



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 632
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Baldrige

Meredith Bray, Attorney

SUMMARY

- Requires recovery housing to be certified in order for the provider to be eligible to receive public funds or referrals.
- Creates a statewide registry of certified recovery housing providers.
- Requires the Ohio Department of Mental Health and Addiction Services to establish a list of rights, a grievance and complaint system, and a committee to address grievances and complaints for residents in recovery housing.
- Establishes, for three years, a certification requirement for recovery housing in Adams, Scioto, and Lawrence counties, regardless of whether the provider is seeking public funds or referrals.
- Requires health care professionals who provide addiction services, including medication-assisted treatment, to have their services certified during the same three-year period in Adams, Scioto, and Lawrence counties.

DETAILED ANALYSIS

Recovery housing

Recovery housing is recognized under current law as a service that provides an alcohol and drug-free living environment, peer support, assistance with obtaining alcohol and drug addiction services, and other alcoholism and drug addiction recovery assistance.¹ Recovery housing is one of the services that each board of alcohol, drug addiction, and mental health services (ADAMHS board) must include within its community-based continuum of care,

¹ R.C. 340.01, not in the bill; R.C. 5119.01(A)(18).

specifically as part of its array of addiction services and recovery supports for all levels of opioid and co-occurring drug addiction.²

Certification to receive public funds or referrals

Although current law does not require recovery housing to be certified as a recovery support,³ the bill creates two situations that do require certification. The first requires certification in order for the recovery housing provider to be eligible to receive public funds or referrals.⁴ The second situation requires certification in three specified counties as part of a three-year program that the bill establishes for certification of both recovery housing and other addiction services (see **“Three-year period for certification of services in three counties,”** below).⁵

For the situation involving eligibility for public funds or referrals, the Ohio Department of Mental Health and Addiction Services (OhioMHAS) must establish a certification system, which the bill describes as voluntary. OhioMHAS may approve, contract with, or officially designate an outside certifying organization to perform functions of the Department and may delegate tasks to that organization in regard to the certification process.⁶

Unless a provider of recovery housing is certified, the bill restricts the provider from being eligible to receive any of the following: state funds, federal funds, or funds administered by an ADAMHS board. The required certification may be issued by one or more of the following organizations: (a) OhioMHAS, (b) the National Alliance for Recovery Residences, (c) Oxford House, Inc., or (d) the Commission on Accreditation of Rehabilitation Facilities.⁷

The bill also restricts a recovery housing provider from being eligible to receive referrals from community addiction service providers or community mental health service providers unless certified as described above.⁸

Registry of certified providers

The bill requires OhioMHAS to create a statewide registry of certified recovery housing providers. Each provider must be certified by OhioMHAS or provide proof of certification from one of the other organizations mentioned above. OhioMHAS may require recovery housing providers to meet additional requirements, including requirements related to resident use of, or referral for, medication-assisted treatment, as a condition to be included on the statewide

² R.C. 340.032 and 340.033, neither in the bill.

³ R.C. 5119.36, not in the bill.

⁴ R.C. 340.034(B).

⁵ Section 3.

⁶ R.C. 5119.39(A).

⁷ R.C. 5119.39(B)(1).

⁸ R.C. 5119.39(B)(2).

registry. Any additional requirements are to be established by rule adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119).⁹

Residents rights; complaint procedures

The bill requires OhioMHAS to establish a list of rights of residents of recovery housing. OhioMHAS also must establish a system for residents to file grievances and complaints, and a committee to review grievances and complaints. To implement these requirements, OhioMHAS is permitted to adopt rules in accordance with the Administrative Procedure Act.¹⁰

Three-year period for certification of services in three counties

The bill establishes certification requirements for both recovery housing and addiction services provided in three counties: Adams, Scioto, and Lawrence. These requirements begin six months after the bill's effective date and continue for three years. OhioMHAS is permitted to adopt rules to implement the three-year certification process. The rules must be adopted in accordance with the Administrative Procedure Act.¹¹

Recovery housing

During the three-year period, the bill prohibits any person or government entity from providing recovery housing in Adams, Scioto, and Lawrence counties unless it is certified by OhioMHAS or one or more of the organizations mentioned previously in regard to certification for receipt of public funds or referrals.¹² Unlike the certification process described above, the bill's three-year, three-county certification process applies to all recovery housing providers; that is, the requirement is not limited to those seeking public funds or referrals.

In addition to the requirement to be certified, OhioMHAS must determine that the recovery housing meets the requirements of current law that apply in order to be included in an ADAMHS board's community-based continuum of care. For example, the recovery housing generally cannot be owned and operated by an ADAMHS board, and the recovery housing must have protocols for administrative oversight, quality standards, and policies and procedures such as house rules for its residents.¹³

Addiction services

Currently, certification is mandatory for specific types of addiction services, including (a) withdrawal management provided in a setting other than an acute care hospital, (b) services provided in a residential treatment setting, and (c) services provided on an outpatient basis.¹⁴

⁹ R.C. 5119.391.

¹⁰ R.C. 5119.392.

¹¹ Section 3.

¹² Section 3(B)(1).

¹³ R.C. 304.034.

¹⁴ R.C. 5119.35, not in the bill.

There are two exceptions to mandatory certification. One exception applies to health care professionals who are authorized to perform the services as part of their scope of practice. The second exception applies to individuals who provide the services as part of an employment or contractual relationship with a hospital outpatient clinic accredited by an OhioMHAS-approved accrediting body.

The bill bypasses the certification exception that applies to health care professionals, but only during the three-year period it establishes for services provided in Adams, Scioto, and Lawrence counties. As a result, health care professionals practicing in these counties must have their addiction services certified for three years. The bill expressly provides that the certification requirement applies to medication-assisted treatment, which involves the use of drugs that are federally approved to treat addiction.¹⁵

HISTORY

Action	Date
Introduced	04-21-22

ANHB0632IN-134/ts

¹⁵ Section 3(B)(2).