

1 A JOINT RESOLUTION directing the Cabinet for Health and Family Services to  
2 establish a work group to create written recommendations for distribution throughout  
3 Kentucky for individuals who suffer from substance use disorder in order to reduce the  
4 barriers the individuals experience when attempting to access opioid disorder treatment  
5 programs.

6 WHEREAS, strategies need to be developed to assist those involved in the criminal  
7 justice system with access to a treatment program for a substance use disorder; and

8 WHEREAS, incarceration for individuals with nonviolent drug-related offenses  
9 usually does not serve the individual or the society well; and

10 WHEREAS, treatment and recovery for those individuals who do not pose a threat  
11 to public safety have proven to be more effective than incarceration for reducing  
12 recidivism and transforming the individual to a productive and meaningful life; and

13 WHEREAS, the cost of treatment and recovery, including recovery housing, is less  
14 costly and has a good return on investment versus incarceration; and

15 WHEREAS, there is significant long-term outcomes data that shows supportive  
16 recovery housing with social recovery and a therapeutic community that addresses social  
17 determinants of health markedly reduce recidivism; and

18 WHEREAS, the financial support to provide diversion to treatment and recovery  
19 programs can be made available through a variety of resources, including Medicaid,  
20 SNAP, and other federal programs; and

21 WHEREAS, the court system is continuing to address the marked increase in family  
22 court cases and issues experienced by families, and particularly children, harmed by the  
23 devastation and consequences due to the rise in substance use disorder;

24 NOW, THEREFORE,

25 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

26 ➔Section 1. The General Assembly hereby directs the Cabinet for Health and  
27 Family Services to create an advisory committee to establish a pilot program to

1 investigate funding mechanisms for a diversion program for treatment and recovery  
2 housing services for individuals with substance use disorder who have been arrested for  
3 substance use disorder-related offenses. The advisory committee shall be attached to the  
4 Office of the Secretary, Cabinet for Health and Family Services, for administrative  
5 purposes. The advisory committee shall have the following members:

6 (1) The secretary of the Cabinet for Health and Family Services, or his or her  
7 designee;

8 (2) The secretary of the Justice and Public Safety Cabinet, or his or her designee;

9 (3) The secretary of the Education and Workforce Development Cabinet, or his or  
10 her designee;

11 (4) The director of the Administrative Office of the Courts, or his or her designee;

12 (5) The executive director of the Office of Drug Control Policy, or his or her  
13 designee;

14 (6) Two individuals who are substance use disorder treatment providers, one from  
15 a rural area and one from an urban area, appointed by the Governor;

16 (7) One individual in recovery from a substance use disorder, appointed by the  
17 Governor;

18 (8) Two members of the Senate, one of whom shall have knowledge about  
19 substance use disorder treatment and recovery models and methodologies, appointed by  
20 the President of the Senate, who shall be ex officio nonvoting members; and

21 (9) Two members of the House of Representatives, one of whom shall have  
22 knowledge about substance use disorder treatment and recovery models and  
23 methodologies, appointed by the Speaker of the House of Representatives, who shall be  
24 ex officio nonvoting members.

25 ➔Section 2. The pilot program shall be called the Second Chance Pathways to  
26 Recovery program. The pilot program may operate in multiple locations in the  
27 Commonwealth. The pilot program shall be implemented and operational by July 1, 2022.

1           ➔Section 3. In establishing the operations of the pilot program, the advisory  
2 committee shall meet at least monthly. The Cabinet for Health and Family Services may  
3 contract for services of the advisory committee. The advisory committee shall include in  
4 its deliberations the following:

5           (1) Evaluation and recommendations of criteria to assess appropriateness of  
6 arrested individuals for participation in the pilot program;

7           (2) Identification of treatment and recovery resources presently available through  
8 appropriate providers and recovery housing operators that are capable of providing  
9 needed services and documented outcomes of services provided in the criminal justice  
10 system. These services include but are not limited to peer support services, substance use  
11 disorder treatment services, recovery housing services, job training, education, and  
12 meaningful work placement opportunities;

13           (3) Identification of information and outcomes measurements to be tracked and  
14 reported on the effectiveness of performance of models and services to ascertain the  
15 return on investment of the pilot program in addition to recidivism and reuse rates for up  
16 to five years from treatment entry;

17           (4) Identification of information and data that should be collected and analyzed  
18 and how such data should be collected, used, and disclosed;

19           (5) Evaluations and recommendations concerning policies and processes for the  
20 pilot program, including the process needed to notify the courts of any violations of  
21 diversion agreements by those participating in the pilot program; and

22           (6) Evaluation of and recommendations concerning reimbursement payment  
23 models, including Medicaid, for recommended services and resources, including recovery  
24 housing. The advisory committee shall include in its payment recommendations an  
25 evaluation of the return on investment for the Commonwealth.

26           ➔Section 4. The Cabinet for Health and Family Services shall prepare a plan to  
27 establish the independent collection of data from a third party that has the capability to

1 provide IT services, including a resident management system and outcome data portal for  
2 the collection and evaluation of an annual report on outcomes.

3       ➔Section 5. The Cabinet for Health and Family Services shall create a report and  
4 recommendations related to the establishment of the pilot program and the report shall be  
5 submitted to the Legislative Research Commission for referral to the appropriate  
6 committee or committees by December 1, 2021.