizen, I believe this language undermines the principles of democracy and individual freedom given to members engaged in their recovery from a grassroots organization that has been around and thriving since 1975. Oxford House has 308 homes in Texas and nearly 4000 nationwide, with an evidence-based 87% success rate.

By designating a governing responsible party for each house, the government essentially gives itself the power to make decisions on behalf of its members without their input or consent. This goes against the very foundation of our democracy and principle of autonomy, which is built on the idea that the people have the right to govern themselves and make their own choices. It has been proven with empirical data to be successful in so many lives, including my own.

Furthermore, this language could lead to a situation where the government becomes overbearing and controlling, restricting the rights and freedoms of community members. This is not the foundation on which Oxford House was founded, and it has been stable and thriving from the beginning.

I urge you to reconsider the language in HB299 and remove the governing or responsible party designation. Instead, let us work towards a society that values individual freedom and democracy, where the people have a say in the decisions that affect their lives.

Oxford House is a concept in recovery from drug and alcohol addiction. In its simplest form, an Oxford House describes a democratically run, self-supporting, and drug-free home. Parallel to this concept lies the organizational structure of Oxford House, Inc.

This model has been structured for over 48 years and continues to be the one in which individuals participate in another recovery. I am a woman in long-term recovery since February 21, 2006. I owe a huge part of this due to the structure and voice that Oxford House helped me develop, from entering my first house in December 2006 from prison to working for this beautiful organization today. I owed that to the voice that the democratic process and per ran community that invested in me to succeed.

Please consider adjusting the language that could develop as bossism and diminish the many other men and women who could invest in their recovery by having found their voice enough to be a part of the solution.

Thank you for your consideration

Sincerely,

Teresa De Ette Wysocki

Bennie Ross
Oxford House
Dallas, TX

Please do not change the democratic process in Oxford Houses and their autonomy. We do not need house managers, as we function best by our voting process.

Richard Hart
self
Sherman, TX

i like the fact that we have equal rights and equal votes in the house our houses have been running great the way things already are