

HB 299: Voluntary Recovery Housing Accreditation

Overview: Protecting the choices and rights of vulnerable Texans

Texans deserve to have their freedom of choice and rights protected. Due to increased NIMBYism and blatant overregulation, legislation is needed that protects this vulnerable resource. Texas continues to see a rise in “bad players” given the current marketplace and as many states implement policies regarding accreditation. In Texas:

- Fraudulent business practices, patient brokering, kickbacks and misleading marketing cause unethical referrals, financial exploitation of Texans and the state and inadequate support.
- Lack of knowledge around scope of service, codes of ethics and best practices can result in negligence, relapse, injury or death of residents.
- Charges have been filed against recovery housing related to sexual harassment and exploitation.
- Individuals have a difficult time distinguishing recovery housing that use best practices from “bad players” and those just claiming to be recovery housing.
- Individuals do not know where to report concerns and fear repercussions (e.g. losing their housing, support, job or career).
- State agencies that received concerns regarding recovery housing have no mechanism for recording or addressing the complaints.
- Over-regulations is a growing problem in Texas, although State and local governments are restricted from over-regulating recovery housing (e.g. required licensure) due to the fair housing rights of residents.

Policy recommendations:

Texans deserve to have their freedom of choice and rights protected. Well operated recovery housing is a proven and cost-effective means of promoting recovery from substance use issues and fiscally sound practices. Due to increased NIMBYism and blatant overregulation, legislation is needed that protects this vulnerable resource. This solution is also recommended by the HHSC Housing Choice Report, the HB 707 Recovery Housing Study (87th legislature), the National Council on Mental Wellbeing and Model State Drug Laws. HB 299 promotes consumer choice and *cost effective* outcomes for individuals in recovery from substance use disorder using market based incentives and education to promote the use of ethical and best practices.

HB 299:

- **Defines clearly** what is required of recovery housing and credentialing organizations, including the application, accreditation, reaccreditation, and disciplinary procedures, as well as the necessary training and ethical standards.

- ***Strengthens informed choice and personal liberties*** by directing HHSC to adopt and utilize established, nationally recognized accrediting organizations to develop and administer voluntary accreditation or charter programs consistent with national best practices.
- ***Promotes freedom of choice*** by prohibiting recovery homes from engaging in patient brokering or kickbacks and from using false, misleading or deceptive marketing.
- ***Provides consumer protections*** for residents with a means of reporting concerns such as exploitation and insurance fraud.
- ***Protects consumers from discrimination*** by excluding other housing models or facilities such as boarding homes, residential treatment, nursing and continuing care facilities, assisted living, IDD group homes, etc.
- ***Provides oversight without over-regulation*** by requiring accredited recovery housing to be managed by responsible parties, ensuring a designated person is responsible for knowing and upholding laws, ethics and standards.
- ***Promotes fiscal responsibility*** and cost effective use of state dollars by requiring recovery housing to be accredited to receive state funds and referrals and by directing HHSC to prepare an annual report on the state of recovery housing, growth and gaps.

For more information, please contact Elizabeth Henry at elizabeth.henry@recoverypeople.org or visit us at www.recoverypeople.org/advocacy