

533.282 Behavioral health treatment program -- Establishment -- Requirements -- Providers -- Recovery housing services.

- (1) In establishing a specific behavioral health disorder treatment plan, the program provider formulating the plan shall consider the following:
 - (a) The existence of programs and resources within the community;
 - (b) Available treatment providers;
 - (c) Available recovery housing;
 - (d) Accessible public and private agencies;
 - (e) The benefit of keeping the participant in his or her community or relocation for purposes of treatment, housing, and other supportive services;
 - (f) The safety of the victim of the offense if there is an identified victim; and
 - (g) The specific and personalized needs of the participant, including the choice of the participant.
- (2) A program shall be designed to provide the participant with the skills, training, and resources needed to maintain recovery and prevent the person from engaging in criminal activity arising from a behavioral health disorder upon release from the program.
- (3) A behavioral health treatment program under KRS 533.270 to 533.284 shall be evidence-based, and may be a behavioral treatment plan, a medically assisted treatment plan, or both, with recovery services or a Substance Abuse and Mental Health Services Administration evidence-based recovery housing program. The program shall provide at a minimum access, as needed, to:
 - (a) Inpatient detoxification and treatment that may include a faith-based residential treatment program;
 - (b) Outpatient treatment;
 - (c) Drug testing;
 - (d) Addiction counseling;
 - (e) Cognitive and behavioral therapies;
 - (f) Medication-assisted treatment, including:
 1. At least one (1) federal Food and Drug Administration-approved agonist medication for the treatment of opioid or alcohol dependence;
 2. Partial agonist medication;
 3. Antagonist medication; and
 4. Any other approved medication for the mitigation of opioid withdrawal symptoms;
 - (g) Educational services;
 - (h) Vocational services;
 - (i) Housing assistance;
 - (j) Peer support services; and
 - (k) Community support services that may include faith-based services.
- (4) A program provider may provide services directly to the participant or in

conjunction with other treatment providers to ensure all required services under the treatment plan are accessible and received.

- (5) Except for recovery housing providers, all treatment providers shall:
 - (a) Meet the licensure requirements and standards established by the Cabinet for Health and Family Services under KRS Chapter 222 or meet alternative and relevant licensure or certification criteria recognized by the cabinet or a federal agency;
 - (b) Qualify as a Medicaid-approved provider; and
 - (c) Be accredited by at least one (1) of the following:
 1. American Society of Addiction Medicine;
 2. Joint Commission on the Accreditation of Healthcare Organizations;
 3. Commission on Accreditation of Rehabilitation Facilities;
 4. The Council on Accreditation; or
 5. Other accreditations or standards recognized by the cabinet.
- (6) All recovery housing service providers shall:
 - (a) Be certified using the National Alliance for Recovery Residences standards or meet Oxford House standards;
 - (b) Provide evidence-based services;
 - (c) Provide a record of outcomes;
 - (d) Provide peer support services; and
 - (e) Address the social determinants of health.
- (7)
 - (a) The Department for Medicaid Services, in conjunction with the program provider, shall assist any program participant who qualifies for Medicaid services to obtain or access Medicaid services for his or her behavioral health disorder treatment or recovery program.
 - (b) The Department for Medicaid Services and its contractors shall provide an individual participating in the behavioral health conditional dismissal program with the substance use disorder benefit as provided under KRS 205.6311.
 - (c) A Medicaid managed care organization shall treat any referral for treatment under KRS 533.270 to 533.284 as an "expedited authorization request" as provided under KRS 205.534(2)(a)2.b.
- (8) Recovery housing services provided under this pilot program shall:
 - (a) Be paid utilizing a value-based payment system developed and established by the medical managed care organizations in conjunction with the Department for Medicaid Services and recovery housing providers. The value-based payment system shall be established no later than January 1, 2023, and shall include the following for recovery housing programs:
 1. The development of a qualified recovery housing provider network; and
 2. Establishment and implementation of a value-based payment system that shall include the regular collection of outcomes data within existing Medicaid reimbursement regulations; and

- (b) Be limited to two hundred (200) individuals unless additional funding designated for recovery housing is available through the Cabinet for Health and Family Services.

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