

# HOUSE BILL No. 1240

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2; IC 12-23-25.

**Synopsis:** Registration of recovery residences. Requires the operator of a recovery residence to register with the division of mental health and addiction (division). Sets forth the requirements for registration. Requires the division to: (1) establish a registration fee and a renewal fee; and (2) post a list of registered recovery residences on its website and include certain information concerning each recovery residence. Requires the division to adopt rules concerning: (1) the investigation of certain complaints; (2) the issuance, revocation, and denial of a registration; and (3) any rules necessary to implement these provisions. Allows the division to contract with a nonprofit organization that specializes in recovery residences to administer the registration of recovery residences.

**Effective:** July 1, 2023.

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January 10, 2023, read first time and referred to Committee on Public Health.

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First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

# HOUSE BILL No. 1240

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-7-2-78.6 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2023]: **Sec. 78.6. "Ethical standards", for purposes of**  
4 **IC 12-23-25, has the meaning set forth in IC 12-23-25-1.**

5 SECTION 2. IC 12-7-2-135.4 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 135.4. **(a)** "Operator",  
7 for purposes of IC 12-10-15, has the meaning set forth in  
8 IC 12-10-15-4.

9 **(b) "Operator", for purposes of IC 12-23-25, has the meaning**  
10 **set forth in IC 12-23-25-2.**

11 SECTION 3. IC 12-7-2-158.3 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2023]: **Sec. 158.3. "Recovery residence**  
14 **services", for purposes of IC 12-23-25, has the meaning set forth in**  
15 **IC 12-23-25-3.**

16 SECTION 4. IC 12-23-25 IS ADDED TO THE INDIANA CODE  
17 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2023]:

2 **Chapter 25. Registration of Recovery Residences**

3 **Sec. 1. As used in this chapter, "ethical standards" means the**  
4 **ethical standards for recovery residences determined by any of the**  
5 **following:**

- 6 (1) **The National Alliance for Recovery Residences (NARR).**  
7 (2) **The Indiana Alliance for Recovery Residences.**  
8 (3) **A similar organization, as determined by the division.**

9 **Sec. 2. As used in this chapter, "operator" means a person that**  
10 **operates a recovery residence.**

11 **Sec. 3. As used in this chapter, "recovery residence services"**  
12 **means residential care and supported housing for individuals with**  
13 **chronic addiction provided in a recovery residence.**

14 **Sec. 4. An operator shall register with the division for the**  
15 **purpose of ensuring adherence to ethical standards.**

16 **Sec. 5. (a) An operator applying for registration under this**  
17 **chapter shall provide to the division the following:**

- 18 (1) **Information concerning the operator's:**  
19 (A) **qualifications;**  
20 (B) **work experience; and**  
21 (C) **credentials for providing recovery residence services**  
22 **or operating a recovery residence.**

23 **The operator must certify that the information provided**  
24 **under this subdivision is correct.**

- 25 (2) **Three (3) letters of reference.**  
26 (3) **A registration fee as set by the division.**  
27 (4) **Proof that the operator is at least eighteen (18) years of**  
28 **age.**  
29 (5) **A statement that the operator will adhere to the ethical**  
30 **standards.**  
31 (6) **Any other information required by the division.**

32 (b) **A registration is valid for two (2) years. The operator may**  
33 **renew the recovery residence's registration by updating any**  
34 **information in the file that has changed and by paying the fee**  
35 **required under subsection (a)(3).**

36 **Sec. 6. The division shall do the following:**

- 37 (1) **Establish the amount of the registration fee and renewal**  
38 **fee under this chapter.**  
39 (2) **Post a list of recovery residences registered under this**  
40 **chapter to the division's website, including the following**  
41 **information for each recovery residence:**

- 42 (A) **Name.**



- 1                   **(B) Address.**
- 2                   **(C) Contact information.**
- 3                   **(D) Registration status.**
- 4                   **(E) Any violations of the ethical standards.**
- 5                   **(F) Any other information required by the division.**
- 6                   **Sec. 7. An operator may not use the word "recovery residence"**
- 7                   **in a title or description of a facility, organization, or program that**
- 8                   **provides recovery residence services unless the recovery residence**
- 9                   **is registered under this chapter.**
- 10                  **Sec. 8. The division shall adopt rules under IC 4-22-2**
- 11                  **concerning the following:**
- 12                   **(1) The receipt, review, and investigation of complaints**
- 13                   **concerning alleged violations of this chapter and alleged**
- 14                   **violations of the ethical standards.**
- 15                   **(2) The issuance, revocation, and denial of a registration.**
- 16                   **(3) Any other rules necessary to implement this chapter.**
- 17                  **Sec. 9. An administrative proceeding under this chapter is**
- 18                  **governed by IC 4-21.5.**
- 19                  **Sec. 10. The division may contract with a nonprofit organization**
- 20                  **that specializes in recovery residences to administer the**
- 21                  **registration of recovery residences under this chapter, including**
- 22                  **maintaining the list described in section 6 of this chapter.**
- 23                  **Sec. 11. This chapter does not affect the standards for the**
- 24                  **certification of recovery residences established under**
- 25                  **IC 12-21-2-3(14).**

