Revised: 1/19/17

Department of Planning and Budget
2017 Fiscal Impact Statement

1. **Bill Number:** HB 2095

House of Origin	☒	Introduced	☐	Substitute	☐ Engrossed
Second House	☐	In Committee	☐	Substitute	☐ Enrolled

2. **Patron:** Price

3. **Committee:** Health, Welfare and Institutions

4. **Title:** Registration of peer recovery specialists and qualified mental health professionals.

5. **Summary:** Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of a mental health service provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a mental health service provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment.

6. **Budget Amendment Necessary**: See item 8.

7. **Fiscal Impact Estimates:** Preliminary; see item 8.

8. **Fiscal Implications:** This bill would have a nongeneral fund impact on the Commonwealth. The Department of Health Professions would require an administrative licensing assistant to

process new registrants and meet the provisions of the bill. The Governor's budget currently includes $50,000 to hire a position to process new registrants, however recent information provided by the agency indicates that this position would cost an estimated $64,875. Fees for registering peer recovery specialists and qualified mental health professionals (QMHP) would be set at a level sufficient to partially cover the costs of the additional position and the remaining can be absorbed with existing resources. Currently the Board of Counseling is at capacity reviewing applications for the certified and licensed professions it presently regulates and therefore does not have sufficient staff to register this additional population. The addition of new applications for registration will necessitate the addition of at least one administrative licensing assistant.

If the department received a number of complaints against peer recovery specialists and QMHPs requiring investigation and adjudication, the agency in the future may require and share an inspector at a cost of $140,153 annually, between the Enforcement and Administrative Proceedings offices. However, it is unknown as to how many complaints the agency would receive and therefore a fiscal impact cannot be determined at this time.

The Department of Behavioral Health and Developmental Services have stated that any additional responsibility required by the provisions of the bill can be absorbed with existing resources.

9. **Specific Agency or Political Subdivisions Affected:** Department of Behavioral Health and Developmental Services and the Department of Health Professions.

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** SB 1020, introduced by Senator Barker, is a companion bill.