
Health Care & Wellness Committee

HB 1349

Brief Description: Concerning peer specialists.

Sponsors: Representatives Davis, Caldier, Frame, Leavitt, Simmons, Paul, Fitzgibbon, Orwall, Shewmake, Ortiz-Self, Slatter, Peterson, Senn, Ramel, Taylor, Ryu, Duerr, Barkis, Pollet, Chopp, Macri, Callan, Ormsby and Harris.

Brief Summary of Bill

- Establishes licensed peer specialists and licensed peer specialist trainees as new health professions to be licensed by the Department of Health.
- Establishes standards and training for approved supervisors of licensed peer specialist trainees.
- Establishes training requirements for licensed peer specialists practicing as peer crisis responders.

Hearing Date: 2/15/21

Staff: Christopher Blake (786-7392).

Background:

The Health Care Authority (Authority) certifies peer counselors under its Peer Support Program. Certification by the Authority is not necessary to provide peer counseling services, however, it is required for reimbursement under Medicaid. To be certified, a person must:

- self-identify as a consumer, or parent or legal guardian of a consumer, of mental health or substance use disorder services;
- be certified by the Department of Health as an agency-affiliated counselor;
- complete an online prerequisite course;
- complete a 40-hour specialized training course on core competencies established by the

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

- federal Substance Abuse and Mental Health Services Administration;
- pass an examination administered by the Authority; and
- receive a written notification letter from the Authority recognizing the individual as a counselor.

The services that may be provided by certified peer counselors are specified in Washington's Medicaid State Plan (State Plan). The State Plan specifies that they work with adults, youth, and the parents of children receiving behavioral health services to help them find hope and make progress toward recovery by drawing upon their own life experience.

Summary of Bill:

Licensed peer specialists and licensed peer specialist trainees are established as new health professions to be regulated by the Department of Health (Department). The Department must begin issuing licenses July 1, 2022, and, beginning July 1, 2023, a person may not engage in the practice of peer support services unless the person holds a license as a peer specialist or peer specialist trainee. "Practice of peer support services" means the provision of interventions by either: (1) a person in recovery from a mental health condition, substance use disorder, or both; or (2) the parent or legal guardian of a youth who is receiving or has received behavioral health services. The interventions are provided to a client through the use of shared experiences to assist a client in the acquisition and exercise of shared skills to support the client's recovery. Interventions may include activities that assist a client in accessing or engaging in treatment and in symptom management; promote social connection, recovery, and self-advocacy; provide guidance in the development of community supports and basic daily living skills; and support clients in achieving health and wellness goals.

An applicant for a license as a peer specialist must:

- submit an attestation to the Department that the applicant self-identifies as: (1) a person with one or more years of recovery from a mental health condition, substance use disorder, or both; or (2) a parent or legal guardian of a youth who is receiving or has received behavioral health services;
- complete an education course developed and offered by the Health Care Authority (Authority);
- pass an oral examination administered by the Authority;
- pass a written examination approved by the Department;
- complete an experience requirement of at least 1,000 hours as a licensed peer specialist trainee engaged in the practice of peer support services under the supervision of an approved supervisor; and
- pay any applicable fees.

Alternatively, an applicant may receive a peer specialist license based on prior experience as a peer specialist prior to July 1, 2022. The Department must adopt equivalency standards that an applicant may meet to be eligible for such a license by July 1, 2023.

The license for peer specialists trainees allows a person to practice peer support services under the supervision of an approved supervisor while completing the experience requirement to obtain a full license as a peer specialist. To obtain a license as a peer specialist trainee, an applicant must have met the attestation, education, and oral examination requirements for a peer specialist, and must submit a declaration that the applicant is actively pursuing the supervised experience requirement for a full license. An approved supervisor is either: (1) until July 1, 2024, a behavioral health provider with at least two years of experience working in a behavioral health practice that employs peer specialists in treatment teams; or (2) a licensed peer specialist with at least 1,500 hours of work as a licensed peer specialist, including at least 500 hours in the joint supervision of peers, and who has completed a training developed by the Authority.

Before providing a program of treatment, a peer specialist or peer specialist trainee must provide a client with a disclosure statement. The disclosure statement must address: the right of a client to refuse treatment, the responsibility of a client to choose the provider and treatment modality which best suits their needs, and the extent to which confidentiality is provided to the client. In addition, the disclosure must include the peer specialist's or peer specialist trainee's education and training. The disclosure must be acknowledged in writing by the client and the peer specialist.

The Washington State Licensed Peer Specialist Advisory Committee (Committee) is established. The Secretary of Health (Secretary) must appoint the 11 members of the Committee, which include nine members who are peer specialists, one member who represents community behavioral health agencies, and one member who represents the public at large. The Committee is responsible for submitting recommendations which the Department must adopt on topics including: rules related to the licensing of peer specialists and peer specialist trainees, case disposition guidelines and priorities related to unprofessional conduct cases, the review of reports of unprofessional conduct, consumer education, continuing education and continuing competency programs, and criteria for licensure based on prior experience.

While the Department is the primary licensing entity for peer specialists and peer specialist trainees, the Authority has several specific responsibilities in the licensing process. The Authority must develop and offer the instruction course for peer specialist licensure. The course must be approximately 80 hours and based on the Authority's existing course with additional instruction in the principles of recovery coaching and suicide prevention. The Authority must also develop a training course for peer specialists providing supervision to peer specialist trainees as well as a 40-hour specialized training course in peer crisis response services. Beginning July 1, 2023, peer specialists working as peer crisis responders must have completed the Authority's training.

Behavioral health agencies must reduce the caseload for approved supervisors who are providing supervision to licensed peer specialist trainees according to standards established by the Committee.

By January 1, 2022, the Office of the Insurance Commissioner must make recommendations to

health carriers regarding the appropriate use of licensed peer specialists, network adequacy for licensed peer specialists, and steps to incorporate licensed peer specialists into commercial provider networks.

Appropriation: None.

Fiscal Note: Requested on January 22, 2021.

Effective Date: The bill takes effect 90 days after the adjournment of the session in which the bill is passed, except for section 15, relating to sanctioning authority for health professions, which takes effect July 1, 2022.