

**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR CERTIFICATION AND REGULATION OF FAMILY PEER SUPPORT SPECIALISTS; ESTABLISHING CERTIFICATION REQUIREMENTS; AND ; PROVIDING DEFINITIONS."

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

NEW SECTION. Section 1. Family peer support specialist. The profession of family peer support specialist is subject to certification requirements set forth in this chapter and by rules promulgated by the board of behavioral health.

NEW SECTION. Section 2. Definitions. As used in [sections 1 through 5], unless the context clearly indicates otherwise, the following definitions apply:

- (1) "Behavioral health" includes a person with a diagnosis of:
 - (a) a mental disorder, as that term is defined in 53-21-102; or
 - (b) chemical dependency, as that term is defined in 53-24-103.
- (2) "Board" means the board of behavioral health established under 2-15-1744.
- (3) "Certified family peer support specialist" means a person who:
 - (a) is or was the parent, guardian, or caregiver of a child under 21 years of age with significant physical, developmental, or behavioral health needs;
 - (b) has obtained the education and skills needed to provide family peer support; and
 - (c) possesses a valid and current certification.
- (4) "Family peer support" means the use of a family peer support specialist's personal experience to provide support, mentoring, guidance, and advocacy to parents or caregivers of children with significant physical, developmental, or behavioral health needs.

1 **NEW SECTION. Section 3. Certification required -- exceptions.** (1) Upon certification in
2 accordance with this chapter, a person may use the title "certified family peer support specialist."

3 (2) Subsection (1) does not prohibit a qualified member of another profession, such as a physician,
4 psychologist, clinical social worker, addiction counselor, marriage and family therapist, nurse, behavioral health
5 peer support specialist, religious official, pastoral counselor, school counselor, educator, lawyer, probation
6 officer, or court employee from performing duties and services consistent with the person's licensure,
7 certification, and training and the code of ethics of the person's profession.

8 (3) Subsection (1) does not prohibit a qualified member of another profession, business,
9 educational program, or volunteer organization who is not licensed or certified or for whom there is no
10 applicable code of ethics, including advocates and other peer mentors, from performing duties and services
11 consistent with the person's training, as long as the person does not represent by title that the person engages
12 in the practice of family peer support.

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14 **NEW SECTION. Section 4. Family peer support certification requirements -- supervision -- fees.**
15 (1) A person may apply for certification as a family peer support specialist if the person:

- 16 (a) is at least 18 years of age;
- 17 (b) self-attests the person:
- 18 (i) is or was the parent, guardian, or caregiver of a child under 21 years of age with significant
19 physical, developmental, or behavioral health needs; and
- 20 (ii) has at least one year of lived experience coordinating the care needs of a child under 21 years
21 of age with significant physical, developmental, or behavioral health needs;
- 22 (c) has successfully completed a 40-hour training course family peer support, as defined by the
23 board by rule, which must include a module in ethics;
- 24 (d) passed an exam to verify competency, as prescribed by the board by rule, with a score of at
25 least 80%;
- 26 (e) agrees, in writing, to work with the family peer support scope of practice and family peer
27 support code of ethics, as those are defined by the board by rule; and
- 28 (f) has completed 1000 hours documented, supervised training and experience as a family peer

support specialist candidate, including a minimum of 40 hours continuing education units as prescribed by the board.

(2) An applicant shall submit a written application on a form provided by the board and an application fee prescribed by the board. A person must be recertified annually using a process specified by the board by rule, including payment of a fee prescribed by the board.

(3) (a) As a prerequisite to the issuance of a certificate, the board shall require the applicant to submit fingerprints for the purpose of fingerprint background checks by the Montana department of justice and the federal bureau of investigation as provided in 37-1-307.

(b) Pursuant to 37-1-203, an applicant who has a history of criminal convictions has the opportunity to demonstrate to the board that the applicant is sufficiently rehabilitated to warrant the public trust. The board may deny the license if it determines that the applicant is not sufficiently rehabilitated.

(4) Supervision of a certified family peer support specialist must be provided by a competent mental health professional. A certified family peer support specialist must receive 1 hour of clinical supervision for every 20 hours worked.

NEW SECTION. Section 5. Certified family peer support specialist candidate -- registration requirements -- standards. (1) A person who meets all requirements for certification under [section 4] except the supervised training and experience requirement may register as a family peer support specialist candidate in order to engage in family peer support and earn the supervised training and experience required for certification.

(2) To register, the person shall submit:

(b) the application and fee prescribed by the board;

(c) proof that the person meets all requirements for certification under [section 4] except the supervised training and experience requirement;

(d) fingerprints for the purpose of fingerprint background checks by the Montana department of justice and the federal bureau of investigation as provided in 37-1-307; and

(e) a training and supervision plan that meets requirements set by the board.

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