

1 H.847

2 Introduced by Committee on Health Care

3 Date:

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

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

An act relating to peer support provider and *peer* recovery support specialist
certification

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

10 ~~Sec. 1, 3 V.S.A., § 122 is amended to read:~~

11 § 122. OFFICE OF PROFESSIONAL REGULATION

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

15 The Director of the Office of Professional Regulation shall be a classified
16 position with the Office of the Secretary of State. The following boards or
17 ~~professions are attached to the Office of Professional Regulation.~~

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(52) Peer support providers

(53) Recovery support specialists

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

§ 123. DUTIES OF OFFICE

* * *

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

* * *

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

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

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

* * *

~~Sec. 2. 3 V.S.A. § 125 is amended to read:~~

~~§ 125. FEES~~

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

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

§ 125. FEES

* * *

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

* * *

(2) Application for licensure or certification, \$115.00, except
application for:

* * *

(Q) Peer support providers or recovery support specialists, \$50.00.

* * *

~~*(4) Biennial renewal, \$275.00, except biennial renewal for.*~~

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

* * *

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

§ 125. FEES

* * *

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

* * *

(2) Application for licensure or certification, \$115.00, except application for:

* * *

(Q) Peer support providers or recovery support specialists, \$50.00
\$75.00.

* * *

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

2 CHAPTER 60. PEER SUPPORT PROVIDERS AND RECOVERY

3 SUPPORT SPECIALISTS

4 § 3191. DEFINITIONS

5 As used in this chapter:

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

3 ~~(2) “Certified recovery support specialist” means an individual who~~
4 ~~holds a certificate to engage in the practice of recovery support services under~~
5 ~~this chapter.~~

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

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

10 ~~(5) “Peer support provider credentialing body” means the entity~~
11 ~~authorized by the Department of Mental Health to, in addition to other duties:~~

12 ~~(A) issue credentials to peer support providers to demonstrate that a~~
13 ~~peer support provider has met the qualifications for certification under the~~
14 ~~chapter; and~~

15 ~~(B) approve acceptable continuing education courses.~~

16 ~~(6) “Peer support” means the provision of those services that address~~
17 ~~mutually agreeable issues or areas of life consistent with the Code of Ethics for~~
18 ~~Certified Peer Support Providers that are reasonably related to increasing an~~
19 ~~individual’s capacity to live a self-determined life of their own choosing and~~
20 ~~that are provided in a mutual relationship between individuals with a lived~~
21 ~~experience of trauma, mental health, or substance use challenges. Peer~~

1 ~~support” emphasizes a nonjudgmental, values-driven approach that promotes~~
2 multiple perspectives, advocates for human rights and dignity, and focuses on
3 genuine mutual relationships that enrich the lives of those involved. “Peer
4 support” includes providing health and wellness supports; supporting
5 individuals in accessing community-based resources and navigating State and
6 local systems; providing employment supports, including transitioning into
7 and staying in the workforce; and promoting empowerment and a sense of
8 hope through self-advocacy. “Peer support” does not include the provision of
9 psychotherapy as defined in section 4082 of this title.

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

13 (8) “Practice of recovery support services” means the practice of
14 recovery support services.

15 (9) “Recovery support services” means a set of culturally competent,
16 nonclinical, evidence-based activities coordinated through a written
17 individualized recovery plan of care that documents a substance use disorder
18 and reflects the need and preferences of the individual in achieving the
19 specific, individualized, measurable goals specified in the plan. “Recovery
20 support services” include a range of social and other services that facilitate
21 recovery from substance use disorder, support health and wellness, and link

1 ~~individuals with service providers and other supports shown to improve quality~~
2 ~~of life for persons, and their families, in and seeking recovery from substance~~
3 ~~use. "Recovery support services" do not include the provision of~~
4 ~~psychotherapy as defined in section 4082 of this title.~~

5 (10) ~~"Recovery support specialist credentialing body" means the entity~~
6 ~~authorized by the Department of Health to, in addition to other duties:~~

7 (A) ~~issue credentials to recovery support specialists to demonstrate~~
8 ~~that a recovery support specialist has met qualifications for certification under~~
9 ~~this chapter; and~~

10 (B) ~~approve acceptable continuing education courses.~~

11 § 3192. PROHIBITIONS; PENALTIES

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

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

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

3 § 3193. DUTIES OF THE DIRECTOR

4 (a) The Director shall:

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

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

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

13 (4) explain complaint procedures to the public;

14 (5) administer fees collected in accordance with this chapter and
15 3 V.S.A. § 125; and

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

18 (b) After consultation with the Commissioners of Health and of Mental
19 Health, the Director shall adopt and amend rules as necessary pursuant to
20 3 V.S.A. chapter 25 to perform the Director's duties under this chapter.

21 ~~§ 3194. ADVISOR APPOINTEES~~

1 ~~(a)(1) After consultation with the Commissioners of Health and of Mental~~
2 ~~Health, the Secretary of State shall appoint two certified peer support~~
3 ~~providers, two certified recovery support specialists, one representative from~~
4 ~~the Department of Health, and one representative from the Department of~~
5 ~~Mental Health to serve as advisors to the Director in matters relating to peer~~
6 ~~support and recovery support. Advisors shall be appointed to five-year~~
7 ~~staggered terms to serve as advisors in matters related to the administration of~~
8 ~~this chapter. At least one of the initial appointments shall be less than a five-~~
9 ~~year term.~~

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

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

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

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

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

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

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

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

6 § 3195. ELIGIBILITY

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

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

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

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

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

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

20 (2) has received a credential from the recovery support specialist
21 credentialing body, and

1 ~~(2) has passed criminal history and registry checks as described in rule~~

2 § 3196. CERTIFICATE RENEWAL

3 A peer support specialist provider certification and a recovery support
4 specialist certification shall be renewed every two years upon application,
5 payment of the required fee in accordance with 3 V.S.A. § 125, and proof of
6 compliance with such continuing education or periodic reexamination
7 requirements established in rule. The fee shall be paid biennially upon
8 renewal.

9 § 3197. UNPROFESSIONAL CONDUCT

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

14 (b) The Office may discipline a certified peer support provider or a
15 certified recovery support specialist for unprofessional conduct as provided in
16 3 V.S.A. § 129a.

17 Sec. 5. RULEMAKING; PEER SUPPORT PROVIDERS AND RECOVERY
18 SUPPORT SPECIALISTS

19 On or before September 1, 2024, the Director of Professional Regulation
20 shall file an initial proposed rule with the Secretary of State pursuant to

1 ~~3 V.S.A. § 836(e)(2) for the purposes of carrying out the provisions of~~
2 ~~26 V.S.A. chapter 60.~~
3 ~~6. EFFECTIVE DATES~~
4 ~~This act shall take effect on July 1, 2025, except this section and Sec. 5~~
5 ~~(rulemaking; peer support providers and recovery support specialists) shall~~
6 ~~take effect on passage.~~

Sec. 6. EFFECTIVE DATES

This act shall take effect on July 1, 2025, except:

- (1) this section and Sec. 5 (rulemaking; peer support providers and recovery support specialists) shall take effect on passage; and*
- ~~*(2) Sec. 5a (fees) shall take effect on July 1, 2027.*~~

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

§ 122. OFFICE OF PROFESSIONAL REGULATION

The Office of Professional Regulation is created within the Office of the Secretary of State. The Office shall have a director who shall be qualified by education and professional experience to perform the duties of the position. The Director of the Office of Professional Regulation shall be a classified position with the Office of the Secretary of State. The following boards or professions are attached to the Office of Professional Regulation:

** * **

(52) Peer support providers

(53) Peer recovery support specialists

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

§ 123. DUTIES OF OFFICE

* * *

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

* * *

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

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

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

* * *

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

§ 125. FEES

* * *

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

* * *

(2) Application for licensure or certification, \$115.00, except application for:

* * *

(Q) Peer support providers or peer recovery support specialists,
\$50.00.

* * *

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

* * *

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

* * *

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

§ 125. FEES

* * *

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

* * *

(2) Application for licensure or certification, \$115.00, except application for:

* * *

(Q) Peer support providers or peer recovery support specialists, ~~\$50.00~~ \$75.00.

* * *

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

CHAPTER 60. PEER SUPPORT PROVIDERS AND PEER RECOVERY

SUPPORT SPECIALISTS

§ 3191. DEFINITIONS

As used in this chapter:

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

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

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

(4) “Code of Ethics for Certified Peer Recovery Support Specialists” means the code of ethics for certified peer recovery support specialists approved and adopted by the Department of Health.

(5) “Office” means the Office of Professional Regulation.

(6) “Peer support provider credentialing body” means the entity authorized by the Department of Mental Health to, in addition to other duties:

(A) issue credentials to peer support providers to demonstrate that a peer support provider has met the qualifications for certification under the chapter; and

(B) approve acceptable continuing education courses.

(7) “Peer support” means the provision of those services that address mutually agreeable issues or areas of life consistent with the Code of Ethics for Certified Peer Support Providers that are reasonably related to increasing an individual’s capacity to live a self-determined life of their own choosing and that are provided in a mutual relationship between individuals with a lived experience of trauma, mental health, or substance use challenges. “Peer support” emphasizes a nonjudgmental, values-driven approach that promotes multiple perspectives, advocates for human rights and dignity, and focuses on genuine, mutual relationships that enrich the lives of those involved. “Peer support” includes providing health and wellness supports; supporting individuals in accessing community-based resources and navigating State and

local systems; providing employment supports, including transitioning into and staying in the workforce; and promoting empowerment and a sense of hope through self-advocacy. “Peer support” does not include the provision of psychotherapy as defined in section 4082 of this title.

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

(9) “Practice of recovery support services” means the provision of recovery support services in a manner consistent with the Code of Ethics for Certified Peer Recovery Support Specialists.

(10) “Recovery support services” means a set of culturally competent, nonclinical, evidence-based activities provided consistent with the Code of Ethics for Certified Peer Recovery Support Specialists and coordinated through a written individualized recovery plan of care that documents a substance use disorder and reflects the need and preferences of the individual in achieving the specific, individualized, measurable goals specified in the plan. “Recovery support services” are provided in a mutual relationship by an individual with lived experience of either recovery from a substance use disorder or having a close relationship with an individual in recovery from a substance use disorder; and include a range of social and other services that facilitate recovery from substance use disorder; support health and wellness,

and link individuals with service providers and other supports shown to improve quality of life for persons, and their families, in and seeking recovery from substance use. “Recovery support services” do not include the provision of psychotherapy as defined in section 4082 of this title.

(11) “Peer recovery support specialist credentialing body” means the entity authorized by the Department of Health to, in addition to other duties:

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

(B) approve acceptable continuing education courses.

§ 3192. PROHIBITIONS; PENALTIES

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

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

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

§ 3193. DUTIES OF THE DIRECTOR

(a) The Director shall:

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

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

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

(4) explain complaint procedures to the public;

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

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

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

§ 3194. ADVISOR APPOINTEES

(a)(1) After consultation with the Commissioners of Health and of Mental Health, the Secretary of State shall appoint two certified peer support providers, two certified peer recovery support specialists, one representative from the Department of Health, and one representative from the Department of Mental Health to serve as advisors to the Director in matters relating to peer support and recovery support. Advisors shall be appointed to five-year staggered terms to serve as advisors in matters related to the administration of this chapter. At least one of the initial appointments shall be less than a five-year term.

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

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

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

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

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

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

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

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

§ 3195. ELIGIBILITY

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

(1) is at least 18 years of age;

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

(3) has passed registry checks and criminal history checks that may be required in rule.

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

(1) is at least 18 years of age;

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

(3) has passed registry checks and criminal history checks that may be required in rule.

§ 3196. CERTIFICATE RENEWAL

A peer support specialist provider certification and a peer recovery support specialist certification shall be renewed every two years upon application, payment of the required fee in accordance with 3 V.S.A. § 125, and proof of compliance with such continuing education or periodic reexamination requirements established in rule. The fee shall be paid biennially upon renewal.

§ 3197. UNPROFESSIONAL CONDUCT

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

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

*Sec. 5. RULEMAKING; PEER SUPPORT PROVIDERS AND PEER
RECOVERY SUPPORT SPECIALISTS*

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

Sec. 6. EFFECTIVE DATES

This act shall take effect on July 1, 2025, except:

- (1) this section and Sec. 5 (rulemaking; peer support providers and peer recovery support specialists) shall take effect on passage; and*
- (2) Sec. 3a (fees) shall take effect on July 1, 2027.*