

1 AN ACT relating to the Family in Recovery Empowerment Public and Private
2 Partnership Grant Program and making an appropriation therefor.

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

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

6 *As used in Sections 1 to 6 of this Act:*

7 *(1) "Family in Recovery Empowerment Public and Private Partnership Grant*
8 *Program" or "FIRE grant program" means the grant program established in*
9 *Section 2 of this Act; and*

10 *(2) "Family in Recovery Empowerment Public and Private Partnership Grant*
11 *Program trust fund" or "FIRE trust fund" means the trust fund established in*
12 *Section 4 of this Act.*

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

15 *(1) The Office of Drug Control Policy, Justice and Public Safety Cabinet, shall*
16 *establish the Family in Recovery Empowerment Public and Private Partnership*
17 *Grant Program, which shall be a public, private, and community competitive,*
18 *open grant program to provide funding to nonprofit programs providing*
19 *substance use disorder treatment and recovery services for mothers and their*
20 *children, if funding is available.*

21 *(2) The FIRE grant program shall provide funding to programs in accordance with*
22 *the priorities established in the plan developed and the criteria set forth under*
23 *Section 3 of this Act.*

24 *(3) The Office of Drug Control Policy shall:*

25 *(a) Establish the FIRE grant program operations including:*

26 *1. An application process and requirements;*

27 *2. Program and outcome measurement requirements;*

1 3. A grant application review and award process; and

2 4. Monitoring, oversight, and reporting requirements for programs
 3 funded by the grant program;

4 (b) Assist in establishing four (4) model programs during the 2018-2019 and
 5 2019-2020 fiscal years through the FIRE grant program for substance use
 6 disorder treatment and recovery services for mothers and their children in
 7 four (4) regions of Kentucky that are most affected by substance use
 8 disorders; and

9 (c) Provide to the Governor and the Legislative Research Commission an
 10 annual report by October 1 of each year. The report shall include:

11 1. The plan developed under Section 3 of this Act for the expenditure of
 12 funds for the current and next fiscal year;

13 2. A summary of the use and impact of prior year funds;

14 3. A summary of the activities of the FIRE grant program during the
 15 prior fiscal year; and

16 4. Any recommendations for future initiatives or action regarding the
 17 FIRE grant program's funding.

18 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 222 IS CREATED TO
 19 READ AS FOLLOWS:

20 The Office of Drug Control Policy shall:

21 (1) Develop a written plan for the expenditure of FIRE trust fund moneys made
 22 available under Section 4 of this Act. The initial plan shall be completed on or
 23 before October 1, 2018, and shall be updated on an annual basis on or before
 24 October 1 of each year thereafter. The plan shall, at a minimum, include the
 25 following:

26 (a) A summary of existing substance use disorder treatment and recovery
 27 services for mothers and their children in Kentucky;

1 **(b) A needs assessment for substance use disorder treatment and recovery**
2 **services for mothers and their children that identifies housing and program**
3 **operation funding needs by geographic area, with support for why the**
4 **identified funding is needed; and**

5 **(c) A prioritized list of programs that the Office of Drug Control Policy will**
6 **address with funding available through the FIRE grant program**
7 **established under Section 2 of this Act;**

8 **(2) The criteria for programs awarded grants through the FIRE grant program shall**
9 **include but not be limited to:**

10 **(a) Provision of, or formal agreements with other agencies to provide:**

11 **1. Early intervention services;**

12 **2. Medical detoxification;**

13 **3. Medication-assisted therapy;**

14 **4. Medical care coordination;**

15 **5. HIV and hepatitis C testing;**

16 **6. Screening and treatment for co-occurring mental health disorders;**

17 **7. Residential treatments, including individual, group and family**
18 **therapies;**

19 **8. Transportation;**

20 **9. Education on nutrition, physical activity, and wellness;**

21 **10. Smoking cessation counseling;**

22 **11. Breastfeeding support;**

23 **12. Counseling on family planning;**

24 **13. Parenting classes, including safe sleeping practices;**

25 **14. Access to educational and vocational attainment resources;**

26 **15. Intensive outpatient treatment;**

27 **16. Aftercare for mothers and children;**

- 1 17. Peer support;
- 2 18. Family reunification advocacy;
- 3 19. Case management;
- 4 20. Supportive and transitional housing; and
- 5 21. The use of telehealth services to provide addiction treatment where
- 6 appropriate;
- 7 (b) An assessment method that is consistent with the American Society of
- 8 Addiction Medicine criteria to determine level of care;
- 9 (c) Licensure as a nonmedical- and nonhospital-based alcohol and other drug
- 10 abuse treatment entity;
- 11 (d) Provision of, or formal agreements with other agencies to provide, family
- 12 services, including:
- 13 1. Accommodations for children under age eighteen (18) years of age to
- 14 stay with their mother whenever possible;
- 15 2. Parent-child interaction therapy and child-parent psychotherapy
- 16 whenever age appropriate;
- 17 3. Program staff to provide advocacy and support for clients with open
- 18 child protective services cases in completing prevention plans; and
- 19 4. Extended family psychoeducation, support, and counseling;
- 20 (e) Use of nationally recommended practices;
- 21 (f) Use of quality outcome measures, including:
- 22 1. The percentage of women completing residential clinical treatment;
- 23 2. The percentage of women completing intensive outpatient therapy;
- 24 3. The percentage of babies born to mothers in treatment increasing
- 25 their weight at well-baby check-ups;
- 26 4. The percentage of mothers with active child protective services
- 27 involvement who make progress on reunification goals; and

1 5. The percentage of women with an earned income source or who are
2 pursuing educational goals;

3 (g) Evidence of fiscal sustainability beyond the grant funding period; and

4 (h) Evidence of collaboration with public and private entities.

5 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 222 IS CREATED TO
6 READ AS FOLLOWS:

7 (1) The Family in Recovery Empowerment Public and Private Partnership Grant
8 Program trust fund is created as a separate revolving fund.

9 (2) The FIRE trust fund may receive the proceeds from grants, contributions,
10 appropriations, and any other moneys that may be made available for the
11 purposes of the FIRE trust fund.

12 (4) Notwithstanding KRS 45.229, funds unexpended at the close of a fiscal year shall
13 not lapse but shall be carried forward to the next fiscal year.

14 (5) Any interest earnings of the FIRE trust fund shall become a part of the FIRE
15 trust fund and shall not lapse to the general fund.

16 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 222 IS CREATED TO
17 READ AS FOLLOWS:

18 (1) The Family in Recovery Empowerment Public and Private Partnership Grant
19 Program shall cease to exist on December 1, 2028, unless otherwise reestablished
20 by the General Assembly.

21 (2) If the General Assembly does not reestablish the Family in Recovery
22 Empowerment Public and Private Partnership Grant Program, any moneys
23 remaining in the FIRE trust fund established in Section 4 of this Act on
24 December 1, 2028, shall be deposited in the general fund.

25 ➔Section 6. There is hereby authorized and appropriated to the Cabinet for Health
26 and Family Services \$1,500,000 in General Fund moneys in each fiscal year of the 2018-
27 2020 fiscal biennium for the Family in Recovery Empowerment Public and Private

1 Partnership trust fund for substance use disorder treatment and recovery services for mothers
2 and their children established in Section 4 of this Act. Any program established pursuant to
3 Sections 2 and 3 of this Act that is awarded moneys through the Family in Recovery
4 Empowerment Public and Private Partnership trust fund shall match the award on a dollar-
5 for-dollar basis up to \$325,000 in each fiscal year of the 2018-2020 fiscal biennium. Any
6 remaining General Fund moneys appropriated to the Family in Recovery Empowerment
7 Public and Private Partnership trust fund shall be utilized to fund existing programs for
8 substance use disorder treatment and recovery services for mothers and their children that
9 meet grant program criteria with no matching funds required.