

1 H.847

2 Introduced by Committee on Health Care

3 Referred to Committee on

4 Date:

5 Subject: Professions and occupations; peer support providers; recovery support
6 specialists; certification

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Office of Professional Regulation to certify peer support providers and
9 recovery support specialists.

10 An act relating to peer support provider and recovery support specialist
11 certification

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 3 V.S.A. § 122 is amended to read:

14 § 122. OFFICE OF PROFESSIONAL REGULATION

15 The Office of Professional Regulation is created within the Office of the
16 Secretary of State. The Office shall have a director who shall be qualified by
17 education and professional experience to perform the duties of the position.

18 The Director of the Office of Professional Regulation shall be a classified
19 position with the Office of the Secretary of State. The following boards or
20 professions are attached to the Office of Professional Regulation:

1 * * *

2 (52) Peer support providers

3 (53) Recovery support specialists

4 Sec. 2. 3 V.S.A. § 123 is amended to read:

5 § 123. DUTIES OF OFFICE

6 * * *

7 (j)(1) The Office may inquire into the criminal background histories of
8 applicants for initial licensure and for license renewal of any Office-issued
9 credential, including a license, certification, registration, or specialty
10 designation for the following professions:

11 * * *

12 (I) speech-language pathologists licensed under 26 V.S.A. chapter
13 87; ~~and~~

14 (J) peer support providers and recovery support specialists certified
15 under 26 V.S.A. chapter 60; and

16 (K) individuals registered on the roster of psychotherapists who are
17 nonlicensed and noncertified.

18 * * *

19 Sec. 3. 3 V.S.A. § 125 is amended to read:

20 § 125. FEES

21 * * *

1 (b) Unless otherwise provided by law, the following fees shall apply to all
2 professions regulated by the Director in consultation with advisor appointees
3 under Title 26:

4 * * *

5 (4) Biennial renewal, \$275.00, except biennial renewal for:

6 * * *

7 (V) Peer support provider or recovery support specialist, \$50.00.

8 * * *

9 Sec. 4. 26 V.S.A. chapter 60 is added to read:

10 CHAPTER 60. PEER SUPPORT PROVIDERS AND RECOVERY

11 SUPPORT SPECIALISTS

12 § 3191. DEFINITIONS

13 As used in this chapter:

14 (1) “Certified peer support provider” means an individual who holds a
15 certificate to engage in the practice of peer support services under this chapter.

16 (2) “Certified recovery support specialist” means an individual who
17 holds a certificate to engage in the practice of recovery support services under
18 this chapter.

19 (3) “Code of Ethics for Certified Peer Support Providers” means the
20 code of ethics for certified peer support providers approved and adopted by the
21 Department of Mental Health.

1 (4) “Office” means the Office of Professional Regulation.

2 (5) “Peer support provider credentialing body” means the entity

3 authorized by the Department of Mental Health to, in addition to other duties:

4 (A) issue credentials to peer support providers to demonstrate that a

5 peer support provider has met the qualifications for certification under the

6 chapter; and

7 (B) approve acceptable continuing education courses.

8 (6) “Peer support” means the provision of those services that address

9 mutually agreeable issues or areas of life consistent with the Code of Ethics for

10 Certified Peer Support Providers that are reasonably related to increasing an

11 individual’s capacity to live a self-determined life of their own choosing and

12 that are provided in a mutual relationship between individuals with a lived

13 experience of trauma, mental health, or substance use challenges. “Peer

14 support” emphasizes a nonjudgmental, values-driven approach that promotes

15 multiple perspectives, advocates for human rights and dignity, and focuses on

16 genuine, mutual relationships that enrich the lives of those involved. “Peer

17 support” includes providing health and wellness supports; supporting

18 individuals in accessing community-based resources and navigating State and

19 local systems; providing employment supports, including transitioning into and

20 staying in the workforce; and promoting empowerment and a sense of hope

1 through self-advocacy. “Peer support” does not include the provision of
2 psychotherapy as defined in section 4082 of this title.

3 (7) “Practice of peer support” means the provision of peer support in a
4 manner consistent with the Code of Ethics for Certified Peer Support
5 Providers.

6 (8) “Practice of recovery support services” means the practice of
7 recovery support services.

8 (9) “Recovery support services” means a set of culturally competent,
9 nonclinical, evidence-based activities coordinated through a written
10 individualized recovery plan of care that documents a substance use disorder
11 and reflects the need and preferences of the individual in achieving the
12 specific, individualized, measurable goals specified in the plan. “Recovery
13 support services” include a range of social and other services that facilitate
14 recovery from substance use disorder, support health and wellness, and link
15 individuals with service providers and other supports shown to improve quality
16 of life for persons, and their families, in and seeking recovery from substance
17 use. “Recovery support services” do not include the provision of
18 psychotherapy as defined in section 4082 of this title.

19 (10) “Recovery support specialist credentialing body” means the entity
20 authorized by the Department of Health to, in addition to other duties:

1 (A) issue credentials to recovery support specialists to demonstrate
2 that a recovery support specialist has met qualifications for certification under
3 this chapter; and

4 (B) approve acceptable continuing education courses.

5 § 3192. PROHIBITIONS; PENALTIES

6 (a) Nothing in this subchapter shall be construed to prohibit the practice of
7 peer support by a noncertified provider. However, a person shall not use in
8 connection with the person's name any letters, words, or insignia indicating or
9 implying that the person is a certified peer support provider unless that person
10 is certified in accordance with this chapter.

11 (b) Nothing in this subchapter shall be construed to prohibit the practice of
12 recovery support services by a noncertified provider. However, a person shall
13 not use in connection with person's name any letters, words, or insignia
14 indicating or implying that the person is a certified recovery support specialist
15 unless that person is certified in accordance with this chapter.

16 (c) A person who violates this section shall be subject to the penalties
17 provided in 3 V.S.A. § 127(c).

18 § 3193. DUTIES OF THE DIRECTOR

19 (a) The Director shall:

20 (1) provide general information to applicants for certification as certified
21 peer support providers or certified recovery support specialists, or both;

1 (2) receive applicants for certification; grant and renew certifications in
2 accordance with this chapter; and deny, revoke, suspend, reinstate, or condition
3 certifications as directed by an administrative law officer;

4 (3) explain appeal procedures to certified peer support providers,
5 certified recovery support specialists, and applicants;

6 (4) explain complaint procedures to the public;

7 (5) administer fees collected in accordance with this chapter and
8 3 V.S.A. § 125; and

9 (6) refer all disciplinary matters to an administrative law officer
10 established under 3 V.S.A. § 129(j).

11 (b) After consultation with the Commissioners of Health and of Mental
12 Health, the Director shall adopt and amend rules as necessary pursuant to
13 3 V.S.A. chapter 25 to perform the Director's duties under this chapter.

14 § 3194. ADVISOR APPOINTEES

15 (a)(1) After consultation with the Commissioners of Health and of Mental
16 Health, the Secretary of State shall appoint two certified peer support
17 providers, two certified recovery support specialists, one representative from
18 the Department of Health, and one representative from the Department of
19 Mental Health to serve as advisors to the Director in matters relating to peer
20 support and recovery support. Advisors shall be appointed to five-year
21 staggered terms to serve as advisors in matters related to the administration of

1 this chapter. At least one of the initial appointments shall be less than a five-
2 year term.

3 (2) A certified peer support provider serving as an advisor shall:

4 (A) have at least three years' experience as a peer support provider
5 immediately preceding appointment;

6 (B) be certified as a peer support provider in Vermont at the time of
7 appointment and during incumbency; and

8 (C) remain actively engaged in the practice of peer support in this
9 State during incumbency.

10 (3) A certified recovery support specialist serving as an advisor shall:

11 (A) be certified as a recovery support specialist in Vermont at the
12 time of appointment and during incumbency; and

13 (B) remain actively engaged in the practice of recovery support
14 services in this State during incumbency.

15 (b) The Director shall seek the advice of the advisor appointees in carrying
16 out the provisions of this chapter. Advisors who are not employed by the State
17 shall be entitled to compensation and necessary expenses in the amount
18 provided in 32 V.S.A. § 1010 for attendance at any meeting called by the
19 Director for this purpose.

1 § 3195. ELIGIBILITY

2 (a) To be eligible for certification as a certified peer support provider, an
3 applicant shall complete and submit an application in the manner as the
4 Director prescribes in rule, accompanied by the applicable fees, and evidence
5 satisfactory to the Director that the applicant:

6 (1) is at least 18 years of age;

7 (2) has received a credential from the peer support provider
8 credentialing body; and

9 (3) has passed criminal history and registry checks as described in rule.

10 (b) To be eligible for certification as a recovery support specialist, an
11 applicant shall complete and submit an application in the manner as the
12 Director prescribes by the rule, accompanied by the applicable fees, and
13 evidence satisfactory to the Director that the applicant:

14 (1) is at least 18 years of age;

15 (2) has received a credential from the recovery support specialist
16 credentialing body; and

17 (3) has passed criminal history and registry checks as described in rule.

18 § 3196. CERTIFICATE RENEWAL

19 A peer support specialist provider certification and a recovery support
20 specialist certification shall be renewed every two years upon application,
21 payment of the required fee in accordance with 3 V.S.A. § 125, and proof of

1 compliance with such continuing education or periodic reexamination
2 requirements established in rule. The fee shall be paid biennially upon
3 renewal.

4 § 3197. UNPROFESSIONAL CONDUCT

5 (a) Unprofessional conduct means misusing a title in professional activity
6 and any of the conduct listed in 3 V.S.A. § 129a, whether committed by a
7 certified peer support provider, a certified recovery support specialist, or an
8 applicant.

9 (b) The Office may discipline a certified peer support provider or a
10 certified recovery support specialist for unprofessional conduct as provided in
11 3 V.S.A. § 129a.

12 Sec. 5. RULEMAKING; PEER SUPPORT PROVIDERS AND RECOVERY
13 SUPPORT SPECIALISTS

14 On or before September 1, 2024, the Director of Professional Regulation
15 shall file an initial proposed rule with the Secretary of State pursuant to
16 3 V.S.A. § 836(a)(2) for the purposes of carrying out the provisions of
17 26 V.S.A. chapter 60.

18 Sec. 6. EFFECTIVE DATES

19 This act shall take effect on July 1, 2025, except this section and Sec. 5
20 (rulemaking; peer support providers and recovery support specialists) shall
21 take effect on passage.