

Testimony of Judith Roberts on Senate Bill 2152
North Dakota House Human Services Committee
Wednesday, March 1, 2023

Chairman Weisz, Members of the North Dakota House Human Services Committee,

My name is Judith Roberts. I am the founder of Hope Manor Sober Living Homes of Bismarck, which I began nine years ago. In January, I stepped down as Director of Hope Manor and hired Megan Frankl as Director. She is also here today and is available to address any questions you may have. For the year 2023, I am also the president of the [National Sober Living Association](#), which is a national association that currently has 57 separate sober living organizations that are members. These organizations represent hundreds of sober living homes and thousands of residents.

I am here to testify about [SB 2152](#). I am not exactly neutral about this bill, but I am torn about whether to be opposed to it or in support of it. My opinions are not based upon any disagreement with the wonderful intentions behind the bill. I believe each one of us is striving to keep our state, community and residents safe.

First, I should mention that I am speaking on this bill as an individual, and not as a representative of Hope Manor Sober Living Homes, the NSLA or any other organization. I am not registered as a lobbyist. I wanted to tell you about my background on this issue for your information, but I am speaking for myself only.

When this bill [was introduced in the Senate](#), I was [opposed to it](#). It established a voluntary certification program for recovery residences in the state, and mentioned only one organization as a provider of third-party certification. That organization is not a viable option for many of the North Dakota sober living homes, and since other, better options and organizations were not mentioned, I opposed SB 2152. The bill [was amended](#) and the name of the organization was removed.

So, why am I back here today? Several reasons. If a third-party organization is included in this legislation, it is vital to provide more than one choice to the citizens of North Dakota. I previously offered testimony as to why the National Sober Living Association fits the needs of North Dakota sober living home providers far better, because the NSLA requires and provides training, access to best practices, oversight, yearly inspections, and a national standard of ethics. I was opposed to the bill because I did not want to be forced to leave an organization that offers those services for another organization that I considered inferior.

However, I am still torn about this bill in its present form, and I wanted to express my concerns of some unintended consequences that may result. SB2152 now establishes a “voluntary registry for recovery residences and sober living residences in the state.” If you operate one of these residences, you may choose whether to join or not.

The concern I have is that if a sober living home is listed on a state registry, that is likely to be construed as a state endorsement. People will look at the list and choose a sober living home for themselves or their loved ones without doing any further checking, thinking it is safe, ethical, and drug/alcohol free. They will probably think, hey, if it's listed on a state registry, it must be good. They are not likely to know that the state has not checked or investigated the listings for their quality or lack thereof. How I interpret the bill in its current form is that there are no provisions for certification, inspection, training, or indeed any oversight at all.

In January of 2014, when Hope Manor opened, it was the only sober living home in the state of North Dakota. I am proud to say that it is a top-quality facility. Our homes are safe, clean, extremely structured and 100% drug and alcohol free, but people don't have to take our word on that because we are inspected yearly by a national organization to ensure we continue to operate at the highest levels for the good of our residents and the community.

However, unfortunately, North Dakota now has sober living facilities that do not come close to our quality standards. And this proposed state registry would not be designed to tell one from the other. I don't think having the state registry that the bill envisions would be an improvement over the status quo. It wouldn't even tell the Department of Health and Human Services how many sober living facilities are out there, because participation in the registry is voluntary.

On the other hand, I can see the merits in the argument for light-touch regulation of North Dakota sober living homes. I can foresee circumstances where there is a tragedy at a sober living home – say, for example, if someone dies of a drug overdose, or someone is arrested for dealing drugs out of a sober living home. That would be followed by a public outcry and questions about the lack of regulation, which could result in laws and rules that would be unnecessarily harsh and hurt the ability of quality operators to provide services. To borrow a phrase, the rain would fall on the just and the unjust. This is all speculation on my part, but I think it is reasonable.

So, what is to be done? Running a safe, ethical and high-quality sober living home takes a great deal of work and dedication. In North Dakota, sober living homes have been a true grassroots movement. Most people like myself have opened a sober living home because they themselves are in recovery, they truly want to help save lives and create an opportunity for people seeking recovery to have that second chance they so desperately need. This is why many of the North Dakota sober living homes have already taken it upon themselves to voluntarily, without any mandate, join a national organization to be certified.

Operating a sober living home is definitely not a money-making enterprise and most sober living homes in North Dakota get by month-to-month on a shoestring budget. Most North Dakota operators don't get paid, and if they do, it is far below the poverty level. During my first five years after opening Hope Manor, I did not take any income. When I stepped down as Director of Hope Manor on January 1st of this year, I was being paid \$1,500 per month. I

mention all of this to highlight the fact that most people in sober living do it as a calling to serve others. I also mention this to provide a clear picture of what a heavy regulatory approach with additional fees and mandates could do to the North Dakota sober living landscape.

To sum up, I think you have these choices.

- You could kill this bill. I do believe it is pointless in its present form.
- You could pass this bill as is. Compliance would be easy, but as I mentioned, I think this bill would create its own problems.
- You could amend the bill to require some kind of quality certification of sober living homes, while leaving operators flexibility in meeting those requirements. If you choose that path, please do not favor any one third-party certification organization.

This last approach may require some taxpayer expense for oversight. The original bill had a [\\$133,000 fiscal note](#).

I thank you for your time and your service to North Dakota. I stand ready to answer any questions you may have.

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