

222.504 Powers and duties of cabinet -- Legal actions -- Fines -- Compliance.

- (1) The cabinet shall:
 - (a) Require certified recovery residences to provide proof of certification at least annually;
 - (b) Require certified recovery residences to notify the cabinet of any change in their certification status, including but not limited to a suspension or revocation of certification by a certifying organization;
 - (c) Require separate proof of certification for each recovery residence owned or operated by an individual or entity in the Commonwealth;
 - (d) Post on its website the name, telephone number, and location by local jurisdiction of each certified recovery residence and shall update the list at least quarterly;
 - (e) Post on its website the name of each certifying organization approved by the cabinet; and
 - (f) Notify local governments with appropriate jurisdiction of receipt of proof of certification from a recovery residence within thirty (30) days of receipt of proof of certification.
- (2) The cabinet shall not disclose the address of a recovery residence except to local governments, local law enforcement, and emergency personnel.
- (3) The cabinet may:
 - (a) In lieu of posting the information required by subsection (1)(d) of this section to its website, post a link to another website that aggregates information on certified recovery residences or other information providers; and
 - (b) Promulgate administrative regulations in accordance with KRS Chapter 13A to carry out the provisions of this section and KRS 222.500, 222.502, 222.506, 222.508, and 222.510.
- (4) If a recovery residence violates any provision of this section, KRS 222.502, or any administrative regulation promulgated thereunder, the cabinet and local governments are hereby granted the authority and legal standing necessary to impose civil fines as permitted under subsection (5) of this section and to initiate appropriate legal action to compel a recovery residence that is operating in violation of KRS 222.502 to cease operating.
- (5)
 - (a) Any certified recovery residence or other person operating a recovery residence who knowingly fails to submit any report, data, or other information as may be required by the cabinet through the promulgation of an administrative regulation or by a local government through the enactment of a local ordinance or who submits fraudulent reports, data, or information may be subject to civil fines established by the cabinet through the promulgation of an administrative regulation or by a local government through the enactment of a local ordinance.
 - (b) Any person or entity who knowingly establishes, maintains, or operates an uncertified recovery residence in violation of KRS 222.502 may be subject to civil fines established by the cabinet through the promulgation of an

administrative regulation or by a local government through the enactment of a local ordinance.

- (6) Notwithstanding any law to the contrary, a recovery residence that furnishes proof of current certification from a certifying organization to a local government shall be presumed by the local government to be in compliance with this section and KRS 222.500, 222.502, 222.506, 222.508, and 222.510.

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History: Amended 2024 Ky. Acts ch. 132, sec. 3, effective July 15, 2024. -- Created 2023 Ky. Acts ch. 85, sec. 3, effective June 29, 2023.