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**HOUSE BILL NO. 2045**

Offered January 9, 2019

Prefiled January 7, 2019

A *BILL to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 37.2 a section numbered 37.2-431.1, relating to Department of Behavioral Health and Developmental Services; certification of recovery residences.*

Patrons—Hurst, Bell, John J., Aird and Kory

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 4 of Chapter 4 of Title 37.2 a section numbered 37.2-431.1 as follows:**

**§ 37.2-431.1. Certified recovery residences.**

A. As used in this section:

"Certificate of compliance" means a certificate that is issued to a recovery residence by a credentialing entity.

"Certified recovery residence" means a recovery residence that has been certified by the Department.

"Credentialing entity" means a nonprofit organization that develops and administers professional certification programs according to nationally recognized recovery housing standards.

"Recovery residence" means a housing facility that provides alcohol-free and illicit-drug-free housing to individuals with substance abuse disorders and individuals with co-occurring mental illnesses and substance abuse disorders that does not include clinical treatment services.

B. No person shall advertise, represent, or otherwise imply to the public that a recovery residence or other housing facility is a certified recovery residence unless it is certified by the Department.

C. A recovery residence seeking certification shall submit to the Department a completed application and verification of a certification of compliance issued by a Department-approved credentialing entity.

D. The Department shall approve one or more credentialing entities to administer certificates of compliance to recovery residences. The Department shall maintain a list of approved credentialing agencies on its website. The Department and any Department-approved credentialing entity shall maintain a list of certified recovery residences on its respective website.

E. Any person in violation of the provisions of subsection B may be assessed a civil penalty not to exceed \$1,000 for each offense by the Department. In determining the amount of any such civil penalty, the Department shall consider the nature, number, and seriousness of the violations; the ability of the certified recovery residence to pay the penalty; and any other factors the Department determines are relevant. Civil penalties assessed under this section shall be paid into the Behavioral Health and Developmental Services Trust Fund established in § 37.2-318.

INTRODUCED

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