

**AMENDED AND RESTATED  
BYLAWS  
OF  
COLORADO ASSOCIATION FOR RECOVERY RESIDENCES, INC.**

A COLORADO NON-PROFIT CORPORATION  
(a Non-Membership Corporation)

**ARTICLE I  
GENERAL**

SECTION 1.01. Scope. Subject to limitations provided by law, or the Articles of Incorporation of COLORADO ASSOCIATION FOR RECOVERY RESIDENCES, INC. (the “Corporation”), these Amended and Restated Bylaws, as amended from time to time, shall contain the provisions for regulation and management of the affairs of the Corporation. All references herein to the Articles of Incorporation shall be construed to mean the Articles of Incorporation of the Corporation as they may be amended from time to time. These Bylaws shall amend and restate in their entirety the previous Bylaws of the Corporation.

SECTION 1.02. Purpose. Said Corporation is organized without capital stock and is organized and shall be operated exclusively for charitable, educational and/or scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States Internal Revenue Law (the “Code”), and specifically, to ensure the highest quality care for individuals overcoming chemical dependency who are in need of longer-term recovery residence support and/or treatment, including, without limitation: creating, monitoring, evaluating and improving standards and measures of quality for recovery residence programs in Colorado; promoting ethical best-practices among recovery residence providers; maintaining a forum for exchanging ideas, lending support, problem solving and providing guidance to new and existing residential recovery programs; providing community education, training and assistance to recovery residence programs throughout the State of Colorado, and serving communities by promoting good neighbor practices. The Corporation is an affiliate licensed by the National Alliance for Recovery Residences (“NARR”) and shall always adhere to and comply with the national standards for recovery residences established by NARR related to the certification of recovery residences unless it is determined not to comply with Colorado Law or is determined not to be in best practice as determined by the Board of Directors of the Colorado Association For Recovery Residence (“CARR”), as well as the NARR Code of Ethics. It is intended that the Corporation be an exempt organization under Section 501(c)(3) of the Code.

SECTION 1.03. Powers. The Corporation shall have the power, either directly or indirectly, either alone or in conjunction or cooperation with others, to do any and all lawful acts and things to engage in any and all lawful activities which may be necessary, or convenient to effect any or all of the purposes for which the Corporation is organized, and to aid or assist other organizations whose activities are such as to further accomplish, foster, or attain any of such purposes. The powers of the Corporation shall include, but not be limited to, the acceptance of contributions from both the public and private sectors, whether financial or in-kind contributions. Notwithstanding anything herein to the contrary, the Corporation shall exercise its powers only in furtherance of exempt purposes as such terms are defined in Section 501(c)(3) of the Code and the regulations promulgated thereunder.

SECTION 1.04. Non-Profit Status. The Corporation is a non-profit organization, and no part of the net earnings of the Corporation shall inure to the benefit of or be distributable to, any Director, officer, or other private person, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the Articles of Incorporation and these Bylaws. In the event of any liquidation or dissolution of the Corporation, the Board of Directors shall distribute all of the assets of the Corporation for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code, or to the United States of America, any State thereof, or any political subdivision of any State, for exclusively public purposes, as the Board of Directors of the Corporation shall determine.

## ARTICLE II BOARD OF DIRECTORS

SECTION 2.01. General Powers. The property, affairs and business of the Corporation shall be managed by a Board of Directors, and the Board shall have, and may exercise, all the powers of the Corporation.

SECTION 2.02. Number. The Board shall consist of not less than three (3) nor more than fifteen (15) Directors, as shall be determined by the Board of Directors.

SECTION 2.03. Advisory, Honorary and Emeritus Directors. The Board of Directors may appoint one or more advisory, honorary or emeritus director(s) who shall serve at the discretion of the Board and give such guidance and assistance in furthering the purposes of the Corporation as the Officers of the Corporation may request. Advisory, honorary or emeritus directors shall be invited to attend all meetings of the Board of Directors but shall have no vote on any matter brought before the Board. Advisory, honorary or emeritus directors may serve on committees of the Board and may vote as a member of such committees but shall have no vote on any such committee having and exercising any of the authority of the Board. Any advisory, honorary or emeritus director may resign at any time by written notice to the Board of Directors.

SECTION 2.04. Election. The Directors shall be elected at each annual meeting as defined in Section 2.10 hereof, or at any special meeting held in place thereof, except as provided in Section 2.03 regarding any advisory, honorary or emeritus director, herein, or in Section 2.15 regarding vacancies. In case of any increase in the number of Directors, the additional Director or Directors may be elected either at the meeting at which such increase is voted, or at any subsequent regular, annual or special meeting, provided that any special meeting at which such additional Director or Directors shall be elected shall have been called for said purpose.

SECTION 2.05. Term of Office and Qualification. The term of office of the Board shall terminate at the Annual Meeting in the year after the initial adoption of these Bylaws; and until his or her successor is elected and qualified or until his or her earlier resignation or removal. Except as set forth herein, each Director shall hold office for a term of three (3) years or until his or her successor is elected and qualified or until his or her earlier resignation. The names of the members of the Board in office on the date of adoption of these Bylaws and the respective expiration dates of their terms of office are set forth on Exhibit A hereto.

SECTION 2.06. Quorum and Manner of Acting. A majority of the total number of Directors at the time in office shall constitute a quorum for the transaction of business at any meeting. Except as otherwise provided by law, the Articles of Incorporation or by these Bylaws, a majority vote of all Directors present, at any meeting at which a quorum is present, shall be the act of the Board of Directors.

In the absence of a quorum, a majority of the Directors present may adjourn any meeting from time to time until there is a quorum. Notice of any adjourned meeting need not be given. The Directors shall act only as a Board, when there is a quorum, and the individual Directors shall have no power as such.

SECTION 2.07. Place of Meetings. The Board of Directors may hold its meetings at any place within or without the State of Colorado as it may from time to time determine or shall be specified or fixed in the respective notices or waivers of notice thereof.

SECTION 2.08. Regular Meetings. Regular meetings of the Board of Directors shall be held at such times as the Board shall determine from time to time, but no less than quarterly. If any day fixed for a regular meeting shall be a legal holiday at the place where the meeting is to be held, then the meeting which would otherwise be held on that day shall be held at the same hour on the next succeeding business day not a legal holiday.

SECTION 2.09. Special Meetings. Special meetings of the Board of Directors shall be held whenever called by the President of the Board, any two (2) Board members.

SECTION 2.10. Annual Meetings. The annual meeting of the Directors for the election of Directors of the Corporation and for the transaction of such other business relating to the Corporation as may come before the meeting shall be held on such day during the month of March of each year and at such hour and place as the Board of Directors from time to time may determine. If such annual meeting is omitted by oversight or otherwise on the day herein provided therefor, all business which might have been transacted at that annual meeting may be transacted at the next succeeding meeting, whether special or annual. Any meeting of the Board of Directors may be held by means of a telephone conference circuit, and connection to such circuit shall constitute attendance at such meeting.

SECTION 2.11. Notice of Meetings. Written notice stating the place, day and hour of a regular or special meeting and the annual meeting shall be delivered to each of the Directors by mail not less than five (5) days before the date of the meeting, by or at the direction of the Secretary. Such mailed notice shall be deemed to be delivered when deposited in the United States mail addressed to the Director's residence or usual place of business, with postage prepaid thereon. Alternatively, notice of such meetings stating the place, day and hour of the meeting may be given personally by delivery or by telephone or telegraph or electronic mail ("email") by or at the direction of the Secretary not fewer than twenty-four (24) hours prior to the time of the meeting. Neither the business to be transacted at, nor the purpose of, any meeting of the Board of Directors need be specified in any notice or written waiver of notice except as otherwise herein expressly provided.

A statement contained in the minutes of any meeting of the Directors over the signature of the Secretary to the effect that due notice of such meeting has been given shall be conclusive evidence that proper notice of such meeting has been given in one of the ways provided herein. Any meeting of the Board of Directors may be held by means of a telephone conference circuit, and connection to such circuit shall constitute attendance at such meeting.

SECTION 2.11. Notice of Meetings. Written or electronic notice stating the place, day and hour of a regular or special meeting and the annual meeting shall be delivered to each of the Directors by mail not less than five (5) days before the date of the meeting, by or at the direction of the Executive Director, the Board President or any two (2) board members. Such notice shall be deemed to be delivered when deposited in the United States mail addressed to the Director's residence or usual place of business, with postage prepaid thereon or provided an "undelivered" electronic response was not sent to the composer of the electronic message. Alternatively, notice of such meetings stating the place, day and hour of the meeting may be given personally by delivery or by telephone or telegraph at the discretion of

the notifying person(s) not fewer than twenty-four (24) hours prior to the time of the meeting. Neither the business to be transacted at, nor the purpose of, any meeting of the Board of Directors need be specified in any notice or written waiver of notice except as otherwise herein expressly provided, however it is recommended to have that purpose stated for the Board of Directors preparation.

A statement contained in the minutes of any meeting of the Directors over the signature of the composer to the effect that due notice of such meeting has been given shall be conclusive evidence that proper notice of such meeting has been given in one of the ways provided herein. Any meeting of the Board of Directors may be held by means of a telephone conference circuit, and connection to such circuit shall constitute attendance at such meeting.

SECTION 2.12. Meeting Attendance. Directors must make a good faith effort to attend Board meetings. Any Director, advisory, honorary or emeritus directors who fails to attend three (3) consecutive Board meetings, unless such absences are excused by the Board of Directors through its chair/president, shall be automatically removed as a member of the Board. Attendance by telephone is not considered absence from a meeting.

SECTION 2.13. Resignation. Any Director of the Corporation may resign at any time by giving written notice to the Board of Directors, the President, or the Secretary of the Corporation. The resignation of any Director shall take effect at the time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 2.14. Removal of Directors and Reinstatement. Any Director may be removed, either with or without cause, at any time, by the two-thirds vote of the other Directors, at any regular meeting or special meeting called and held for said purpose. In the event that removal consists of the appointed designee from OBH, OBH must appoint a new designee to the board within 30 Calendar days upon notification by mail of the removal of board member. A former director may be reinstated at the discretion of the other Directors, at any time, by a majority vote of the current Directors.

SECTION 2.14 Removal, Extensions, Reinstatement and Maximum Number of Terms of Directors. Any Director may be removed, either with or without cause, at any time, by the two-thirds vote of the other Directors, at any regular meeting or special meeting called and held for said purpose. A former director may be reinstated at the discretion of the other Directors, at any time, by a majority vote of the current Directors. Directors terms may be extended for a predetermined amount of time when the quorum has determined and recorded legitimate and defined purpose and an expiration date of the extension. Directors may be reinstated after resignation or removal with a majority vote of all Directors present, at any meeting at which a quorum is present. The vote will include a new expiration date, as decided by the quorum. At the expiration of a term served in good standing, a quorum of the current Directors may reinstate a person to Director, provided three years have passed since the last day of the expired term.

SECTION 2.15. Vacancies. Any vacancy in the Board of Directors caused by death, resignation, removal, disqualification, an increase in the number of Directors, or any other cause, may be filled by the remaining Directors then in office, though less than a quorum, at any regular meeting or special meeting of the Board of Directors, including the meeting at which any such vacancy may arise, or the next annual meeting or any special meeting, provided that any special meeting at which any such vacancy shall be filled shall have been called for said purpose; and each Director so elected shall hold office for the term of the vacancy which he or she is filling, and until his or her successor is duly elected and qualified, or until he or she is deceased, resigns, or is removed pursuant to Section 2.13, whichever is earlier. In the event that vacancy consists of the appointed designee from OBH, OBH must appoint a new designee to the board within 30 Calendar days upon notification by mail of the removal of board member.

SECTION 2.16. Agenda and Records. There shall be an agenda for any meeting of the Board of Directors. The Directors shall cause a fair, accurate and complete record of their meetings to be kept.

~~SECTION 2.17. Composition. A maximum of 60% of the voting members on the Board may consist of recovery residence operators, directors or representatives. A maximum 40% shall consist of community members with a vested interest in the corporation's mission as described in purpose stated in Section 1.02.~~

**SECTION 2.17 Composition.** The Board shall at all times includes a representative of the BHA. The BHA representative shall serve as a non-voting member of the Board. No more than 60% of the voting members on the Board shall consist of recovery residence owners, operators, directors, or representatives (“Recovery Residence Member”). No less than 40% of the voting members of the Board shall consist of community members with a discernible interest in the corporation’s mission and purpose as described in Section 1.02 herein (“Community Member”). To maintain the required composition of the Board, in the event a Community Member acquires an interest in recovery residence(s) or a Recovery Residence Member divests their interests in recovery residence(s), such Member shall resign their position on the Board. Such Member may re-apply and be considered for membership with the Board at any time thereafter.

ARTICLE III  
WAIVER OF NOTICE; UNANIMOUS CONSENT

SECTION 3.01. Waiver of Notice. Notice of the time, place and purpose of any meeting of the Board of Directors of the Corporation may be waived in writing by any Director of the Corporation either before or after such meeting; and attendance in person at a meeting of the Board of Directors shall be equivalent to having waived notice thereof.

SECTION 3.02. Unanimous Consent. Insofar as permitted by law and unless otherwise restricted by the Articles of Incorporation or these Bylaws, any action required or permitted to be taken at any meeting of the Board of Directors may be taken without a meeting if prior to such action a written consent thereto is signed by all Directors or Members, as the case may be, and such written consent is filed with the records of the Corporation.

ARTICLE IV  
OFFICERS

SECTION 4.01. Number. The officers of the Corporation shall be a President, a Secretary, a Treasurer, a Office of Behavioral Health (“OBH”) designee, and such other officers as the Board of Directors may from time to time designate, including one or more Vice President. One (1) person may hold the offices and perform the duties of any two (2) or more of said offices.

SECTION 4.02. Election, Qualification and Term of Office. The officers shall be elected annually by the Board of Directors of the Corporation at its first meeting following the annual meeting by a majority vote of the directors or as described in Section 4.02 hereof. Each officer shall be elected or appointed to serve until a successor shall have been duly elected and qualified, or until he or she is deceased, resigns or is removed in the manner hereinafter provided, whichever is earlier.

SECTION 4.03. Term Limits. No officer shall serve in any one office of the Corporation for more than three (3) consecutive terms.

SECTION 4.04. Removal. Any officer may be removed either with or without cause, by the vote of two-thirds of the whole Board of Directors at a special meeting called for said purpose. Such removal will be without prejudice to the contract rights, if any, of the person so removed. Election or appointment of an officer shall not of itself create contract rights. In the event that removal consists of the appointed designee from OBH, OBH must appoint a new designee to the board within 30 Calendar days upon notification by mail of the removal of board member.

SECTION 4.05. Resignation. Any officer may resign at any time by giving written notice to the Board of Directors or to the President. Any such resignation shall take effect at the date of receipt of such notice or at any later time specified therein; and unless otherwise specified therein the acceptance of such resignation shall not be necessary to make it effective.

SECTION 4.06. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled for the unexpired portion of the term by the Board of Directors at any regular or special meeting.

SECTION 4.07. The President. The President shall preside at all meetings of the Board of Directors at which he or she is present. The President also shall have such other powers and perform such other duties as are designated by the Board of Directors.

SECTION 4.08. The Vice President. The Vice President, shall preside at all meetings of the Board of Directors in the absence of the President. The Vice President also shall have such other powers and perform such other duties as are designated by the President or the Board of Directors.

SECTION 4.09. The Secretary. The Secretary shall record or cause to be recorded all the proceedings of the meetings of the Board of Directors of the Corporation and meetings of all committees to which a secretary shall not have been appointed; shall see that all notices are duly given in accordance with the provisions of these Bylaws and as required by law; shall be custodian of the records and of the seal of the Corporation; and have such other powers and perform such other duties as the Board of Directors of the Corporation may from time to time prescribe.

SECTION 4.10. The Treasurer. The Treasurer shall have charge and custody of, and be responsible for, all funds and credits and property of the Corporation, render a statement of the condition of the finances of the Corporation at all regular meetings and upon request of the Board of Directors of the Corporation. The Treasurer shall also have charge of the books and records of account of the Corporation, which shall be kept at such office or offices of the Corporation as the Board of Directors shall from time to time designate; be responsible for the keeping of correct and adequate records of the assets, liabilities, business and transactions of the Corporation and at all reasonable times exhibit the books and records of account to any of the Directors of the Corporation; review the Corporation's budget annually; be responsible for monitoring the budget; and, in general, perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Board of Directors of the Corporation or the President.

SECTION 4.11. General Powers. Each officer shall, subject to these Bylaws, have, in addition to the duties and powers herein set forth, such duties and powers as are commonly incident to its office, and such duties and powers as the Board of Directors shall from time to time designate.

ARTICLE V  
COMMITTEES

SECTION 5.01. Executive Committee. The Corporation shall have an Executive Committee of the Board of Directors consisting of the President, the Vice President, if any, the Secretary, if any, the Treasurer, plus such other Directors who shall have been approved by a majority of the Board of Directors. The Executive Committee shall have and may exercise all of the powers of the Board of Directors in the management of the affairs of the Corporation between meetings of the Board of Directors, and subject to the limitations imposed by the Colorado Not-for-Profit Corporation Act.

SECTION 5.02. General. In addition to the Executive Committee of the Board of Directors the membership of which is provided for herein, the President shall appoint the President of each committee. The committee President shall select committee members. Each Standing and Special Committee shall consist of at least two (2) members. The President and the Member shall serve as members of each Standing and Special Committee of the Board.

SECTION 5.03. Standing Committees. The Corporation shall have the following committees, which shall have the following duties, except as modified or expanded by the Board of Directors:

(a) Ethics Standards Committee. The Ethics Standards Committee shall have sole authority over the recovery residence certification process, including ensuring that the process meets all CARR and best practice standards as well as the authority to suspend certification pursuant to established and accepted procedures and guidelines. The Ethics Standards Committee shall be comprised of seven (7) members, three (3) of which shall be certified recovery residence administrators when possible (one each from Level II, Level III and Level IV facilities) and which shall be chosen to represent, to the greatest degree possible, the diversity of the population we work with. The other four (4) committee member shall be an independent committee member chosen by the Board of Directors and shall be a non-provider. All Ethics Standard Committee members will be issued a registered badge and credentials by CARR. Credentials must be presented when performing any housing inspections, and or conducting investigations as a representative of CARR. The policies and procedures of the Ethics Standards Committee shall be governed by a written Ethics Standards Committee Charter, Exhibit C, which shall be periodically reviewed by the committee and approved by the Board. The names of the members of the Ethics Standards Committee, their status as a Certified Recovery Residence Administrator, or other title, and their respective expiration dates of their terms of service on the committee, are set forth on Exhibit B.

(b) Finance Committee. The Finance Committee shall have the following duties, except as modified or expanded by vote of the Board of Directors: The Finance Committee shall consist of the Treasurer, who shall be the President, and such other Directors or persons as the Board shall determine. The Finance Committee shall make recommendations to the Board of Directors which will safeguard the assets of the Corporation as follows: (i) cause an annual budget to be prepared and submitted to the Board of Directors for approval at the second regular meeting of the board in each fiscal year, and (ii) monitor cash flow by recommending priorities to the corporate expenditures in light of available resources, and (ii) oversee or conduct all tax filings with Federal and State agencies as may be required by law.

(c) Audit Committee. The Audit Committee shall, if necessary, cause the books and records of the Corporation to be audited and certified by a firm of certified public accountants and approved by the Board, shall review the audit and shall make recommendations to the Board regarding the quality and acceptability of the Corporation's accounting principles, procedures and internal controls and to report any issues identified to the Board. The policies and procedures of the Audit Committee shall

be governed by a written Audit Committee Charter, which shall be periodically reviewed by the committee and approved by the Board.

(d) Nominating Committee. The Nominating Committee shall prepare slates of potential members of the Board of Directors for election at annual meetings and shall secure acceptances by the nominees before submitting the slate. The committee shall review and evaluate current members of the Board of Directors' service and commitment to the Corporation. It shall also nominate individuals for vacancies on the Board. The Nominating Committee shall prepare slates of potential officers of the Board of Directors for election at annual meetings.

SECTION 5.04. Special Committees. The Corporation may have other committees as the need arises which shall be established by the President with the approval of a majority of the full Board of Directors and the Member. Special Committees shall serve for such a period as shall be designated by the President or Board of Directors.

SECTION 5.05. Committee Powers and Procedures. All Committees established by the Board of Directors shall conduct their activities in accordance with the provisions of these Bylaws applicable to the notice, quorum and voting requirements for the Board of Directors. Except as specifically approved by the Board of Directors, the actions and recommendations of any such Committee (other than the Ethics Standards Committee) shall be advisory only and subject to the approval or ratification of the Board of Directors. Committees shall not act independently. All committee motions are reported to the Board, and all motions pertaining to expenditures or other financial matters go first to the Finance Committee.

## ARTICLE VI EXECUTIVE STAFF

SECTION 6.01. Engagement. The Corporation may engage an Executive Director ("ED") with the approval of a majority of the full Board of Directors and subject to the Corporation's financial ability to sustain such position.

SECTION 6.02. Duties and Responsibilities. The duties and responsibilities of the ED shall be as determined by the Board of Directors from time to time and set forth in a written job description, Exhibit D, approved by the Board of Directors.

SECTION 6.03. Delegation of Duties. The ED shall be responsible for the engagement and hiring of employees of the Corporation, within the limits provided for in the approved budget, and, subject to any approval rights of the Board of Directors, which have not been delegated to the ED.

SECTION 6.04. Performance Review. The performance of the ED shall be subject to an annual review by the Executive Committee or such other person or committee as may be designated by the Board of Directors.

SECTION 6.05. Termination. The ED may be dismissed and his or her employment by the Corporation terminated only with the approval of a majority of the members of the full Board at the meeting of the Board of Directors.



ARTICLE VII  
EXECUTION OF DOCUMENTS

SECTION 7.01. Contract, etc., How Executed. The President may enter into any contract or execute any contract or other instrument contemplated in the approved budget of the Corporation, the execution of which is not otherwise specifically provided for, in the name and on behalf of the Corporation. Any contract or other instrument may be executed by the President, unless the aggregate dollar value of such instrument is equal to or greater than \$5,000, in which case authorization of the full Board of Directors is required. The ED may execute any contract or other instrument up to \$1,000, provided, however, the ED may renew any existing contract previously entered into by the Corporation which is up for renewal and which has been approved by the Board as part of and incorporated in the current Corporation budget. The Board may authorize any other additional officer or officers, agent or agents, of the Corporation to enter into any contract or execute and deliver any contract or other instrument in the name and on behalf of the Corporation, and such authority may be general or confined to specific instances. Unless authorized to do so by these Bylaws or by the Board, no officer, agent or employee shall have any power or authority to bind the Corporation by any contract or engagement, or to pledge its credit, or to render it liable pecuniarily for any purpose or to any amount.

SECTION 7.02. Checks, Drafts, etc. All checks, drafts, bills of exchange or other orders for the payment of money, obligations, notes, or other evidences of indebtedness, bills of lading, warehouse receipts and insurance certificates of the Corporation (each an “Instrument”), shall be signed or endorsed by the appropriate director(s), officer(s) or employee(s) as set forth in Section 7.01 or as otherwise provided for in the Corporation’s policies and procedures manual, or if not provided for, as approved by the Board of Directors.

ARTICLE VIII  
INDEMNIFICATION

The Corporation will, pursuant to the Colorado Not-For-Profit Corporation Act or any successor indemnification provision, and to the extent legally permissible and only to the extent that the status of the Corporation as a corporation exempt under Section 501(c)(3) of the Code is not affected thereby, indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that he or she is or was a Director, committee members, officer, employee or agent of the Corporation (or is or was serving at the request of the Corporation as a trustee, director, officer, partner, employee or agent of another corporation, partnership, joint venture, trust or other enterprise), against all liabilities and expenses (including attorneys’ fees), judgments, penalties, fines, settlements and reasonable expenses actually incurred by the person in connection with any such action, suit or proceeding. Expenses, including counsel fees, reasonably incurred by any such Director, committee members, officer, employee or agent in connection with the defense or disposition of any such action, suit or other proceeding may be paid from time to time by the Corporation in advance of the final disposition thereof upon receipt of an undertaking by such Director, committee members, officer, agent or employee to repay the amounts so paid to the Corporation if it is ultimately determined that indemnification is not authorized hereunder. The right of indemnification hereby provided shall not be exclusive of or affect any other rights to which any Director, committee members, officer, employee or agent may be entitled. Nothing contained herein shall affect any rights to indemnification to which corporate personnel other than Directors or officers may be entitled by contract or otherwise under law. As used in this paragraph, the terms “Director” and “officer” include their respective heirs, executors and administrators, and a “disinterested” director is one against whom in such capacity the proceeding in question or another proceeding of the same or similar grounds is not then pending. The Board of Directors of the Corporation may authorize the Corporation to purchase and maintain insurance on behalf of any person who is or was a Director, committee members, officer, employee or agent of the Corporation, or is or was serving at the

request of the Corporation as a trustee, director, officer, partner, employee or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity or arising out of his or her status as such.

No Director or officer of the Corporation shall be liable to the Corporation for monetary damages for breach of fiduciary duty as a Director or officer, except to the extent such exemption from liability or limitation thereof is not permitted under the Colorado Statutes as the same exist or may hereafter be amended. As used in this paragraph, the terms “Director” and “officer” include their respective heirs, executors and administrators.

ARTICLE IX  
MISCELLANEOUS

SECTION 9.01. Fiscal Year. Except as from time to time otherwise provided by the Board of Directors, the fiscal year of the Corporation shall end on the last day of December of each year.

SECTION 9.02. Amendments. All Bylaws of the Corporation shall be subject to alteration or repeal, and new Bylaws may be adopted by the vote of a majority of the Board of Directors, provided that notice of the proposed alteration or repeal or of the proposed new Bylaws be included in the notice of the meeting at which such alteration, repeal or adopting is acted upon.

Date Adopted: December 1, 2019

**EXHIBIT A**

**BOARD OF DIRECTORS AND OFFICERS**

<b>Name</b>	<b>Position</b>	<b>Recovery Residence Operator</b>	<b>Term Start</b>	<b>Term End</b>
Cali Peterson	President	Yes	3/1/2022	3/1/2025
Gonzalo Ardavin	Treasurer	Yes	1/1/2020	12/31/2025*
Scott Mounce	Member	Yes	10/1/2023	10/1/2026
Matthew Neptune	Member	Yes	1/1/2020	12/31/2025*
Dara Keller	General Counsel	No	10/1/2022	10/1/2025
Tonya Wheeler	Member	No	11/1/2023	11/1/2025
Amy Cooper	Member	No	4/1/2023	4/1/2026
Alia Andrews	Member	No - BHA	N/A	N/A

\*Indicates founding board member. 1<sup>st</sup> Term are longer in order to have board consistency and staggered members in the proceeding years.

**EXHIBIT B**

**ETHICS STANDARDS COMMITTEE**

<b>Name</b>	<b>Badge Number</b>	<b>Recovery Residence Operator</b>	<b>Term Start</b>	<b>Term End</b>
Rourke Weaver	101	Yes	1/1/2020	12/31/2023
James Rhoads	103	No	1/1/2020	12/31/2024*
Cali Ryczek	104	Yes	1/1/2020	12/31/2023
Butch Lewis	100	Yes	1/1/2020	12/31/2023
Gonzalo Ardavin	105	Yes	1/1/2020	12/31/2024*
Alia Andrew	106	No	1/1/2020	12/31/2024*

**SUMMARY:** Ethics Standards Committee. The Ethics Standards Committee shall have sole authority over the recovery residence certification process, including ensuring that the process meets all CARR and best practice standards as well as the authority to suspend certification pursuant to established and accepted procedures and guidelines. The Ethics Standards Committee shall be comprised of seven (7) members, three (3) of which shall be certified recovery residence administrators when possible (one each from Level II, Level III and Level IV facilities) and which shall be chosen to represent, to the greatest degree possible, the diversity of the population we work with. The other four (4) committee member shall be an independent committee member chosen by the Board of Directors and shall be a non-provider. All Ethics Standard Committee members will be issued a registered badge and credentials by CARR. Credentials must be presented when performing any housing inspections, and or conducting investigations as a representative of CARR. The policies and procedures of the Ethics Standards Committee shall be governed by a written Ethics Standards Committee Charter, Exhibit C, which shall be periodically reviewed by the committee and approved by the Board. The names of the members of the Ethics Standards Committee, their status as a Certified Recovery Residence Administrator, or other title, and their respective expiration dates of their terms of service on the committee, are set forth on Exhibit B.

## Exhibit C

### ETHICS STANDARDS COMMITTEE CHARTER

#### Colorado Association for Recovery Residences

#### Overview

Compliance audit protocol differs from the annual certification protocol in that focuses on a thorough review of policies, procedures and practices related to certain affirmative attestations executed by the provider during initial and renewal application for voluntary certification. Compliance audits seek to confirm compliance with the core principles that govern the CARR Quality Standards and Code of Ethics and specific criteria mandated by CRS, 25-1.5-108.5. All compliance audits will be conducted with a minimum of 72 hours notice. At the time of application for initial and renewal certification, provider organizations agree to cooperate fully and transparently with CARR Compliance Audit Staff. This cooperation extends to providing CARR Field Audit Assessors access to organizational and resident records including, but not limited to, billing and receipt records, resident files, drug screening logs, drug confirmation test results, corporate records, insurance policies, fire and safety inspection reports, financial records and personnel files. Applicant organizations agree to provide CARR Field Audit Assessors unrestricted access to interview Owner(s) of Record, managers, staff and volunteers in addition to residents and, when appropriate, neighbors for the sole purpose of confirming compliance as referenced above. In order that CARR might maintain the integrity of Certificates of Compliance, the CARR Board of Directors requires that no less than twenty-five (25%) percent of certified provider locations are selected for compliance audit review each calendar year.

#### CARR Quality Standards Core Principles:

1. Operate with integrity
2. Uphold resident rights
3. Are recovery-oriented
4. Are peer staffed and governed
5. Promote health
6. Provide a home
7. Inspire purpose
8. Cultivate community
9. Promote safety
10. Are good neighbors

#### Provider Affirmative Attestations

##### 1. CARR Core Principle: Operate with Integrity

I attest and affirm that our organization is in compliance with CARR Quality Standards 01 through 05 in their entirety and will endeavor to sustain compliance with same.

I affirm that the submission of this application for voluntary certification of compliance with CARR Quality Standards for Recovery Residences, CARR Code of Ethics and other criteria as specified by CRS, 25-1.5-108.5 truthfully represents full disclosure of facts pertaining to ownership, management and staffing of all recovery residence locations operated by our program and that all policies, procedures, and protocols documented by this submission accurately describe the operational practices of our organization, management, staff and volunteers.

I understand and agree that should it later be assessed by the CARR Ethics Committee, in their sole determination, that this application does not honestly and accurately represent a full disclosure of facts and operational practices of our organization, sanctions will be applied without further recourse which may include immediate revocation of

our organization's Certificate of Compliance that, in turn, automatically triggers a mandatory moratorium on reapplication for a minimum of six calendar months from the date of revocation.

## **2. CARR Core Principle: Uphold Residents Rights**

I attest and affirm that our organization is in compliance with CARR Quality Standards 06 through 09 in their entirety and will endeavor to sustain compliance with same.

I affirm and attest that our organization's ownership, management, staff and volunteers uphold the rights of residents as referenced throughout CARR Quality Standards, CARR Code of Ethics and CRS, 25-1.5-108.5, placing the rights of residents and the rights of the House Parent among our hierarchy of organizational priorities.

I attest and affirm that our organization does not subscribe to the "another head to fill a bed" intake philosophy and agree to screen applicants for residency, mindful of the needs and sensitivities of our priority population, to ensure our community is appropriate for the applicant and that the applicant is appropriate for our community

I attest and affirm to thoroughly orientate new residents to our community, fully disclosing house rules and consequences, resident rights and responsibilities, phasing and discharge protocols, and all fees and financial commitments, billed directly or indirectly, for which the resident may potentially become legally accountable as a result of policies, procedures or protocols practiced in the operation of our program

## **3. CARR Core Principle: Are Recovery Oriented**

I attest and affirm that our organization is in compliance with CARR Quality Standards 10 and II in their entirety and will endeavor to sustain compliance with same.

I attest and affirm that our organization is a recovery-oriented housing provider rather than a "boarding house for persons who do not drink and/or use illicit drugs" and that we take deliberate and intentional steps to encourage and mentor resident participation in a self-directed recovery plan.

## **4. CARR Core Principle: Are Peer Staffed and Governed**

I attest and affirm that our organization is in compliance with CARR Quality Standards 12 through 17 in their entirety and will endeavor to sustain compliance with same.

I attest and affirm that our organization values the resident voice and encourages peer leadership and accountability by nurturing a community culture that relies on and empowers peers to actively participate in community governance.

## **5. CARR Core Principle: Promote Health**

I attest and affirm that our organization is in compliance with CARR Quality Standards 18 through 23 in their entirety and will endeavor to sustain compliance with same.

I attest and affirm that our organization is a transitional support program for persons in recovery from a substance use disorder and that our primary purpose is to provide recovery-oriented housing that provides residents with encouragement and support to further develop recovery management skills and recovery capital.

I attest and affirm our organization's appreciation that under state law, support levels I, II and III are prohibited from directly offering clinical services that require licensure. CARR Support level IV is required by state law to be appropriately licensed by the Department of Health and Human Services. Office of Behavioral Health.

## **6. CARR Core Principle: Provide a Home**

I attest and affirm that our organization is in compliance with CARR Quality Standards 24 through 26 in their entirety and will endeavor to sustain compliance with same.

I attest and affirm that our organization maintains an alcohol and drug-free environment by means of written policies and procedures that are consistent with the federal and state law.

I attest and affirm that our organization represents a structured home-like environment by means of set parameters that promote accountability, consideration of others and peer support.

I attest and affirm that our organization maintains a recovery oriented home-like environment to protect the well-being of the residents, staff and community.

#### **7. CARR Core Principle: Inspire Purpose**

I attest and affirm that our organization is in compliance with CARR Quality Standard 27 in its entirety and will endeavor to sustain compliance with same.

I attest and affirm that our organization is operating a recovery oriented home with access to recovery programming both inside and outside of the recovery residence.

I attest and affirm that our organization provides resources for each resident's individual recovery and promote the individual responsibility of developing recovery capital through measures in compliance with CARR Quality Standard 27.

#### **8. CARR Core Principle: Cultivate Community**

I attest and affirm that our organization is in compliance with CARR Quality Standards 28 through 30 in their entirety and will endeavor to sustain compliance with same.

I attest and affirm that our organization is in compliance with at least 50% of the sub-standards associated with CARR Quality Standard 28.

I attest and affirm that our organization is in current practice of having routine meetings and/or activities that by definition promote a peer supportive, family-like household.

I attest and affirm that our organization maintains an environment within the recovery residence that routinely hosts social activities that encourage residents to bond and support one another's recovery.

I attest and affirm that our organization understands that all of our staff need to promote recovery within any informal or formal interactions with the residents at all times. Our organization attests that all relationships between residents and staff are appropriate and ethical and at all times supportive of each resident's recovery and the recovery community within the home.

I attest and affirm that our organization provides outside recovery opportunities and supports to encourage the development of each resident's recovery capital.

I attest and affirm that our organization is in accordance with CARR Quality Standards and at least 50% of the sub-standards for levels 2-4 and at least 1 sub-standard for level 1.

#### **9. CARR Core Principle: Promote Recovery**

I attest and affirm that our organization is in compliance with CARR Quality Standards 31 and 32 in their entirety and will endeavor to sustain compliance with same.

#### **10. CARR Core Principle: Promote Safety**

I attest and affirm that our organization is in compliance with CARR Quality Standards 33 and 34 in their entirety and will endeavor to sustain compliance with same.

## **11. CARR Core Principle: Are Good Neighbors**

I attest and affirm that our organization is in compliance with CARR Quality Standards 35 through 37 in their entirety and will endeavor to sustain compliance with same.

### **Compliance Audit Selection Criteria**

Compliance Audits do not necessarily result from an advanced indicator or suggestion of non-compliance. Audit selections may be triggered randomly. Random selection criteria may include the location's support level, priority population, compliance results from previous onsite visits, and the proximity of the location to upcoming onsite visits scheduled for another provider in the vicinity.

Compliance Audit inspections may also be triggered by CARR having received a formal grievance by a stakeholder who makes a credible claim regarding first-hand knowledge of an event(s) of non-compliance with core principles governing the CARR Quality Standards, Code of Ethics or specific criteria mandated by CRS, 25-1.5-108.5. Not all formal grievances necessitate an onsite compliance audit assessment. The CARR Compliance Audit Administrator determines under what conditions a Field Assessment Audit is necessary to assess continued compliance.

In either instance, random or for cause, Compliance Audit Assessments are conducted by Certification Staff or Ethics Standards Committee (ESC) with a minimum of 72hrs advance scheduling or notice to selected providers except in the following situations: In cases of apparent imminent danger and other unusual circumstances, to enable the employer to abate the danger as quickly as possible. In circumstances where law enforcement personnel may be required to be notified, CARR will follow best practices and will make best efforts to conform to the standards as outlined by 42 CFR Part 2 Subpart D.

In the case Compliance Audit staff have been trained to conduct themselves professionally and with strict adherence to the CARR Compliance Audit Protocol. This is not intended to be a "policing activity"; but rather an opportunity to further educate and support providers on how they might honor their commitment to deliver quality services that are in compliance with the CARR Standard and Code of Ethics.

### **Compliance Audit Reporting**

Results from this assessment are compiled in a Compliance Audit Report and are forwarded by the ESC directly to the full board of CARR for review. Compliance Audit Reports are also available upon demand by Owners of Record and the Office of Behavioral Health (OBH). Compliance Audit assessments do not represent an additional expense to the provider unless the ultimate result requires intervention by the CARR Ethics Committee.

In most instances, provider locations that are determined to be non-compliant are provided with a date specific opportunity to evidence their return to compliance. A written notice of non-compliance, including the date for evidencing a return to compliance and itemized list of actions necessary to evidence said compliance is provided as an attachment to the Compliance Audit Report. The final determination of compliance or non-compliance is vested with the CARR Ethics Committee.

### **CARR Ethics Committee Authorities**

The CARR Ethics Committee is vested by the CARR Board of Directors with sole authority over the recovery residence certification process, including ensuring that the process meets all NARR and best practice standards, specific mandates of CRS, 25-1.5-108.5. This ESC is authorized by the CARR Board of Directors to suspend certification pursuant to established and accepted procedures and guidelines. Only a full vote by the CARR board can deny or revoke a certification.

### **CARR Ethics Committee Standing Committee**

The Ethics Committee shall be comprised of a minimum of five (5) members, three (3) of which shall be certified recovery residence administrators (best efforts will be made to have: one each from Level II, Level III and Level IV facilities) and



which shall be chosen to represent, to the greatest degree possible, the diversity of the population we work support. The fifth committee member shall be an independent committee member chosen by the Board of Directors and shall be a non-provider. The policies and procedures of the Ethics Committee shall be governed by a written Ethics Committee Charter, which shall be periodically reviewed by the committee and approved by the Board. These members serve as volunteers are not compensated. Eligibility and rotation criteria is set forth in the Ethics Committee Charter and is intended to ensure fair and impartial application of authority. All Ethics Standard Committee members will be issued a registered badge and credentials by CARR. Credentials must be presented when performing any housing inspections, and or conducting investigations as a representative of CARR.

#### **NOTICE TO PROVIDERS WHO SEEK VOLUNTARY CERTIFICATION UNDER CRS, 25-1.5-108.5:**

Providers seeking Voluntary Certification of Compliance with CARR Quality Standards and Code of Ethics and additional criteria specified under CRS, 25-1.5-108.5, are advised that CARR Certification and Compliance Administrators are tasked with making recommendations of denial, suspension and/or revocation to the CARR Ethics Committee. In the event of unresolved events of non-compliance, this committee is vested by the CARR Board of Directors to sanction the provider, including but not limited to:

1. Dismissal of CARR Certification or Compliance Audit staff recommendation(s) for sanction(s).
2. Extension of additional thirty (30) day period during which the subject provider might achieve compliance.
3. Schedule a meeting with the Owner(s) and Recovery Residence Administrator(s) of Record to review the events of non-compliance before making their final determination.
4. Suspend certification for a period of no less than 90 days and order a full compliance audit of all locations operated by the recovery residence provider; cost of \$300.00 per location to be borne by the recovery residence provider.
5. Revoke certification based on CARR Ethics Committee assessment that the specified activities and/or practices represent non-compliance with CARR Standard, Code of Ethics. and/or other criteria specified in which may include, but are not limited to:
  - a. Filing a false and/or misleading application for Voluntary Certification with the Colorado Association of Recovery Residences as per CRS, 25-1.5-108.5 a credentialing entity shall revoke and which evidences non-compliance with CARR Quality Standards Core Principle, Operates with integrity.
  - b. Sexual misconduct between provider staff and residents which evidences non-compliance with CARR Code of Ethics.
  - c. Bullying, physical threats of violence and/or violent behaviors which evidences non-compliance with CARR Quality Standards and Code of Ethics.
  - d. Participation in act(s) of Patient Brokering as defined in CRS, 25-1.5-108.5 and/or Insurance Fraud which evidences non-compliance with CARR Quality Standards and Code of Ethics.
  - e. Unresolved neighbor grievances deemed by the CARR Ethics Committee to be non-discriminatory and curable by the provider, evidencing non-compliance with CARR Quality Standards, *A good neighbor policy to address neighborhood concerns and complaints*
  - f. Failure of provider to take consistent and demonstrable actions to adhere to their written policies and procedures as related to sustaining an alcohol and drug free community for residents which evidences non-compliance with CARR Quality Standards.
  - g. Failure of the Provider to follow their established protocol(s) to reasonably ensure the safety of all stakeholders when a resident is discharged as the result of a reoccurrence of use (relapses). This includes the safety of the resident, the safety of residence community and the safety of the surrounding neighborhood. The provider discharge protocol must be approved by the credentialing entity and must be presented at time of application for Voluntary Certification. Provider failure to implement the approved protocol evidences non-compliance with CARR Quality Standards and Code of Ethics.

- h. Failure of the Owner of Record to notify CARR Certification Staff in writing within seventy-two (72) hours regarding:
  - i. Provider changes to approved policies, procedures and/or protocols
  - ii. Opening and/or closure of provider locations
  - iii. Changes to Ownership, Management
  - iv. Life-threatening events and/or deaths of current residents, whether on property or elsewhere
  - v. Criminal charges alleging felony misconduct by any Owner, Manager or Staff
  - vi. Criminal charges alleging felony misconduct by a qualifying Recovery Residence Administrator
 Constitutes an event of non-compliance and may result in suspension and/or revocation of the provider's Certificate of Compliance.

6. Refer grievances filed by stakeholders to external agencies, as determined by the ESC, including, but not limited to:
  - a. Colorado Department of Health and Human Services, Office of Behavioral Health
  - b. Colorado Attorney General's Office of Consumer Protection
  - c. Colorado Department of Law Enforcement
  - d. Local Law Enforcement
  - e. Local Zoning Code Enforcement Departments

Access to reports that provide the specific nature of formal grievances and/or CARR action(s) that may result from such a grievance are limited to:

- f. The Grievant
- g. Agencies to whom the grievance was referred
- h. Owner(s) of Record
- i. Qualifying Recovery Residence Administrator(s) of Record
- j. Colorado Department of Health and Human Services, Office of Behavioral Health

CARR Board, Staff and Ethics Committee Members are prohibited from sharing or answering questions pertaining to grievances beyond the scope outlined herein. Grievances are filed through website form located on the CARR website and must include the following information:

- Subject Provider (Name and address)
- Is this Provider certified by CARR?
- Contact information for subject provider, if known
- Nature of grievance (statement of first person knowledge)
- Alleged non-compliance with which Core Principles, Ethics
- Grievant First and Last Name
- Grievant phone number
- Grievant email address
- Grievant Relationship to subject provider
- Signature / Date / Attestations

Should CARR receive a phone call from a grievant who is unable to gain access to a web browser in order to electronically file a formal grievance, CARR Staff will complete the submission of the grievance on behalf of the grievant. It is required that the call be recorded, with permission to record authorized by the Grievant, and saved as a MP3 file attached to the grievance record within the case record.

## Process Steps

Upon receipt of a new grievance, data automatically flows into the CARR system to create a new case:

1. Email is auto-generated and forwarded to grievant acknowledging receipt and the case record status is auto-set to the default: **Pending**
2. Email is auto-generated and forwarded to the CARR ESC notifying them regarding receipt of a new grievance.
3. CARR ESC designee updates the record with an assignment of TIER 1 or TIER 2, depending on whether the subject provider is a certified recovery residence and/or current applicant for certification of compliance.
4. The CARR Compliance Audit Administrator updates the case record status to either **Received-Actionable** or **Received-Pending Research**, depending on:
  - Has sufficient information furnished upon which to identify the subject entity?
  - Is the nature of the alleged non-compliance clear?
  - Is there adequate contact information available to make connection with the subject provider?
5. In the event that the subject provider name and/or contact information is unknown, which is often true of grievances filed by neighbors, the CARR ESC researches the location address to determine additional identifying and contact information, updating the record accordingly.
  - When this research is successful, the case status is updated to **Received-Actionable**.
  - When research is unsuccessful the case status is updated to **Insufficient Information**

#### **Tier 1 Grievances: Non-Certified Providers**

Grievant is contacted for an interview:

1. Phone interviews are, when permitted, are recorded with the provider contact's prior authorization and saved as MP3 file to the case record.
  2. When The CARR ESC connects with the subject of the grievance, the case record status is updated reflect **Under Review**.
  3. An email is auto-generated and forwarded to grievant upon change of status.
    - a. What happened? Who, When, Where
      - i. All information obtained is documented within internal notes of support case
    - b. Is the grievant safe?
      - i. If no, direct the grievant to call 911 immediately or conference 911. Once the grievant is safe continue to next steps.
      - ii. If yes, continue with next steps
    - c. Is there an immediate danger to individuals within the house?
      - i. If no, direct the grievant to call 911 immediately or conference 911. Once the grievant is safe continue to next steps.
      - ii. If yes, continue with next steps
    - d. What Standards/Ethics are alleged to be in violation?
      - i. Document within support case
    - e. What documentation is there to support?
      - i. Attach to support case
    - f. Validate information from grievance
- Grievance is packaged up into neat, clearly understood case file

*Route 1:* Should the nature of alleged grievance jeopardize the safety of the residents, the community, or is in violation of state or federal law the grievance will be immediately forwarded to appropriate reporting agency, including but not limited to:

- FBI
- State Attorney

- Local Police
- Attorney General
- Department of Health and Human Services, Office of Behavioral Health

Complete grievance is forwarded from Plan plus support module, along with grievant contact info, to appropriate reporting agency

- Status Change - Referred to Outside Reporting Agency
- Copy is sent to grievant via email
- Result Changes: Non-Compliant-Non-CARR
- Copy of grievance is stored to organization record for future reference

*Route 2:* Should the grievance fall under one of the following domains, CARR ESC will make contact with the provider in order to help resolve and educate on compliance protocols:

- Recovery Support
- Good Neighbor

Route 2A: Depending on the nature of the grievance and the programs willingness to resolve the nature, the ESC may forward the grievance to the appropriate reporting agency:

- Status Change - Referred to Outside Reporting Agency
- Copy is sent to grievant
- Result Changes: Non-Compliant-Non-CARR

Route 2B: If the grievance is resolved by the ESC and evidence of resolution can be documented:

- Status Change – Compliant – NON-CARR
- Copy is sent to grievant via email
- Result Change – Compliant – Non – CARR
- Copy of grievance is stored to organization record for future reference

## **Tier 2 Grievance: CARR Certified Program**

### **CARR Compliance Administrator Assessment:**

1. Is the grievant safe?
  - a. If no, direct the grievant to call 911 immediately or conference 911. Once the grievant is safe continue to next steps.
  - b. If yes, continue with next steps
2. Grievant is contacted for initial phone interview:
  - a. Phone interviews are, when permitted, are recorded with Grievant’s prior authorization and saved as MP3 file to the case record.
    - i. What happened? (Who, What, When, Where)
    - ii. What standard(s) and/or Ethic(s) and other criteria specified by CRS, 25-1.5-108.5 are alleged to be non-compliant? CARR Compliance Administrator updates the case record accordingly, notating each specific event of alleged non-compliance by reference number.
    - iii. Do the alleged events of non-compliance appear to pose an immediate threat to the safety and well-being of residents and/or the surrounding community?

1. If yes, CARR ESC may at their discretion request permission of the grievant to conference a 911 operator into the call. Once this conference call is completed, CARR ESC continues with following steps.
- iv. What evidence, if any, does the grievant offer to substantiate the alleged events of non-compliance?
  1. Document case record accordingly
  2. Inquire if grievant knows where and how CARR ESC might obtain documentation to support the alleged event(s) of non-compliance:
    - a. Collaborating witnesses?
    - b. Copies of written communications such as:
      - i. emails
      - ii. letters
      - iii. Explanation of Benefits statements (EOBS)
      - iv. Screen captures of Social Media Posts
    - c. Photos
    - d. Subject entity resident agreements
    - e. Rent and/or deposit receipts
- b. What happened? Who, When, Where
- c. What standard(s) and/or Ethic(s) and other criteria are alleged to be non-compliant? CARR ESC notates the case record accordingly.
- d. Do the alleged events of non-compliance appear to pose a threat to the safety of residents and/or the surrounding community?
  - i. If yes, CARR ESC request permission of the grievant to conference a 911 operator into the call. Once this conference call is completed, CARR ESC continues with following steps.
- e. What evidence, if any, does the grievant offer to substantiate the alleged events of non-compliance?
  - i. Document case record accordingly
  - ii. Inquire if grievant knows where and how CARR ESC might obtain documentation to support the alleged event(s) of non-compliance:
    1. Collaborating witnesses?
    2. Copies of written communications such as:
      - a. emails
      - b. letters
      - c. Explanation of Benefits statements (EOBS)
      - d. Screen captures of Social Media Posts
    3. Photos
    4. Subject entity resident agreements
    5. Rent and/or deposit receipts
- f. If the CARR ESC determines it is necessary to schedule a field audit assessment prior to engaging the full board in a discussion regarding the alleged event(s) of non-compliance, then a field assessor is assigned to conduct an onsite compliance audit.
- g. Field Audit Assignment Process:**
  1. The assignment process is conducted in the CARR online screen share meeting facility.
  2. The CARR ESC reviews the grievance with the field assessor as documented in the CARR Grievance Case Record.
  3. The CARR ESC outlines specific audit criteria as notated in the CARR Certification Software and reviews this criteria with the field assessor during the assignment meeting.
  4. The field assessor commits to a specific date and time to conduct the onsite visit not to exceed 14 calendar days from date of assignment.

5. The CARR Compliance Audit Administrator updates that date/time in the case record and sets the status to **Field Scheduled**.
6. When field audit assessment results are reported, via the CARR Certification Application, to the CARR ESC, those results are updated in the case record and the CARR ESC moves forward to the following step.
- h. If the CARR Compliance Audit Administrator determines that a field audit is not indicated then the CRRA is contact by email, offering a summary of the grievance inclusive of alleged event(s) of non-compliance itemized by reference to specific CARR Standards, Code of Ethics and other criteria as may be specified in CRS, 25-1.5-108.5 and establishes date/time to review the grievance by phone. The case record status is updated to **CRRRA Scheduled**.
- i. On the appointed date/time, the CARR ESC and the field auditor discuss the case and agree on a resolution path:
  - i. Written acknowledgement by field auditor that the event of non-compliance as reported by the Grievant is factual and what specific actions the recovery residence will implement to prevent similar non-compliance in the future.
  - ii. Written attestation that the alleged event(s) of non-compliance are not factual with attachments of supporting evidence that may support that attestation.
  - iii. A written request by the ESC for up to fourteen working days (date specific) to investigate the alleged event(s) of non-compliance before responding either affirmatively or negatively regarding the allegation.
- j. All written communications must be appended to the case record. Phone conversations and face-to-face meetings, should any such meetings occur, must be notated in the case record with a date and time stamp not to exceed twenty-four hours from occurrence. Best practice suggests that such communication be notated during and immediately following the conversation.
- k. Based on the response by the field auditor and, if ordered, the field audit report, the CARR Compliance Audit Administrator is responsible to:
  - i. Update the case record with the response and audit.
  - ii. Updated the case record status to **Resolved** which, in turn, auto-generates and forwards an email to both the Grievant and CARR.
  - iii. Notify by email (read receipt requested) what further action is required to evidence compliance. Compliance action notifications are addressed to the ESC, updating the case record to reflect a status of **Resolution Pending**. Note: The Owner of Record must be copied on these communications.
  - iv. Or, if by the nature of the event(s) of non-compliance, no proposed action is adequate to cure non-compliance, then prepare a recommendation for Suspension or Revocation and schedule a presentation to the CARR Ethics Committee within 14 calendar days from the date of that determination, updating the case record to reflect a status of **Committee Scheduled**.

### Resolution Path 1:

In the event the alleged grievance is assessed to potentially jeopardize the safety of the residents, the community, or is in violation of state or federal law, the CARR ESC will request an audit inspection of the program location and notify by email the appropriate law enforcements agencies, including but not limited to:

- Colorado Attorney General's Office
- Department of Health and Human Services, Office of Behavioral Health
- Colorado Bureau of Investigation
- Local Law Enforcement
- Local Zoning Department Code Enforcement

Audit inspections must be accepted and scheduled by assessors within 14 days.

- Status Change: Audit Requested
  - Notifies field auditor via email alert
  - Field auditor pulls all documentation and assessment notes from original certification in relation to standards, ethics, and/or statute items reported as being in non-compliance and attached them to the grievance record within plan plus support module.
  - ESC assigns field audit inspection
    - Copy of grievance and supporting documentation in forwarded to field auditor
    - Field auditor: Confirm Assignment Date, due 4 days
    - Field auditor assignment and adds the inspection date within certification application. (Program is not notified of upcoming inspection)
- Status Change: Audit Scheduled
  - Creation of calendar appointment triggers update to ESC, due 2 days after inspection.
- Status Change: Under Review
  - Field auditor documents non-compliance items with notes and forwards report, along with original grievance, to the ESC for their review, recommendations, and/or sanctions.

Ethics Standards Committee has 14 days after conclusion of investigation to report back to the recovery residence with their recommendations and/or sanctions.

#### Route 1: Recommended Corrective Action as a result of evidence of non-compliance

- Status Change (Case): Suspended – CARR
  - Changes Status of Certification Compliance within Website
  - Office of Behavioral Health is Notified
  - Email alert and letter sent to program (Includes original grievance, assessor notes, and Ethics Committee recommendations.)
    - Program will be suspended for a minimum of 90 days. Within that timeframe the program must make all recommended corrective action(s). Failure to comply will result in revocation of certification. A full audit of all locations at the cost of the provider is required prior to lift of suspension.
      - Email reminder and letter is sent out at 21 day mark if the program has failed to comply
      - Task Assignment to Compliance Admin at 25 day mark: Phone Call to Program notifying them of upcoming action. Notes logged to organization record.

#### Route 1A: Program submits necessary documentation:

- Email notifications and task assignment to review compliance document, due 7 days.

= Yes, program is evidenced to be in compliance:

- Invoice for Audit Inspection is generated by the ESC or other designee and forwarded to the primary contact at the program. (Due within 30 days)
- Once payment is collected ESC will designate a financial auditor to be assigned to conduct full audit inspection:
  - Status Change: Audit Requested
  - Notifies recovery residence via email alert
    - ESC assigns a financial auditor, copy of grievance and supporting documentation is forwarded to financial auditor
    - Task Assignment from financial auditor to ESC: Confirm Assignment Date, due 4 days

- Financial auditor accepts assignment and adds the inspection date within certification application.
- Status Change: Audit Scheduled
- Status Change: Under Review
  - Financial auditor documents non-compliance items with notes from the assessor and forwards report, along with original grievance, to the ESC for their review, recommendations, and/or sanctions.

Status Change (Case): Compliant – CARR

- Changes Status of Certification Compliance on Website
- Department of Health and Human Services, Office of Behavioral Health
- Email alert to recovery residence (Includes original grievance, assessor notes, and case closure)
- Result: Compliant - CARR

≠No, program has not provided sufficient evidence of compliance:

- Email alert and letter sent to recovery residence with notes

Route 1B: Program fails to comply within the required timeframe:

- Change Status (Case): Revoked - CARR
- Changes Status of Certification Compliance within Website
- Notification sent to Department of Health and Human Services, Office of Behavioral Health
- Email alert to program (Includes original grievance, assessor notes, and Ethics Committee recommendations, and final action)
- Result: Non-Compliant - CARR
- Programs who wish to reapply must wait 6 months in order to do so.

Route 2: Revocation of Certification

- Change Status (Case): Revoked - CARR
- Changes Status of Certification Compliance within Certification Application, Portal, and Website
- Notification sent to Department of Health and Human Services, Office of Behavioral Health
- Email alert and letter sent to program (Includes original grievance, assessor notes, and Ethics Committee recommendations, and final action)
- Result: Non-Compliant - CARR
- Programs who wish to reapply must wait 6 months in order to do so.

Route 3: Compliant

- Status Change (Case): Compliant – CARR
  - Changes Status of Certification Compliance within Website
  - Email Notification to Grievant
  - Email alert to program (Includes original grievance, assessor notes, and case closure)
  - Result Change: Compliant - CARR



## **Colorado Association of Recovery Residences- Job Description**

**Job Title:** Executive Director  
**Reports To:** CARR Board  
**SALARY:** Commensurate with experience  
**FLSA Status:** Exempt

### **Overview**

The Colorado Association of Recovery Residences (CARR) is a 501-c3 nonprofit organization dedicated to expanding the availability of well-operated, ethical, and supportive recovery housing. The Executive Director is responsible for the business, ongoing development, and maintenance of the Association and its statewide certifications. The Executive Director serves a diverse group of recovery residences and works with stakeholders of those agencies to develop strategies that educate, promote, and influence public policy and resource decisions at the state/federal level and with the National Alliance for Recovery Residences (NARR).

The Executive Director is the key management leader responsible for working with the Board of Directors, the community, and the inspectors to create a streamlined and reliable organization while maintaining community partnerships, excellence in customer service, and a well-maintained image for CARR.

Other essential duties include but may not be limited to the following: organization management, fundraising, marketing, and community outreach. This key position reports directly to the Board of Directors. The Executive Director will work closely and participate with the Board of Directors in developing the ongoing vision and strategic and fiscal plans to guide the organization. Specific responsibilities pertaining to this position are outlined below.

### **Leadership and Board Governance Responsibilities**

- Responsible for all Board communication, works effectively in partnership with the Board of Directors to provide, promptly, all information necessary for the proper functioning of the Board: reminders of meetings, agendas, minutes, and overall organization and oversight of the association.
- Identifies, assesses and informs the Board of Directors of internal and external issues that affect the organization.
- Acts as a professional advisor to the Board of Directors on all aspects of the organization's activities.
- Fosters effective teamwork between the Board of Directors.
- Acts as a spokesperson for the organization.
- Conducts official correspondence on behalf of the Board as appropriate and jointly with the Board when appropriate.
- Represents the organization at community activities to enhance the organization's community profile.
- Is accountable for enhancing the organization's image by being active and visible in the community working closely and collaboratively with other professionals, civic, and private organizations.
- Ensures that programs and services offered by the organization contribute to the organization's mission fulfillment.
- Create new and maintain policies and procedures for CARR to function as an organization, as approved by the Board of Directors.
- Manage and hire all personnel and contractors as approved by the Board of Directors.

### **Community Relations, Certifications, and Advocacy**

- Identifying new recovery residences and guiding them through the certification process.
- Ensuring and overseeing all aspects of the certification process from selecting and training new inspectors, including but not limited to verifying all annual inspections of new or currently certified recovery residences are completed on schedule.
- Communicate with stakeholders to keep them informed of the organization's work and identify changes in the community served by the organization.
- Establishes good working relationships and collaborative arrangements with community groups, funders, politicians, and other organizations to help achieve the organization's goals.
- Works with State government agencies, lobbyists, and legislators.
- Develops a marketing plan that elevates the organization's community profile which aids in the recruitment of additional recovery residences and increased financial support.
- Represents the association with NARR.
- Communicates relevant local, state, and federal legislative issues to the Board of Directors and organizes efforts where indicated.
- Responsible for providing CARR-related initiatives regarding education and community outreach.
- Responds to all communications from outside stakeholders, individuals, government agencies, and organizations promptly.
- Maintain and ensure up-to-date information on CARR's website.

### **Financial Planning, Fund Raising, and Management**

- Is accountable for the fiscal management that, operating within the approved budget, ensures maximum resource utilization, and maintains the organization's favorable financial position.
- Works with contractors and the Treasurer to prepare a comprehensive budget.
- Works with the Board of Directors to secure adequate funding for the organization's operation to support the organization's mission.
- Collect payment from recovery residences as directed by the Board of Directors.
- Research funding sources and oversee the development of annual fundraising plan, including but not limited to the following: direct individual asks, events, corporate sponsorships, grants, contracts, fees for services, and certifications.
- Works in conjunction with the Treasurer on monthly financials; transfers funds as needed; is responsible for tracking income and expenditures of budgeted line items; prepares and writes checks, makes copies, and mails bills for expenses; tracks and files invoices; answers stakeholder's questions or issues; helps prepare for an annual audit.
- Participates in fundraising activities as appropriate expenditures within the authority delegated by the Board.
- Ensures that sound bookkeeping and accounting procedures are followed.
- Works with the Treasurer to administer the organization's funds per the approved budget and the monthly cash flow of the organization.
- Ensures that the organization complies with all legislation covering taxation and withholding payments.
- Works with the Treasurer to prepare for audits ensuring that all necessary documents are organized and provided promptly.

### **Risk Management**

- Identifies and evaluates the risks to the organization and implements measures to control risks.

- Ensures that the Board of Directors, staff, and the organization carry appropriate and adequate insurance coverage in all areas: liability, D&O, crime, cyber and commercial.
- Ensures that the Board of Directors understands the insurance coverage's terms, conditions, and limitations.
- Oversees contracts such as lobbyist, bookkeeper, and others as directed.

### **Knowledge, Skills, and Abilities**

- 3-5 years experience at the executive level (ED/CEO) of a diverse statewide association (preferred) or similar managerial, non-profit experience.
- Experience working with State government agencies and legislators (Colorado preferred).
- Experience and knowledge of managing finances, budgeting planning, and execution.
- Strong multi-tasking and flexibility skills.
- Knowledge in leadership and management principles as they relate to non-profit organizations.
- Excellent organizational skills.
- Excellent written and verbal communication skills.
- Motivated self-starter with a positive attitude.
- Knowledgeable and proficient in using personal computers (database management, spreadsheets, word processing, presentation, and MS Office).
- Ability to work well with a diverse group of people at all levels and work effectively with little direct supervision.
- Knowledge of the Behavioral Healthcare industry, specifically substance use disorder prevention, treatment, and recovery.
- Knowledge of current community challenges and opportunities relating to the organization's mission.
- Knowledge of financial management.
- Knowledge of project management.

### **Personal Characteristics**

- **Adaptability:** Demonstrates a willingness to be flexible, versatile, and tolerant in a changing work environment while maintaining effectiveness and efficiency.
- **Ethical Behavior:** Understands ethical behavior and best business practices and ensures that the staff's conduct and behavior are consistent with these standards that align with the organization's values.
- **Leadership:** Positively influences others to achieve results in the organization's best interest through transparency and ethical leadership.
- **Relationship Building:** Establishes and maintains positive working relationships with others, both internally and externally, to achieve the organization's goals.
- **Effective Communication:** Listens, speaks, and writes in a clear, thorough, and timely manner using appropriate and effective communication tools and techniques to motivate board, clients, staff, and community
- **Creativity and Innovation:** Develops new and unique ways to improve the organization's operations and create new opportunities.
- **Client Needs:** Anticipates, understands, and responds to the needs of internal and external clients to meet or exceed their expectations within the organizational parameters.
- **Fostering Teamwork:** Works cooperatively and effectively with others to set goals, resolve problems, and make decisions that enhance organizational effectiveness.

- **Decision Making:** Assesses situations to determine the importance, urgency, and risks and makes clear decisions that are timely and in the organization's best interests.
- **Organization:** Sets priorities, develops a work schedule, monitors progress towards goals, and tracks details, data, information, and activities.
- **Effective Planning:** Determines strategies to move the organization forward, sets goals, creates and implements actions plans, and evaluates the process and results.
- **Problem Solving:** Assesses problem situations to identify causes, gathers, and processes relevant information, generates possible solutions, and makes recommendations and resolves the problem.
- **Strategic Thinking:** Assesses options and actions based on trends and conditions in the environment to convey a mission for the future of the organization and the vision and values of the organization

### **Education/Experience:**

- Minimum of a bachelor's degree or equivalent work experience.
- Prefer Master's Degree in a related field or five years of organizational management experience
- Prefer Certification in Management of non-profits

### **Certificates and Licenses:**

- Must be a certified CARR inspector or have the ability to pass the certification exam within the first 30 days of hire.

### **Physical Demands:**

- The physical demands described here represent those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may enable individuals with disabilities to perform the essential functions.
- While performing the duties of this job, the employee is regularly required to stand, walk, sit, use hands, reach with hands and arms, talk or hear, and taste or smell. The employee is occasionally required to climb or balance, and stoop, kneel, crouch, or crawl.

### **Work Environment**

The Executive Director will work in a home office environment; however, the organization's mission may require nonstandard workplaces, meetings, or event responsibilities. The Executive Director will be compensated for a forty-hour workweek; however, additional hours without additional compensation may be required on evenings, weekends, or during the workweek.

### **How to Apply**

Submit cover letter, resume, and salary requirements to:

No Phone Calls Please

**EXHIBIT E**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
COLORADO ASSOCIATION OF RECOVERY RESIDENCES,  
INC.**

**Whereas, pursuant to the Amended and Restated Bylaws of the Colorado Association of Recovery Residences, Inc.,(CARR) the Board of Directors hereby determines that it is desirable to maintain a standing committee entitled the CARR, Ethics Standards Committee (ESC) to provide written advice on issues concerning the interpretation or application of the CARR Standards and/or the CARR Code of Ethics, and**

**Whereas, the Board of Directors hereby determines that said ESC shall conduct its duties according to the provisions of the attached procedural rules governing the ESC, and**

**Whereas, the Board of Directors hereby determines that the ESC committee shall have a minimum of five members, from which panels of three ESC committee members shall be called upon to consider and issue a determination letter for any particular issue presented to the ESC for advice and determination.**

**Now therefore, the Board of Directors hereby resolves that the ESC committee is hereby created to address such issues and act in such matters as set forth in the attached outline of procedural rules.**

**This resolution was adopted by of the Board of Directors this 1<sup>st</sup> day of December 2019.**

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**Rourke Weaver, CARR Chairman**

## **EXHIBIT E**

### **to conformed 12.1.2019 CARR BYLAWS Rules governing the ESC Committee**

#### **1. Introduction:**

This CARR Ethics Standards Committee (ESC) provides advice to CARR Affiliates and Associates. In addition, in states, possessions, territories, or the District of Columbia without a CARR Affiliate or Associate, the ESC may provide a state or federal agency, involved with regulating and/or funding of recovery residences, advice on issues concerning the interpretation or application of the CARR Standards and/or the CARR Code of Ethics, hereinafter referred to collectively as the “CARR Standards”.

#### **2. In what form is advice provided by the ESC?**

The ESC provides advice in the form of determination letters. The ESC does not orally issue determination letters nor does it issue determination letters in response to oral requests.

#### **3. What are the general instructions for requesting a determination letter from the ESC?**

3.1.1. Facts & CARR standards- each request for a determination letter must contain the complete statement of all facts and applicable CARR standards relating to the question presented. These include:

3.1.2.

- (A) a concise summary of the question presented, and
- (B) names, addresses, telephone numbers and email addresses of all interested parties; and
- (C) a complete statement of all material facts in documents must be included, rather than merely incorporated by reference, in the initial request for a determination letter. These facts must be accompanied by an analysis of their bearing on the issue or issues, specifying the CARR standards that apply, and
- (D) if the request advocates for a particular conclusion, an explanation of the grounds for that conclusion and the relevant CARR standards that apply, and
- (E) a statement of any authority believed to be contrary to the conclusion requested, such as legislation, pending legislation, court decisions or other ESC determination letters, and
- (F) a statement identifying information to be deleted from the ESC determination letter for public dissemination. If the deletion statement is not submitted with the requests, CARR will include all relevant information, including names, addresses and identifying numbers, in the ESC determination letter posted publicly, and
- (G) a signature by the party requesting a determination letter confirming they are an authorized representative of the party making the request or an attorney who is a member in good standing of the bar of the highest court of any state, possession, territory, Commonwealth or the District of Columbia, representing the party making the request.

A determination letter will not be issued based on hypothetical situations.

#### **4. Sample format.**

To assist a party or the party's representative in preparing a request for determination letter from the ESC, a sample format for a request for determination letter is provided as Exhibit 1. This format is *not* required to be used.

#### **5. Where to file requests?**

Request for determination letters are to be addressed to the ESC at the email address of:

carr.state.co@gmail.com

or at the physical address of:

Colorado Association for Recovery Residences,

Attention: ESC

29997 Buffalo Park Rd.

Evergreen, CO 80439

#### **6. Additional information may be required.**

If the request for a determination letter lacks required information, the ESC will notify the requesting party and request additional information within 30 calendar days of the date the ESC notifies the requesting party of the need for additional information. The ESC may close the request if such additional information is not provided by the requesting party within said 30 calendar days.

#### **7. Notice of issuance of determination letter.**

Determinations of the ESC shall be issued in the form of a written determination letter which shall be binding upon any party, including but not limited to CARR Affiliates and Associates, all federal and state agencies involved with recovery residences concerning the interpretation of the CARR standards and/or the CARR code of ethics.

#### **8. Fees.**

Each request for a determination letter from the ESC must be accompanied by a fee. The fee for CARR Affiliates and Associates shall be \$100 and must accompany the request for the determination letter.

In states, possessions, territories or the District of Columbia without a CARR Affiliate or Associate, the fee for either a federal or state agency involved with recovery residences on issues concerning the interpretation of or application of the CARR standards or code of ethics shall be \$500.00 and must accompany the request for the determination letter.

#### **9. ESC committee to maintain archival records of all determination letters**

The ESC shall maintain archival records of all determination letters issued, appropriately cross-referenced by the particular CARR standard(s) and/or CARR code of ethics issue considered. Such archival records are to be made freely available to the public through publishing such an index and record of ESC determination letters on the CARR website.

## Exhibit 1

### Sample format for a request for a ESC determination letter

(insert date of request)

(insert CARR email or physical address)

Dear Sir or Mdm.

(Insert your name here) requests a ruling on the application of CARR standards under section(s) \_\_\_\_\_ of the CARR standards and/or the CARR Code of Ethics under section(s) \_\_\_\_\_.

In support thereof, we provide the following information:

1. Question presented: (a concise statement of the CARR standards and/or code of ethics involved. The specific standard must be included.)
2. Statement of law: (a statement of the CARR standards and/or code of ethics in support of the requesting party's views or conclusion, including any other authorities in support of or contrary to the position advanced in the request.)
3. Statement of facts: (a statement of all relevant facts with citations to any supporting documentation.)
4. Analysis: (a discussion of the facts and an analysis of the law or other relevant authorities.)
5. Conclusion: (a statement of the requesting party's conclusion on the ruling requested." The

required user fee of \$\_\_\_\_\_ is enclosed.

Very truly yours,

(insert the name of the requesting party) by:

(signature and printed name of the person signing the request)



## Verification

I declare that I have examined this request, including accompanying documents, and, to the best of my knowledge and belief, the request contains all relevant facts relating to the request and such facts are true, correct, and complete.

(Signature and printed name of the person signing the request) Entity

name:

Mailing address:

Email address:

Phone number:

## EXHIBIT F

### **CARR Certification & Compliance Agreement**

#### **CARR Core Principle: Operate with Integrity**

I attest and affirm that, our organization is in compliance with CARR Quality Standards 01 through 05 in their entirety and will remain compliant with same.

I attest and affirm that, the submission of this application for voluntary certification of compliance with CARR Quality Standards for Recovery Residences, CARR Code of Ethics and other criteria as specified by CRS, 27-80-129 truthfully represents full disclosure of facts pertaining to ownership, management and staffing of all recovery residence locations operated by our program and that all policies, procedures, and protocols documented by this submission accurately describe the operational practices of our organization, management, staff, and volunteers.

I attest and affirm that, should the CARR Certification Administrator, and/or Field Assessor request an opportunity to review, partially or in their entirety, financial records pertaining to the operation of the residence seeking voluntary certification for compliance verification purposes, the requested documents will be provided upon request without cost or delay.

I understand and agree that, should it be assessed by the CARR Ethics Standard Committee (ESC), in their sole determination, that this application does not truthfully and accurately represent full disclosure of facts and operational practices of our organization, sanctions will be applied without further recourse which may include immediate revocation of our organization's Certification.

#### **CARR Core Principle: Uphold Resident Rights**

I affirm and attest that, our organization's ownership, management, staff and volunteers uphold the rights of residents as referenced throughout CARR Quality Standards, CARR Code of Ethics and CRS, 27-80-129, placing the rights of residents and the rights of the house parent(s) among organizational priorities.

I attest and affirm that, our organization does not subscribe to the "another head to fill a bed" intake philosophy and agree to screen applicants for residency, mindful of the needs and sensitivities of our priority population, to ensure our community is appropriate for the applicant and that the applicant is appropriate for our community.

I attest and affirm to thoroughly orient new residents to our community, fully disclosing house rules and consequences, resident rights and responsibilities, phasing and discharge protocols, and all fees and financial commitments, billed directly or indirectly, for which the resident may potentially become legally accountable as a result of policies, procedures or protocols practiced in the operation of our program.

**CARR Core Principle: Are Recovery Oriented**

I attest and affirm that our organization is in compliance with CARR Quality Standards 10 and 11 in their entirety and will remain compliant with same.

I attest and affirm that our organization is a recovery-oriented housing provider rather than a “boarding house for persons who do not drink and/or use illicit drugs” and that we take deliberate and intentional steps to encourage and mentor resident participation in a self-directed recovery plan.

**CARR Core Principle: Are Peer Staffed and Governed**

I attest and affirm that our organization is in compliance with CARR Quality Standards 12 through 17 in their entirety and will remain compliant with same.

I attest and affirm that our organization values the resident voice and encourages peer leadership and accountability by nurturing a community culture that relies on and empowers peers to actively participate in community governance.

**CARR Core Principle: Promote Health**

I attest and affirm that our organization is in compliance with CARR Quality Standards 18 through 23 in their entirety and will remain compliant with same.

I attest and affirm that our organization is a transitional support program for persons in recovery from a substance use disorder and that our primary purpose is to deliver recovery-oriented housing that provides residents with encouragement and support to further develop recovery management skills and recovery capital.

I attest and affirm our organization’s appreciation and understanding that under state law, support levels I, II and III are prohibited from directly offering clinical services that require licensure. CARR Support level IV is required by state law to be appropriately licensed by the Colorado Department for Health and Human Services, Office of Behavioral Health (OBH).

**CARR Core Principle: Provide a Home**

I attest and affirm that our organization is in compliance with CARR Quality Standards 24 through 26 in their entirety and will remain compliant with same.

I attest and affirm that our organization maintains an alcohol and drug-free environment by means of written policies and procedures that are consistent with federal and state law.

I attest and affirm that our organization represents a structured home-like environment by means of set parameters that promote accountability, consideration of others and peer support.

I attest and affirm that our organization maintains a recovery oriented home-like environment to protect the well-being of the residents, staff and community.

**CARR Core Principle: Inspire Purpose**

I attest and affirm that our organization is in compliance with CARR Quality Standard 27 in its entirety and will remain compliant with same.

I attest and affirm that our organization is operating a recovery oriented home with access to recovery programming both inside and outside of the recovery residence.

I attest and affirm that our organization provides resources for each resident's individual recovery and promotes the individual responsibility of developing recovery capital through measures in compliance with CARR Quality Standard 27.

**CARR Core Purpose: Cultivate Community**

I attest and affirm that our organization is in compliance with CARR Quality Standards 28 through 30 in their entirety and will remain compliant; including at least 50% of the sub-standards associated with CARR Quality Standard 28.

I attest and affirm that our organization organizes routine meetings and/or activities that by definition promote a community environment functioning as a family.

I attest and affirm that our organization hosts social activities within the residence and/or within the broader recovery community that encourage and facilitate resident bonding and mutual recovery support.

I attest and affirm that the CARR Certification Administrator, and/or Field Assessor is granted advance permission to conduct unannounced resident and/or staff interviews at any time. Failure to comply with this provision may result in immediate suspension and/or revocation of our Certification.

I attest and affirm that our organization appreciates that residence staff promote recovery through informal and formal interactions with residents. Peers, including staff, model recovery principles in all interactions with other members of the community. Our organization attests that all relationships between residents and staff reflect ethical principles reflected in the Code of Ethics.

**CARR Core Principle: Promote Recovery**

I attest and affirm that our organization is in compliance with CARR Quality Standards 31 and 32 in their entirety and will remain compliant with same.

I attest and affirm that our organization appreciates that overcrowding can negatively impact the objectives sought through communal living and commits to provide a safe, dignified living environment to each of our residents that includes adequate storage for personal belongings, clean and fully functional

bathrooms, kitchen and laundry facilities.

I attest and affirm that our organization fosters peer leadership within our community to model behaviors that promote orderliness and cleanliness by all residents at all times. Peers hold one another accountable to properly maintain the exterior and interior of the residence. Community pride is promoted and encouraged during scheduled house meetings.

**CARR Core Principle: Promote Safety**

I attest and affirm that our organization is in compliance with CARR Quality Standards 33 and 34 in their entirety and will remain compliant with same.

I attest and affirm that our organization periodically tests smoke detectors, carbon monoxide detectors, and fire extinguishers to ensure they are in proper working order.

I attest and affirm that our organization periodically holds community emergency drills to ensure all residents and staff are familiar with emergency procedures as established in our policy and procedures.

I attest and affirm that our organization acknowledges that some community members may experience a recurrence of use (relapse) while residing in our location(s). Our organization has established, and the community is accountable to follow, a discharge protocol designed to achieve an outcome that protects the safety of both the community and the subject resident.

I attest and affirm that we understand that CARR encourages all residences to maintain Naloxone on site at each location and train staff in the proper administration of this life- saving measure.

**CARR Core Principle: Are Good Neighbors**

I attest and affirm that our organization is in compliance with CARR Quality Standards 35 through 37 in their entirety and will remain compliant with same.

I attest and affirm that every effort is taken to maintain the street appeal of our property consistent with other neighboring properties.

I attest and affirm that residents and staff are respectful of neighbor persons and property; making every reasonable effort to blend into the neighborhood.

I attest and affirm that our organization is mindful that residents not loiter, use language that may be offensive to others, create parking challenges or otherwise create traffic navigation issues within the neighborhood.

We acknowledge that CARR promotes Good Neighbor Standards, in part, by providing neighbors a conduit to file a formal grievance related to this core principle and that, should CARR receive a Good Neighbor grievance regarding our location(s), the Ethics Standard Committee may order a Field Audit

to assess compliance/non-compliance in accordance with the Compliance Audit Protocol.

### **CARR Code of Ethics**

I attest and affirm that our organization is in compliance with the CARR Code of Ethics in their entirety and will remain compliant with same.

### **CRS, 27-80-129 Voluntary Certification of Recovery Residences**

I attest and affirm that our organization is in compliance with CRS 27-80-129 in its entirety and will remain compliant with same.

### **CARR Certification Protocols**

I attest and affirm that I have read and agree to the terms within the CARR Certification Protocol in its entirety and I will sustain compliance thereto.

### **CARR Compliance Protocols**

I attest and affirm that I have read and agree to the terms within the CARR Compliance Protocol in its entirety and I will sustain compliance thereto.

### **CARR Confidentiality Policy**

I attest and affirm that I have read and agree to the terms within the CARR Confidentially Policy in its entirety and I will sustain compliance thereto.

### **Notice to Providers Who Seek Voluntary Certification Under CRS, 27-80-129**

Providers seeking Voluntary Certification of Compliance with CARR Quality Standards and Code of Ethics and additional criteria specified under CRS, 27-80-129, are advised that CARR Certification and Compliance Administrators are tasked with making recommendations of denial, suspension and/or revocation to the CARR Ethics Standards Committee. All Ethics Standard Committee members will be issued a registered badge and credentials by CARR. Credentials must be presented when performing any housing inspections, and or conducting investigations as a representative of CARR. In the event of unresolved events of non-compliance, this committee is vested by the CARR Board of Directors to sanction the provider, including but not limited to:

1. Dismissal of CARR Certification or Compliance Audit staff recommendation(s) for sanction(s).
2. Extension of additional thirty (30) day period during which the subject provider might achieve compliance.
3. Schedule a meeting with the Owner(s) to review the events of non-compliance before making

their final determination.

4. Suspend certification for a period of no less than 90 days and order a full compliance audit of all locations operated by the subject provider; cost of \$300.00 per location to be borne by provider.
5. Revocation of certification based on CARR Ethics Standards Committee assessment that the specified activities and/or practices represent non-compliance with CARR Standard, Code of Ethics and/or other criteria specified in CRS, 27-80-129, which may include, but are not limited to:
  - Filing a false and/or misleading application for Voluntary Certification with the Colorado Association of Recovery Residences as per CRS, 27-80-129 a credentialing entity shall revoke any Provider which evidences non-compliance with CARR Quality Standards Core Principle, Operates with Integrity. Standards 01-05.
  - Sexual misconduct between provider staff and residents which evidences non-compliance with CARR Code of Ethics.
  - Bullying, physical threats of violence and/or violent behaviors which evidences non-compliance with CARR Quality Standards and Code of Ethics.
  - Participation in act(s) of Patient Brokering as defined in CRS, 27.80.129 and/or Insurance Fraud which evidences non-compliance with CARR Quality Standards and Code of Ethics.
  - Unresolved neighbor grievances deemed by the CARR Ethics Standard Committee to be non-discriminatory and curable by the provider, evidencing non-compliance with CARR Quality Standards. A good neighbor policy to address neighborhood concerns and complaints.
  - Failure of provider to take consistent and demonstrable actions to adhere to their written policies and procedures as related to sustaining an alcohol and drug free community for residents which evidences non-compliance with CARR Quality Standards and Code of Ethics.
  - Failure of the Provider to follow their established protocol(s) to reasonably ensure the safety of all stakeholders when a resident is discharged as the result of a reoccurrence of use (relapses) as defined by SAMHSA. This includes the safety of the resident, the safety of residence community and the safety of the surrounding neighborhood. The provider discharge protocol must be approved by the credentialing entity as a specific requirement of CRS, 27-80-129 and must be presented at time of application for Voluntary Certification. Provider failure to implement the approved protocol evidences non-compliance with CARR Quality Standards and Code of Ethics.
  - Failure of the Owner of Record to notify CARR Certification Staff in writing within seventy-two (72) hours regarding:
  - Provider changes to approved policies, procedures and/or protocols

- Opening and/or closure of provider locations
- Changes to Ownership, and Management
- Life-threatening events and/or deaths of current residents, whether on property or elsewhere
- Criminal charges alleging felony misconduct by any Owner, or Manager

Constitutes an event of non-compliance and may result in suspension and/or revocation of the provider's Certification.

6. Refer grievances filed by stakeholders to external agencies, as determined by the Ethics Standard Committee, including, but not limited to:
  - Department of Health and Human Services, Office of Behavioral Health.
  - Colorado Attorney General's, Office of Consumer Protection
  - Federal Bureau of Investigation
  - Colorado Bureau of Investigation
  - Local Law Enforcement
  - Local Zoning Code Enforcement Departments

### **Representations and Indemnification**

The undersigned represents and warrants that (a) they have the right and authority to enter into this Agreement and to perform their respective obligations as herein provided, and (b) their officers, directors, employees, and agents will comply with all applicable federal, state and local laws, codes, rules and regulations. The undersigned will indemnify, defend and save harmless CARR and its respective partners, trustees, beneficiaries, directors, officers, employees, affiliates and agents from and against any and all claims, loss, damage, liability, and expenses (including reasonable attorneys' fees), occasioned by, or arising out of directly or indirectly this Agreement or the breach by the undersigned of any representation or warranty contained in this Agreement, or any act or failure to act by the undersigned in compliance with this Agreement.

### **Relationship of the Parties**

Nothing in this Agreement shall be construed in any manner to create any of the relationships of employer and employee, principal and agent, joint venturers or partners between CARR, on the one hand, and the undersigned, on the other.

### **Effect and Amendment**

This Agreement shall be deemed to supersede and replace any previous documents, correspondence, conversations or other written or oral understandings between the parties hereto related to the subject matter hereof. No waiver by either party of any breach hereunder shall be deemed a waiver of any other



breach. This Agreement cannot be assigned, altered, amended, changed or modified in any respect unless each such assignment, alteration, amendment, change or modification is agreed to in writing, signed and delivered by each party hereto. This Agreement shall become effective upon signature by you and acceptance by CARR.

**Assignment**

This Agreement will be binding upon and inure to the benefit of you and CARR and their respective successors and assigns; provided, however, that no rights under this Agreement may be assigned by you without the prior written consent of CARR.

**Choice of Law**

This Agreement will be governed by and construed under the laws of the State of Colorado applicable to agreements executed and performed entirely within the State of Colorado. Each party hereto submits to the jurisdiction of the state and federal courts in Jefferson County, Colorado for the purpose of resolving any dispute arising out of or resulting from this Agreement.

**Headings**

The headings of articles of this Agreement are for convenience of reference only and shall not be construed to be a substantive part of this Agreement

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Title

I hereby acknowledge understanding of the requirements of the CARR Certification & Compliance Agreement herein and further affirm that I have authorization to execute this document on behalf of

\_\_\_\_\_  
Legal Name of Entity Seeking Certification

\_\_\_\_\_  
Date

Scan and return to [infor@carrcolorado.org](mailto:infor@carrcolorado.org)

## Exhibit G

### **Colorado Association For Recovery Residences - Appeal Process**

**Rationale:** Colorado Association For Recovery Residences (CARR) appeal process for organizations. An organization may submit an appeal to the CARR Board of Directors in the following circumstances

1. When an applicant for certification is denied certification
2. When an Associate has their certification suspended by the Ethics Standards Committee as a result of a violation of the CARR Code of Ethics or as a result of a review of a concern.
3. When an Associate disagrees with a recommendation, determination or quality improvement plan required by the CARR Staff and or the Ethics Standards Committee

**Process:**

The appeal must be made within 60 days of the notification of the above listed actions. The process of an appeal is as follows

1. The applicant must submit the appeal to CARR in writing.
2. The appeal will be reviewed and accepted by CARR Executive Director or other designee and shared with the CARR Board President.
3. The Executive Director will inform the organization filing the appeal, in writing that the appeal has been received.
4. The Executive Director or other designee will inform the organization filing the appeal of the date of the next board meeting, and a date in which any additional information or documentation needs to be submitted.
5. Prior to the full board meeting, the Ethics Standards Committee will share a summary of the reasons for the decision, the reasons for an appeal, and any evidence that supports the reasons for the appeal.
6. During the full board meeting, the board will consider the information and vote to either
  - A. Overturn the previous action and provide certification or reinstate certification
  - B. Support the original determination
7. After the board meeting, the appellant will be informed of the decision of the full board of directors.

The decision of the full board of directors is final.

## Exhibit H

### Grievance Policy

#### Colorado Association for Recovery Residences

It is the policy of the Colorado Association for Recovery Residences (CARR.) to ensure Certified Residences and stakeholders grievances are handled respectfully, appropriately, and professionally. The Formal Grievance Procedure should be used to resolve interpersonal conflict between individuals and to report issues with existing CARR policy that a Certified Residence believes should be examined prior to the next scheduled annual policy review meeting.

The Formal Grievance Procedure should not be used for retribution or personal/agency gain.

The Formal Grievance Procedure includes but is not limited to the investigation, validation, and recommendation of the Ethics Committee as to the standing of the Certified Residence and sanctions and/or disqualification of their certification to the CARR Board, when necessary.

**Formal Grievance Procedure - confidentiality of proceedings.** All information, notes, reports, transcripts, and any other documentation of any kind that are generated or received during the course of an ethics investigation, including the Ethics Standards Committee (“ESC”) meetings, and appeal hearings, shall be kept confidential by CARR.

**The respondent is entitled to a full and complete copy of the following:**

Signed Compliant; (Subject of compliant / grievance; Identity of complainant / grievant will remain confidential). All Complaints must be accompanied with contact information and signature by the Complainant in order for CARR to conduct any investigation or proceedings of the complaint.

Investigative summary;

Ethics Standards Committee’s Recommendations;

CARR Executive Board Recommendations.

**The complainant is entitled to a full and complete copy of the following:**

Ethics Committee’s Recommendations;

CARR Board Recommendations.

**Oversight and Conflict of Interest:** In all cases, the Chairperson of the CARR ESC will direct ethics investigations under the guidelines lined out in the Ethics Standards Committee Charter. If a member of the Ethics Committee is a party in a grievance, currently employed by, or owns and operates or is involved in any way, he or she will be excused from the grievance proceedings. If a member of the CARR Board is a party in a grievance, currently employed by, or owns and operates, or is involved in any way, he or she will be excused from the grievance proceedings. In addition, no CARR Board member will be involved in an audit of their own company, nor in a voting role on any certification action or any other action of their own organization, an or company.



**RECOVERY RESIDENCE LEVELS OF SUPPORT**

		<b>LEVEL P Peer-Run</b>	<b>LEVEL M Monitored</b>	<b>LEVEL S Supervised</b>	<b>LEVEL C Service Provider</b>
<b>STANDARDS CRITERIA</b>	<b>ADMINISTRATION</b>	<ul style="list-style-type: none"> <li>• Democratically run</li> <li>• Manual or P&amp;P</li> </ul>	<ul style="list-style-type: none"> <li>• House manager or senior resident</li> <li>• Policy and Procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Organizational hierarchy</li> <li>• Administrative oversight for service providers</li> <li>• Policy and Procedures</li> <li>• Licensing varies from state to state</li> </ul>	<ul style="list-style-type: none"> <li>• Overseen organizational hierarchy</li> <li>• Clinical and administrative supervision</li> <li>• Policy and Procedures</li> <li>• Licensing varies from state to state</li> </ul>
	<b>SERVICES</b>	<ul style="list-style-type: none"> <li>• Drug Screening</li> <li>• House meetings</li> <li>• Self help meetings encouraged</li> </ul>	<ul style="list-style-type: none"> <li>• House rules provide structure</li> <li>• Peer run groups</li> <li>• Drug Screening</li> <li>• House meetings</li> <li>• Involvement in self help and/or treatment services</li> </ul>	<ul style="list-style-type: none"> <li>• Life skill development emphasis</li> <li>• Clinical services utilized in outside community</li> <li>• Service hours provided in house</li> </ul>	<ul style="list-style-type: none"> <li>• Clinical services and programming are provided in house</li> <li>• Life skill development</li> </ul>
	<b>RESIDENCE</b>	<ul style="list-style-type: none"> <li>• Generally single family residences</li> </ul>	<ul style="list-style-type: none"> <li>• Primarily single family residences</li> <li>• Possibly apartments or other dwelling types</li> </ul>	<ul style="list-style-type: none"> <li>• Varies – all types of residential settings</li> </ul>	<ul style="list-style-type: none"> <li>• All types – often a step down phase within care continuum of a treatment center</li> <li>• May be a more institutional in environment</li> </ul>
	<b>STAFF</b>	<ul style="list-style-type: none"> <li>• No paid positions within the residence</li> <li>• Perhaps an overseeing officer</li> </ul>	<ul style="list-style-type: none"> <li>• At least 1 compensated position</li> </ul>	<ul style="list-style-type: none"> <li>• Facility manager</li> <li>• Certified staff or case managers</li> </ul>	<ul style="list-style-type: none"> <li>• Credentialed staff</li> </ul>

**SECOND AMENDMENT TO BYLAWS  
OF  
COLORADO ASSOCIATION FOR RECOVERY RESIDENCES, INC.**

1. Article II, Section 2.17 is hereby deleted and the following substituted in lieu thereof:

**SECTION 2.17 Composition.** The Board shall at all times includes a representative of the BHA. The BHA representative shall serve as a non-voting member of the Board. No more than 60% of the voting members on the Board shall consist of recovery residence owners, operators, directors, or representatives (“Recovery Residence Member”). No less than 40% of the voting members of the Board shall consist of community members with a discernible interest in the corporation’s mission and purpose as described in Section 1.02 herein (“Community Member”). To maintain the required composition of the Board, in the event a Community Member acquires an interest in recovery residence(s) or a Recovery Residence Member divests their interests in recovery residence(s), such Member shall resign their position on the Board. Such Member may re-apply and be considered for membership with the Board at any time thereafter.

The foregoing is a true and correct copy of the Second Amendment to the Bylaws of Colorado Association for Recovery Residences, Inc., as adopted by the Board of Directors on June 20, 2023



**Butch Lewis, Director**