

# Administrative Rules for Peer Support Provider Certification and Peer Recovery Support Specialist Certification

Part 1	Definitions.....	1
Part 2	Administration.....	2
Part 3	Procedures .....	3
Part 4	Certification Generally.....	4
Part 5	Peer Support Provider Certification and Practice.....	5
Part 6	Peer Recovery Support Specialist Certification and Practice .....	6
Part 7	Credentialing Bodies .....	6

## Part 1 Definitions

Many of the terms below are defined in 26 V.S.A. § 3191, which is linked from the section of the OPR website for certified peers support providers and certified peer recovery support specialists.

As used in these Rules:

**“Certified Peer Support Provider”** or **“Provider”** is defined in 26 V.S.A. § 3191.

**“Certified Peer Recovery Support Specialist”** or **“Specialist”** is defined in 26 V.S.A. § 3191.

**“Code of Ethics for Certified Peer Support Providers”** is defined in 26 V.S.A. § 3191.

**“Code of Ethics for Certified Peer Recovery Support Specialists”** is defined in 26 V.S.A. § 3191.

**“Department of Health”** means the Vermont Department of Health.

**“Department of Mental Health”** means the Vermont Department of Mental Health.

**“Director”** means the Director of Professional Regulation.

**“Office”** means the Vermont Office of Professional Regulation.

**“Peer recovery support specialist credentialing body”** is defined in 26 V.S.A. § 3191.

# Administrative Rules for Peer Support Provider Certification and Peer Recovery Support Specialist Certification

“Peer support provider credentialing body” is defined in 26 V.S.A. § 3191.

“Peer support” is defined in 26 V.S.A. § 3191.

“Practice of peer support” is defined in 26 V.S.A. § 3191.

“Recovery support services” is defined in 26 V.S.A. § 3191.

## Part 2 Administration

**2-1 Applicable Law.** The practice of peer support and of peer recovery support services is regulated pursuant to 26 V.S.A. § 3191 *et seq.* Copies of these and other statutes are available online. The Office administers licensure and certification in conformity with these and other Vermont laws, to include the Administrative Procedure Act, 3 V.S.A. § 800 *et seq.*; the Public Records Act, 1 V.S.A. § 315 *et seq.*; and the Laws of Professional Regulation, 3 V.S.A. § 121 *et seq.*

**2-2 Resources for Applicants and Certified Providers and Specialists.** The Office website offers information of general application to Vermont certified professionals, including policies of the Office, license and certification lookup services, and disciplinary orders.

**2-3 U.S. Armed Forces.** The Director may accept toward the requirements of these rules relevant military education, training, or service completed by a member of the U.S. Armed Forces and may expedite licensure of a person who left licensed employment in another state secondary to a spouse’s military transfer to Vermont. 3 V.S.A. § 123(g). Service members and the spouses of service members should visit the Office website for details.

**2-4 Criminal Background Histories.** The Office may inquire into the criminal background histories of applicants for initial licensure and for license renewal of any Office-issued credential, including a license, certification, registration, or specialty designation.

**2-5 Unprofessional Conduct.** The Office may discipline a certified peer support provider or a certified peer recovery support specialist for unprofessional conduct as provided in 3 V.S.A. § 129a. Unprofessional conduct means misusing a title in professional activity and any of the conduct listed in 3 V.S.A. § 129a, whether committed by a certified peer support provider, a certified peer recovery support specialist, or an applicant.

# Administrative Rules for Peer Support Provider Certification and Peer Recovery Support Specialist Certification

## Part 3 Procedures

**3-1 Applications.** Online certification applications must be completed through the Office website.

- (a) Incomplete applications will not be processed. Applications are complete only when all required questions have been answered fully, all attestations made, all required documentation and materials provided, and all fees paid.
- (b) When the Director intends to deny a completed application, notice stating the reasons for the action shall be given to the applicant by certified mail, whereupon the applicant shall have 30 days to petition for a hearing before an administrative law officer. 3 V.S.A. 129(e)(1).
- (c) The Director may refuse to accept any application found to be redundant with a denied or in-process application.
- (d) The Director may deem expired any application left incomplete for 6 months.

**3-2 Complaints.** Complaints against certified providers and specialists, applicants for certification, or persons misusing a professional title may be submitted through the Office website.

**3-3 Contested Cases.** Procedures in contested cases relating to certification or discipline are governed by the Office of Professional Regulation Administrative Rules of Practice, CVR 04-030- 005, as those rules may from time to time be modified.

**3-4 Reasonable Accommodations.** The Office complies with applicable provisions of the Americans with Disabilities Act. See the Office website for policies and procedures.

**3-5 Conflict of Standards.** Where a standard of unprofessional conduct set forth in statute conflicts with a standard set forth in rule, the standard that is most protective of the public shall govern. *See* 3 V.S.A. § 129a(e).

**3-6 Determination of Equivalency.** Where the Director is permitted by law or rule to accept certain training or experience on the basis of equivalence to a fixed standard, it is the burden of the applicant or licensee to establish equivalence to the Director's satisfaction, by producing credible, clear, and convincing evidence of the same. The Director has no obligation to research the bona fides of any institution, program, course, degree, certification, practicum, fellowship, or examination.

# **Administrative Rules for Peer Support Provider Certification and Peer Recovery Support Specialist Certification**

**3-7 Waiver or Variance.** The Director shall not grant routine waivers or variances from any provisions of these rules without amending the rules. *See* 3 V.S.A. § 845. Where, in extraordinary circumstances, application of a rule would result in manifest unfairness, an absurd result, unjustifiable inefficiency, or an outcome otherwise inimical to the public health, safety, and welfare, the Director may, upon written request of an interested party, so find, grant a waiver with or without particular conditions and limitations, and record the action and justification in a written memorandum. This rule shall not be construed as creating any administrative hearing right or cause of action.

## **Part 4 Certification Generally**

**4-1 Biennial Certification Period.** Certifications are valid for fixed, 2-year periods. Expiration dates are printed on certificates. A certificate expires if not renewed by midnight on the date of expiration. A person shall not use in connection with the person's name any letters, words, or insignia indicating or implying that the person is a certified peer support provider or a certified recovery support specialist unless the person holds a current, unexpired certification. A search tool on the Office website may be considered a primary source verification as to certification status and expiration.

**4-2 Initial Certification Issuance.** An applicant issued an initial certification within 90 days of the end of a certification period will not be required to renew or pay the renewal fee. The certification will be issued through the next full certification period.

**4-3 Provisional Certification.** The Office is authorized to issue provisional certification to certain applicants who have met other certification requirements but whose eligibility for certification is contingent upon acceptable verification of certification from another jurisdiction or the results of a required criminal background check. *See* 3 V.S.A. § 130.

**4-4 Certification Renewal.** Online certification renewal applications must be completed through the Office website. The Office transmits email reminders to certified providers and specialists at the end of each biennial licensing period; however, non-receipt of such reminders shall not excuse a provider or specialist from the obligation to maintain continuous certification or the consequences of failing to do so. Using a certified provider or certified specialist title while a certification is lapsed is a violation of 3 V.S.A. § 127.

## **Administrative Rules for Peer Support Provider Certification and Peer Recovery Support Specialist Certification**

**4-5 Late Renewal Penalties.** Late renewal applications are subject to penalty fees, which may be waived in certain circumstances. *See* 3 V.S.A. § 127(d). Reinstatement waivers may be requested through the online certification system.

### **Part 5 Peer Support Provider Certification and Practice**

**5-1 Eligibility.** To obtain Peer Support Provider Certification, an applicant shall:

- (a) Be at least 18 years of age;
- (b) Have received a credential from the peer support provider credentialing body approved by the Department of Mental Health;
- (c) Have paid the fee in accordance with 3 V.S.A. § 125; and
- (d) Have disclosed criminal history in response to Office inquiries per Rule 2-4.

**5-2 Credentialing Body.** The Peer Support Provider Credentialing body shall ensure that, prior to receiving such a credential, applicants:

- (a) Have signed the Peer Support Provider Code of Ethics; and
- (b) Have satisfactorily completed the training approved by the Department of Mental Health.

**5-3 Renewal.** As a condition of biennial renewal of a peer support provider certification, a certified provider shall provide a current credential from the peer support provider credentialing body.

**5-4 Code of Ethics.** A Certified Peer Support Provider shall engage in the practice of peer support services consistent with the Code of Ethics for Certified Peer Support Providers. Although not in itself additional grounds of unprofessional conduct, this code establishes the standard of practice and fitness within the profession and is incorporated by reference into these rules.

# Administrative Rules for Peer Support Provider Certification and Peer Recovery Support Specialist Certification

## Part 6 Peer Recovery Support Specialist Certification and Practice

**6-1 Eligibility.** To obtain Peer Recovery Support Specialist Certification, an applicant shall:

- (a) Be at least 18 years of age;
- (b) Have received a credential from the peer recovery support specialist credentialing body approved by the Department of Health;
- (c) Have paid the fee in accordance with 3 V.S.A. § 125; and
- (d) Have disclosed criminal history in response to Office inquiries per Rule 2-4.

**6-2 Credentialing Body.** The peer recovery support specialist credentialing body shall ensure that, prior to receiving such a credential, applicants:

- (a) Have signed the Peer Recovery Support Specialist Code of Ethics; and
- (b) Have satisfactorily completed the training approved by the Department of Health.

**6-3 Renewal.** As a condition of biennial renewal of a peer recovery support specialist certification, a certified specialist shall provide a current credential from the peer recovery support specialist credentialing body.

**6-4 Code of Ethics.** A Peer Recovery Support Specialist shall engage in the practice of recovery support services consistent with the Code of Ethics for Certified Peer Recovery Support Specialists. Although not in itself additional grounds of unprofessional conduct, this code establishes the standard of practice and fitness within the profession and is incorporated by reference into these rules.

## Part 7 Credentialing Bodies

**7-1 Credentialing Bodies.** No person, corporation, association, or other entity may conduct a credentialing program unless the entity has been approved:

- (a) for Peer Support Provider Credentialing, by the Department of Mental Health; and
- (b) for Peer Recovery Support Specialist Credentialing, by the Department of Health.