

AMENDMENT TO RULES COMMITTEE PRINT

119–4

OFFERED BY MS. SALINAS OF OREGON

Page 51, after line 14, add the following:

1 **SEC. ____ . PROVIDING EMPATHETIC AND EFFECTIVE RE-**
2 **COVERY SUPPORT.**

3 (a) RESEARCH AND RECOMMENDATIONS ON CRIMI-
4 NAL BACKGROUND CHECK PROCESS FOR PEER SUPPORT
5 SPECIALISTS.—

6 (1) IN GENERAL.—The Secretary of Health and
7 Human Services (referred to in this section as the
8 “Secretary”), in coordination with the Attorney Gen-
9 eral, shall develop a report on research and rec-
10 ommendations with respect to criminal background
11 check processes for individuals becoming peer sup-
12 port specialists.

13 (2) CONTENTS.—The report under paragraph
14 (1) shall include—

15 (A) a summary of evidence-informed lit-
16 erature on the effectiveness of peer support spe-
17 cialists in improving the mental health and the
18 substance use disorder recovery of other individ-
19 uals;

1 (B) a survey of each State's laws (includ-
2 ing regulations) that contain criminal back-
3 ground check requirements for serving as a
4 peer support specialist, including—

5 (i) an analysis of criminal offenses
6 that are included in State laws (including
7 regulations) that prevent individuals from
8 earning a peer support specialist certifi-
9 cation or from practicing as a peer support
10 specialist;

11 (ii) an analysis of requirements (if
12 any) under the State plan under title XIX
13 of the Social Security Act (42 U.S.C. 1396
14 et seq.) or under a waiver of such plan re-
15 lating to background checks for providers
16 participating under such plan or waiver
17 and the extent to which any such require-
18 ments differ from similar requirements im-
19 posed under State law (including regula-
20 tions);

21 (iii) an analysis of requirements (if
22 any) of any State receiving a grant under
23 part B of title XIX of the Public Health
24 Service Act (42 U.S.C. 300x et seq.) relat-
25 ing to background checks for providers

1 participating in a program under, or other-
2 wise providing services supported by, such
3 grant;

4 (iv) a review of State laws (including
5 regulations) that provide exemptions from
6 prohibitions regarding certification or prac-
7 tice of peer support specialists; and

8 (v) an indication of each State that
9 has gone through the process of amending
10 or otherwise changing criminal background
11 check laws (including regulations) for the
12 certification and practice of peer support
13 specialists; and

14 (C) recommendations to States on criminal
15 background check processes that would reduce
16 barriers to becoming certified as peer support
17 specialists.

18 (3) AVAILABILITY.—Not later than 1 year after
19 the date of enactment of this section, the Secretary
20 shall—

21 (A) post the report required under para-
22 graph (1) on the publicly accessible internet
23 website of the Substance Abuse and Mental
24 Health Services Administration; and

25 (B) distribute such report to—

1 (i) State agencies responsible for cer-
2 tification of peer support specialists;

3 (ii) the Centers for Medicare & Med-
4 icaid Services;

5 (iii) State agencies responsible for
6 carrying out a State plan under title XIX
7 of the Social Security Act or under a waiv-
8 er of such plan; and

9 (iv) State agencies responsible for car-
10 rying out a grant under part B of title
11 XIX of the Public Health Service Act (42
12 U.S.C. 300x et seq.).

13 (b) DEFINITION OF PEER SUPPORT SPECIALIST.—

14 (1) IN GENERAL.—In this section, the term
15 “peer support specialist” means an individual—

16 (A)(i) who has lived experience of recovery
17 from a mental health condition or substance use
18 disorder and who specializes in supporting indi-
19 viduals with mental health conditions or sub-
20 stance use disorders; or

21 (ii) who has lived experience as a parent or
22 caregiver of an individual with a mental health
23 condition or substance use disorder and who
24 specializes in supporting families navigating

1 mental health or substance use service systems;
2 and

3 (B) who is certified as qualified to furnish
4 peer support services, as described in paragraph
5 (2), under a process that is determined by the
6 State in which such individual furnishes such
7 services or determined appropriate by the Sec-
8 retary of Health and Human Services.

9 (2) PEER SUPPORT SERVICES.—The services
10 described in this paragraph shall be consistent with
11 the National Practice Guidelines for Peer Sup-
12 porters issued by the National Association of Peer
13 Supporters (or a successor publication) and inclusive
14 of the Core Competencies for Peer Workers in Be-
15 havioral Health Services of the Substance Abuse and
16 Mental Health Services Administration.

