
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 646

Assembly Amendment 1

2019 ASSEMBLY BILL 646

Assembly Bill 646 relates to disciplinary action against a state employee who is receiving medication-assisted treatment (MAT) and the registration of recovery residences.

State Employee Discipline

Under **current law**, a state employee may be removed, suspended without pay, discharged, demoted, or receive a reduction in pay without receiving prior progressive discipline for being under the influence of a controlled substance or in possession of a controlled substance while on duty.

Under **the bill**, a state employee is not subject to certain discipline without prior progressive discipline in these circumstances if the employee is using a controlled substance as directed as part of MAT.

Registration of Recovery Residences

The bill requires the Department of Health Services (DHS) to establish and maintain a registry of approved recovery residences. Under the bill, a recovery residence is a home-like residential environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer recovery support.

The bill also does the following:

- Requires DHS to approve a recovery residence for registration if the recovery residence is either certified by a nationally recognized recovery residence certification organization, or a chapter of a national recovery residence organization, that is approved by DHS. With regard to this certification:
 - The certification organization or national organization must make a recovery residence meet certain requirements specified in the bill to be certified or obtain chapter status.
 - DHS must revoke the registration of a recovery residence that ceases to be certified.
- Prohibits DHS from including a recovery residence in the registry if the recovery residence excludes any resident solely on the basis that the resident participates in MAT.
- Provides that a recovery residence is not required to register unless it seeks referrals or funds from the state or federal funds passing through the state treasury.
- Upon request for referrals to recovery residences, requires DHS to provide a list of registered recovery residences. DHS may limit the list of registered recovery residences it provides based on the geographical and other preferences specified by the person requesting referrals.
- Prohibits a recovery residence from using the designation of or holding itself out as “registered” or “state approved” unless the recovery residence is included in the registry under this bill.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 eliminates the requirement in the bill that a recovery residence must be certified by a nationally recognized recovery residence certification organization or a chapter of a national recovery residence organization. Instead, the amendment provides that a recovery residence must meet the same requirements specified in the bill as being necessary for certification or chapter status, but that determination is made by DHS.

The amendment also delays, by two years, the effect of the bill's prohibition against DHS including a recovery residence in the registry if the recovery residence excludes any resident solely on the basis that the resident participates in MAT.

BILL HISTORY

Representative Nygren introduced Assembly Amendment 1 on January 10, 2020. The Assembly Committee on Substance Abuse and Prevention voted on January 15, 2020, to recommend adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 9; Noes, 0.

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