

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 3806

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DATE
03/07/2022

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OFFICIAL STATUS
Introduction and first reading
Referred to Human Services Reform Finance and Policy

1.1 A bill for an act
1.2 relating to human services; modifying eligibility for recovery community
1.3 organizations; creating a Minnesota Board of Recovery Services; amending
1.4 Minnesota Statutes 2020, section 254B.05, subdivision 1; proposing coding for
1.5 new law in Minnesota Statutes, chapter 254B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 254B.05, subdivision 1, is amended to read:

1.8 Subdivision 1. **Licensure required.** (a) Programs licensed by the commissioner are
1.9 eligible vendors. Hospitals may apply for and receive licenses to be eligible vendors,
1.10 notwithstanding the provisions of section 245A.03. American Indian programs that provide
1.11 substance use disorder treatment, extended care, transitional residence, or outpatient treatment
1.12 services, and are licensed by tribal government are eligible vendors.

1.13 (b) A licensed professional in private practice as defined in section 245G.01, subdivision
1.14 17, who meets the requirements of section 245G.11, subdivisions 1 and 4, is an eligible
1.15 vendor of a comprehensive assessment and assessment summary provided according to
1.16 section 245G.05, and treatment services provided according to sections 245G.06 and
1.17 245G.07, subdivision 1, paragraphs (a), clauses (1) to (5), and (b); and subdivision 2, clauses
1.18 (1) to (6).

1.19 (c) A county is an eligible vendor for a comprehensive assessment and assessment
1.20 summary when provided by an individual who meets the staffing credentials of section
1.21 245G.11, subdivisions 1 and 5, and completed according to the requirements of section
1.22 245G.05. A county is an eligible vendor of care coordination services when provided by an
1.23 individual who meets the staffing credentials of section 245G.11, subdivisions 1 and 7, and

2.1 provided according to the requirements of section 245G.07, subdivision 1, paragraph (a),
2.2 clause (5).

2.3 (d) A recovery community organization ~~that meets certification requirements identified~~
2.4 ~~by the commissioner is~~ must be credentialed by the Minnesota Board of Recovery Services
2.5 under 254B.17 to 254B.21 to be an eligible vendor of peer support services.

2.6 (e) Detoxification programs licensed under Minnesota Rules, parts 9530.6510 to
2.7 9530.6590, are not eligible vendors. Programs that are not licensed as a residential or
2.8 nonresidential substance use disorder treatment or withdrawal management program by the
2.9 commissioner or by tribal government or do not meet the requirements of subdivisions 1a
2.10 and 1b are not eligible vendors.

2.11 Sec. 2. **[254B.17] DEFINITIONS.**

2.12 Subdivision 1. **Applicability.** For the purposes of sections 254B.17 to 254B.21, the
2.13 following terms have the meanings given.

2.14 Subd. 2. **Board.** "Board" means the Board of Recovery Services established by section
2.15 148B.731.

2.16 Subd. 3. **Credential or credentialing.** "Credential" or "credentialing" means the
2.17 standardized process of formally reviewing and designating a recovery organization as
2.18 qualified to employ peer recovery specialists based on criteria established by the board.

2.19 Subd. 4. **Minnesota Certification Board.** "Minnesota Certification Board" means the
2.20 nonprofit agency member board of the International Certification and Reciprocity Consortium
2.21 that sets the policies and procedures for alcohol and other drug professional certifications
2.22 in Minnesota, including peer recovery specialists.

2.23 Subd. 5. **Recovery organization.** "Recovery organization" means an organization that
2.24 offers peer recovery services or employs peer recovery specialists, including but not limited
2.25 to:

2.26 (1) recovery community organizations;

2.27 (2) recovery community centers;

2.28 (3) recovery support organizations;

2.29 (4) collegiate recovery programs;

2.30 (5) recovery high schools;

2.31 (6) digital recovery platforms;

- 3.1 (7) recovery residence programs;
3.2 (8) recovery court programs;
3.3 (9) substance use disorder treatment programs;
3.4 (10) certified community behavioral health clinics; and
3.5 (11) hospitals and emergency departments.

3.6 **Subd. 6. Peer recovery specialist.** "Peer recovery specialist" has the meaning given to
3.7 "recovery peer" in section 245F.02, subdivision 21. A peer recovery specialist must meet
3.8 the qualifications of a recovery peer in section 245G.11, subdivision 8.

3.9 **Subd. 7. Peer recovery services.** "Peer recovery services" has the meaning given to
3.10 "peer recovery support services" in section 245F.02, subdivision 17.

3.11 **Sec. 3. [254B.18] MINNESOTA BOARD OF RECOVERY SERVICES.**

3.12 **Subdivision 1. Creation.** (a) The Minnesota Board of Recovery Services is established
3.13 and consists of 13 members appointed by the governor as follows:

3.14 (1) six of the members must be certified peer specialists currently certified under the
3.15 Minnesota Certification Board;

3.16 (2) two of the members must be professional counselors licensed or eligible for licensure
3.17 under sections 148B.50 to 148B.593;

3.18 (3) two of the members must be alcohol and drug counselors licensed under chapter
3.19 148F; and

3.20 (4) three of the members must be public members as defined in section 214.02.

3.21 (b) At the time of their appointments, at least three members must reside outside of the
3.22 seven-county metropolitan area.

3.23 (c) At the time of their appointments, at least three members must be members of:

3.24 (1) a community of color; or

3.25 (2) an underrepresented community, defined as a group that is not represented in the
3.26 majority with respect to race, ethnicity, national origin, sexual orientation, gender identity,
3.27 or physical ability.

3.28 **Subd. 2. Officers.** The board must annually elect a chair and vice-chair from among its
3.29 members and may elect other officers as necessary. The board must meet at least twice a
3.30 year but may meet more frequently at the call of the chair.

4.1 Subd. 3. **Membership terms; compensation.** Membership terms, compensation of
4.2 members, removal of members, the filling of membership vacancies, and fiscal year and
4.3 reporting requirements are as provided in section 15.058. The board does not expire.

4.4 **Sec. 4. [254B.19] DUTIES OF THE BOARD.**

4.5 The Minnesota Board of Recovery Services shall:

4.6 (1) develop and define by rule criteria for credentialing recovery organizations;

4.7 (2) determine the renewal cycle and renewal period for credentialed recovery
4.8 organizations;

4.9 (3) receive, review, approve, or disapprove initial applications, renewals, and
4.10 reinstatement requests for credentialing from recovery organizations;

4.11 (4) establish administrative procedures for processing applications submitted under
4.12 clause (3) and hire or appoint such agents as are appropriate for processing applications;

4.13 (5) retain records of its actions and proceedings in accordance with public records laws;

4.14 (6) establish, maintain, and publish annually a register of current credentialed recovery
4.15 organizations; and

4.16 (7) adopt any rules necessary to implement sections 254B.17 to 254B.21.

4.17 **Sec. 5. [254B.20] REQUIREMENTS FOR CREDENTIALING.**

4.18 Subdivision 1. **Application requirements.** An application submitted to the board for
4.19 credentialing must include:

4.20 (1) evidence that the applicant is a nonprofit organization based in Minnesota;

4.21 (2) evidence that the applicant is a recovery organization as defined in section 254B.17,
4.22 subdivision 5;

4.23 (3) evidence that the applicant has board members in recovery from substance use
4.24 disorders;

4.25 (4) a description of the applicant's activities and services that support recovery from
4.26 substance use disorders; and

4.27 (5) any other requirements as specified by the board.

4.28 Subd. 2. **Fee.** Each applicant must pay a nonrefundable application fee as established
4.29 by the board. Section 16A.1283 does not apply to fees established under this section. The

5.1 revenue generated from the fee must be deposited in an account in the state government
5.2 special revenue fund.

5.3 Sec. 6. **[254B.21] APPEAL AND HEARING.**

5.4 A recovery organization aggrieved by the board's failure to issue, renew, or reinstate
5.5 credentialing under sections 254B.17 to 254B.21 may appeal by requesting a hearing under
5.6 the procedures of chapter 14.