

2026 SESSION

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1 **SENATE BILL NO. 270**

2 Offered January 14, 2026

3 Prefiled January 12, 2026

4 *A BILL to amend and reenact § 37.2-431.1 of the Code of Virginia and to amend and reenact the second*
5 *enactment of Chapter 608 of the Acts of Assembly of 2025, relating to recovery residences; regulations.*

6 Patron—VanValkenburg

7 Referred to Committee on Rehabilitation and Social Services

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That § 37.2-431.1 of the Code of Virginia is amended and reenacted as follows:**

10 **§ 37.2-431.1. Recovery residences; penalty.**

11 A. As used in this section:

12 "Credentialing entity" means a nonprofit organization that develops and administers professional
13 certification programs according to standards of the National Alliance for Recovery Residences or standards
14 endorsed by Oxford House, Inc.

15 "Level of support" means the level of support and structure that a recovery residence provides to
16 residents, as specified in the standards of the National Alliance for Recovery Residences.

17 "Recovery residence" means a housing facility that provides alcohol-free and illicit-drug-free housing to
18 individuals with substance abuse disorders and individuals with co-occurring mental illnesses and substance
19 abuse disorders that does not include clinical treatment services.

20 B. Every recovery residence shall disclose to each prospective resident its credentialing entity. If the
21 credentialing entity is the National Alliance for Recovery Residences, the recovery residence shall disclose
22 the level of support provided by the recovery residence. If the credentialing entity is Oxford House, Inc., the
23 recovery residence shall disclose that the recovery residence is self-governed and unstaffed.

24 C. No person shall operate a recovery residence or advertise, represent, or otherwise imply to the public
25 that a recovery residence or other housing facility is certified by the Department unless such recovery
26 residence or other housing facility has been certified by the Department in accordance with regulations
27 adopted by the Board. Such regulations (i) may require accreditation by or membership in a credentialing
28 agency as a condition of certification; (ii) shall require the recovery residence, as a condition of certification,
29 to comply with any minimum square footage requirements related to beds and sleeping rooms established by
30 the credentialing entity or the square footage requirements set forth in § 36-105.4, whichever is greater; ~~and~~
31 (iii) shall require recovery residences to report to the Department any death or serious injury that occurs in
32 the recovery residence; and (iv) shall require that no recovery residence, or operator, employee, or agent of
33 a recovery residence, require a resident to participate in medical or psychological services, including
34 clinical substance use treatment, as a condition of entering or continuing residence at a recovery residence.
35 The Department may issue a conditional certification to any recovery residence that has indicated an intent to
36 receive accreditation by or membership in a credentialing agency when such accreditation or membership is a
37 condition of certification. The maximum term of a conditional certification shall be six months. At the
38 discretion of the Department, a conditional certification may be renewed for a period not to exceed three
39 months if the provider is not able to demonstrate compliance with all certification regulations but
40 demonstrates progress toward compliance. However, in no case shall the total period of conditional
41 certification exceed nine successive months. Conditional certifications may be revoked for serious health and
42 safety concerns. Violation of this subsection is a Class 1 misdemeanor.

43 D. The Department shall maintain a list of conditionally certified and a list of certified recovery
44 residences on its website and shall provide (i) for each recovery residence included on such list, the
45 credentialing entity; (ii) for recovery residences for which the National Alliance of Recovery Residences is
46 the credentialing entity, the level of support provided by the recovery residence; and (iii) for recovery
47 residences for which Oxford House, Inc., is the credentialing entity, a disclosure that the recovery residence is
48 self-governed and unstaffed.

49 E. *The Department shall monitor any credentialing agency providing credentials to recovery residences*
50 *in the Commonwealth to ensure that any criteria of such credentialing agency related to Department*
51 *certification complies with Department regulations.*

52 F. *Referrals to recovery residences made by the Department or any agency of the Commonwealth shall*
53 *only be made to such recovery residences that are certified and have received accreditation by or*
54 *membership in a credentialing agency.*

55 G. *No such credentialing agency shall provide credentials to a recovery residence that is owned or*
56 *operated by an individual who is employed by and in a position of authority at such credentialing agency, or*

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59 *an immediate family member, as that term is defined in § 2.2-3101, of any such individual. Any such recovery*
60 *residence shall report such conflict of interest to the Department and seek an unaffiliated credentialing*
61 *agency, approved by the Department, to provide credentials.*

62 *H. The Board shall, in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), promulgate*
63 *such regulations as the Board deems necessary to establish minimum certification standards for recovery*
64 *residences. Such regulations shall include:*

65 *1. Department protocols for recovery residences, including:*

66 *a. Denial of applications for certification or conditional certification; and*

67 *b. Corrective actions plans, which may include warning notices, probationary status, suspension of*
68 *indigent bed funding, temporary suspension of admission to residences, revocation of conditional*
69 *certification, and decertification.*

70 *2. Requirements for renewal of certification, which shall occur every two years. Such renewal shall be*
71 *submitted 90 days prior to the expiration date of a recovery residence's certification.*

72 *3. A process for submission and investigation of complaints regarding recovery residences, including:*

73 *a. A process for residents of recovery residences to report certain complaints directly to the Department,*
74 *including a timeframe for the Department to respond to such complaints.*

75 *b. A process and timeframe for credentialing agencies to report sanctions of recovery residences to the*
76 *Department.*

77 *c. A standardized internal grievance escalation protocol for complaints submitted to the operator of*
78 *recovery residences and credentialing agencies, including criteria for mandatory referral of certain*
79 *complaints to the appropriate authority.*

80 *4. Protocols for prohibiting the consumption or possession of any marijuana or marijuana products by*
81 *residents of recovery residences.*

82 *Such regulations shall align with national best practice standards appropriate for the level of support*
83 *provided by recovery residences.*

84 *I. The Department shall, in accordance with the Administrative Process Act (§ 2.2-4000 et seq.),*
85 *promulgate regulations to establish a process for operators of recovery residences to apply for certification*
86 *independently or in conjunction with a credentialing agency. Such process shall include provisions for*
87 *credentialing agencies to share information required for certification and certification renewal with the*
88 *Department on behalf of the recovery residence that is applying for certification with such agency, including*
89 *application forms, policies and procedures, and inspection reports.*

90 **2. That the Department of Behavioral Health and Developmental Services (the Department) and the**
91 **Virginia Housing Commission (the Commission) shall work collaboratively to study and make**
92 **recommendations for establishing regulations for licensed providers of clinical substance use treatment**
93 **services that offer housing as a benefit for individuals participating in treatment services but are not**
94 **licensed or certified as a recovery residence. The Department and Commission shall report such**
95 **recommendations to the Chairs of the House Committee on Health and Human Services and the Senate**
96 **Committees on Rehabilitation and Social Services and Education and Health by November 1, 2026.**

97 **3. That the State Board of Behavioral Health and Developmental Services shall, in accordance with the**
98 **Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), promulgate regulations to**
99 **authorize the Department of Behavioral Health and Developmental Services (the Department) to**
100 **expand data reporting requirements for certified and conditionally certified recovery residences. Such**
101 **reporting requirements shall (i) include a process for mapping data elements currently collected by**
102 **credentialing agencies to inform new requirements; (ii) identify metrics that align with national best**
103 **practices for evaluating efficacy of recovery residences, including employment, reunification with**
104 **family, financial security, recidivism leading to incarceration, and overdoses; (iii) define required data**
105 **elements while providing operators of recovery residences discretion in selecting assessment tools; and**
106 **(iv) define a process for operators of recovery residences and credentialing agencies submitting on**
107 **behalf of recovery residences to submit data to the Department.**

108 **4. That the Department of Behavioral Health and Developmental Services (the Department) shall, in**
109 **accordance with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia),**
110 **promulgate regulations regarding sharing of data related to recovery residences with the public. Such**
111 **shared data may include a recovery residence's (i) certification status; (ii) credentialing agencies; (iii)**
112 **recovery model; (iv) date of last inspection and the outcome of such inspection; (v) incidents reported**
113 **in the past year, including the number and type of incidents; (vi) summary of findings from audits or**
114 **investigations; (vii) demographics and number of residents served; and (viii) indigent bed usage.**

115 **5. That the second enactment of Chapter 608 of the Acts of Assembly of 2025 is amended and reenacted**
116 **as follows:**

117 **2. That the Secretary of Health and Human Resources shall convene a work group to (i) analyze**
118 **and make recommendations regarding the creation of a process through which the Department of**
119 **Behavioral Health and Developmental Services (the Department) can provide oversight of all recovery**
120 **residences in the Commonwealth and (ii) make recommendations to ensure transparency with the**

121 public and residents or potential residents of recovery residences regarding the certification of each
122 recovery residence, including certification requirements, results, and inspections. Such work group
123 shall develop credentialing guidelines to be implemented by the Department, including (a) a uniform
124 set of certification criteria for all recovery residences; (b) protocols for the Department to define
125 qualifications for indigent bed fees and payment and reimbursement to recovery residences for
126 indigent bed fees; (c) protocols to ensure resident and patient choice in receiving treatment and that
127 the recovery residence operator, the house manager, or anyone in leadership with the recovery
128 residence is not determining the treatment received; (d) training and standards that recovery residence
129 operators and house managers shall meet before becoming a certified recovery residence operator or a
130 certified recovery house manager, including a verified period of participation in recovery; (e) a
131 Residents' Bill of Rights, including a mandatory compliance requirement with such Residents' Bill of
132 Rights by certified recovery residence operators and certified recovery house managers; (f) protocols
133 for termination of residency; (g) uniform data collection for recovery residences with a transparent
134 data platform; (h) establishment of a hotline for complaints involving or against recovery residences to
135 facilitate investigations; (i) a process for investigation of complaints involving or against recovery
136 residences to be conducted by the Department or the Department in coordination with the locality
137 where the recovery residence is located and not the credentialing entity; (j) protocols for sanctions on
138 recovery residences, including decertification when appropriate; (k) methods for localities to conduct
139 fire, building, safety, and health inspections of recovery residences; and (l) other issues related to
140 recovery residences and their operators as the work group shall deem appropriate. Such work group
141 shall include representatives of the Department's Office of Recovery Services, Oxford House, Inc., the
142 Virginia Association of Addiction Professionals, the Virginia Association of Recovery Residences,
143 representatives selected by the Virginia Association of Counties and the Virginia Municipal League,
144 members of the community where the recovery residences are located, and other relevant stakeholders.
145 *The work group shall meet, at a minimum, two times per calendar year. The work group shall submit a*
146 *report of its findings and recommendations to the General Assembly by November 1, 2026 annually.*

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