

WSR 24-23-063

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed November 17, 2024, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-16-037.

Title of Rule and Other Identifying Information: Certified peer specialists and certified peer specialist trainees; establishing certification standards in chapter 246-929 WAC.

The department of health (department) is proposing certification standards for the new, voluntary certified peer specialist and trainee credentials created by 2SSB 5555 (chapter 469, Laws of 2023). The proposed rules establish requirements including: the application process; education and examination requirements; supervised experience requirements; approved supervisor requirements; professional standards; continuing education requirements; and fees.

Hearing Location(s): On January 7, 2025, at 2:00 p.m., virtual. Register in advance for this webinar https://us02web.zoom.us/join/register/WN_SlQCiJBjTdmxrHaCUQhtzA. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: January 14, 2025.

Submit Written Comments to: Ted Dale, Office of Health Professions, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview/>, ted.dale@doh.wa.gov, beginning the date and time of this filing, by January 7, 2025, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Ted Dale, phone 360-236-2991, TTY 711, email ted.dale@doh.wa.gov, by December 20, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: During the 2023 legislative session, the legislature passed 2SSB 5555 to create the new, voluntary certified peer specialist and certified peer specialist trainee credentials, establish their requirements, and direct the department to adopt rules implementing the profession by July 1, 2025. 2SSB 5555 also authorized the secretary of health to adopt any rules necessary to implement the new credentials, fees, forms and procedures, certifications, examinations, continuing education, and appeal procedures. The department invited extensive community engagement throughout the rule-drafting process as the new credentials were being developed. The proposed rules establish the new credentials, establish necessary regulatory processes, and set clear professional standards.

The new credentials are not required for an individual to work as a peer in Washington state but will be required for a peer to bill medicaid or private insurance or to work as a peer in a licensed behavioral health agency.

Reasons Supporting Proposal: In addition to fulfilling the intent of 2SSB 5555, the proposed rules for this profession will allow the department to consistently uphold standards that protect public safety.

Statutory Authority for Adoption: RCW 18.420.020.

Statute Being Implemented: Chapter 18.420 RCW, 2SSB 5555 (chapter 469, Laws of 2023).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Ted Dale, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2991.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Ted Dale, Office of Health Professions, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2991, TTY 711, email ted.dale@doh.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The proposed rules impact only individual behavioral health providers or applicants, not businesses.

Scope of exemption for rule proposal:

Is fully exempt.

November 17, 2024
Kristen Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary of Health

OTS-5869.4

**Chapter 246-929 WAC
CERTIFIED PEER SPECIALISTS AND CERTIFIED PEER SPECIALIST TRAINEES**

DEFINITIONS

NEW SECTION

WAC 246-929-010 Definitions. The definitions in RCW 18.420.010 and in this section apply throughout this chapter unless the context clearly states otherwise.

(1) "Approved supervisor" means a credentialed behavioral health provider or peer specialist who meets the requirements in this chapter.

(2) "Behavioral health provider" has the same definition as in RCW 71.24.025 and includes physicians and physician assistants, osteopathic physicians, psychologists, licensed counselors, substance use disorder professionals, registered nurses, and advanced practice registered nurses.

(3) "Clinical services" means treatment provided by a behavioral health provider with a credential that allows them to provide mental health treatment, substance use disorder treatment, or co-occurring disorder treatment.

(4) "Distance supervision" means supervision provided when the approved supervisor is not at the same location as the peer specialist trainee.

(5) "Group supervision" means a supervision meeting between the approved supervisor and no more than six peer specialist trainees.

(6) "Individual supervision" means a supervision meeting between the approved supervisor and one peer specialist trainee.

(7) "Institution of higher learning" means a college or university that is nationally, regionally, or state accredited.

(8) "Joint supervision" means an approved supervisor and a peer specialist supervisor candidate working in conjunction to provide supervision to certified peer specialist trainees.

(9) "Out-of-state" means any state or territory of the United States other than Washington.

(10) "Participant" means an individual who is receiving services from a certified peer specialist or certified peer specialist trainee and substitutes for more clinical terms such as client. In practice, peers may refer to the participant as a member, peer, individual, or other inclusive term. A participant is still a patient or client and recipient of health care services under relevant laws regulating the practice of health care.

(11) "Peer specialist supervisor candidate" means a certified peer specialist working under an approved supervisor and providing joint supervision to trainees to obtain the experience necessary to become an approved supervisor.

(12) "Recovery" means a process of change through which individuals improve their health and wellness, live self-directed lives, and strive to reach their full potential. Recovery often involves achieving remission from an active substance use disorder or mental health condition.

NEW SECTION

WAC 246-929-020 Sexual misconduct. (1) The definitions and prohibitions on sexual misconduct described in chapter 246-16 WAC apply to certified peer specialists and certified peer specialist trainees except WAC 246-16-100 (4) and (5).

(2) A certified peer specialist and a certified peer specialist trainee shall never engage, or attempt to engage, in the activities listed in WAC 246-16-100 (1), (2), and (3) with a former patient, former participant, or former key party.

NEW SECTION

WAC 246-929-030 Voluntary credential and title protection. (1) Individuals who practice peer counseling or provide peer support services are not required to obtain the peer specialist certification to provide peer services in the state of Washington.

(2) The titles of certified peer specialist and certified peer specialist trainee are protected and shall only be used by an individual who has an active certification under chapter 18.420 RCW and this chapter.

NEW SECTION

WAC 246-929-040 Scope of practice and limits for certified peer specialists and certified peer specialist trainees. Certified peer specialists and certified peer specialist trainees can practice peer support services as defined in RCW 18.420.010. This consists of providing interventions through the use of shared experiences to assist the participant in acquiring and exercising skills needed to support their recovery.

(1) Interventions include activities to assist participants in accessing or engaging in treatment, symptom management, social connection, recovery, and self-advocacy. This incorporates guidance and development of natural community supports, improving basic daily living skills, and supporting participants in achieving and maintaining their health and wellness goals. These interventions may be achieved through various means, including working with participants outside of an office or agency setting, connecting participants with resources, case management services, and other nonclinical treatments to assist participants in their recovery.

(2) Peer specialists and trainees are not clinical providers and may not provide clinical services. They cannot assess or diagnose identifiable mental health conditions or substance use disorders, and they may not provide mental health or substance use disorder counseling. Peer specialists and trainees may work with their participants to connect them with clinical behavioral health providers, if desired by the participant.

NEW SECTION

WAC 246-929-050 Expired credential. If a certified peer specialist certification is expired, the individual must meet the requirements of WAC 246-12-040 to return the credential to active status.

CERTIFICATION REQUIREMENTS

NEW SECTION

WAC 246-929-100 Certification of a peer specialist. An applicant for a peer specialist certificate shall submit to the department:

- (1) An application on forms provided by the department;
- (2) An attestation that the applicant self-identifies as:
 - (a) Having one or more years in recovery from a mental health condition, substance use disorder, or both; or
 - (b) The parent or legal guardian of a youth who is receiving or has received behavioral health services;
- (3) Official certificate(s) of completion of a peer training course or an approved apprenticeship program as outlined in WAC 246-929-130;
- (4) Verification of meeting the supervised experience requirements under WAC 246-929-150 on forms provided by the department; and
- (5) The fee(s) required under WAC 246-929-990.

NEW SECTION

WAC 246-929-110 Certification of a peer specialist trainee. (1) An applicant for a peer specialist trainee certificate shall submit to the department:

- (a) An application on forms provided by the department;
 - (b) An attestation that the applicant self-identifies as:
 - (i) Having one or more years in recovery from a mental health condition, substance use disorder, or both; or
 - (ii) The parent or legal guardian of a youth who is receiving or has received behavioral health services;
 - (c) Official certificate(s) of completion of a peer training course as outlined in WAC 246-929-130 or proof of acceptance into an approved apprenticeship program; and
 - (d) An attestation the applicant is working to meet the supervised experience requirements under WAC 246-929-150.
- (2) The peer specialist trainee certification may only be renewed four times.
- (3) There is no fee for certification as a peer specialist trainee.

NEW SECTION

WAC 246-929-130 Education and examination requirements. (1) Except as specified under subsections (2) and (3) of this section, an applicant for certification as a peer specialist or trainee must meet one of the following requirements:

- (a) Successful completion of an 80-hour peer services training course and the examinations developed by the health care authority under RCW 71.24.920; or
 - (b) Successful completion of an apprenticeship program reviewed and approved by the department and registered with the department of labor and industries.
- (2) An applicant for certification as a peer specialist or a trainee who has previously completed the health care authority's 40-hour peer counselor training must complete the health care authority's gap training provided under RCW 71.24.920.
- (3) An applicant for certification as a peer specialist or a trainee who obtained their training in another state must provide:
- (a) One of the following:

- (i) A certificate of completion from their out-of-state peer training provider; or
 - (ii) A copy of the out-of-state peer specialist or peer counselor credential; and
- (b) Proof of completing the health care authority's peer counselor prerequisite training course and the gap training required in subsection (2) of this section.

NEW SECTION

WAC 246-929-150 Supervised experience requirements. (1) A certified peer specialist trainee shall complete at least 1,000 hours of supervised experience providing volunteer or paid peer support services to participants under the supervision of an approved supervisor who meets the requirements under WAC 246-929-170, including at least 12 hours of supervision meetings.

(a) Supervised experience and supervision meetings may be provided through distance supervision or in-person supervision.

(b) Supervision meetings may be either individual or group supervision.

(c) A trainee may have multiple approved supervisors at the same time.

(d) Supervision obtained prior to July 1, 2025, or out-of-state, is not required to meet requirements for formal supervision as outlined in subsection (2) of this section.

(2) The trainee and the approved supervisor must meet for supervision meetings every other week unless the trainee has had no participant contact since the last supervision meeting.

(3) The trainee's supervised experience and supervision meetings shall be reported on forms provided by the department with a signed attestation from the approved supervisor.

NEW SECTION

WAC 246-929-160 Supervised experience hours. (1) An applicant for the certified peer specialist credential must show they have obtained the required supervised experience hours in one of the following ways:

(a) For experience obtained on or after July 1, 2025, an applicant must complete at least 1,000 hours of volunteer or paid practice of peer support services under an approved supervisor as defined in WAC 246-929-170, including at least 12 hours of supervision meetings.

(b) For experience obtained prior to July 1, 2025, an applicant must provide:

(i) An attestation, on a form provided by the department, that documents at least 1,000 hours worked as a peer counselor, signed by an employer or a supervisor credentialed as a behavioral health provider; or

(ii) Documentation the applicant held an agency affiliated counselor registration and was working as a peer counselor in an agency for at least one year.

(c) For experience obtained out-of-state, an applicant must show they have held an equivalent credential in good standing for at least

one year, or hold an acceptable national certification as defined in WAC 246-929-190.

(2) For experience obtained under multiple options in subsection (1) of this section, a separate form must be provided for each type of experience and must total at least 1,000 hours.

NEW SECTION

WAC 246-929-170 Approved supervisor requirements. (1) Except as specified in subsection (2) of this section, an approved supervisor who is eligible to supervise certified peer specialist trainees must be either:

(a) Until July 1, 2028, a behavioral health provider, as defined in RCW 71.24.025, with two years of experience working in a behavioral health practice that employs peer specialists as a part of their treatment teams; or

(b) A certified peer specialist who has completed:

(i) At least 1,500 hours of work as a fully certified peer specialist actively engaged in the practice of peer support services;

(ii) At least 500 hours of joint supervision of peers in conjunction with an approved supervisor; and

(iii) The peer specialist supervisor training course provided by the health care authority under RCW 71.24.920.

(2) Individual peers who supervised peers prior to the creation of the certified peer specialist credential may qualify as an approved supervisor if they:

(a) Hold an active certified peer specialist credential;

(b) Provided supervision to peers for at least one year prior to July 1, 2025; and

(c) Completed the peer specialist supervisor training provided by the health care authority under RCW 71.24.920.

(3) The approved supervisor or designee shall respond to a request for assistance with emergencies or situations with a significant impact on a participant within 48 hours of the request from a trainee or supervisor candidate. The designee must be a certified peer specialist or, until July 1, 2028, a behavioral health provider.

NEW SECTION

WAC 246-929-180 Joint supervision. (1) A certified peer specialist shall meet the following before becoming a peer specialist supervisor candidate:

(a) Hold an active peer specialist certification;

(b) Complete at least 1,000 hours of experience after becoming a certified peer specialist; and

(c) Complete the peer specialist supervisor training course provided by the health care authority under RCW 71.24.920.

(2) Peers who were supervisors prior to July 1, 2025, may qualify without joint supervision experience if they meet the conditions of WAC 246-929-170(2).

(3) Joint supervision is when an approved supervisor works together with a peer specialist supervisor candidate who is obtaining experience to become an approved supervisor. The peer specialist must

obtain at least 500 hours of joint supervision experience to be eligible to be an approved supervisor.

(4) When providing joint supervision, the approved supervisor is the primary supervisor and may delegate tasks to the peer specialist supervisor candidate according to their skills and abilities. This includes, but is not limited to:

- (a) Mentoring and advising trainees;
- (b) Supervision of nontrainee peers while providing services;
- (c) Addressing concerns around participant treatment or issues requiring immediate actions;
- (d) Leading group supervision meetings under the observation of the approved supervisor;
- (e) Shadowing an approved supervisor; and
- (f) Other tasks preapproved by the approved supervisor.

(5) The supervisor candidate may not be the primary supervisor for a peer specialist trainee, may not approve or modify documentation for the participant's recovery plan or treatment plan, may not hold individual supervision meetings, and shall not sign off on any documentation as the trainee's supervisor.

(6) The approved supervisor and peer specialist supervisor candidate must meet at least once a month to discuss the ongoing supervision of trainees working with the peer specialist supervisor candidate.

(7) The approved supervisor must provide, on forms provided by the department, an attestation that the supervisor candidate obtained at least 500 hours of joint supervision experience under their supervision.

NEW SECTION

WAC 246-929-190 National and international certifications. An applicant who obtains one of the following national or international certifications shall be considered to meet the education, training, and experience requirements to receive certification as a certified peer specialist:

- (1) National Association of Alcoholism and Drug Addiction Counselor's (NAADAC) certification as a National Certified Peer Recovery Support Specialist (NCPRSS);
- (2) National Federation of Families certification as a Family Peer Specialist;
- (3) International Certification and Reciprocity Consortium (IC&RC) Peer Recovery credential; or
- (4) Recovery Innovation's International Peer Training certification.

ETHICS AND DISCLOSURE INFORMATION

NEW SECTION

WAC 246-929-200 Disclosure statements. (1) Certified peer specialists and trainees are required to provide a disclosure statement to each participant prior to starting services.

(2) The disclosure statement must contain the following information:

- (a) The name of the certified peer specialist or trainee and the name of their agency or business, if applicable;
- (b) The peer specialist or trainee's credential number;
- (c) The peer specialist or trainee's business address, email, and telephone number;
- (d) The type of peer services to be provided, including an explanation of the differences between peer services and clinical services and how they work together;
- (e) The goals and expected duration of the peer services; and
- (f) Fee information, including billing practices.

(3) Peer specialist trainees must also include information for their approved supervisor, including the supervisor's name, credential number, and contact information.

(4) The disclosure statement must state that the participant has been provided a copy of the disclosure statement and that the participant has read and understands the information provided. The participant and peer specialist must both sign and date the form.

(5) If a participant is in acute crisis or is otherwise unable to read, understand, and sign the disclosure statement, it can be completed at a later session.

NEW SECTION

WAC 246-929-210 Ethical practice of peer support services. (1) The practice of peer support services includes interventions provided by a certified peer specialist or trainee with a similar lived experience as the participant. Interventions may include:

- (a) Activities that assist participants in accessing or engaging in treatment and symptom management;
- (b) Activities that promote social connection, recovery, and self-advocacy;
- (c) Providing guidance in the development of natural community supports and basic daily living skills; and
- (d) Supporting participants in engagement, motivation, and maintenance related to achieving and maintaining health and wellness goals.

(2) The practice of peer support services is not required to be held in a clinical setting. Peer specialists meet their participants where they are and engage in a different manner than clinical providers do. They may also interact with the participant's family or friends while providing interventions.

(3) Certified peer specialists and trainees shall provide services with a trauma-informed, person-centered approach. Their methodology must be recovery-oriented and relationship-focused, working only with participants who are voluntarily seeking services.

NEW SECTION

WAC 246-929-220 Mandatory reporting. Individuals and other entities must report unprofessional conduct in compliance with the Uniform Disciplinary Act in chapter 18.130 RCW and the standards of professional conduct in chapter 246-16 WAC.

CONTINUING EDUCATION REQUIREMENTSNEW SECTION

WAC 246-929-300 Continuing competency program requirements. (1) A certified peer specialist is required to complete a continuing competency program of 30 hours of continuing education or other educational activities every two years.

(a) At least 14 hours must be specific to providing peer support services as defined in RCW 18.420.010;

(b) At least two hours are required in professional law and ethics; and

(c) The remaining 14 hours may be related to other aspects of mental health or substance use disorder treatment, coaching, professional development, or employer-sponsored trainings. This also includes the required trainings listed in subsections (2) through (5) of this section.

(2) At least once every six years a certified peer specialist must complete three hours of training in suicide prevention, including screening and referral, as specified in WAC 246-929-320.

(3) At least once every four years a certified peer specialist must complete two hours of health equity training as specified in WAC 246-929-330.

(4) A certified peer specialist who is practicing as an approved supervisor must complete six hours of supervisory continuing education every two years.

(5) A certified peer specialist who provides telehealth services must take the telehealth training as specified in WAC 246-929-340.

(6) A certified peer specialist must complete the continuing competency program requirements every two years. A certified peer specialist must develop and implement the plan upon their first full two-year certification, and every two years thereafter.

(7) The peer specialist must obtain a certificate of completion for each course, which includes the attendee's name, the date of the course, and the number of hours of education provided. The certificate must also list the name of the organization that approved the course for continuing education credit. Transcripts from a recognized educational institution will also be accepted.

(8) A certified peer specialist trainee is not required to complete a continuing competency program.

CE hours required every 2-year cycle	Continuing Education (CE) Content
14 hours	CE specific to providing peer support services.
2 hours	Professional law and ethics.
14 hours	CE topics which could include mental health, substance use disorder treatment, coaching, professional development, and employer-sponsored training. Any statutorily required trainings, including: <ul style="list-style-type: none"> • Every 6 years, 3 hours of suicide prevention, including screening and referral; • Every 4 years, 2 hours of health equity training; • Prior to providing telehealth, the 1-hour telehealth training; • For peer specialists who are approved supervisors, 6 hours of supervisory CE each cycle.
30 hours total	

NEW SECTION

WAC 246-929-310 Acceptable continuing education programs. (1) A continuing education program or course must be relevant to peer support services, counseling, or coaching and must contribute to the advancement or enhancement of the professional competence of the credential holder. Courses or workshops primarily designed to increase practice income or office efficiency are not eligible for CE credit.

(2) Continuing education courses, seminars, workshops, training programs, and institutes must be approved by an industry-recognized professional organization or institutions of higher learning as identified in WAC 246-929-315 that is directly related to peer support services, peer counseling, mental health, or substance use disorder treatment.

(3) Distance learning programs approved by an industry-recognized professional organization or educational organization may meet these requirements. Distance learning courses must require a test of comprehension upon completion to qualify as continuing education.

(4) Credit hours for a continuing education course are determined by the amount of time the training takes to complete.

(5) A certified peer specialist who prepares and presents lectures or education that contributes to the professional competence of other peers or behavioral health providers may accumulate the same number of hours obtained by attendees. The hours for presenting a lecture or education on a specific topic may only be used for continuing education credit once during each reporting period.

(6) Other learning experiences, such as serving on a panel, board or council, professional research, peer consultation, or publishing articles for professional publications are acceptable if the experience contributes to the advancement or enhancement of the professional competence of the certified peer specialist. The experience is limited to six hours per reporting period.

NEW SECTION

WAC 246-929-315 Industry-recognized local, state, national and international organizations, or institutions of higher learning. Industry-recognized local, state, national and international organiza-

tions, and institutions of higher learning include, but are not limited to, the following:

- (1) Peer Washington;
- (2) Wellness recovery action plan;
- (3) National Association of Peer Supporters;
- (4) The Copeland Center;
- (5) Holding the Hope;
- (6) SPARK Peer Learning Center;
- (7) Coach Approach Training;
- (8) Washington State Community Connectors;
- (9) Intentional Peer Support;
- (10) Mental Health America;
- (11) Connecticut Community for Addiction Recovery (CCAR);
- (12) National Association of Social Workers;
- (13) National Board of Certified Counselors;
- (14) American Mental Health Counselors Association;
- (15) National Association of Alcohol and Drug Addiction Counselors;
- (16) American Psychological Association;
- (17) Institutions of higher learning that are accredited by a state, national, or regional accrediting body;
- (18) State and federal government agencies; and
- (19) Tribal training organizations.

NEW SECTION

WAC 246-929-320 Suicide prevention continuing education. (1) A certified peer specialist must complete training in suicide prevention, including screening and referral, every six years. The training must:

- (a) Be provided by a single provider;
 - (b) Be at least three hours in length, which may be provided in one or more sessions; and
 - (c) Be listed on the department's suicide prevention for health professionals model list for training programs in suicide screening and referral, which was developed in accordance with RCW 43.70.442 and chapter 246-12 WAC.
- (2) The first training must be completed during the first full CE reporting period after initial certification unless an applicant can demonstrate completion of a three-hour training in suicide prevention, screening, and referral that:
- (a) Was completed no more than six years prior to the application for initial certification; and
 - (b) Meets the requirements of this section.
- (3) A certified peer specialist who is a state or local government employee, an employee of a community mental health agency licensed under chapter 71.24 RCW, or a substance use disorder program certified under chapter 71.24 RCW may be exempt if they receive eligible training from their employer pursuant to RCW 43.70.442.

NEW SECTION

WAC 246-929-330 Health equity continuing education. A certified peer specialist must complete training in health equity as part of their continuing education. The certified peer specialist must complete at least two hours of health equity training every four years. The training may be in-person or virtual but must meet the course requirements in WAC 246-12-830, including strategies to reduce implicit bias and assess the provider's ability to apply health equity concepts into practice.

NEW SECTION

WAC 246-929-340 Telehealth training requirements. A certified peer specialist who provides peer services through telemedicine must complete a one-time telemedicine training that complies with RCW 43.70.495.

FEES

NEW SECTION

WAC 246-929-990 Certified peer specialist and trainee fees and renewal cycle. (1) A certified peer specialist shall renew their credential every two years on the practitioner's birthday.
(2) A certified peer specialist trainee shall renew their credential every year to correspond with the issuance date. This credential may only be renewed four times.
(3) Certified peer specialist trainees do not have a fee for their credential.
(4) Pursuant to RCW 43.70.110 and 43.70.250, the following nonrefundable fees will be charged:

Title of Fee	Fee
Certified peer specialist	
Application and certification	\$100.00
Renewal	100.00
Late renewal penalty	50.00
Expired certification reissuance	50.00
Duplicate certification	10.00
Verification of certification	25.00
Certified peer specialist trainee	
Application and certification	0.00
Renewal	0.00
Late renewal penalty	0.00

Title of Fee	Fee
Expired certification reissuance	0.00
Duplicate certification	10.00
Verification of certification	25.00