

1 Introduced by the House Committee on Health Care
2 Referred to Committee on
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.

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

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

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

13 § 122. OFFICE OF PROFESSIONAL REGULATION

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

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

20 * * *

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

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

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

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

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

13 (B) approve acceptable continuing education courses.

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

1 genuine, mutual relationships that enrich the lives of those involved. “Peer
2 support” includes providing health and wellness supports; supporting
3 individuals in accessing community-based resources and navigating State and
4 local systems; providing employment supports, including transitioning into and
5 staying in the workforce; and promoting empowerment and a sense of hope
6 through self-advocacy. “Peer support” does not include the provision of
7 psychotherapy as defined in 26 V.S.A. § 4082.

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

11 (8) “Practice of recovery support services” means the practice of
12 recovery support services.

13 (9) “Recovery support services” means a set of culturally competent,
14 nonclinical, evidence-based activities coordinated through a written
15 individualized recovery plan of care that documents a substance use disorder
16 and reflects the need and preferences of the individual in achieving the
17 specific, individualized, measurable goals specified in the plan. “Recovery
18 support services” include a range of social and other services that facilitate
19 recovery from substance use disorder, support health and wellness, and link
20 individuals with service providers and other supports shown to improve quality
21 of life for people, and their families, in and seeking recovery from substance

1 use. “Recovery support services” do not include the provision of
2 psychotherapy as defined in 26 V.S.A. § 4082.

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

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

8 (B) approve acceptable continuing education courses.

9 § 3192. PROHIBITIONS; PENALTIES

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

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

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

1 § 3193. DUTIES OF THE DIRECTOR

2 (a) The Director shall:

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

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

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

10 (4) explain complaint procedures to the public;

11 (5) administer fees collected in accordance with this chapter and
12 3 V.S.A. § 125; and

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

15 (b) After consultation with the Commissioners of Health and of Mental
16 Health, the Director shall adopt and amend rules as necessary pursuant to
17 3 V.S.A. chapter 25 to perform the Director’s duties under this chapter.

18 § 3194. ADVISOR APPOINTEES

19 (a)(1) After consultation with the Commissioners of Health and of Mental
20 Health, the Secretary of State shall appoint two certified peer support
21 providers, two certified recovery support specialists, one representative from

1 the Department of Health, and one representative from the Department of
2 Mental Health to serve as advisors to the Director in matters relating to peer
3 support and recovery support. Advisors shall be appointed to five-year
4 staggered terms to serve as advisors in matters related to the administration of
5 this chapter. At least one of the initial appointments shall be less than a five-
6 year term.

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

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

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

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

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

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

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

19 (b) The Director shall seek the advice of the advisor appointees in carrying
20 out the provisions of this chapter. Advisors who are not employed by the State
21 shall be entitled to compensation and necessary expenses in the amount

1 provided in 32 V.S.A. § 1010 for attendance at any meeting called by the
2 Director for this purpose.

3 § 3195. ELIGIBILITY

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

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

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

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

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

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

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

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

1 § 3196. CERTIFICATE RENEWAL

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

8 § 3197. UNPROFESSIONAL CONDUCT

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

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

16 Sec. 4. RULEMAKING; PEER SUPPORT PROVIDERS AND RECOVERY
17 SUPPORT SPECIALISTS

18 On or before September 1, 2024, the Director of Professional Regulation
19 shall file an initial proposed rule with the Secretary of State pursuant to
20 3 V.S.A. § 836(a)(2) for the purposes of carrying out the provisions of
21 26 V.S.A. chapter 60.

1 Sec. 5. EFFECTIVE DATE

2 This act shall take effect on July 1, 2025, except this section and Sec. 4
3 (rulemaking; peer support providers and recovery support specialists) shall
4 take effect on passage.