

1 AN ACT relating peer support specialists and declaring an emergency.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 222.233 is amended to read as follows:

4 The Cabinet for Health and Family Services shall promulgate administrative regulations
5 in accordance with KRS Chapter 13A to:

6 (1) (a) Until January 1, 2028~~[2026]~~, require that licensed alcohol and other drug
7 treatment entities~~, and~~ behavioral health service organizations, behavioral
8 health multi-specialty groups, or any entity that bills for peer support
9 services only employ~~[a temporary alcohol and drug peer support specialist~~
10 ~~or]~~ an alcohol and drug peer support specialist who is registered under KRS
11 Chapter 309 or ~~an~~~~[a temporary alcohol and drug peer support specialist or]~~
12 alcohol and drug peer support specialist who meets the requirements of
13 applicable administrative regulations in effect on July 15, 2024, or any
14 applicable administrative regulations promulgated thereafter.

15 (b) Beginning January 1, 2028~~[2026]~~, require that licensed alcohol and other drug
16 treatment entities~~, and~~ behavioral health service organizations, behavioral
17 health multi-specialty groups, or any entity that bills for peer support
18 services only employ~~[a temporary alcohol and drug peer support specialist~~
19 ~~or]~~ an alcohol and drug peer support specialist who is registered under KRS
20 Chapter 309;

21 (2) ~~[Permit a registered temporary alcohol and drug peer support specialist to provide~~
22 ~~the same services and be reimbursed at the same rates as a registered alcohol and~~
23 ~~drug peer support specialist;~~

24 (3) ~~Remove any limits on the maximum number of hours of direct client care that may~~
25 ~~be provided by a registered alcohol and drug peer support specialist;~~

26 (4) ~~]Require that a [temporary certified alcohol and drug counselor under the clinical~~
27 ~~supervision of a certified alcohol and drug counselor, a]licensed alcohol and drug~~

1 counselor[,] or a licensed clinical alcohol or drug counselor be a reimbursable
2 service provider in alcohol and other drug treatment entities and behavioral health
3 service organizations;

4 ~~[(5) Permit a licensed alcohol and drug counselor to provide the same services and be
5 reimbursed at the same rates as a licensed clinical alcohol and drug counselor in
6 licensed alcohol and other drug treatment entities and behavioral health service
7 organizations;]~~

8 ~~(3)~~~~(6)~~ Permit the qualifications for a case manager for an individual with mental or
9 substance use disorder to be a bachelor's degree or higher in any field of study and
10 set forth training and supervision requirements to substitute for required work
11 experience;

12 ~~(4)~~~~(7)~~ Require that a community support associate approved by the Department for
13 Behavioral Health, Developmental and Intellectual Disabilities to be a reimbursable
14 service provider in licensed alcohol and other drug treatment entities and behavioral
15 health service organizations; and

16 ~~(5)~~~~(8)~~ Permit peer support specialists to provide services to groups of the same size
17 as other licensed clinical professionals in a licensed alcohol and other drug
18 treatment entities and behavioral health service organizations.

19 ➔Section 2. KRS 309.0805 is amended to read as follows:

20 (1) No person shall use the title "certified clinical supervisor," "licensed alcohol and
21 drug counselor," "licensed clinical alcohol and drug counselor," "licensed clinical
22 alcohol and drug counselor associate," "certified alcohol and drug counselor,"
23 "associate alcohol and drug counselor II," "associate alcohol and drug counselor I,"
24 "~~temporary alcohol and drug peer support specialist,"~~ or "registered alcohol and
25 drug peer support specialist," or hold himself or herself out as a "licensed clinical
26 alcohol and drug counselor," "licensed clinical alcohol and drug counselor
27 associate," "certified alcohol and drug counselor,"~~"temporary alcohol and drug~~

1 ~~peer support specialist,"~~ or "registered alcohol and drug peer support specialist" 2 unless he or she is licensed, certified, or registered pursuant to KRS 309.080 to 3 309.089.

4 (2) Nothing in KRS 309.080 to 309.089 shall apply to persons licensed, certified, or 5 registered under any other provision of the Kentucky Revised Statutes, including 6 but not limited to physicians, social workers, psychologists, marriage and family 7 therapists, art therapists, nurses, or students in accredited training programs in those 8 professions, and nothing in KRS 309.080 to 309.089 shall be construed to limit, 9 interfere with, or restrict the practice, descriptions of services, or manner in which 10 they hold themselves out to the public.

11 (3) Nothing in KRS 309.080 to 309.089 shall be construed to alter, amend, or interfere 12 with the practice of those who render counseling services, including but not limited 13 to employment counseling, job placement counseling, vocational rehabilitation 14 counseling, pastoral counseling based on any tenet of one's religious beliefs, or 15 school counseling.

16 (4) Nothing in KRS 309.080 to 309.089 shall apply to the activities and services of a 17 student intern or trainee who is pursuing a program of studies in alcohol and drug 18 counseling at an accredited institution of higher education, if these activities are 19 performed under the supervision or direction of an approved supervisor and the 20 activities are part of the supervised program of studies.

21 ➔Section 3. KRS 309.0813 is amended to read as follows:

22 The board shall:

23 (1) Promulgate administrative regulations pursuant to KRS Chapter 13A for the 24 administration and enforcement of KRS 309.080 to 309.089;

25 (2) Promulgate administrative regulations pursuant to KRS Chapter 13A establishing a 26 code of ethics, standards of practice, and continuing education for certified clinical 27 supervisors, licensed alcohol and drug counselors, licensed clinical alcohol and

1 drug counselors, licensed clinical alcohol and drug counselor associates, certified
2 alcohol and drug counselors, associate alcohol and drug counselors II, associate
3 alcohol and drug counselors I, ~~temporary alcohol and drug peer support~~
4 specialists,] and registered alcohol and drug peer support specialists;

5 (3) Approve and disapprove, at least once every other month, those persons who shall
6 be licensed, certified, or registered under KRS 309.080 to 309.089;

7 (4) Approve the examination required of applicants for licensure or certification as
8 certified clinical supervisors, or as alcohol and drug counselors and applicants for
9 registration as alcohol and drug peer support specialists, and promulgate
10 administrative regulations pursuant to KRS Chapter 13A for the administration and
11 grading of the examination;

12 (5) Promulgate administrative regulations pursuant to KRS Chapter 13A to define the
13 process to register with the board as a certified clinical supervisor, licensed alcohol
14 and drug counselor, registered alcohol and drug peer support specialist, certified
15 alcohol and drug counselor, licensed clinical alcohol and drug counselor associate,
16 or licensed clinical alcohol and drug counselor;

17 (6) Promulgate administrative regulations pursuant to KRS Chapter 13A establishing
18 grounds and procedures for denying, suspending, failing to reissue, or revoking a
19 license, certificate, or registration, and issuing reprimands and admonishments
20 pursuant to KRS 309.080 to 309.089;

21 (7) Hold a hearing pursuant to KRS Chapter 13B upon the request of an aggrieved
22 licensee, licensee associate, certificate holder, or registrant, or an applicant for a
23 license, certificate, or registration;

24 (8) Employ needed personnel and establish their duties and compensation;

25 (9) Maintain a register of certified clinical supervisors, licensed alcohol and drug
26 counselors, licensed clinical alcohol and drug counselors, licensed clinical alcohol
27 and drug counselor associates, certified alcohol and drug counselors, and registered

1 alcohol and drug peer support specialists;

2 (10) Keep a complete record of the board's proceedings;

3 (11) Investigate suspected or alleged violations of KRS 309.080 to 309.089 and the
4 administrative regulations promulgated pursuant to KRS 309.080 to 309.089;

5 (12) Promulgate administrative regulations pursuant to KRS Chapter 13A establishing
6 an initial licensure fee, certification fee, registration fee, and annual renewal fees
7 not to exceed three hundred dollars (\$300) each;

8 (13) Take legal action as necessary to restrain or enjoin violations of KRS 309.080 to
9 309.089 and the administrative regulations promulgated pursuant to KRS 309.080
10 to 309.089;

11 (14) Submit an annual report to the Governor and the Legislative Research Commission
12 by January 1 of each year, which lists all hearings conducted by the board and the
13 decisions rendered; and

14 (15) Collect and deposit all fees, fines, and other moneys owed to the board into the
15 State Treasury to the credit of the revolving fund established in KRS 309.082.

16 ➔Section 4. The following KRS section is repealed:

17 309.0836 Requirements for registration as a temporary alcohol and drug peer support
18 specialist.

19 ➔Section 5. (1) The Peer Support Professionals Work Group is hereby
20 established as an independent entity to develop statewide requirements for licensed peer
21 support professionals and study the efficacy of establishing a board of peer support
22 professionals.

23 (2) The work group shall select a chair from among the members, meet as
24 necessary, and submit to the Legislative Research Commission for referral to the Interim
25 Joint Committee on Health Services by November 1, 2026, agreed-upon
26 recommendations on establishing a board of peer support professionals to develop
27 statewide requirements for licensed peer support professionals.

5 (4) The work group shall consist of members appointed by:

8 1. One peer support professional with experience in mental health recovery;

9 2. One peer support professional with experience in youth peer support recovery;

10 3. One peer support professional with experience in family or community peer

11 support:

12 4. One peer support professional with experience in behavioral health peer
13 support:

14 5. Two multidisciplinary educators or trainers from an approved peer support
15 training program:

16 6. One recovery housing professional; and

17 7. One recovery community center professional; and

18 (b) The Kentucky Alcohol and Drug Counselors, to include:

19 1. One registered peer support professional who specialized in substance use
20 disorder recovery:

21 2. One employer of peer support professionals with experience in residential or
22 clinical treatment:

23 3. One employer of peer support professionals with experience in recovery
24 community centers:

4 One clinical supervisor who oversees peer support programs:

26 5. One behavioral health supervisor who oversees peer support programs; and

27 6. One member of the public who is a recipient of peer support services; and

- 1 (c) The Kentucky Division of Reentry Services, to include:
 - 2 1. One certified peer support professional with experience in reentry from
 - 3 incarceration; and
 - 4 2. One representative from the Kentucky Division of Reentry Services.

5 ➔Section 6. Whereas there is an urgent need to protect the public health and
6 safety by establishing consistent standards and oversight for Kentucky's peer support
7 workforce, an emergency is declared to exist, and this Act takes effect upon its passage
8 and approval by the Governor or upon its otherwise becoming a law.