

## AMENDMENTS TO HOUSE BILL NO. 119

Sponsor: REPRESENTATIVE KAUFER

Printer's No. 245

1 Amend Bill, page 1, by inserting between lines 26 and 27

2 The General Assembly finds and declares as follows:

3 (1) Individuals with alcohol and drug addictions may be  
4 in need of a supportive, sober housing arrangement after  
5 completing inpatient treatment for addiction.

6 (2) Stable housing has been recognized as a verifiable  
7 need for individuals in recovery, especially early recovery,  
8 but is often difficult to obtain.

9 (3) The goal is to find a place that is safe,  
10 appropriately maintained and beneficial to the individual's  
11 recovery process.

12 (4) Sober living recovery houses can be extremely  
13 helpful in stabilizing early recovery as an individual who  
14 has an addiction continues treatment and begins to search for  
15 employment.

16 (5) The Congress of the United States added protections  
17 for individuals with disabilities to the Fair Housing Act  
18 (Public Law 90-284, 42 U.S.C. § 3601 et seq.).

19 (6) These Federal statutes prohibit a broad range of  
20 practices that discriminate against individuals on the basis  
21 of race, color, religion, sex, national origin, familial  
22 status, handicap or disability or having a substance abuse  
23 disorder.

24 (7) The Fair Housing Act does not preempt local zoning  
25 laws but is intended to prohibit the use of local laws and  
26 ordinances to make housing unavailable to individuals with a  
27 disability solely on the basis of their disability.

28 Amend Bill, page 4, lines 19 through 26, by striking out all  
29 of said lines and inserting

30 (e) Criminal history record checks.--The department shall  
31 require all applicants, employees and volunteers of a drug and  
32 alcohol recovery house to undergo criminal history record  
33 checks.

34 Amend Bill, page 5, line 11, by striking out "Has an employee  
35 or volunteer" and inserting

1 Knowingly has a house administrator

2 Amend Bill, page 6, line 1, by striking out "an applicant"  
3 and inserting

4 a house administrator

5 Amend Bill, page 7, lines 8 through 20, by striking out all  
6 of said lines

7 Amend Bill, page 7, line 24, by inserting after "respond"  
8 on a timely basis

9 Amend Bill, page 8, line 7, by inserting after "fees"  
10 adequate to carry out the provisions of this article

11 Amend Bill, page 9, line 29, by inserting before "The"

12 (a) Establishment.--

13 Amend Bill, page 10, lines 11 through 13, by striking out all  
14 of said lines and inserting

15 (4) The process for a resident to report an ethical or  
16 standards violation.

17 (5) Prohibiting retribution, intimidation or any  
18 negative consequences to a resident if a grievance or  
19 complaint has been filed.

20 (6) Prohibiting an owner or house administrator from  
21 directly or indirectly soliciting or accepting a commission,  
22 fee or anything of monetary or material value from a  
23 resident, other related individual, third-party entity or  
24 referral source beyond specified rent established in writing  
25 at the time of residency.

26 (7) That no owner, house administrator or employee may  
27 become personally involved with a resident's financial  
28 affairs, including borrowing or lending money, buying or  
29 selling property or any other financial transactions.

30 (8) That no owner, house administrator or employee may  
31 offer, pay, solicit or receive a commission, bonus or rebate,  
32 directly or indirectly, in cash or in-kind, or engage in a  
33 split-fee arrangement, in any form, for any of the following:

34 (i) to induce the referral of patients or patronage  
35 to or from a health care provider or health care facility  
36 or other third-party entity; or

37 (ii) in return for the acceptance or acknowledgment  
38 of services from a health care provider, health care  
39 facility or third-party entity.

40 (b) Posting.--The Code of Ethics shall be posted on the  
41 department's publicly accessible Internet website.

1 Amend Bill, page 10, lines 22 through 26, by striking out all  
2 of said lines

3 Amend Bill, page 10, line 27, by striking out "2310-C" and  
4 inserting  
5 2309-C

6 Amend Bill, page 10, line 30, by striking out "2311-C" and  
7 inserting  
8 2310-C

9 Amend Bill, page 11, line 5, by striking out "2312-C" and  
10 inserting  
11 2311-C

12 Amend Bill, page 11, line 12, by striking out "2313-C" and  
13 inserting  
14 2312-C