

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>

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,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

112 (c) No person filing a complaint alleging a violation of law or of the regulations of the
113 board, reporting information pursuant to such laws or regulations or assisting the board at its
114 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.