



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-1106/P1  
SWB:amn

DOA:.....Bollhorst, BB0161 - Medicaid certified peer specialist services

**FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT** ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE**

***Certified peer specialist services***

This bill requires DHS to provide as a benefit and reimburse services provided by certified peer specialists under the Medical Assistance program. The bill also adds services provided by certified peer specialists to a DHS program to coordinate and continue care following a substance use overdose. A “certified peer specialist,” as defined in the bill, is an individual who has experience in the mental health and substance use services system, who is trained to provide support to others, and who has received peer specialist or parent peer specialist certification.

The bill requires DHS to reimburse under the Medical Assistance program a certified peer specialist service that meets all of the following criteria: the recipient of the certified peer specialist service is in treatment for or recovery from mental illness or a substance use disorder; the certified peer specialist provides the service under the supervision of a competent mental health professional and in coordination and accordance with the recipient’s individual treatment plan and treatment goals; and the certified peer specialist completes the training requirements specified by DHS.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 46.482 (1) (a) of the statutes is renumbered 46.482 (1) (bm).

**SECTION 2.** 46.482 (1) (am) of the statutes is created to read:

46.482 (1) (am) “Certified peer specialist” means an individual described under s. 49.45 (30j) (a) 1m. who has met the certification requirements established by the department.

**SECTION 3.** 46.482 (1) (b) of the statutes is renumbered 46.482 (1) (c) and amended to read:

46.482 (1) (c) “Peer recovery coach” means an individual described under s. 49.45 (30j) (a) ~~2.~~ 3. who has completed the training requirements specified under s. 49.45 (30j) (b) 4.

**SECTION 4.** 46.482 (2) (a) of the statutes is amended to read:

46.482 (2) (a) Use peer recovery coaches and certified peer specialists to encourage individuals to seek treatment for a substance use disorder following an overdose.

**SECTION 5.** 46.482 (2) (f) of the statutes is amended to read:

46.482 (2) (f) Collect and evaluate data on the outcomes of patients receiving peer recovery coach or certified peer specialist services and coordination and continuation of care services under this section.

\*\*\*\*NOTE: While the instructions added the defined term “certified peer specialist” to s. 46.482, the instructions did not include use of the term in any substantive portion of s. 46.482. In this version, I added reference to “certified peer specialists” in both s. 46.482 (2) (a) and (f). Please let me know if you would like any changes or if those references should be removed.

**SECTION 6.** 49.45 (30j) (title) of the statutes is amended to read:

49.45 (30j) (title) REIMBURSEMENT FOR PEER RECOVERY COACH AND CERTIFIED PEER SPECIALIST SERVICES.

**SECTION 7.** 49.45 (30j) (a) 1. and 2. of the statutes are renumbered 49.45 (30j) (a) 2m. and 3.

**SECTION 8.** 49.45 (30j) (a) 1m. of the statutes is created to read:

49.45 (30j) (a) 1m. “Certified peer specialist” means an individual who has experience in the mental health and substance use services system, who is trained to provide support to others, and who has received peer specialist or parent peer specialist certification under the rules established by the department.

**SECTION 9.** 49.45 (30j) (bm) of the statutes is created to read:

49.45 (30j) (bm) The department shall reimburse under the Medical Assistance program under this subchapter any service provided by a certified peer specialist if the service satisfies all of the following conditions:

1. The recipient of the service provided by a certified peer specialist is in treatment for or recovery from a mental illness or a substance use disorder.

2. The certified peer specialist provides the service under the supervision of a competent mental health professional.

3. The certified peer specialist provides the service in coordination with the Medical Assistance recipient’s individual treatment plan and in accordance with the recipient’s individual treatment goals.

4. The certified peer specialist providing the service has completed training requirements, as established by the department by rule, after consulting with members of the recovery community.

**SECTION 10.** 49.45 (30j) (c) of the statutes is amended to read:

49.45 (30j) (c) The department shall certify under Medical Assistance peer recovery coaches and certified peer specialists to provide services in accordance with this subsection.

**SECTION 11.** 49.46 (2) (b) 14p. of the statutes is amended to read:

49.46 (2) (b) 14p. Subject to s. 49.45 (30j), services provided by a peer recovery coach or a certified peer specialist.

**SECTION 9119. Nonstatutory provisions; Health Services.**

(1) RULES REGARDING TRAINING OF CERTIFIED PEER SPECIALISTS. The department of health services may promulgate the rules required under s. 49.45 (30j) (bm) 4. as emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (a) and (3), the department of health services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until January 1, 2025, or the date the permanent rules take effect, whichever is sooner.

\*\*\*\*NOTE: Please let me know if you would like to make changes to the emergency rules language. I have included a contingency deadline for the termination of the emergency rules under this subsection in accordance with our drafting conventions. The specific date is just a placeholder, so please let me know if you would like to make changes.

(END)