

**ASSEMBLY, No. 3975**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED FEBRUARY 27, 2024

**Sponsored by:**

**Assemblyman REGINALD W. ATKINS**

**District 20 (Union)**

**Assemblyman DAN HUTCHISON**

**District 4 (Atlantic, Camden and Gloucester)**

**Assemblywoman SHAMA A. HAIDER**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Verrelli, Assemblywomen Hall and Reynolds-Jackson**

**SYNOPSIS**

Regulates peer recovery specialists.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/10/2024)**

1 AN ACT concerning the regulation of peer recovery specialists and  
2 supplementing P.L.1997, c.331 (C.45:2D-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. This act shall be known as the "Peer Recovery Specialist  
8 Committee Act."

9

10 2. As used in this act:

11 "Board" means the State Board of Marriage and Family Therapy  
12 Examiners.

13 "Committee" means the Peer Recovery Specialist Committee  
14 established pursuant to this act.

15 "Department" means the Department of Law and Public Safety.

16 "Director" means the Director of the Division of Consumer  
17 Affairs in the Department of Law and Public Safety.

18 "Lived experience" means experience with substance use  
19 disorder and residual side effects of the disorder that informs the  
20 care a peer recovery specialist provides to other individuals  
21 experiencing substance use disorder.

22 "Peer recovery specialist" means an individual certified by the  
23 committee who meets the qualifications as set forth in this act to  
24 provide services as a result of lived experience to other individuals  
25 struggling with substance use disorder or mental health problems.

26

27 3. There is established a committee of the board to be known as  
28 the Peer Recovery Specialist Committee. The committee shall  
29 consist of five members who are residents of the State, one of  
30 whom shall be a public member appointed pursuant to the  
31 provisions of subsection b. of section 2 of P.L.1971, c.60 (C.45:1-  
32 2.2). Of the four remaining members, all shall have been actively  
33 engaged in peer recovery for at least five years immediately  
34 preceding their appointment, have spent the major portion of time  
35 devoted to that activity, during the two years preceding  
36 appointment, in this State, and except for the members first  
37 appointed, shall be certified as a peer recovery specialist.

38

39 4. a. The Governor shall appoint each member of the  
40 committee for terms of three years, except that of the members first  
41 appointed, three shall serve for a term of three years and two shall  
42 serve for terms of two years. Any vacancy in the membership shall  
43 be filled for the unexpired term in the manner provided by the  
44 original appointment. No member of the committee may serve  
45 more than two successive terms in addition to any unexpired term to  
46 which the member has been appointed. The Governor may remove  
47 any member of the committee for cause.

1 The committee shall annually elect from its members a  
2 chairperson and a vice-chairperson.

3 Regular meetings of the committee shall be held at least once  
4 during each quarter of the year and special meetings may be held  
5 upon the call of the chairperson or the vice-chairperson in the  
6 chairperson's absence.

7 b. The first appointees to the committee shall meet the  
8 qualifications of section 3 of this act and shall become certified peer  
9 recovery specialists as soon as practical.

10

11 5. To qualify for certification as a peer recovery specialist, an  
12 individual shall:

13 a. demonstrate completion of high school or a General  
14 Educational Development program, or possession of a higher  
15 education diploma;

16 b. demonstrate completion of at least 500 hours of work or  
17 volunteer experience related to peer recovery in the two years prior  
18 to the submission of an application to the committee;

19 c. submit an attestation that the individual attended four self-  
20 help meetings relating to co-occurring disorders or substance use  
21 disorder;

22 d. demonstrate completion of 25 hours of pre-approved  
23 practicum hours in an approved or licensed agency related to  
24 services provided by a peer recovery specialist;

25 e. submit an ethical standards recognition statement for a  
26 certified peer recovery specialist, signed by a supervisor;

27 f. submit evidence of 46 hours of in-person training on the four  
28 domains of peer recovery: advocacy, mentoring and education,  
29 recovery and wellness support, and ethical responsibility;

30 g. in accordance with section 2 of P.L.2002, c.104 (C.45:1-29),  
31 pass a criminal history record background check; and

32 h. fulfill other qualifications as determined by the committee,  
33 including payment of an application fee.

34

35 6. The committee shall, in addition to any other powers and  
36 duties as it may possess by law or that may be delegated to the  
37 committee by the board:

38 a. administer the provisions of this act;

39 b. evaluate the qualifications and make a determination of the  
40 eligibility for certification of all applicants under this act, attesting  
41 to the applicant's professional qualification to provide services as a  
42 certified peer recovery specialist;

43 c. investigate allegations of violations of this act;

44 d. conduct hearings pursuant to the "Administrative Procedure  
45 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), except that the director  
46 shall have the right to administer oaths to witnesses, and shall have  
47 the power to issue subpoenas for the compulsory attendance of

1 witnesses and the production of pertinent books, papers and  
2 records;

3 e. recommend rules and regulations pursuant to the  
4 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
5 seq.) as it may deem necessary to enable it to perform its duties  
6 under and to enforce the provisions of this act, including, but not  
7 limited to rules and regulations that set standards for certified peer  
8 recovery specialists involving:

9 (1) the development of a scope of practice for a certified peer  
10 recovery specialist, to include services a certified specialist can and  
11 cannot provide;

12 (2) supervision to be provided for a certified peer recovery  
13 specialist in the performance of services; and

14 (3) continuing education and training required for certification  
15 renewal;

16 f. maintain a list of the names and addresses of all peer  
17 recovery specialists who are certified under this act; and

18 g. set fees for initial certification and certification renewal,  
19 reactivation, and reinstatement.

20

21 7. The committee shall review the qualifications of each person  
22 who applies for certification. No applicant shall be certified by the  
23 board unless a majority of the full committee first determines that  
24 the applicant has met the requirements for certification in  
25 accordance with section 5 of this act. All applicants who are  
26 determined to be qualified and are recommended for certification by  
27 the committee shall be considered for certification by the board,  
28 with the final decisions to be made by the board. The board is  
29 authorized to review the actions taken by the committee with  
30 respect to the committee's evaluation of applicants for certification  
31 and the board may reverse, modify, or fail to implement any  
32 determination by the committee with an affirmative vote of a  
33 majority of the board.

34

35 8. Certifications shall be renewed biennially upon a form  
36 provided by the committee. Each applicant shall apply for renewal  
37 of certification within 180 days of expiration, and shall present  
38 satisfactory evidence that the continuing education requirements  
39 have been completed. If the certificate is not renewed within 180  
40 days of expiration, the certification shall be revoked upon notice by  
41 the board. A certification which has been revoked may be  
42 reinstated within three years, upon payment to the committee of a  
43 prescribed reinstatement fee in addition to the renewal fee for each  
44 year or part thereof during which the license or certification was  
45 ineffective. After the three-year period, the certification may be  
46 reinstated only by complying with the provisions of this act  
47 regarding initial certification.

- 1       9. A certified peer recovery specialist shall not:
- 2       a. engage in professional relationships or commitments that
- 3 conflict with family members, friends, close associates, or others
- 4 whose welfare might be jeopardized by that relationship or
- 5 commitment;
- 6       b. exploit peer relationships with current or former peers for
- 7 personal gain, including social or business relationships; and
- 8       c. accept as peers for recovery wellness services anyone with
- 9 whom the peer recovery specialist has engaged in a personal
- 10 relationship, including any family members or spouses.

11

12       10. a. No person shall provide services as a peer recovery

13 specialist unless certified under this act. No person shall present,

14 call, or represent themselves as a peer recovery specialist unless

15 certified under this act.

16       b. No person shall assume, represent themselves as, or use the

17 title or designation of “peer recovery specialist” unless certified

18 under this act, and unless the designation corresponds to the

19 certification held by the person pursuant to this act.

20

21       11. a. Nothing in this act shall be construed to prevent a person

22 from engaging in or offering services regulated by this act,

23 including for alcohol use disorder and substance use disorder

24 involving drugs, such as self-help, sponsorship through alcoholics

25 and narcotics anonymous groups or other uncompensated

26 counseling assistance for alcohol use disorder and substance use

27 disorder involving drugs.

28       b. Nothing in this act shall be construed to apply to the

29 activities and services of a designated employee or other agent of a

30 private employer who has been designated to be involved in the

31 evaluation or referral for counseling of employees of the private

32 employer, or an employee or other agent of a recognized academic

33 institution, a federal, State, county, or local government institution,

34 agency, or facility, or a school district, if the individual is

35 performing these activities solely within the company or agency, as

36 the case may be, or under the jurisdiction of that company or

37 agency and if a license granted under this act is not a requirement

38 for employment.

39       c. Nothing in this act shall be construed to apply to the

40 activities and services of a member of the clergy of any religious

41 denomination or sect, when engaging in activities which are within

42 the scope of the performance of the person's regular or specialized

43 ministerial duties and for which no separate charge is made, or

44 when these activities are performed, with or without charge, for or

45 under the auspices or sponsorship, individually or in conjunction

46 with others, of an established and legally cognizable church,

47 denomination, or sect, and when the person rendering services

48 remains accountable to the established authority thereof.

1 d. Nothing in this act shall be construed to apply to the  
2 activities and services of a student, intern, or trainee in counseling  
3 for alcohol use disorder and substance use disorder involving drugs  
4 pursuing a course of study in counseling in a regionally accredited  
5 institution of higher education or training institution, if these  
6 activities are performed under supervision and constitute a part of  
7 the supervised course of study.

8 e. Nothing in this act shall be construed to prevent a person  
9 from providing services related to peer recovery, or advertising  
10 those services, when acting within the scope of the person's  
11 profession or occupation and doing work consistent with the  
12 person's training, including physicians, clinical social workers,  
13 psychologists, nurses, or any other profession or occupation  
14 licensed by the State, or students within accredited programs of  
15 these professions, if the person does not hold himself or herself out  
16 to the public as possessing a certification issued pursuant to this act.

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18 12. This act shall take effect on the first day of the thirteenth  
19 month next after the effective date.

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#### STATEMENT

23

24 This bill, the "Peer Recovery Specialist Committee Act,"  
25 establishes a committee to regulate peer recovery specialists  
26 providing services in this State.

27 The committee is to be known as the Peer Recovery Specialist  
28 Committee and is to consist of five members who are residents of  
29 the State. The bill provides that one member is to be a public  
30 member and the four remaining members are to have been actively  
31 engaged in peer recovery for at least five years immediately  
32 preceding their appointment.

33 The bill, among other items, establishes certain standards that  
34 must be met in order for an individual to qualify for certification as  
35 a peer recovery specialist; stipulates the various responsibilities of  
36 the committee; delineates exemption from certification; and  
37 establishes the standards for conflicts of interest for a certified peer  
38 recovery specialist.