

1 H.847

2 Representatives Gregoire of Fairfield, Donahue of Northfield, Small of
3 Winooski, and Whitman of Bennington move that the bill be amended by
4 striking out all after the enacting clause and inserting in lieu thereof the
5 following:

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

7 § 122. OFFICE OF PROFESSIONAL REGULATION

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

14 * * *

15 (52) Peer support providers

16 (53) Peer recovery coaches

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

18 § 123. DUTIES OF OFFICE

19 * * *

20 (j)(1) The Office may inquire into the criminal background histories of
21 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 peer recovery coaches certified under
7 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 peer recovery coaches, \$50.00.

1 * * *

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

3 * * *

4 (V) Peer support provider or peer recovery coach, \$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 peer recovery coaches, ~~\$50.00~~\$75.00.

17 * * *

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

19 CHAPTER 60. PEER SUPPORT PROVIDERS AND PEER RECOVERY

20 COACHES

21 § 3191. DEFINITIONS

1 As used in this chapter:

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

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

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

10 (4) “Code of Ethics for Certified Peer Recovery Coaches” means the
11 code of ethics for certified peer recovery coaches approved and adopted by the
12 Department of Health.

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

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

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

19 (B) approve acceptable continuing education courses.

20 (7) “Peer support” means the provision of those services that address
21 mutually agreeable issues or areas of life consistent with the Code of Ethics for

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

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

17 (9) “Practice of recovery support services” means the practice of
18 recovery support services.

19 (10) “Recovery support services” means a set of culturally competent,
20 nonclinical, evidence-based activities provided by an individual or family
21 member with a lived experience of alcohol or substance use disorder and

1 consistent with the Code of Ethics for Peer Recovery Coaches, which shall be
2 coordinated through a written individualized recovery plan of care that
3 documents a substance use disorder and reflects the need and preferences of
4 the individual in achieving the specific, individualized, measurable goals
5 specified in the plan. “Recovery support services” include a range of social
6 and other services that facilitate recovery from substance use disorder, support
7 health and wellness, and link individuals with service providers and other
8 supports shown to improve quality of life for persons, and their families, in and
9 seeking recovery from substance use. “Recovery support services” do not
10 include the provision of psychotherapy as defined in section 4082 of this title.

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

13 (A) issue credentials to peer recovery coaches to demonstrate that a
14 peer recovery coach has met qualifications for certification under this chapter;
15 and

16 (B) approve acceptable continuing education courses.

17 § 3192. PROHIBITIONS; PENALTIES

18 (a) Nothing in this chapter shall be construed to prohibit the practice of
19 peer support by a noncertified provider. However, a person shall not use in
20 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 chapter 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 peer recovery coach unless
7 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 peer recovery coaches, 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 peer recovery coaches, 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 peer recovery coaches, one representative from the
10 Department of Health, and one representative from the Department of Mental
11 Health to serve as advisors to the Director in matters relating to peer support
12 and recovery support. Advisors shall be appointed to five-year staggered terms
13 to serve as advisors in matters related to the administration of this chapter. At
14 least one of the initial appointments shall be less than a five-year term.

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

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

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

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

1 (3) A certified peer recovery coach serving as an advisor shall:

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

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

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

11 § 3195. ELIGIBILITY

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

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

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

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

20 (b) To be eligible for certification as a peer recovery coach, an applicant
21 shall complete and submit an application in the manner as the Director

1 prescribes by the rule, accompanied by the applicable fees, and evidence
2 satisfactory to the Director that the applicant:

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

4 (2) has received a credential from the peer recovery coach credentialing
5 body; and

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

7 § 3196. CERTIFICATE RENEWAL

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

13 § 3197. UNPROFESSIONAL CONDUCT

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

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

20 Sec. 5. RULEMAKING; PEER SUPPORT PROVIDERS AND PEER
21 RECOVERY COACHES

1 On or before September 1, 2024, the Director of Professional Regulation
2 shall file an initial proposed rule with the Secretary of State pursuant to
3 3 V.S.A. § 836(a)(2) for the purposes of carrying out the provisions of
4 26 V.S.A. chapter 60.

5 Sec. 6. EFFECTIVE DATES

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

7 (1) this section and Sec. 5 (rulemaking; peer support providers and peer
8 recovery coaches) shall take effect on passage; and

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

10 and that after passage the title of the bill be amended to read: “An act
11 relating to peer support providers and peer recovery coaches”