

AMENDED IN ASSEMBLY AUGUST 21, 2018

AMENDED IN SENATE MAY 25, 2018

AMENDED IN SENATE APRIL 19, 2018

SENATE BILL

No. 906

**Introduced by Senators Beall and Anderson
(Coauthors: Senators Hertzberg and Pan)**

January 17, 2018

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~~ *mental health*.

LEGISLATIVE COUNSEL'S DIGEST

SB 906, as amended, Beall. ~~Medi-Cal: mental health services:~~ *Mental health services and substance use disorder treatment: peer 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 program 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 (MHSA), 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, no later than July 1, 2019, a statewide peer support specialist certification program, as a part of the state's comprehensive mental health and substance use disorder delivery system and the Medi-Cal program. 2020, a peer support specialist certification to support the ongoing provision of services to individuals experiencing mental health care needs, substance use disorder needs, or both by certified 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, establishing a code of ethics, and determining a certification revocation process. a process for the investigation of complaints and corrective action. The bill would require an applicant for the certification as a peer support specialist to meet specified requirements, including successful completion of the curriculum and training requirements.

This bill would require, among other things, the department to collaborate with OSHPD and interested stakeholders in developing the certification program, and would authorize the department to contract to obtain technical assistance pursuant to a specified joint state-county decisionmaking process. implementing the certification. The bill would authorize the department to use funding provided through the MHSA and designated funds administered by OSHPD to develop and administer the certification program, and would authorize the use of these MHSA funds to serve as the state's share of funding to develop and administer the certification program for the purpose of claiming to fund state administrative costs related to this article, subject to an express appropriation in the annual Budget Act, and to the extent authorized under the Mental Health Services Act. The bill would permit the department to claim federal financial participation under the Medicaid program. program, as specified.

This bill would authorize the department to establish a certification fee schedule and to require remittance of fees as contained in the schedule, for the purpose of supporting ~~the department's activities associated with the ongoing state administration of the certification program.~~ The bill would require the department to utilize the other funding resources made available under the bill before determining the need for the certification fee schedule and requiring the remittance of fees: *activities associated with the ongoing administration of the peer support specialist certification.* The bill would declare the intent of the Legislature that the certification fees charged by the department be reasonable and *reasonably* reflect the expenditures directly applicable to the ongoing state administration of the ~~certification program.~~ *certification.*

~~This bill would require the department to amend the Medicaid state plan to include a certified peer support specialist as a provider type for purposes of the Medi-Cal program and to include peer support specialist services as a distinct service type for purposes of the Medi-Cal program. The bill would require Medi-Cal reimbursement for peer support specialist services to be implemented only if and to the extent that federal financial participation is available and the department obtains all necessary federal approvals. The bill would authorize the department to enter into exclusive or nonexclusive contracts on a bid or negotiated basis, as specified, on a statewide or more limited geographic basis.~~ *specified.* This bill also would authorize the department to implement, interpret, or make specific its provisions by means of *informational notices*, plan letters, plan or provider bulletins, or similar instructions, without taking regulatory action, until regulations are adopted. The bill would require the department to adopt regulations by July 1, ~~2021,~~ 2022, and, commencing July 1, 2019, would require the department to provide semiannual status reports to the Legislature until regulations have been adopted. *The bill would provide that the department's implementation of the peer support specialist certification, with respect to Medi-Cal specialty mental health services and Drug Medi-Cal services, is contingent upon federal approval and federal matching funds.*

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 Support Specialist Certification-Program Act
6 of 2018

7
8 14045.10. This article shall be known, and may be cited, as
9 the Peer Support Specialist Certification-Program Act of 2018.

10 14045.11. The Legislature finds and declares all of the
11 following:

12 (a) With the enactment of the Mental Health Services Act in
13 2004, support to include peer providers identified as consumers,
14 parents, and family members for the provision of services has been
15 on the rise.

16 (b) There are over 6,000 peer providers in California who
17 provide individualized support, coaching, facilitation, and
18 education to clients with mental health care needs and substance
19 use disorder, in a variety of settings, yet no statewide scope of
20 practice, standardized curriculum, training standards, supervision
21 standards, or certification protocol is available.

22 (c) The United States Department of Veterans Affairs and over
23 30 states utilize standardized curricula and certification protocols
24 for peer support services.

25 ~~(d) The federal Centers for Medicare and Medicaid Services~~
26 ~~(CMS) recognizes peer support services as an evidence-based~~
27 ~~model of care and notes it is an important component in a state's~~
28 ~~delivery of effective mental health and substance use disorder~~
29 ~~treatment. The CMS encourages states to offer peer support~~
30 ~~services as a component of a comprehensive mental health and~~
31 ~~substance use disorder delivery system, and federal financial~~
32 ~~participation is available for this purpose.~~

33 *(d) The federal Centers for Medicare and Medicaid Services*
34 *(CMS) recognizes that the experiences of peer support specialists,*
35 *as part of an evidence-based model of care, can be an important*
36 *component in a state's delivery of effective mental health and*
37 *substance use disorder treatment. The CMS encourages states to*
38 *offer comprehensive programs.*

1 (e) A substantial number of research studies demonstrate that
2 peer supports improve client functioning, increase client
3 satisfaction, reduce family burden, alleviate depression and other
4 symptoms, reduce hospitalizations and hospital days, increase
5 client activation, and enhance client self-advocacy.

6 ~~(f) Certification at the state level can incentivize the public~~
7 ~~mental health system and the Medi-Cal program, including the~~
8 ~~Drug Medi-Cal program, to increase the number, diversity, and~~
9 ~~availability of peer providers and peer-driven services.~~

10 *(f) Certification can encourage an increase in the number,*
11 *diversity, and availability of peer support specialists.*

12 14045.12. It is the intent of the Legislature that the ~~peer support~~
13 ~~specialist certification program, Peer Support Specialist~~
14 ~~Certification Act of 2018~~, established under this article, achieve
15 all of the following:

16 ~~(a) Establish the ongoing provision of peer support services for~~
17 ~~beneficiaries experiencing mental health care needs, substance use~~
18 ~~disorder needs, or both by certified peer support specialists.~~

19 *(a) Support the ongoing provision of services for beneficiaries*
20 *experiencing mental health care needs, substance use disorder*
21 *needs, or both by certified peer support specialists.*

22 ~~(b) Provide support, coaching, facilitation, and education to~~
23 ~~Support coaching, linkage, and skill building of beneficiaries with~~
24 ~~mental health needs, substance use disorder needs, or both, and to~~
25 ~~families or significant support persons.~~

26 ~~(c) Provide increased family support, building on the strengths~~
27 ~~of families and helping them achieve desired outcomes.~~

28 *(c) Increase family support by building on the strengths of*
29 *families and assisting them in achieving a better understanding*
30 *of mental illness in order to help beneficiaries achieve desired*
31 *outcomes.*

32 ~~(d) Provide a part of a wraparound part of a continuum of~~
33 ~~services, in conjunction with other community mental health~~
34 ~~services and other substance use disorder services. treatment.~~

35 ~~(e) Collaborate with others providing care or support to the~~
36 ~~beneficiary or family. beneficiaries or families.~~

37 ~~(f) Assist parents, when applicable, in developing coping~~
38 ~~mechanisms and problem-solving skills.~~

39 ~~(g) Provide an individualized focus on the beneficiary, the~~
40 ~~family, or both, as needed.~~

1 (f) Assist parents, families, and beneficiaries in developing
2 coping mechanisms and problem-solving skills in order to help
3 beneficiaries achieve desired outcomes.

4 (g) Promote skill building for beneficiaries in the areas of
5 socialization, recovery, self-sufficiency, self-advocacy, development
6 of natural supports, and maintenance of skills learned in other
7 support services.

8 (h) Encourage employment under the peer support specialist
9 certification program to reflect the culture, ethnicity, sexual
10 orientation, gender identity, mental health service experiences,
11 and substance use disorder experiences of the people whom they
12 serve.

13 (i) Promote socialization, recovery, self-sufficiency,
14 self-advocacy, development of natural supports, and maintenance
15 of skills learned in other support services.

16 14045.13. For purposes of this article, the following definitions
17 shall apply:

18 (a) “Certification” means, as it pertains to the peer support
19 specialist certification program, all federal and state requirements
20 have been satisfied, federal financial participation under Title XIX
21 of the federal Social Security Act (42 U.S.C. Sec. 1396 et seq.) is
22 available, and all necessary federal approvals have been obtained.

23 (b) “Certification examination” means the competency testing
24 requirements, as approved by the department, that a person is
25 required to successfully complete as a condition of becoming
26 certified under this article. Each training program approved by the
27 department may develop a competency examination for peer
28 support specialists. Each certification examination shall include
29 core curriculum elements.

30 (c) “Certified” means all federal and state requirements have
31 been satisfied by a person who is seeking designation under this
32 article, including completion of curriculum and training
33 requirements, testing, and agreement to uphold and abide by the
34 code of ethics.

35 (d) “Code of ethics” means the professional standards each
36 certified peer support specialist is required to agree to uphold and
37 abide by. These professional standards shall include principles and
38 expected behavior and conduct of the certificate holder in an
39 agreed-upon statement that is required to be provided to the

1 applicant and acknowledged by signing with his or her personal
2 signature prior to being granted certification under this article.

3 (e) ~~“Core competencies” are the foundational and essential~~
4 ~~competencies required of peer support specialists who provide~~
5 ~~peer support services.~~

6 (a) *“Certification” means the activities of the certifying body*
7 *related to the verification that an individual has met all*
8 *requirements under this article and that the individual may provide*
9 *mental health services and substance use disorder treatment*
10 *pursuant to this article.*

11 (b) *“Code of ethics” means the standards to which a peer*
12 *support specialist is required to adhere.*

13 (c) *“Core competencies” are the foundational and essential*
14 *knowledge, skills, and abilities required for peer specialists.*

15 (f)

16 (d) *“Cultural competence” means a set of congruent behaviors,*
17 *attitudes, and policies that come together in a system or agency*
18 *that enables that system or agency to work effectively in*
19 *cross-cultural situations. A culturally competent system of care*
20 *acknowledges and incorporates, at all levels, the importance of*
21 *language and culture, intersecting identities, assessment of*
22 *cross-cultural relations, knowledge and acceptance of dynamics*
23 *of cultural differences, expansion of cultural knowledge, and*
24 *adaptation of services to meet culturally unique needs to provide*
25 *services in a culturally competent manner.*

26 (g)

27 (e) *“Department” means the State Department of Health Care*
28 *Services.*

29 (h)

30 (f) *“Peer support specialist” means a person who is 18 years of*
31 *age or older and who is ~~any of the following:~~ a person who has*
32 *self-identified as having lived experience with the process of*
33 *recovery from mental illness, substance use disorder, or both,*
34 *either as a consumer of these services, or as the parent or family*
35 *member of the consumer.*

36 (1) ~~A person who has self-identified as having lived experience~~
37 ~~of recovery from mental illness, substance use disorder, or both,~~
38 ~~and the skills learned in formal trainings to deliver peer support~~
39 ~~services in a behavioral setting to promote mind-body recovery~~

1 and resiliency for adults or transition-age youth, including
2 adolescents and young adults.

3 (2) A person with lived experience as a self-identified family
4 member of an individual experiencing mental illness, substance
5 use disorder, or both, and the skills learned in formal trainings to
6 assist and empower families of individuals experiencing mental
7 illness, substance use disorder, or both.

8 (3) A person who is parenting or has parented a child or
9 individual experiencing mental illness, substance use disorder, or
10 both, and who can articulate his or her understanding of his or her
11 experience with another parent or caregiver. This person may be
12 a birth parent, adoptive parent, or family member standing in for
13 an absent parent.

14 (i) “Peer support specialist services” means culturally competent
15 services that promote engagement, socialization, recovery,
16 self-sufficiency, self-advocacy, development of natural supports,
17 identification of strengths, and maintenance of skills learned in
18 other support services. Peer support specialist services shall
19 include, but are not limited to, support, coaching, facilitation, or
20 education to Medi-Cal beneficiaries that is individualized to the
21 beneficiary and is conducted by a certified peer support specialist.

22 (j)
23 (g) “Recovery” means a process of change through which an
24 individual improves his or her health and wellness, lives a
25 self-directed life, and strives to reach his or her full potential. This
26 process of change recognizes cultural diversity and inclusion, and
27 honors the different routes to resilience and recovery based on the
28 individual and his or her cultural community.

29 14045.14. No later than July 1, ~~2019~~, 2020, the department, as
30 the sole state Medicaid agency, shall establish a peer support
31 specialist certification program that, at a minimum, shall do all of
32 the following: *department shall do all of the following:*

33 (a) Establish a certifying body, ~~either within the~~
34 ~~department, through contract, or through an interagency agreement,~~
35 ~~to provide for the certification of peer support specialists~~ *through*
36 *either contract or an interagency agreement, to perform*
37 *certification of activities* as described in this article.

38 (b) ~~Provide for a statewide certification for peer support~~
39 ~~specialists, as contained in federal guidance issued by the federal~~

1 ~~Centers for Medicare and Medicaid Services, State Medicaid~~
2 ~~Director Letter (SMDL) #07-011.~~

3 ~~(e)~~

4 ~~(b) Define the range of responsibilities and practice guidelines~~
5 ~~for peer support specialists by utilizing best practice materials~~
6 ~~published by the federal Substance Abuse and Mental Health~~
7 ~~Services Administration, the federal Department of Veterans~~
8 ~~Affairs, and related notable experts in the field as a basis for~~
9 ~~development.~~

10 ~~(d) Determine curriculum and core competencies, including~~
11 ~~curriculum that may be offered in the following areas of~~
12 ~~specialization: parent advocates, family members, transition-age~~
13 ~~youth, older adults, veterans, family support, forensics, whole~~
14 ~~health, juvenile justice, youth in foster care, sexual orientation,~~
15 ~~gender identity, homelessness, and any other areas of specialization~~
16 ~~identified by the department. Core competencies-based curriculum~~
17 ~~shall include, at a minimum, all of the following elements:~~

18 ~~(c) Determine curriculum and core competencies required for~~
19 ~~certification of an individual as a peer support specialist, including~~
20 ~~curriculum that may be offered in the following areas of~~
21 ~~specialization: transition-age youth, veterans, gender identity,~~
22 ~~sexual orientation, and any other areas of specialization identified~~
23 ~~by the department. Core competencies-based curriculum shall~~
24 ~~include, at a minimum, training related to the following elements:~~

- 25 (1) The concepts of hope, recovery, and wellness.
- 26 (2) The role of advocacy.
- 27 (3) The role of consumers and family members.
- 28 (4) Psychiatric rehabilitation skills and service delivery, and
- 29 addiction recovery principles, including defined practices.
- 30 (5) Cultural competence training.
- 31 (6) Trauma-informed care.
- 32 (7) Group facilitation skills.
- 33 (8) Self-awareness and self-care.
- 34 (9) Cooccurring disorders of mental health and substance use.
- 35 (10) Conflict resolution.
- 36 (11) Professional boundaries and ethics.
- 37 (12) Safety and crisis planning.
- 38 (13) Navigation of, and referral to, other services.
- 39 (14) Documentation skills and standards.
- 40 (15) Study and test-taking skills.

- 1 (16) Confidentiality.
- 2 (e)
- 3 (d) Specify training requirements, including
- 4 core-competencies-based training and specialized training
- 5 necessary to become certified under this article, allowing for
- 6 multiple qualified training entities, and requiring training to include
- 7 people with lived experience as consumers and family members.
- 8 (f) ~~Specify required continuing education requirements for~~
- 9 ~~certification.~~
- 10 (g) ~~Determine clinical supervision requirements for personnel~~
- 11 ~~certified under this article, that shall require, at a minimum,~~
- 12 ~~personnel certified pursuant to this article to work under the~~
- 13 ~~direction of a mental health rehabilitation specialist, as defined in~~
- 14 ~~Section 782.35 of Title 9 of the California Code of Regulations,~~
- 15 ~~or substance use disorder professional. A licensed mental health~~
- 16 ~~professional, as defined in Section 782.26 of Title 9 of the~~
- 17 ~~California Code of Regulations, may also provide supervision.~~
- 18 (h)
- 19 (e) Establish a code of ethics.
- 20 (i) ~~Determine the process for certification renewal.~~
- 21 (j) ~~Determine a process for revocation of certification.~~
- 22 (k) ~~Determine a process for allowing existing personnel~~
- 23 ~~employed in the peer support field to obtain certification under~~
- 24 ~~this article, at their option.~~
- 25 (f) *Determine continuing education requirements for biennial*
- 26 *certification renewal.*
- 27 (g) *Determine the process for biennial certification renewal.*
- 28 (h) *Determine a process for investigation of complaints and*
- 29 *corrective action, which may include suspension and revocation*
- 30 *of certification.*
- 31 (i) *Determine a process for an individual employed as a peer*
- 32 *support specialist on the date that this act becomes operative to*
- 33 *obtain certification under this article.*
- 34 14045.15. ~~In order to be certified as a peer support specialist,~~
- 35 ~~a person shall, at a minimum, satisfy all of the following~~
- 36 ~~requirements:~~
- 37 (a) ~~Be at least 18 years of age.~~
- 38 (b) ~~Be any of the following:~~
- 39 (1) ~~A person who has or has had a primary diagnosis of mental~~
- 40 ~~illness, substance use disorder, or both, which is self-disclosed,~~

1 ~~and who has received or is receiving mental health services,~~
2 ~~substance use disorder services, or both.~~

3 ~~(2) A person self-identified as a family member, as described~~
4 ~~in subdivision (h) of Section 14045.13.~~

5 ~~(3) A person who is a parent, as described in subdivision (h) of~~
6 ~~Section 14045.13.~~

7 ~~(e) Be willing to share his or her experience.~~

8 ~~(d) Demonstrate leadership and advocacy skills.~~

9 ~~(e) Have a strong dedication to recovery.~~

10 ~~(f) Agree to uphold and abide by a code of ethics. A copy of~~
11 ~~the code of ethics shall be signed by the applicant.~~

12 ~~(g) Successfully complete the curriculum and training~~
13 ~~requirements for a peer support specialist.~~

14 ~~(h) Pass a certification examination approved by the department~~
15 ~~for a peer support specialist.~~

16 ~~(i) Successfully complete any required continuing education,~~
17 ~~training, and recertification requirements.~~

18 *14045.15. (a) An applicant for certification under this article*
19 *shall meet all of the following requirements:*

20 *(1) Be at least 18 years of age.*

21 *(2) Possess a high school diploma or equivalent degree.*

22 *(3) Be self-identified as having experience with the process of*
23 *recovery from mental illness or substance use disorder treatment*
24 *either as a consumer of these services, or the parent or family*
25 *member of the consumer.*

26 *(4) Be willing to share his or her experience.*

27 *(5) Demonstrate leadership and advocacy skills.*

28 *(6) Have a strong dedication to recovery.*

29 *(7) Agree, in writing, to adhere to a code of ethics.*

30 *(8) Successfully complete the curriculum and training*
31 *requirements for a peer support specialist.*

32 *(9) Pass a certification examination approved by the department*
33 *for a peer support specialist.*

34 *(b) To maintain certification under this article, a peer support*
35 *specialist shall:*

36 *(1) Adhere to the code of ethics and biennially sign an*
37 *affirmation.*

38 *(2) Complete any required continuing education, training, and*
39 *recertification requirements.*

1 14045.16. (a) This article shall not be construed to imply that
2 a person who is certified pursuant to this article is qualified to, or
3 to authorize that person to, diagnose an illness, prescribe
4 medication, or provide clinical services.

5 (b) This article does not alter the scope of practice for any health
6 care professional or authorize the delivery of health care services
7 in a setting or manner that is not authorized under any provision
8 of the Business and Professions Code or the Health and Safety
9 Code.

10 ~~14045.17. The department shall closely collaborate with the~~
11 ~~Office of Statewide Health Planning and Development (OSHPD)~~
12 ~~and its associated workforce collaborative, and regularly consult~~
13 ~~with interested stakeholders, including peer support and family~~
14 ~~organizations, mental health and substance use disorder services~~
15 ~~providers and organizations, the County Behavioral Health~~
16 ~~Directors Association of California, health plans participating in~~
17 ~~the Medi-Cal managed care program, the California Behavioral~~
18 ~~Health Planning Council, and other interested parties in developing,~~
19 ~~implementing, and administering the peer support specialist~~
20 ~~certification program established pursuant to this article. This~~
21 ~~consultation shall initially include, at a minimum, bimonthly~~
22 ~~stakeholder meetings, which may also include technical workgroup~~
23 ~~meetings. The department may seek private funds from a nonprofit~~
24 ~~organization or foundation for this purpose.~~

25 ~~14045.18. The department may contract to obtain technical~~
26 ~~assistance for the development of the peer support specialist~~
27 ~~certification program, as provided in Section 4061.~~

28 ~~14045.19. (a) The department shall amend its Medicaid state~~
29 ~~plan to do both of the following:~~

30 ~~(1) Include a peer support specialist certified pursuant to this~~
31 ~~article as a provider type for purposes of this chapter.~~

32 ~~(2) Include peer support specialist services as a distinct service~~
33 ~~type for purposes of this chapter, which may be provided to eligible~~
34 ~~Medi-Cal beneficiaries who are enrolled in either a Medi-Cal~~
35 ~~managed mental health care plan or a Medi-Cal managed care~~
36 ~~health plan.~~

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

1 ~~(e) Medi-Cal reimbursement for peer support specialist services~~
2 ~~shall be implemented only if and to the extent that federal financial~~
3 ~~participation under Title XIX of the federal Social Security Act~~
4 ~~(42 U.S.C. Sec. 1396 et seq.) is available and all necessary federal~~
5 ~~approvals have been obtained.~~

6 *14045.17. The department shall consult with the Office of*
7 *Statewide Health Planning and Development, peer support and*
8 *family organizations, mental health services and substance use*
9 *disorder treatment providers and organizations, the County*
10 *Behavioral Health Directors Association of California, and the*
11 *California Behavioral Health Planning Council in implementing*
12 *this article. This consultation shall initially include, at a minimum,*
13 *quarterly stakeholder meetings. The department may additionally*
14 *conduct technical workgroups upon the request of stakeholders.*

15 ~~14045.20.~~

16 *14045.18. To facilitate early intervention for mental health*
17 *services, community health workers may partner with peer support*
18 *specialists for engagement, outreach, and education. to improve*
19 *linkage to services for the beneficiary.*

20 ~~14045.21.~~

21 *14045.19. It is not the intent of the Legislature in enacting this*
22 *article to modify the Medicaid state plan in any manner that would*
23 *otherwise change or nullify the requirements, billing, or*
24 *reimbursement of the “other qualified provider” provider type, as*
25 *currently authorized by the Medicaid state plan.*

26 ~~14045.22. The department may utilize Mental Health Services~~
27 ~~Act funds under subdivision (d) of Section 5892 and any designated~~
28 ~~Workforce Education and Training Program resources, including~~
29 ~~funding, as administered by OSHPD pursuant to Section 5820, to~~
30 ~~develop and administer the peer support specialist certification~~
31 ~~program. Further, these Mental Health Service Act funds may then~~
32 ~~serve as the state’s share of funding to develop and administer the~~
33 ~~peer support specialist certification program and shall be available~~
34 ~~for purposes of claiming federal financial participation under Title~~
35 ~~XIX of the federal Social Security Act (42 U.S.C. Sec. 1396 et~~
36 ~~seq.) once all necessary federal approvals have been obtained.~~

37 ~~14045.23. The department may establish a certification fee~~
38 ~~schedule and may require remittance as contained in the~~
39 ~~certification fee schedule for the purpose of supporting the~~
40 ~~department’s activities associated with the ongoing state~~

1 administration of the peer support specialist certification program.
2 The department shall utilize all funding resources as made available
3 in Section 14045.22 first, prior to determining the need for the
4 certification fee schedule and requiring the remittance of fees. It
5 is the intent of the Legislature that any certification fees charged
6 by the department be reasonable and reflect the expenditures
7 directly applicable to the ongoing state administration of the peer
8 support specialist certification program.

9 *14045.20. The department may utilize Mental Health Services*
10 *Act monies to fund state administrative costs related to developing*
11 *and administering this article subject to an express appropriation*
12 *in the annual Budget Act for these purposes, and to the extent*
13 *authorized under the Mental Health Services Act. These funds*
14 *shall be available for purposes of claiming federal financial*
15 *participation under Title XIX of the federal Social Security Act*
16 *(42 U.S.C. Sec. 1396) contingent upon federal approval.*

17 *14045.21. For Medi-Cal specialty mental health services and*
18 *Drug Medi-Cal services, this article shall be implemented only to*
19 *the extent that both of the following occur:*

20 *(a) The department obtains any federal approvals necessary to*
21 *implement this section.*

22 *(b) The department obtains federal matching funds to the extent*
23 *permitted by federal law.*

24 *14045.22. The department may establish a certification fee*
25 *schedule and may require remittance as contained in the*
26 *certification fee schedule for the purpose of supporting the*
27 *activities associated with the ongoing administration of the Peer*
28 *Support Specialist Certification Act of 2018. It is the intent of the*
29 *Legislature that any certification fees charged by the department*
30 *reasonably reflect the expenditures directly applicable to the*
31 *ongoing administration of the peer, parent, transition-age, and*
32 *family support specialists.*

33 ~~14045.24.~~

34 *14045.23. For the purposes of implementing this article, the*
35 *department may enter into exclusive or nonexclusive contracts on*
36 *a bid or negotiated basis, including contracts for the purpose of*
37 *obtaining subject matter expertise or other technical assistance.*
38 ~~Contracts may be statewide or on a more limited geographic basis.~~

1 ~~14045.25.~~

2 14045.24. Notwithstanding Chapter 3.5 (commencing with
3 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
4 Code, the department may implement, interpret, or make specific
5 this article by means of *informational notices*, plan letters, plan or
6 provider bulletins, or similar instructions, without taking regulatory
7 action, until the time regulations are adopted. The department shall
8 adopt regulations by July 1, ~~2021~~, 2022, in accordance with the
9 requirements of Chapter 3.5 (commencing with Section 11340) of
10 Part 1 of Division 3 of Title 2 of the Government Code.
11 Commencing July 1, 2019, the department shall provide semiannual
12 status reports to the Legislature, in compliance with Section 9795
13 of the Government Code, until regulations have been adopted.

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

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