

1 AN ACT relating to enhanced standards and criteria for substance use disorder
2 treatment and recovery services and programs and declaring an emergency.

3 WHEREAS, substance use disorder destroys and fractures families and individual
4 lives, communities, and futures, and fills court dockets, jails, hospital emergency rooms,
5 neonatal intensive care units, and morgues; and

6 WHEREAS, people with substance use disorder are suffering from a chemically
7 inflicted disease that attacks the brain and tortures the body; and

8 WHEREAS, opioid use disorder increases the person's tolerance to pain killers, and
9 individuals take higher doses of the drug to stave off withdrawal leading to a rapid spiral;
10 and

11 WHEREAS, substance use disorder has reached epidemic levels in Kentucky with
12 more than 6,800 drug-related overdoses reported in 2016; and

13 WHEREAS, the number of drug-related overdose deaths each year in Kentucky has
14 increased by nearly 200 percent since 2006; and

15 WHEREAS, substance use disorder cuts across all demographics and touches
16 everyone; it does not matter where you live, how intelligent you are, or your income; and

17 WHEREAS, no one chooses the life of a person with substance use disorder, but
18 there is hope and recovery; and

19 WHEREAS, substance use disorder is a complex issue, and there needs to be a
20 continuum of care and treatment; and

21 WHEREAS, the use of evidence-based practice is critical to the quality and
22 effectiveness of substance use disorder treatment and recovery services and programs;
23 and

24 WHEREAS, the federal government has declared the opioid crisis a public health
25 emergency;

26 NOW, THEREFORE,

27 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

1 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 222 IS CREATED TO
2 READ AS FOLLOWS:

3 *(1) The Cabinet for Health and Family Services shall conduct a comprehensive*
4 *review of all current state licensure and quality standards that apply to substance*
5 *use disorder treatment and recovery services and programs that operate within*
6 *the Commonwealth of Kentucky.*

7 *(2) Based on the review conducted pursuant to subsection (1) of this section, the*
8 *cabinet shall develop enhanced licensure and quality standards for substance use*
9 *disorder treatment and recovery that include but are not limited to residential,*
10 *outpatient, and medication-assisted treatment (MAT) services. The enhanced*
11 *standards shall include, at a minimum, the following:*

12 *(a) A set of comprehensive quality standards and criteria for substance use*
13 *disorder treatment and recovery services and programs that are based on*
14 *nationally recognized and evidence-based standards;*

15 *(b) Standardized, nationally recognized outcome measures for substance use*
16 *disorder treatment programs and a process for collection and review of*
17 *results; and*

18 *(c) Conditions necessary for reimbursement with state funds for the provision*
19 *of substance use disorder treatment and recovery services and programs.*

20 *(3) By January 1, 2019, the cabinet shall promulgate administrative regulations*
21 *necessary for implementing the enhanced licensure and quality standards,*
22 *including application fees for licenses, not to exceed the direct and actual cost*
23 *incurred by the cabinet to perform the licensure for substance use disorder*
24 *treatment and recovery services and programs.*

25 *(4) The provisions of this section are subject to available funding.*

26 ➔Section 2. The following KRS sections are repealed:

27 222.037 Pilot projects for services to prevent smoking and substance abuse during

1 pregnancy -- Funding.

2 222.212 Continuing effectiveness of administrative regulations in existence on July 15,
3 1994.

4 ➔Section 3. Whereas substance use disorder is a pervasive and growing problem in
5 the Commonwealth of Kentucky, and a delay in the implementation of this Act would
6 severely hinder the growth in the number of quality and effective substance use disorder
7 treatment and recovery services and programs available to Kentuckians in need, an
8 emergency is declared to exist, and this Act takes effect upon its passage and approval by the
9 Governor or upon its otherwise becoming law.