

## 1 HOUSE BILL NO. 276

2 INTRODUCED BY M. CAFERRO

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ADDING TWO ~~LICENSED-CERTIFIED~~ BEHAVIORAL HEALTH  
 5 PEER SUPPORT SPECIALISTS TO THE BOARD OF BEHAVIORAL HEALTH; INCORPORATING  
 6 BEHAVIORAL HEALTH PEER SUPPORT INTO THE BOARD OF BEHAVIORAL HEALTH DUTIES; AND  
 7 AMENDING ~~SECTION SECTIONS~~ 2-15-1744 AND 3-22-201, MCA."

8

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

10

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

12 **"2-15-1744. Board of behavioral health.** (1) (a) The governor shall appoint, with the consent of the  
 13 senate, a board of behavioral health consisting of ~~nine-11~~ NINE members.

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

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

19 (d) Two members must be licensed addiction counselors.

20 (e) Two members must be licensed-CERTIFIED behavioral health peer support specialists.

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

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

23

24 **SECTION 2.** SECTION 37-22-201, MCA, IS AMENDED TO READ:25 **"37-22-201. Duties of board.** The board:

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

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

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

8 (4) may adopt rules governing the issuance of licenses of special competence in particular areas of  
 9 practice as a licensed professional counselor. The board shall establish criteria for each particular area for  
 10 which a license is issued."  
 11

12 COORDINATION SECTION. SECTION 3. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 477 AND [THIS  
 13 ACT] ARE PASSED AND APPROVED AND IF BOTH CONTAIN A SECTION THAT AMENDS 2-15-1744, THEN THE SECTIONS  
 14 AMENDING 2-15-1744 ARE VOID AND 2-15-1744 MUST BE AMENDED AS FOLLOWS:

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

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

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

22 (d) Two members must be licensed addiction counselors.

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

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

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

26 (3) Members shall serve staggered 4-year terms."  
 27

END -