



State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

August 18, 2020

The Honorable Anthony Portantino, Chair
Senate Appropriations Committee
State Capitol, Room 3086
Sacramento, CA 95814

ASSEMBLY BILL 1779 (AS AMENDED JULY 15, 2020) – OPPOSE

Dear Senator Portantino:

The Department of Health Care Services (DHCS) must inform you of its opposition to Assembly Bill (AB) 1779. AB 1779 would require DHCS to adopt minimum standards for recovery residence housing that receives public funding through county contracts. The bill would require DHCS to conduct a review of the Best Practices for Operating Recovery Housing standards by the federal Department of Health and Human Services with designated stakeholders before finalizing the minimum standards for a recovery residence to receive public funds. Additionally, the bill would require county behavioral health administrators to contract with a recovery residence if the recovery residence has met specified requirements, at the discretion of DHCS, and can show proof of certification with an (unnamed) state affiliate of the National Alliance for Recovery Residences (NARR). In addition, if fraudulent activity is suspected of occurring or the recovery residence is operating in a manner that would require licensure as a residential treatment facility, AB 1779 would require a county behavioral health administrator to make a report to DHCS and the NARR affiliate. Lastly, this bill would require DHCS to provide a report to the Legislature, on or before January 1, 2025, regarding complaints received pursuant to AB 1779.

DHCS is opposed to AB 1779 because the bill does not address implementation and oversight barriers for unregulated recovery residences. While DHCS possesses the sole authority to license and investigate residential Substance Use Disorder programs, AB 1779 would require DHCS to have a level of oversight for recovery residences that is outside of its current jurisdiction.

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Further, AB 1779 would require a county behavioral health administrator, that has documented evidence that a recovery residence under contract is operating in a manner that would require licensure as a residential treatment facility, to report those findings to DHCS and the unnamed NARR affiliate. The bill does not clearly indicate who the unnamed NARR affiliate is and what requirements are required in order to be certified, and how to maintain certification from the NARR affiliate. Without this specificity, this bill would be ineffective as there would be no clear understanding of who the designated oversight entity would be.

If you have any questions regarding our position, please feel free to contact me at (916) 440-7500.

Sincerely,

O/S by Carol Gallegos

Carol Gallegos, Deputy Director
Legislative & Governmental Affairs
Department of Health Care Services

cc: Assembly Member Tom Daly, Author
Senator Patricia Bates, Vice-Chair
Senator Steven Bradford
Senator Jerry Hill
Senator Brian Jones
Senator Connie Leyva
Senator Bob Wieckowski