

HOUSE No. 2382

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day and Elizabeth A. Malia

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to recovery coach licensure.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/15/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/25/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/19/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/19/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/19/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/19/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>2/22/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/22/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/22/2021</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>2/24/2021</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>2/24/2021</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/24/2021</i>
<i>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	<i>2/26/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/26/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/26/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/26/2021</i>
<i>David Biele</i>	<i>4th Suffolk</i>	<i>3/3/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>3/19/2021</i>

Mindy Domb

3rd Hampshire

6/10/2021

Natalie M. Higgins

4th Worcester

9/3/2021

HOUSE No. 2382

By Representatives O'Day of West Boylston and Malia of Boston, a petition (accompanied by bill, House, No. 2382) of James J. O'Day, Elizabeth A. Malia and others for legislation to regulate certain support services by creating certification for substance use disorder recovery coaches. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to recovery coach licensure.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION I. Section 9 of chapter 13 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the word “workers”, in line 8, the
3 following words:- , the board of registration of recovery coaches.

4 SECTION 2. Said chapter 13, as so appearing, is hereby further amended by adding the
5 following section:-

6 Section 110. (a) There shall be, within the department of public health, a board of
7 registration of Licensed Recovery Coaches which shall consist of 12 members to be appointed by
8 the governor, 1 of whom shall be the commissioner of public health or a designee, 1 of whom
9 shall be the commissioner of mental health or a designee; 6 of whom shall be employed as a
10 recovery coach, recovery coach supervisor or educator representing demographic diversity from
11 region, workplace, gender identification, culture or race; 1 of whom shall be a family member to

12 an individual with a substance use disorder, 1 of whom shall represent a health plan, 1 of whom
13 shall be a licensed physician or nurse specializing in addiction, and 1 of whom shall be a person
14 with lived experience from a Substance Use Disorder and received recovery coaching services.

15 Members of the board shall be residents of the commonwealth.

16 (b) Each member of the board shall serve for a term of 3 years. Upon the expiration of a
17 term of office, a member shall continue to serve until a successor has been appointed. A member
18 shall not serve for more than 2 consecutive terms; provided, however, that a person who is
19 chosen to fill a vacancy in an unexpired term of a prior board member may serve for 2
20 consecutive terms in addition to the remainder of that unexpired term.

21 (c) A member may be removed by the governor for neglect of duty, misconduct or
22 malfeasance or misfeasance in office.

23 (d) The board shall, at its first meeting and annually thereafter, organize by electing from
24 its membership a chair, a vice-chair and a secretary. Those officers shall serve until their
25 successors are elected.

26 (e) The board shall meet at least four times annually and may hold additional meetings at
27 the call of the chair or at such times as may be determined by the board. Board members shall
28 serve without compensation but shall be reimbursed for actual and reasonable expenses incurred
29 in the performance of their duties.

30 SECTION 3. Section 1 of chapter 112, as so appearing, is hereby amended by inserting
31 after the word “dentistry”, in line 12, the following words:- , the board of registration of recovery
32 coaches.

33 SECTION 4. Section 164 of said chapter 112, as so appearing, is hereby amended by
34 inserting after the word “therapist”, in line 23, the following words:- , recovery coach, authorized
35 to practice under sections 290 to 293, inclusive,

36 SECTION 5. Said chapter 112, as so appearing, is hereby further amended by adding the
37 following 4 sections:-

38 Section 275. (a) The following words as used in sections 275 to 278, inclusive, unless the
39 context otherwise requires, shall have the following meanings:--

40 “Board”, the board of registration of recovery coaches, established under section 110 of
41 chapter 13.

42 “Licensed Recovery Coach”, an individual who is authorized to practice with the title of
43 Licensed by the board under this chapter and who uses shared understanding, respect and mutual
44 empowerment to help others become and stay engaged in the process of recovery from a
45 substance use disorder.

46 “Lived experience”, the experience of addiction and recovery from a substance use
47 disorder.

48 (b) The board shall have the following powers and duties:

49 (1) to promulgate regulations and adopt such rules as are necessary to regulate recovery
50 coaches;

51 (2) to receive, review, approve or disapprove initial applications, renewals and
52 reinstatement requests and to issue those authorizations to practice;

53 (3) to establish administrative procedures for processing applications submitted under
54 clause (2) and to hire or appoint such agents as are appropriate for processing applications;

55 (4) to retain records of its actions and proceedings in accordance with public records
56 laws;

57 (5) to establish specifications for the authorized practice of recovery coaching; provided,
58 that the specifications shall require individuals to have lived experience and demonstrate at least
59 2 years of sustained recovery; provided further, that the lived experience requirement may be
60 waived for individuals who were credentialed by the Massachusetts Board of Substance Abuse
61 Counselor Certification before the establishment of the board.

62 (6) to define by regulation the appropriate standards for education, core competencies,
63 and experience necessary to qualify as an authorized recovery coach, including, but not limited
64 to, continuing professional education requirements; provided, that the board shall consider any
65 standards contained within recovery coach training programs established by the department of
66 public health;

67 (7) to establish an ethical code of conduct for recovery coaches authorized to practice by
68 the board; provided, that the board shall consider any codes of conduct for recovery coach
69 training programs established by the department of public health;

70 (8) to establish standards of supervision for students or persons in training to become a
71 recovery coach; provided, that the board shall consider standards contained within recovery
72 coach training programs established by the department of public health;

73 (9) to fine, censure, revoke, suspend or deny a recovery coaches authorization to practice,
74 place on probation, reprimand or otherwise discipline a recovery coach for violations of the code
75 of ethics or the rules of the board.

76 (10) to summarily suspend a recovery coach who poses an imminent danger to the public;
77 provided, that the recovery coach shall be afforded a hearing within 7 business days to determine
78 whether the summary action is warranted; and

79 (11) to perform other functions and duties as may be required to carry out this section.

80 Section 276. An application to be a Licensed Recovery Coach, under section 275, shall
81 be made on forms approved by the board, signed under the penalties of perjury by the person
82 certifying the information contained therein and accompanied by the required fee. The fee shall
83 be determined by the secretary of administration and finance under section 3B of chapter 7. A
84 recovery coach applicant shall furnish satisfactory proof that the applicant is at least 18 years of
85 age, is of good moral character of recent history and has met all the education, training and
86 experience requirements and qualifications as established by the board. A “Certified Addictions
87 Recovery Coach (CARC)” certification shall serve as satisfactory proof for application
88 requirements inclusive of test exemption for a limited time period as determined by the board.

89 The board, in consultation with the department of public health, shall determine the
90 renewal cycle and renewal period for recovery coaches. A recovery coach authorized to practice
91 under this chapter shall apply to the board for a renewal not later than the expiration date, as
92 determined by the board, unless earlier revoked, suspended or canceled as a result of a
93 disciplinary proceeding. As a condition for renewal under this section, the board may require
94 satisfactory proof that the recovery coach has successfully completed the required number of

95 hours of continuing education in courses or programs approved by the board or has complied
96 with such other requirements or equivalent requirements as approved by the board. Upon
97 satisfactory compliance with the requirements and successful completion of the continuing
98 education requirements, the board shall issue a renewal. The board may provide for the late
99 renewal that has lapsed and may require payment of a late fee. Each renewal application
100 submitted to the board shall be accompanied by a fee as determined by the secretary of
101 administration and finance under section 3B of chapter 7.

102 The board may authorize a recovery coach to practice by reciprocity. The board shall
103 promulgate rules and regulations as may be necessary to implement this section.

104 Section 277. (a) The title “Licensed Recovery Coach” shall only be used by individuals
105 who have met the requirements and qualifications and hold a valid, current authorization issued
106 by the board. The use by any person not so authorized of any words, letters, abbreviations or
107 insignia indicating or implying a person is an authorized recovery coach shall be a violation of
108 this section for which the board may issue a cease and desist order and seek additional
109 appropriate legal remedies. A person in the process of accruing work hours required for
110 credentialing may still perform recovery coach duties, so long as they do not advertise
111 themselves as “Licensed”.

112 (b) A person who violates subsection (a) shall be liable for a fine as determined by the
113 Board.

114 (c) No person filing a complaint alleging a violation of law or of the regulations of the
115 board, reporting information pursuant to such laws or regulations or assisting the board at its
116 request in any manner in discharging its duties and functions shall be liable in any cause of

117 action arising out of the board's receipt of such information or assistance, if the person making
118 the complaint, or reporting or providing such information or assistance, does so in good faith and
119 without malice.

120 SECTION 6. No person shall be found to have violated section 292 of chapter 112 of the
121 General Laws until 6 months after the board of registration of recovery coaches first issues an
122 authorization to practice under said chapter 112.