

CHAPTER 122

AN ACT concerning substance use treatment providers and supplementing Title 56 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.56:8-230 Definitions.

1. As used in this act:

“Recovery residence” means a boarding house licensed by the Department of Community Affairs and which provides a sober living environment and alcohol- and drug-free living accommodations to individuals with substance use disorders, or to individuals with co-occurring mental health and substance use disorders, but which does not provide clinical treatment services for mental health or substance use disorders.

“Treatment provider” means a facility licensed in accordance with section 8 of P.L.1975, c.305 (C.26:2B-14) for substance use disorder treatment or services, or a substance use disorder treatment facility issued a certificate of approval pursuant to P.L.1970, c.334 (C.26:2G-21 et seq.).

C.56:8-231 Marketing materials to contain accurate, complete information.

2. Any marketing or advertising materials published or disseminated by a treatment provider or a recovery residence shall provide accurate and complete information, in plain language, and shall include:

- a. information on the types and methods of services provided;
- b. information about the location in which services are provided; and
- c. the treatment provider’s or recovery residence’s name and brand name, phone number, mailing address, and business location address.

C.56:8-232 Unlawful practices for treatment provider, recovery residence, penalties, damages.

3. a. It shall be an unlawful practice, pursuant to P.L.1960, c.39 (C.56:8-1 et seq.), for a treatment provider or a recovery residence, as applicable, to:

(1) make a false or misleading statement about the treatment provider’s or recovery residence’s status as an in-network or out-of-network provider;

(2) provide, or direct any other person or entity to provide, false or misleading information about the identity of, or contact information for, any treatment provider or recovery residence;

(3) include false or misleading information about the Internet address of any treatment provider’s or recovery residence’s website, or to surreptitiously direct or redirect a person to another website;

(4) suggest or imply that an affiliation with another treatment provider or recovery residence exists, unless the other treatment provider or recovery residence has provided express, written consent to indicate that affiliation;

(5) make a false or misleading statement about the substance use disorder treatment services the treatment provider or recovery residence provides; or

(6) make a false or misleading statement about the geographic location of the treatment provider or recovery residence, or the geographic location in which the treatment provider or recovery residence provides substance use disorder treatment services.

b. Any treatment provider or recovery residence which violates the provisions of subsection a. of this section shall be liable to a civil penalty of not more than \$20,000 for each violation. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of

1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

c. A person who suffers any injury or damages, including, but not limited to, paying for services that were performed in violation of this act, as a result of the use or employment by a treatment provider or recovery residence of any method, act, or practice declared unlawful under this act may bring an action or assert a counterclaim therefor in any court of competent jurisdiction. In any action under this subsection, the court shall, in addition to any appropriate legal or equitable relief, award threefold the damages sustained by any person in interest. In all actions under this section, the court shall also award reasonable attorney's fees, filing fees, and reasonable costs of suit.

d. (1) The Office of Licensing in the Department of Health may investigate treatment providers for alleged violations of this act. Upon finding a violation, the Department of Health may suspend or revoke the treatment provider's license or certification, if applicable, or may impose a civil penalty against the treatment provider. If the Department of Health imposes a civil penalty, the civil penalty shall be not more than \$20,000 for each violation.

(2) The Department of Community Affairs may investigate recovery residences for alleged violations of this act. Upon finding a violation, the Department of Community Affairs may suspend or revoke the recovery residence owner's license or certification, if applicable, or may impose a civil penalty against the recovery residence owner. If the Department of Community Affairs imposes a civil penalty, the civil penalty shall be not more than \$20,000 for each violation.

4. This act shall take effect immediately.

Approved August 11, 2025.