

# Registration of Recovery Residences

Office of Health Facility  
Licensure & Certification





# Who We Are

The Office of Health Facility Licensure & Certification (OHFLAC) is a division of the Office of Inspector General.

The Office of Health Facility Licensure and Certification has the mission to shape healthy environments for clients, patients, and residents of facilities and programs by promoting best practices and enforcement of state and federal rules and regulations.



# What We Do

Pursuant to authorizing legislation and other legal authorities, the Office of Health Facility Licensure and Certification issues licenses, registrations, and certifications to facilities, programs, and providers that meet applicable minimum standards.

The Office of Health Facility Licensure and Certification reviews and investigates complaints related to minimum standards and other issues such as patient brokering, human trafficking, and other law violations.





# Senate Bill 475

- Passed during 2024 Regular Session
- Requires registration with the Office of Health Facility Licensure & Certification
- Registration to be renewed annually
- List of registered recovery residences will be available on the Office of Health Facility Licensure & Certification website
- Allows for the issuance of civil money penalties for failure to register
- Due process rights when issued a civil money penalty
- Data collection from each recovery residence to be submitted



# Registration

- Non-transferable and each location to be registered separately
- Registration valid for one year from the date of issuance
- Registration is complete when the Office of Health Facility Licensure and Certification receives a completed application, registration fee, and required documents
- Change of Ownership: New owner shall notify the Office of Health Facility Licensure and Certification within 10 calendar days and immediately apply for a new registration
- Registration Amendment: Notify the Office of Health Facility Licensure and Certification within 30 calendar days prior to a change in name or physical address and request an amended application form



# Application & Renewal

- Initial Registration
  - Existing residences: Three calendar months from the effective date of the emergency rule (deadline = February 26, 2025) to submit an initial registration application
  - New residences: Submit an initial registration application not less than 30 days and not more than 60 calendar days before the residence begins operations
- Renewal Registration
  - Submit a renewal registration application not less than 60 calendar days prior to the expiration of the current registration
  - Once a complete renewal application is received, the existing registration shall not expire until the new registration has been issued or denied

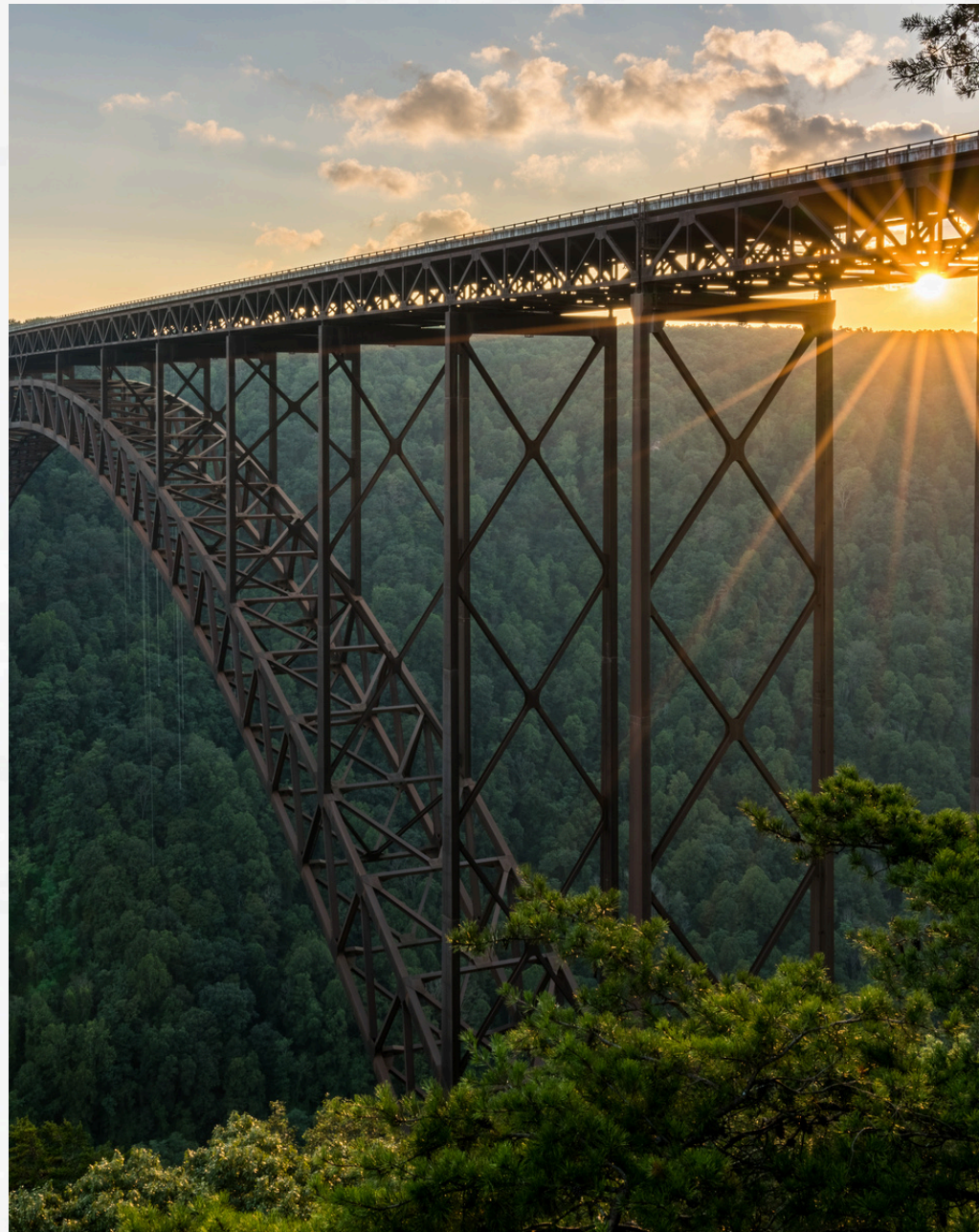


# Complaints & Investigations

- Complaints
  - May be received from any source or self-generated
  - Complaints may be made anonymously
  - Complaints may be referred between the Office of Health Facility Licensure and Certification and the Certifying Agency
  - Complaints may be referred or include involvement from other state agencies or law enforcement agencies
- Investigations
  - Certified residences: Complaints will be shared with the Certifying Agency and some complaints may still be investigated by the Office of Health Facility Licensure and Certification
  - Non-certified residences: Complaints will be reviewed, investigated as appropriate, and referred to other state agencies as necessary
  - The Office of Health Facility Licensure and Certification does have authority to investigate complaints related to patient brokering, human trafficking, or other violations of state or federal law



# Failure to Register



- Complete registration applications must be submitted for existing residences no later than February 26, 2025.
- If suspected of operating an unregistered residence, the Office of Health Facility Licensure and Certification has authority to enter to determine the need to be registered. If access is denied, the Office of Health Facility Licensure and Certification may obtain an inspection warrant to enter.
- Failure to register may result in civil money penalties (may be up to \$20,000) and other legal action.





# Data Reporting

- Each residence is required to submit data reporting
- Reporting on a form created by or a system approved by the Office of Health Facility Licensure and Certification
- Data submission must also be sent to the Department of Human Services
- The Office of Health Facility Licensure and Certification and the Certifying Agency may contact residents to verify information
- Data collected is exempt from disclosure pursuant to the Freedom of Information Act



# Reporting Schedule

- Reporting will be quarterly
- First reporting deadline will be April 15, 2025
- New residences: first reporting deadline will be the first reporting deadline after initial registration, even if not registered for entire reporting period

## First Quarter

Reporting Period:  
January, February,  
and March

Reporting Deadline:  
April 15

## Second Quarter

Reporting Period:  
April, May, and  
June

Reporting Deadline:  
July 15

## Third Quarter

Reporting Period:  
July, August, and  
September

Reporting Deadline:  
October 15

## Fourth Quarter

Reporting Period:  
October, November,  
and December

Reporting Deadline:  
January 15



# Reporting Content

Name, date of birth, and previous address of each individual resident that resided in the residence during the reporting period

Specific source of all referrals the residence received

If a resident has a child, spouse, or other relative that is also staying in the residence, the name, date of birth, and previous address

Number of hours resident volunteered or worked for any business, organization, or other entity as condition or part of resident's stay at residence

State of residency or citizenship of each individual resident

Hourly rate a resident is paid for such work and total amount of payments or benefits received from resident's work

Whether resident is receiving substance use disorder treatment, name of provider, any and all referral/profit sharing/other agreement between participant, residence, or provider (or combination)

Monthly rent resident paid, any rent paid by third party or outside source, any rent reductions (no rent/deferred rent) resident received for any reason



# Reporting Content

Length of resident's stay and, if known, where the resident went after leaving the residence, and reason resident left

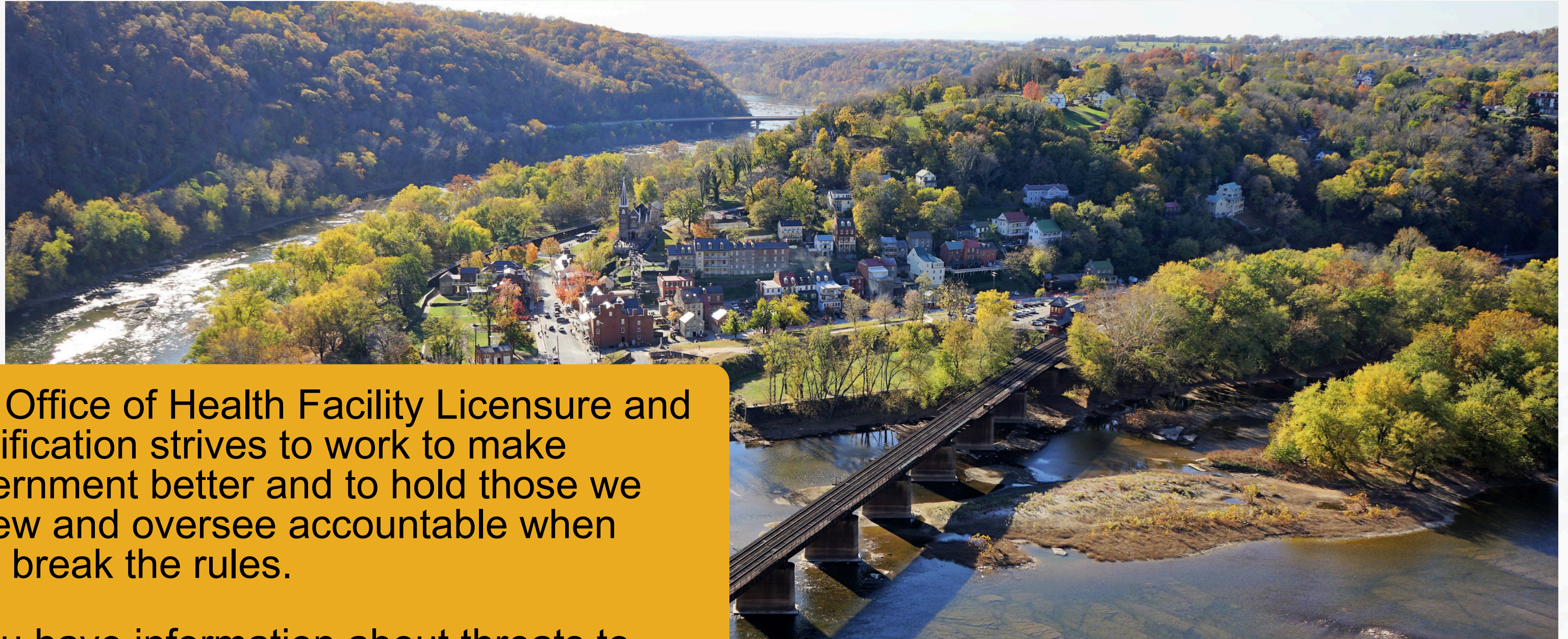
Copies of all leases or participation agreements or terms required of any participation that have been provided to new participants or signed by any participant during reporting period

Whether resident is receiving any other mental health treatment and name of provider along with any referral/profit sharing/other agreements between participant, residence, or provider (or combination)

Copies of any agreements for referrals, financial compensation, or any agreement between a residence and a provider of treatment which have been in effect during reporting period

- Other information may be requested to analyze the performance of recovery residence and determine if patient brokering, human trafficking, or other criminal activity is occurring
- Reporting will be on a form provided by the Office of Health Facility Licensure and Certification or in a data reporting system approved by the Office of Health Facility Licensure and Certification





The Office of Health Facility Licensure and Certification strives to work to make government better and to hold those we review and oversee accountable when they break the rules.

If you have information about threats to health, safety, welfare, or treatment of participants or other patients of health facilities, report it to the Office of Health Facility Licensure and Certification.





# Contact the Office of Health Facility Licensure and Certification



408 Leon Sullivan Way, Charleston, WV 25301



(304) 558-0050



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Thank you!

