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**HOUSE BILL 1528**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Davis, Harris, Irwin, Stonier, Rude, Jinkins, Sutherland, Thai, Entenman, Mead, Callan, Goodman, Frame, Kloba, Chapman, Tarleton, Senn, Eslick, Barkis, Peterson, Walen, Ryu, Bergquist, Paul, Stanford, Valdez, Pollet, Leavitt, and Macri

AN ACT Relating to recovery support services; reenacting and amending RCW 71.24.385; adding new sections to chapter 71.24 RCW; adding a new section to chapter 28B.77 RCW; adding a new chapter to Title 43 RCW; and providing expiration dates.

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

**PART 1**

**HOUSING**

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Approved referral entity" means an approved substance use disorder treatment program, as defined in RCW 71.24.025, a licensed or certified service provider, as defined in RCW 71.24.025, or another entity or credentialed health care provider that the department determines is qualified to determine that a person has a substance use disorder and is in need of a recovery residence to maintain the person's recovery from a substance use disorder.

(2) "Department" means the department of commerce.

(3) "Recovery residence" means a home-like environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer recovery support.

(4) "Registry" means the registry of approved recovery residences established in section 105 of this act.

(5) "Substance use disorder" has the same meaning as in RCW 71.24.025.

NEW SECTION. **Sec.**  (1) The department shall establish the recovery residence program to establish minimum standards for recovery residences that accept public funds, increase the number of quality recovery residences, and increase access to recovery residences for persons recovering from a substance use disorder.

(2) To establish the recovery residence program, in addition to any authority specified elsewhere in this chapter, the department is authorized to:

(a) Establish eligibility criteria for persons with a substance use disorder who qualify for rental vouchers under section 103 of this act;

(b) Establish criteria for determining which entities and health care providers qualify as approved referral entities;

(c) Establish and maintain the registry;

(d) Establish policies and procedures as necessary to distribute vouchers and funds to approved recovery residences that redeem vouchers;

(e) Establish policies and procedures for evaluating grant applications made under sections 106 and 107 of this act and the distribution of grant funds; and

(f) Adopt rules as necessary to implement the recovery residence program.

NEW SECTION. **Sec.**  (1) The department shall establish a program to issue rental vouchers to persons recovering from a substance use disorder to be used at a recovery residence that has been approved for inclusion in the registry.

(2) A person is eligible for rental vouchers under subsection (1) of this section if the person:

(a) Is a resident of Washington;

(b) Is at least eighteen years old;

(c) Has an annual income that is less than two hundred percent of the federal poverty level; and

(d) Has received a referral from an approved referral entity attesting that the person is receiving or has recently received inpatient or outpatient substance use disorder treatment and that the person needs a recovery residence to maintain the person's recovery from a substance use disorder.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, a person who has been determined by the department to be eligible for a rental voucher under section 103 of this act must receive a voucher that the eligible person may present to a recovery residence that has been approved for inclusion in the registry in exchange for services provided by the recovery residence. The recovery residence must submit the voucher to the department on a monthly basis to be reimbursed for the cost of one month of services provided to the eligible person. An eligible person may receive up to six vouchers. If an eligible person uses less than a full month of services, the recovery residence must notify the department and reimburse the department for any unused portion of the month.

(2) If a person applying for rental vouchers has previously been approved for vouchers under the recovery residence program and has not used the full six months of the vouchers, the person may only be eligible for the remaining unused portion of the vouchers.

(3) The department shall establish guidelines for the amount of reimbursement that a recovery residence may receive. Reimbursement may vary based on the level of services that a recovery residence offers. Reimbursement may be adjusted for recovery residences that accept persons with a substance use disorder who use a medication-assisted therapy to account for additional costs associated with supporting persons who choose to use that approach for their recovery from a substance use disorder.

NEW SECTION. **Sec.**  (1) The department shall maintain a registry of approved recovery residences.

(2) The department shall determine that a recovery residence is approved for inclusion in the registry if the recovery residence has been certified by an organization based in Washington that the department has determined meets the following standards in its certification process:

(a) Different levels of certification are established for recovery residences based on whether they are either peer-operated, monitored, supervised, or service provider-based;

(b) Peers are required to be involved in the governance of the recovery residence;

(c) Recovery support is integrated into the daily activities;

(d) The recovery residence must be maintained as a home-like environment that promotes healthy recovery;

(e) Resident activities are promoted within the recovery residence and in the community through work, education, community engagement, or other activities; and

(f) A survey process is included that includes a facility inspection, a program review, and a document review.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the department shall issue technical assistance grants to recovery residences actively seeking certification. Funds may be used for activities necessary to assist a person or entity that has demonstrated measurable progress toward certification with the certifying organization identified in section 105 of this act. The department must be flexible in the types of uses that may be approved for the grant. Approved uses of the grant include, but are not limited to, new manager training, assistance preparing facility operations documents and policies, and facility modifications necessary to achieve certification.

(2) This section expires July 1, 2025.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the department shall issue operation grants to new operators of a recovery residence that has been recently certified or is in the process of being certified by the certifying organization identified in section 105 of this act, or to existing operators of recovery residences that are opening a new facility that has been recently certified or is in the process of being certified by the certifying organization identified in section 105 of this act. Grants may only be awarded to the operator of a recovery residence that has been included in the registry. Grants may be used for operating costs including rent or mortgage payment, salaries for on-site staff, and minimal maintenance costs. Grants may not exceed seventy-five thousand dollars for any site.

(2) This section expires July 1, 2025.

NEW SECTION. **Sec.**  Nothing in this chapter requires that a recovery residence become certified by the certifying organization identified in section 105 of this act or be included in the registry, unless the recovery residence decides to participate in the recovery residence program activities established in this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 71.24 RCW to read as follows:

Beginning January 1, 2025, a licensed or certified service provider may not refer a patient who is in need of housing to support the patient's recovery from a substance use disorder to a recovery residence that is not registered with the department under chapter 43.--- RCW (the new chapter created in section 801 of this act).

**PART 2**

**EMPLOYMENT**

NEW SECTION. **Sec.**  A new section is added to chapter 71.24 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the authority shall establish a grant program for licensed or certified service providers that work with persons with a substance use disorder. The grants may be used to assist the service providers with the preliminary costs of establishing services for patients in need of supported employment, including training employment specialists and initial operating costs. In addition, the grants may be used to pay for incidental expenses to help a person entering the workforce, such as transportation needs, work-appropriate clothing, books, and supplies.

(2) By December 1, 2021, and in compliance with RCW 43.01.036, the authority shall report to the relevant committees of the legislature on the results of the grant program, including the number of licensed or certified service providers receiving grants, the number of clients served by the program, the types of incidental expenses covered by the program, and recommendations for improving the program.

(3) This section expires July 1, 2022.

**PART 3**

**RECOVERY COACHING SERVICES**

NEW SECTION. **Sec.**  A new section is added to chapter 71.24 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, beginning January 1, 2020, the authority shall establish a pilot project to provide recovery coaching services to persons with a substance use disorder. The selected counties shall establish a coordinating entity to manage a team of peers who have been trained to assist persons with a substance use disorder with client goals and identifying necessary recovery resources. The coordinating entity shall coordinate with emergency departments, inpatient substance use disorder treatment programs, and youth substance use disorder treatment service providers to have those organizations notify the coordinating entity when a person in their care is being discharged and could benefit from engagement with a substance use disorder peer. The coordinating entity must send a peer to meet the person prior to discharge. Recovery coaching services must continue for each person for up to six months.

(2) By December 1, 2021, and in compliance with RCW 43.01.036, the authority shall report to the relevant committees of the legislature on the results of the pilot program, including the number of persons who received recovery coaching services, outcomes for the persons receiving services, costs and savings associated with the use of the services, and recommendations for improving the program and expanding it statewide.

(3) This section expires July 1, 2022.

**PART 4**

**TECHNOLOGICAL SUPPORTS**

**Sec.**  RCW 71.24.385 and 2018 c 201 s 4023 and 2018 c 175 s 6 are each reenacted and amended to read as follows:

(1) Within funds appropriated by the legislature for this purpose, behavioral health organizations shall develop the means to serve the needs of people:

(a) With mental disorders residing within the boundaries of their regional service area. Elements of the program may include:

(i) Crisis diversion services;

(ii) Evaluation and treatment and community hospital beds;

(iii) Residential treatment;

(iv) Programs for intensive community treatment;

(v) Outpatient services, including family support;

(vi) Peer support services;

(vii) Community support services;

(viii) Resource management services; and

(ix) Supported housing and supported employment services.

(b) With substance use disorders and their families, people incapacitated by alcohol or other psychoactive chemicals, and intoxicated people.

(i) Elements of the program shall include, but not necessarily be limited to, a continuum of substance use disorder treatment services that includes:

(A) Withdrawal management;

(B) Residential treatment; and

(C) Outpatient treatment.

(ii) The program may include peer support, supported housing, supported employment, crisis diversion, ((~~or~~)) recovery support services, or technology-based recovery supports.

(iii) The authority may contract for the use of an approved substance use disorder treatment program or other individual or organization if the director considers this to be an effective and economical course to follow.

(2)(a) The behavioral health organization shall have the flexibility, within the funds appropriated by the legislature for this purpose and the terms of their contract, to design the mix of services that will be most effective within their service area of meeting the needs of people with behavioral health disorders and avoiding placement of such individuals at the state mental hospital. Behavioral health organizations are encouraged to maximize the use of evidence-based practices and alternative resources with the goal of substantially reducing and potentially eliminating the use of institutions for mental diseases.

(b) The behavioral health organization may allow reimbursement to providers for services delivered through a partial hospitalization or intensive outpatient program. Such payment and services are distinct from the state's delivery of wraparound with intensive services under the *T.R. v. Strange and McDermott*, formerly the *T.R. v. Dreyfus and Porter*, settlement agreement.

(3)(a) Treatment provided under this chapter must be purchased primarily through managed care contracts.

(b) Consistent with RCW 71.24.580, services and funding provided through the criminal justice treatment account are intended to be exempted from managed care contracting.

NEW SECTION. **Sec.**  A new section is added to chapter 71.24 RCW to read as follows:

(1) Beginning January 1, 2020, the authority shall establish a pilot project to determine the most effective use of technology-based recovery supports, including electronic applications, for clients in recovery from a substance use disorder. The pilot project must identify technologies that are available to assist persons in recovery from a substance use disorder, including maintaining their recovery, anticipating a potential relapse, and connecting them with necessary resources in a timely manner. The pilot project must take place in one predominantly urban regional service area and in one predominantly rural regional service area.

(2) By December 1, 2021, and in compliance with RCW 43.01.036, the authority shall report to the relevant committees of the legislature on the results of the pilot project, including the types of technology-based recovery supports that were studied, the criteria for determining which clients should receive them, the number of clients receiving the supports, client experience using the supports, client outcomes related to the supports, costs and savings associated with the use of the supports, and recommendations for improving and expanding the effective use of technology-based recovery supports.

(3) This section expires July 1, 2022.

**PART 5**

**FAMILY EDUCATION**

NEW SECTION. **Sec.**  A new section is added to chapter 71.24 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the authority shall contract with organizations to provide free educational programs for the family members of persons with substance use disorders. Within parameters established by the authority, the educational programs shall teach family members about the clinical treatment of substance use disorders and the knowledge, skills, and problem-solving strategies that are needed for family members to cope as a family unit. The topics must include information about substance use disorders, current treatment options, effects of a substance use disorder on family members, crisis management, suicide prevention, self-care for family members, stress management, methods for providing support, and the identification of local supports and services. The educational programs must be evidence-based for topics in which evidence exists. In addition to the classes, impacted family members must be afforded the opportunity to meet with parent peers for individualized family coaching and support.

(2) By December 1, 2020, and in compliance with RCW 43.01.036, the authority shall report to the relevant committees of the legislature on the results of the contracts, including a list of the contracted organizations, the number of times the educational programs were offered by each organization, the number of people who started and completed the educational programs, and any recommendations for improving the program content and awareness of the program.

**PART 6**

**COMMUNITY SUPPORTS**

NEW SECTION. **Sec.**  A new section is added to chapter 71.24 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the authority shall provide grants to organizations to establish nonclinical, nonresidential, community-based programs in which persons with a substance use disorder may seek recovery-focused support through access to peer contact and interaction, as well as participation in structured activities related to social skills, employment training, self-care, and stress management. The grants must primarily be used to support general operating costs of community-based programs. In addition, the grants may be used for organizational costs associated with establishing a community-based program, including establishing a service model for a specific community, establishing community support, acquiring equipment, and developing outreach and awareness among persons in the community with a substance use disorder.

(2) By December 1, 2020, and in compliance with RCW 43.01.036, the authority shall report to the relevant committees of the legislature on the results of the grant program, including a list of the organizations receiving grants, the number of grant-supported, community-based programs that have begun or are under development, the communities in which the grant-supported, community-based programs have begun or are under development, the types of organizational costs that were supported by the grants, and any recommendations for ways to support future community-based programs and ongoing operations.

**PART 7**

**COLLEGE RECOVERY PROGRAMS**

NEW SECTION. **Sec.**  A new section is added to chapter 28B.77 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the student achievement council shall establish a grant program to support the establishment of collegiate recovery services to support students in higher education institutions to maintain their recovery from a substance use disorder while attending school. Grants may be used to support organizational efforts, meeting spaces, student awareness, recovery-oriented activities, identifying sources of ongoing support, and similar activities and resources. The council must require grant recipients to report on the uses of the funds and the sustainability plan for the particular program.

**PART 8**

**MISCELLANEOUS**

NEW SECTION. **Sec.**  Sections 101 through 108 of this act constitute a new chapter in Title 43 RCW.

**--- END ---**