

**Introduced by Senator Leno**February 27, 2015

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An act to add Article 1.4 (commencing with Section 14045.10) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Medi-Cal.

## LEGISLATIVE COUNSEL'S DIGEST

SB 614, as introduced, Leno. Medi-Cal: mental health services: peer and family support specialist certification.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for a schedule of benefits under the Medi-Cal program and provides for various services, including various behavioral and mental health services.

Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs. The act also requires funds to be reserved for the costs for the State Department of Health Care Services, the California Mental Health Planning Council, the Office of Statewide Health Planning and Development (OSHPD), the Mental Health Services Oversight and Accountability Commission, the State Department of Public Health, and any other state agency to implement all duties pursuant to certain programs provided for by the act, subject to appropriation in the annual Budget Act. The act provides that it may be amended by the Legislature by a  $\frac{2}{3}$  vote of each house as long as the amendment is consistent with

and furthers the intent of the act, and that the Legislature may also clarify procedures and terms of the act by majority vote.

This bill would require the State Department of Health Care Services to establish, by July 1, 2016, a statewide peer and family support specialist certification program, as a part of the state’s comprehensive mental health delivery system. The bill would include 3 certification categories: adult peer support specialists, family peer support specialists, and parent peer support specialists. The certification program’s components would include, among others, defining responsibilities and practice guidelines, determining curriculum and core competencies, specifying training and continuing education requirements, and establishing a code of ethics and certification revocation processes.

This bill would require the department to collaborate with OSHPD and interested stakeholders in developing the certification program, and to obtain technical assistance pursuant to a specified joint state-county decisionmaking process. The bill would authorize the department to use funding provided through the MHSA and designated funds administered by OSHPD, to develop and administer the program.

This bill would require the department to amend the Medicaid state plan to include a certified peer and family support specialist as a provider type for purposes of the Medi-Cal program, but would implement this provision only if and to the extent that federal financial participation is available and the department obtains all necessary federal approvals.

This bill would declare that it clarifies terms and procedures under the Mental Health Services Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 1.4 (commencing with Section 14045.10)  
2 is added to Chapter 7 of Part 3 of Division 9 of the Welfare and  
3 Institutions Code, to read:

4  
5 Article 1.4. Peer and Family Support Specialist Certification

6  
7 14045.10. This article shall be known, and may be cited, as  
8 the Peer and Family Support Specialist Certification Program Act  
9 of 2015.

1 14045.11. The Legislature finds and declares all of the  
2 following:

3 (a) With the enactment of the Mental Health Services Act in  
4 2004, support to include peer providers identified as consumers,  
5 parents, and family members for the provision of services has been  
6 on the rise.

7 (b) There are over 6,000 peer support specialists in California  
8 who provide individualized support, coaching, facilitation, and  
9 education to clients with mental health care needs, in a variety of  
10 settings, yet no statewide scope of practice, standardized  
11 curriculum, training standards, supervision standards, or  
12 certification protocol is available.

13 (c) The United States Department of Veterans Affairs and over  
14 30 states utilize standardized curricula and certification protocols  
15 for peer provider services.

16 (d) The federal Centers for Medicare and Medicaid Services  
17 (CMS) recognizes peer support services as an evidence-based  
18 mental health model of care and notes it is an important component  
19 in a state's delivery of effective treatment. The CMS encourages  
20 states to offer peer support services as a component of a  
21 comprehensive mental health delivery system and federal financial  
22 participation is available for this purpose.

23 (e) A substantial number of research studies demonstrate that  
24 peer providers improve client functioning, increase client  
25 satisfaction, reduce family burden, alleviate depression and other  
26 symptoms, reduce hospitalizations and hospital days, increase  
27 client activation, and enhance client self-advocacy.

28 (f) Certification at the state level can incentivize the public  
29 mental health system to increase the number, diversity, and  
30 availability of peer providers and peer-driven services.

31 14045.12. It is the intent of the Legislature that the peer and  
32 family support specialist certification program, established under  
33 this article, achieve all of the following:

34 (a) Establish the ongoing provision of peer support services for  
35 beneficiaries with mental health care needs by certified peer support  
36 specialists, including adults 18 years of age or older.

37 (b) Provide increased family support, building on the strengths  
38 of families and helping them achieve desired outcomes.

39 (c) Provide a part of a wraparound continuum of services, in  
40 conjunction with other community mental health services.

1 (d) Collaborate with others providing care or support to the  
2 beneficiary or family.

3 (e) Assist parents, when applicable, in developing coping  
4 mechanisms and problem-solving skills.

5 (f) Provide an individualized focus on the beneficiary, the  
6 family, or both, as needed.

7 (g) Promote socialization, recovery, self-sufficiency,  
8 self-advocacy, development of natural supports, and maintenance  
9 of skills learned in other support services.

10 14045.13. No later than July 1, 2016, the department shall  
11 establish a certified peer and family support specialist program,  
12 which at a minimum, shall do all of the following:

13 (a) Provide for a statewide certification for each of the following  
14 categories:

15 (1) Adult peer support specialists, 18 years of age or older.

16 (2) Family peer support specialists.

17 (3) Parent peer support specialists.

18 (b) Define the range of responsibilities and practice guidelines  
19 for peer support specialists.

20 (c) Determine curriculum and core competencies, including  
21 areas of specialization, such as veterans, family support, and  
22 forensics.

23 (d) Specify required training and continuing education  
24 requirements for certification.

25 (e) Determine clinical supervision requirements for personnel  
26 certified under this section.

27 (f) Establish a code of ethics and processes for revocation of  
28 certification.

29 (g) Determine the process for certification renewal.

30 14045.14. The department shall closely collaborate with the  
31 Office of Statewide Health Planning and Development (OSHPD)  
32 and its associated workforce collaborative, and regularly consult  
33 with interested stakeholders, including peer support and family  
34 organizations, mental health providers and organizations, the  
35 County Behavioral Health Directors Association, the California  
36 Mental Health Planning Council, and other interested parties, as  
37 deemed appropriate by the department, in developing,  
38 implementing, and administering the peer and family support  
39 specialist certification program.

1 14045.15. The department may contract to obtain technical  
2 assistance for the development of the peer and family support  
3 specialist certification program, as provided in Section 4061.

4 14045.16. (a) The department shall amend its Medicaid state  
5 plan to include a peer and family support specialist pursuant to  
6 this article as a provider type for purposes of this chapter.

7 (b) The department may seek any federal waivers or other state  
8 plan amendments as necessary to implement the certification  
9 program provided for under this article.

10 (c) This article shall be implemented only if and to the extent  
11 that federal financial participation under Title XIX of the federal  
12 Social Security Act (42 U.S.C. Sec. 1396 et seq.) is available and  
13 all necessary federal approvals have been obtained.

14 14045.17. It is not the intent of the Legislature in enacting this  
15 article to modify the Medicaid state plan in any manner that would  
16 otherwise change or nullify the requirements, billing, or  
17 reimbursement of the “other qualified provider” provider type, as  
18 currently authorized by the Medicaid state plan.

19 14045.18. The department may utilize Mental Health Services  
20 Act funds, as authorized in subdivision (d) of Section 5892, and  
21 any designated Workforce Education and Training Program  
22 resources, including funding, as administered by OSHPD pursuant  
23 to Section 5820, to develop and administer the peer and family  
24 support specialist certification program.

25 SEC. 2. The Legislature finds and declares that this act clarifies  
26 procedures and terms of the Mental Health Services Act within  
27 the meaning of Section 18 of the Mental Health Services Act.