
HOUSE BILL 1528

State of Washington

66th Legislature

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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

Read first time 01/23/19. Referred to Committee on Health Care & Wellness.

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

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

6 **PART 1**
7 **HOUSING**

8 NEW SECTION. **Sec. 101.** The definitions in this section apply
9 throughout this chapter unless the context clearly requires
10 otherwise.

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

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

19 (3) "Recovery residence" means a home-like environment that
20 promotes healthy recovery from a substance use disorder and supports

1 persons recovering from a substance use disorder through the use of
2 peer recovery support.

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

5 (5) "Substance use disorder" has the same meaning as in RCW
6 71.24.025.

7 NEW SECTION. **Sec. 102.** (1) The department shall establish the
8 recovery residence program to establish minimum standards for
9 recovery residences that accept public funds, increase the number of
10 quality recovery residences, and increase access to recovery
11 residences for persons recovering from a substance use disorder.

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

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

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

20 (c) Establish and maintain the registry;

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

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

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

29 NEW SECTION. **Sec. 103.** (1) The department shall establish a
30 program to issue rental vouchers to persons recovering from a
31 substance use disorder to be used at a recovery residence that has
32 been approved for inclusion in the registry.

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

35 (a) Is a resident of Washington;

36 (b) Is at least eighteen years old;

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

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

6 NEW SECTION. **Sec. 104.** (1) Subject to the availability of
7 amounts appropriated for this specific purpose, a person who has been
8 determined by the department to be eligible for a rental voucher
9 under section 103 of this act must receive a voucher that the
10 eligible person may present to a recovery residence that has been
11 approved for inclusion in the registry in exchange for services
12 provided by the recovery residence. The recovery residence must
13 submit the voucher to the department on a monthly basis to be
14 reimbursed for the cost of one month of services provided to the
15 eligible person. An eligible person may receive up to six vouchers.
16 If an eligible person uses less than a full month of services, the
17 recovery residence must notify the department and reimburse the
18 department for any unused portion of the month.

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

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

31 NEW SECTION. **Sec. 105.** (1) The department shall maintain a
32 registry of approved recovery residences.

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

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

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

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

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

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

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

14 NEW SECTION. **Sec. 106.** (1) Subject to the availability of
15 amounts appropriated for this specific purpose, the department shall
16 issue technical assistance grants to recovery residences actively
17 seeking certification. Funds may be used for activities necessary to
18 assist a person or entity that has demonstrated measurable progress
19 toward certification with the certifying organization identified in
20 section 105 of this act. The department must be flexible in the types
21 of uses that may be approved for the grant. Approved uses of the
22 grant include, but are not limited to, new manager training,
23 assistance preparing facility operations documents and policies, and
24 facility modifications necessary to achieve certification.

25 (2) This section expires July 1, 2025.

26 NEW SECTION. **Sec. 107.** (1) Subject to the availability of
27 amounts appropriated for this specific purpose, the department shall
28 issue operation grants to new operators of a recovery residence that
29 has been recently certified or is in the process of being certified
30 by the certifying organization identified in section 105 of this act,
31 or to existing operators of recovery residences that are opening a
32 new facility that has been recently certified or is in the process of
33 being certified by the certifying organization identified in section
34 105 of this act. Grants may only be awarded to the operator of a
35 recovery residence that has been included in the registry. Grants may
36 be used for operating costs including rent or mortgage payment,
37 salaries for on-site staff, and minimal maintenance costs. Grants may
38 not exceed seventy-five thousand dollars for any site.

1 (2) This section expires July 1, 2025.

2 NEW SECTION. **Sec. 108.** Nothing in this chapter requires that a
3 recovery residence become certified by the certifying organization
4 identified in section 105 of this act or be included in the registry,
5 unless the recovery residence decides to participate in the recovery
6 residence program activities established in this chapter.

7 NEW SECTION. **Sec. 109.** A new section is added to chapter 71.24
8 RCW to read as follows:

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

14 **PART 2**
15 **EMPLOYMENT**

16 NEW SECTION. **Sec. 201.** A new section is added to chapter 71.24
17 RCW to read as follows:

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

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

35 (3) This section expires July 1, 2022.

1 **PART 3**

2 **RECOVERY COACHING SERVICES**

3 NEW SECTION. **Sec. 301.** A new section is added to chapter 71.24
4 RCW to read as follows:

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

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

27 (3) This section expires July 1, 2022.

28 **PART 4**

29 **TECHNOLOGICAL SUPPORTS**

30 **Sec. 401.** RCW 71.24.385 and 2018 c 201 s 4023 and 2018 c 175 s 6
31 are each reenacted and amended to read as follows:

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

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

37 (i) Crisis diversion services;

- 1 (ii) Evaluation and treatment and community hospital beds;
- 2 (iii) Residential treatment;
- 3 (iv) Programs for intensive community treatment;
- 4 (v) Outpatient services, including family support;
- 5 (vi) Peer support services;
- 6 (vii) Community support services;
- 7 (viii) Resource management services; and
- 8 (ix) Supported housing and supported employment services.

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

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

- 15 (A) Withdrawal management;
- 16 (B) Residential treatment; and
- 17 (C) Outpatient treatment.

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

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

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

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

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

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

6 NEW SECTION. **Sec. 402.** A new section is added to chapter 71.24
7 RCW to read as follows:

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

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

27 (3) This section expires July 1, 2022.

28 **PART 5**

29 **FAMILY EDUCATION**

30 NEW SECTION. **Sec. 501.** A new section is added to chapter 71.24
31 RCW to read as follows:

32 (1) Subject to the availability of amounts appropriated for this
33 specific purpose, the authority shall contract with organizations to
34 provide free educational programs for the family members of persons
35 with substance use disorders. Within parameters established by the
36 authority, the educational programs shall teach family members about
37 the clinical treatment of substance use disorders and the knowledge,

1 skills, and problem-solving strategies that are needed for family
2 members to cope as a family unit. The topics must include information
3 about substance use disorders, current treatment options, effects of
4 a substance use disorder on family members, crisis management,
5 suicide prevention, self-care for family members, stress management,
6 methods for providing support, and the identification of local
7 supports and services. The educational programs must be evidence-
8 based for topics in which evidence exists. In addition to the
9 classes, impacted family members must be afforded the opportunity to
10 meet with parent peers for individualized family coaching and
11 support.

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

20 PART 6

21 COMMUNITY SUPPORTS

22 NEW SECTION. **Sec. 601.** A new section is added to chapter 71.24
23 RCW to read as follows:

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

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

11 **PART 7**

12 **COLLEGE RECOVERY PROGRAMS**

13 NEW SECTION. **Sec. 701.** A new section is added to chapter 28B.77
14 RCW to read as follows:

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

25 **PART 8**

26 **MISCELLANEOUS**

27 NEW SECTION. **Sec. 801.** Sections 101 through 108 of this act
28 constitute a new chapter in Title 43 RCW.

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