



AN ACT ADDING A CERTIFIED BEHAVIORAL HEALTH PEER SUPPORT SPECIALIST TO THE BOARD OF BEHAVIORAL HEALTH; INCORPORATING BEHAVIORAL HEALTH PEER SUPPORT INTO THE BOARD OF BEHAVIORAL HEALTH DUTIES; AND AMENDING SECTIONS 2-15-1744 AND 3-22-201, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 2-15-1744, MCA, is amended to read:

**"2-15-1744. Board of behavioral health.** (1) (a) The governor shall appoint, with the consent of the senate, a board of behavioral health consisting of ~~nine~~ 10 members.

(b) ~~Three~~ Three members must be licensed social workers, and ~~three~~ three must be licensed professional counselors. At least one of these members who is licensed as a social worker or professional counselor must also be licensed as a marriage and family therapist.

(c) One member must be appointed from and represent the general public and may not be engaged in social work.

(d) Two members must be licensed addiction counselors.

(e) One member must be a certified behavioral health peer support specialist.

(2) The board is allocated to the department for administrative purposes only as provided in 2-15-121.

(3) Members shall serve staggered 4-year terms."

**Section 2.** Section 37-22-201, MCA, is amended to read:

**"37-22-201. Duties of board.** The board:

(1) shall recommend prosecutions for violations of 37-22-411, 37-23-311, and Title 37, ~~chapter 35,~~ and Title 37, ~~chapter 37~~ chapters 35, 37, and 38, to the attorney general or the appropriate county attorney, or both;

(2) shall meet at least once every 3 months to perform the duties described in Title 37, chapters 1, 23, 35, ~~and 37, and 38~~, and this chapter. The board may, once a year by a consensus of board members, determine that there is no necessity for a board meeting.

(3) shall adopt rules that set professional, practice, and ethical standards for social workers, marriage and family therapists, addiction counselors, ~~and professional counselors~~, and behavioral health peer support specialists and other rules as may be reasonably necessary for the administration of Title 37, chapters 23, 35, ~~and 37, and 38~~, and this chapter; and

(4) may adopt rules governing the issuance of licenses of special competence in particular areas of practice as a licensed professional counselor. The board shall establish criteria for each particular area for which a license is issued."

**Section 3. Coordination instruction.** If House Bill No. 477 and [this act] are passed and approved and if both contain a section that amends 2-15-1744, then the sections amending 2-15-1744 are void and 2-15-1744 must be amended as follows:

**"2-15-1744. Board of behavioral health.** (1) (a) The governor shall appoint, with the consent of the senate, a board of behavioral health consisting of ~~nine~~ 11 members.

(b) ~~Three~~ Three members must be licensed social workers, and ~~three~~ three must be licensed professional counselors. ~~At least one of these members who is licensed as a social worker or professional counselor must also be licensed as a marriage and family therapist.~~

(c) One member must be appointed from and represent the general public and may not be engaged in social work.

(d) Two members must be licensed addiction counselors.

(e) One member must be a certified behavioral peer support specialist.

(f) One member must be a licensed marriage and family therapist.

(2) The board is allocated to the department for administrative purposes only as provided in 2-15-121.

(3) Members shall serve staggered 4-year terms."

END -

I hereby certify that the within bill,  
HB 276, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

HOUSE BILL NO. 276

INTRODUCED BY M. CAFERRO

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