

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred House Bill
3 No. 847 entitled “An act relating to peer support provider and recovery support
4 specialist certification” respectfully reports that it has considered the same and
5 recommends that the Senate propose to the House that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

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

9 § 122. OFFICE OF PROFESSIONAL REGULATION

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

16 * * *

17 (52) Peer support providers

18 (53) Peer recovery support specialists

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

20 § 123. DUTIES OF OFFICE

21 * * *

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

5 * * *

6 (I) speech-language pathologists licensed under 26 V.S.A. chapter
7 87; ~~and~~

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

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

12 * * *

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

14 § 125. FEES

15 * * *

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

19 * * *

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

1 * * *

2 (Q) Peer support providers or peer recovery support specialists,
3 \$50.00.

4 * * *

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

6 * * *

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

8 * * *

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

10 § 125. FEES

11 * * *

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

15 * * *

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

18 * * *

19 (Q) Peer support providers or peer recovery support specialists,
20 ~~\$50.00~~ \$75.00.

21 * * *

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

2 CHAPTER 60. PEER SUPPORT PROVIDERS AND PEER 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 peer 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) “Code of Ethics for Certified Peer Recovery Support Specialists”
15 means the code of ethics for certified peer recovery support specialists
16 approved and adopted by the Department of Health.

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

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

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

4 (B) approve acceptable continuing education courses.

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

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

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

7 (10) “Recovery support services” means a set of culturally competent,
8 nonclinical, evidence-based activities provided consistent with the Code of
9 Ethics for Certified Peer Recovery Support Specialists and coordinated through
10 a written individualized recovery plan of care that documents a substance use
11 disorder and reflects the need and preferences of the individual in achieving
12 the specific, individualized, measurable goals specified in the plan. “Recovery
13 support services” are provided in a mutual relationship by an individual with
14 lived experience of either recovery from a substance use disorder or having a
15 close relationship with an individual in recovery from a substance use disorder,
16 and include a range of social and other services that facilitate recovery from
17 substance use disorder, support health and wellness, and link individuals with
18 service providers and other supports shown to improve quality of life for
19 persons, and their families, in and seeking recovery from substance use.
20 “Recovery support services” do not include the provision of psychotherapy as
21 defined in section 4082 of this title.

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

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

6 (B) approve acceptable continuing education courses.

7 § 3192. PROHIBITIONS; PENALTIES

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

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

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

20 § 3193. DUTIES OF THE DIRECTOR

21 (a) The Director shall:

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

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

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

8 (4) explain complaint procedures to the public;

9 (5) administer fees collected in accordance with this chapter and
10 3 V.S.A. § 125; and

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

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

16 § 3194. ADVISOR APPOINTEES

17 (a)(1) After consultation with the Commissioners of Health and of Mental
18 Health, the Secretary of State shall appoint two certified peer support
19 providers, two certified peer recovery support specialists, one representative
20 from the Department of Health, and one representative from the Department of
21 Mental Health to serve as advisors to the Director in matters relating to peer

1 support and recovery support. Advisors shall be appointed to five-year
2 staggered terms to serve as advisors in matters related to the administration of
3 this chapter. At least one of the initial appointments shall be less than a five-
4 year term.

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

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

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

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

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

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

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

18 (b) The Director shall seek the advice of the advisor appointees in carrying
19 out the provisions of this chapter. Advisors who are not employed by the State
20 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 registry checks required in rule and any criminal
12 background checks that may be required in rule.

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

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

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

20 (3) has passed registry checks required in rule and any criminal
21 background checks that may be required in rule.

1 § 3196. CERTIFICATE RENEWAL

2 A peer support specialist provider certification and a peer 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 peer recovery support specialist, or
12 an applicant.

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

16 **Sec. 5. RULEMAKING; PEER SUPPORT PROVIDERS AND PEER**
17 **RECOVERY 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. 6. EFFECTIVE DATES

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

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

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

6 and that after passage the title of the bill be amended to read: “An act
7 relating to peer support provider and peer recovery support specialist
8 certification”

9

10

11

12

13

14 (Committee vote: _____)

15

16

Senator _____

17

FOR THE COMMITTEE