

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; and

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

25 NOW, THEREFORE,

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

27 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 222 IS CREATED TO

1 READ AS FOLLOWS:

- 2 (1) The Cabinet for Health and Family Services shall conduct a comprehensive  
3 review of all current state licensure and quality standards that apply to substance  
4 use disorder treatment and recovery services and programs that operate within  
5 the Commonwealth of Kentucky.
- 6 (2) Based on the review conducted pursuant to subsection (1) of this section, the  
7 cabinet shall develop enhanced licensure and quality standards for substance use  
8 disorder treatment and recovery that include but are not limited to residential,  
9 outpatient, and medication-assisted treatment (MAT) services. The enhanced  
10 standards shall include, at a minimum, the following:
- 11 (a) A set of comprehensive quality standards and criteria for substance use  
12 disorder treatment and recovery services and programs that are based on  
13 nationally recognized and evidence-based standards;
- 14 (b) Standardized, nationally recognized outcome measures for substance use  
15 disorder treatment programs and a process for collection and review of  
16 results; and
- 17 (c) Conditions necessary for reimbursement with state funds for the provision  
18 of substance use disorder treatment and recovery services and programs.
- 19 (3) By January 1, 2019, the cabinet shall promulgate administrative regulations  
20 necessary for implementing the enhanced licensure and quality standards,  
21 including application fees for licenses, not to exceed the direct and actual cost  
22 incurred by the cabinet to perform the licensure for substance use disorder  
23 treatment and recovery services and programs.

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 The following KRS sections are repealed:

25 222.037 Pilot projects for services to prevent smoking and substance abuse during  
26 pregnancy -- Funding.

27 222.212 Continuing effectiveness of administrative regulations in existence on July 15,

1           1994.

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