

SENATE No. 1388**The Commonwealth of Massachusetts**

PRESENTED BY:

John F. Keenan*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:	
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>2/4/2023</i>
<i>John C. Velis</i>	<i>Hampden and Hampshire</i>	<i>2/7/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/9/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/12/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/16/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/27/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/17/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/23/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>4/12/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/22/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/8/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>9/6/2023</i>

SENATE No. 1388

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1388) of John F. Keenan, Lydia Edwards, John C. Velis, Kay Khan and other members of the General Court for legislation relative to recovery coach licensure. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1452 OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

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 1. Section 9 of chapter 13 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after the word “workers” in line 8, the following
3 words:- , the board of registration of recovery coaches,

4 SECTION 2. Said chapter 13 is hereby further amended by adding the following section:-

5 Section 110. (a) There shall be, within the department of public health, a board of
6 registration of licensed recovery coaches that shall consist of 12 members to be appointed by the
7 governor, 1 of whom shall be the commissioner of public health or a designee; 1 of whom shall
8 be the commissioner of mental health or a designee; 6 of whom shall be employed as a recovery
9 coach, recovery coach supervisor or educator representing demographic diversity from region,

workplace, gender identification, culture or race; 1 of whom shall be a family member to an individual with a substance use disorder; 1 of whom shall represent a health plan; 1 of whom shall be a licensed physician or nurse specializing in addiction; and 1 of whom shall be a person with lived experience from a substance use disorder and received recovery coaching services. Members of the board shall be residents of the commonwealth.

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

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

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

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

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

SECTION 4. Section 164 of said chapter 112 is hereby amended by inserting after the word “therapist”, in line 23, the following words:- , recovery coach, authorized to practice under sections 290 to 292, inclusive,

SECTION 5. Said chapter 112 is further amended by adding after section 289 the following 3 sections:-

Section 290. (a) The following words as used in sections 290 to 292, inclusive, unless the context otherwise requires, shall have the following meanings:-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 291. (a) An application to be a licensed recovery coach, under section 290, shall be made on forms approved by the board, signed under the penalties of perjury by the person certifying the information contained therein and accompanied by the required fee. The fee shall be determined by the secretary of administration and finance under section 3B of chapter 7. A recovery coach applicant shall furnish satisfactory proof that the applicant is at least 18 years of age, is of good moral character of recent history and has met all the education, training and experience requirements and qualifications as established by the board. A "Certified Addictions Recovery Coach (CARC)" certification shall serve as satisfactory proof for application requirements inclusive of test exemption for a limited time period as determined by the board.

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

hours of continuing education in courses or programs approved by the board or has complied with such other requirements or equivalent requirements as approved by the board. Upon satisfactory compliance with the requirements and successful completion of the continuing education requirements, the board shall issue a renewal. The board may provide for the late renewal that has lapsed and may require payment of a late fee. Each renewal application submitted to the board shall be accompanied by a fee as determined by the secretary of administration and finance under section 3B of chapter 7. The board may authorize a recovery coach to practice by reciprocity. The board shall promulgate rules and regulations as may be necessary to implement this section.

Section 292. (a) The title “Licensed Recovery Coach” shall only be used by individuals who have met the requirements and qualifications and hold a valid, current authorization issued by the board. The use by any person not so authorized of any words, letters, abbreviations or insignia indicating or implying a person is an authorized recovery coach shall be a violation of this section for which the board may issue a cease and desist order and seek additional appropriate legal remedies. A person in the process of accruing work hours required for credentialing may still perform recovery coach duties, so long as they do not advertise themselves as “Licensed”.

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

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

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

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