

1 H.847

2 An act relating to peer support provider and recovery support specialist
3 certification

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

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

6 § 122. OFFICE OF PROFESSIONAL REGULATION

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

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

13 * * *

14 (52) Peer support providers

15 (53) Recovery support specialists

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

17 § 123. DUTIES OF OFFICE

18 * * *

19 (j)(1) The Office may inquire into the criminal background histories of
20 applicants for initial licensure and for license renewal of any Office-issued

1 credential, including a license, certification, registration, or specialty
2 designation for the following professions:

3 * * *

4 (I) speech-language pathologists licensed under 26 V.S.A. chapter
5 87; ~~and~~

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

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

10 * * *

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

12 § 125. FEES

13 * * *

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

17 * * *

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

20 * * *

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

1 * * *

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

3 * * *

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

5 * * *

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

7 § 125. FEES

8 * * *

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

12 * * *

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

15 * * *

16 (Q) Peer support providers or recovery support specialists, ~~\$50.00~~
17 \$75.00.

18 * * *

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:

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

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

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

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

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

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

20 (B) approve acceptable continuing education courses.

1 (6) “Peer support” means the provision of those services that address
2 mutually agreeable issues or areas of life consistent with the Code of Ethics for
3 Certified Peer Support Providers that are reasonably related to increasing an
4 individual’s capacity to live a self-determined life of their own choosing and
5 that are provided in a mutual relationship between individuals with a lived
6 experience of trauma, mental health, or substance use challenges. “Peer
7 support” emphasizes a nonjudgmental, values-driven approach that promotes
8 multiple perspectives, advocates for human rights and dignity, and focuses on
9 genuine, mutual relationships that enrich the lives of those involved. “Peer
10 support” includes providing health and wellness supports; supporting
11 individuals in accessing community-based resources and navigating State and
12 local systems; providing employment supports, including transitioning into and
13 staying in the workforce; and promoting empowerment and a sense of hope
14 through self-advocacy. “Peer support” does not include the provision of
15 psychotherapy as defined in section 4082 of this title.

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

19 (8) “Practice of recovery support services” means the practice of
20 recovery support services.

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

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

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

17 (B) approve acceptable continuing education courses.

18 § 3192. PROHIBITIONS; PENALTIES

19 (a) Nothing in this subchapter shall be construed to prohibit the practice of
20 peer support by a noncertified provider. However, a person shall not use in
21 connection with the person’s name any letters, words, or insignia indicating or

1 implying that the person is a certified peer support provider unless that person
2 is certified in accordance with this chapter.

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

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

10 § 3193. DUTIES OF THE DIRECTOR

11 (a) The Director shall:

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

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

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

19 (4) explain complaint procedures to the public;

20 (5) administer fees collected in accordance with this chapter and

21 3 V.S.A. § 125; and

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

3 (b) After consultation with the Commissioners of Health and of Mental
4 Health, the Director shall adopt and amend rules as necessary pursuant to
5 3 V.S.A. chapter 25 to perform the Director’s duties under this chapter.

6 § 3194. ADVISOR APPOINTEES

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

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

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

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

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

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

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

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

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

13 § 3195. ELIGIBILITY

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

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

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

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

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

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

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

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

9 § 3196. CERTIFICATE RENEWAL

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

16 § 3197. UNPROFESSIONAL CONDUCT

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

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

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

6 On or before September 1, 2024, the Director of Professional Regulation
7 shall file an initial proposed rule with the Secretary of State pursuant to
8 3 V.S.A. § 836(a)(2) for the purposes of carrying out the provisions of
9 26 V.S.A. chapter 60.

10 Sec. 6. EFFECTIVE DATES

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

12 (1) this section and Sec. 5 (rulemaking; peer support providers and
13 recovery support specialists) shall take effect on passage; and

14 (2) Sec. 3a (fees) shall take effect on July 1, 2027.