

SENATE No. 2681

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—

SENATE, March 14, 2024.

The committee on Public Health, to whom was referred the petitions (accompanied by bill, Senate, No. 1388) of John F. Keenan, Lydia Edwards, John C. Velis, Kay Khan and other members of the General Court for legislation relative to recovery coach licensure, report the accompanying bill (Senate, No. 2681).

For the committee,
Julian Cyr

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An Act relative to recovery coach licensure.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of chapter 13 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after the word “workers” in line 8, the following
3 words:- , the board of registration of peer specialists and recovery coaches,

4 SECTION 2. Said chapter 13 is hereby further amended by adding the following section:-

5 Section 110. (a) There shall be, within the department of public health, a board of
6 registration of licensed peer specialists and recovery coaches that shall consist of 13 members to
7 be appointed by the governor, 1 of whom shall be the commissioner of public health or a
8 designee, 1 of whom shall be the commissioner of mental health or a designee, 1 of whom shall
9 have expertise in training peer specialists, 1 of whom shall have expertise in training recovery
10 coaches, 1 of whom shall be employed as a recovery coach with lived experience with substance
11 use disorder, 1 of whom shall be a peer specialist with lived experience with mental illness, , 1 of
12 whom shall be a family member to an individual with a substance use disorder, 1 of whom shall
13 be a family member to an individual living with mental illness, 1 of whom shall represent

14 communities that have been disproportionately impacted by historical over-policing relative to
15 drug enforcement, 1 of whom shall represent a health plan, 1 of whom shall be a licensed
16 physician or nurse specializing in addiction, 1 of whom shall be a licensed physician or nurse
17 specializing in psychiatry, and 1 of whom shall be a person with lived experience from a
18 substance use disorder and received peer specialist or recovery coaching services. Members of
19 the board shall be residents of the commonwealth.

20 (b) Each member of the board shall serve for a term of 3 years. Upon the expiration of a
21 term of office, a member shall continue to serve until a successor has been appointed. A member
22 shall not serve for more than 2 consecutive terms; provided, however, that a person who is
23 chosen to fill a vacancy in an unexpired term of a prior board member may serve for 2
24 consecutive terms in addition to the remainder of that unexpired term.

25 (c) A member may be removed by the governor for neglect of duty, misconduct,
26 malfeasance, or misfeasance in office.

27 (d) The board shall, at its first meeting and annually thereafter, organize by electing from
28 its membership a chair, a vice-chair and a secretary. Those officers shall serve until their
29 successors are elected.

30 (e) The board shall meet at least four times annually and may hold additional meetings at
31 the call of the chair or at such times as may be determined by the board. Board members shall
32 serve without compensation but shall be reimbursed for actual and reasonable expenses incurred
33 in the performance of their duties.

34 SECTION 3. Section 1 of chapter 112 is hereby amended by inserting after the word
35 “dentistry”, in line 12, the following words:- , the board of registration of peer specialists and
36 recovery coaches,

37 SECTION 4. Section 164 of said chapter 112 is hereby amended by inserting after the
38 word “therapist”, in line 23, the following words:- , peer specialist or recovery coach, authorized
39 to practice under sections 290 to 292, inclusive,

40 SECTION 5. Said chapter 112 is further amended by adding after section 289 the
41 following 3 sections:-

42 Section 290. (a) The following words as used in sections 290 to 292, inclusive, unless the
43 context otherwise requires, shall have the following meanings:-

44 “Board”, the board of registration of peer specialists and recovery coaches, established
45 under section 110 of chapter 13.

46 “Licensed Peer Specialist”, an individual who is authorized to practice by the board under
47 this chapter and who uses shared understanding, respect and mutual empowerment to help others
48 become and stay engaged in the process of living with and recovery from a mental illness.

49 “Licensed Recovery Coach”, an individual who is authorized to practice with the title of
50 licensed by the board under this chapter and who uses shared understanding, respect and mutual
51 empowerment to help others become and stay engaged in the process of living with and recovery
52 from a substance use disorder.

53 “Lived experience”, the experience of living with and recovery from a mental illness or
54 substance use disorder. (b) The board shall have the following powers and duties:

55 (1) to promulgate regulations and adopt such rules as are necessary to regulate recovery
56 coaches;

57 (2) to receive, review, approve or disapprove initial applications, renewals and
58 reinstatement requests, and to issue those authorizations to practice;

59 (3) to establish administrative procedures for processing applications submitted under
60 clause (2) and to hire or appoint such agents as are appropriate for processing applications;

61 (4) to retain records of its actions and proceedings in accordance with public records
62 laws;

63 (5) to establish specifications for the authorized practice of peer specialist support and
64 recovery coaching; provided, that the specifications shall require individuals to have lived
65 experience and demonstrate at least 2 years of sustained recovery; provided further, that the lived
66 experience requirement may be waived for individuals who were credentialed by the
67 Massachusetts Board of Substance Abuse Counselor Certification or the Massachusetts Certified
68 Peer Specialist Training Program before the establishment of the board.

69 (6) to define by regulation the appropriate standards for education, core competencies,
70 and experience necessary to qualify as an authorized peer specialist or recovery coach, including,
71 but not limited to, continuing professional education requirements; provided, that the board shall
72 consider any standards contained within relevant training programs established by the
73 departments of public health and mental health;

74 (7) to establish an ethical code of conduct for peer specialists and recovery coaches
75 authorized to practice by the board; provided, that the board shall consider any codes of conduct
76 for relevant training programs established by the departments of public health and mental health;

77 (8) to establish standards of supervision for students or persons in training to become a
78 peer specialist or recovery coach; provided, that the board shall consider standards contained
79 within relevant training programs established by the departments of public health and mental
80 health;

81 (9) to fine, censure, revoke, suspend or deny a peer specialist or recovery coaches'
82 authorization to practice, place on probation, reprimand or otherwise discipline a peer specialist
83 or recovery coach for violations of the code of ethics or the rules of the board;

84 (10) to summarily suspend a peer specialist or recovery coach who poses an imminent
85 danger to the public; provided, that the recovery coach shall be afforded a hearing within 7
86 business days to determine whether the summary action is warranted; and

87 (11) to perform other functions and duties as may be required to carry out this section.

88 Section 291. (a) An application to be a licensed peer specialist or licensed recovery
89 coach, under section 290, shall be made on forms approved by the board, signed under the
90 penalties of perjury by the person certifying the information contained therein and accompanied
91 by the required fee. The fee shall be determined by the secretary of administration and finance
92 under section 3B of chapter 7. A peer specialist or recovery coach applicant shall furnish
93 satisfactory proof that the applicant is at least 18 years of age, is of good moral character of
94 recent history and has met all the education, training and experience requirements and
95 qualifications as established by the board. A “Certified Addictions Recovery Coach (CARC)”

96 certification or a “Massachusetts Certified Peer Specialist (CPS)” shall serve as satisfactory
97 proof for application requirements inclusive of test exemption for a limited time period as
98 determined by the board.

99 (b) The board, in consultation with the departments of public health and mental health,
100 shall determine the renewal cycle and renewal period for peer specialists and recovery coaches.
101 A peer specialist or recovery coach authorized to practice under this chapter shall apply to the
102 board for a renewal not later than the expiration date, as determined by the board, unless earlier
103 revoked, suspended or canceled as a result of a disciplinary proceeding. As a condition for
104 renewal under this section, the board may require satisfactory proof that the peer specialist or
105 recovery coach has successfully completed the required number of hours of continuing education
106 in courses or programs approved by the board or has complied with such other requirements or
107 equivalent requirements as approved by the board. Upon satisfactory compliance with the
108 requirements and successful completion of the continuing education requirements, the board
109 shall issue a renewal. The board may provide for the late renewal that has lapsed and may require
110 payment of a late fee. Each renewal application submitted to the board shall be accompanied by
111 a fee as determined by the secretary of administration and finance under section 3B of chapter 7.
112 The board may authorize a peer specialist or recovery coach to practice by reciprocity. The board
113 shall promulgate rules and regulations as may be necessary to implement this section.

114 Section 292. (a) The titles “Licensed Peer Specialist” and “Licensed Recovery Coach”
115 shall only be used by individuals who have met the requirements and qualifications and hold a
116 valid, current authorization issued by the board. The use by any person not so authorized of any
117 words, letters, abbreviations or insignia indicating or implying a person is an authorized recovery
118 coach shall be a violation of this section for which the board may issue a cease and desist order

119 and seek additional appropriate legal remedies. A person in the process of accruing work hours
120 required for credentialing may still perform peer specialist or recovery coach duties, so long as
121 they do not advertise themselves as “Licensed”.

122 (b) A person who violates subsection (a) shall be liable for a fine as determined by the
123 board.

124 (c) No person filing a complaint alleging a violation of law or of the regulations of the
125 board, reporting information pursuant to such laws or regulations or assisting the board at its
126 request in any manner in discharging its duties and functions shall be liable in any cause of
127 action arising out of the board's receipt of such information or assistance, if the person making
128 the complaint, or reporting or providing such information or assistance, does so in good faith and
129 without malice.

130 SECTION 6. No person shall be found to have violated section 292 of chapter 112 of the
131 General Laws until 6 months after the board of registration of peer specialists and recovery
132 coaches first issues an authorization to practice under said chapter 112.