

Dear Senators VANORDEN, Zuiderveld, Wintrow, and
Representatives VANDER WOUDE, Erickson, Chew:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Department of Health and Welfare:

IDAPA 16.07.19 - Certification of Peer Support Specialists and Family Support Partners (ZBR
Chapter Rewrite) - Proposed Rule (Docket No. 16-0719-2301).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 09/29/2023. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/27/2023.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondoff
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee
FROM: Principal Legislative Drafting Attorney - Elizabeth Bowen
DATE: August 4, 2023
SUBJECT: Department of Health and Welfare

IDAPA 16.07.19 - Certification of Peer Support Specialists and Family Support Partners (ZBR Chapter Rewrite) - Proposed Rule (Docket No. 16-0719-2301)

Summary and Stated Reasons for the Rule

This proposed rule revises a chapter of rules relating to certification of peer support specialists and family support partners. The purpose for the revision is to simplify the language pursuant to Executive Order 2020-01.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was conducted. There is no anticipated negative fiscal impact on the state general fund.

Statutory Authority

This rulemaking appears to be authorized pursuant to Sections 39-3140, 56-1003, and 56-1004, Idaho Code.

cc: Department of Health and Welfare
Frank Powell and Trinette Middlebrook

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Kristin Ford, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

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IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.07.19 – CERTIFICATION OF PEER SUPPORT SPECIALISTS AND FAMILY SUPPORT PARTNERS

DOCKET NO. 16-0719-2301 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 39-3140, 56-1003, and 56-1004, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

VIRTUAL TELECONFERENCE Via WebEx
Wednesday, August 15, 2023 11:00 a.m. - 12:00 p.m. (MT)
Join from the meeting link https://idhw.webex.com/idhw/j.php?MTID=ma8341dbc2a87a354a0c47691193cbf76
Join by meeting number Meeting number (access code): 2762 529 7876 Meeting password: 7PpJUGXMS32 (77758496 from phones and video systems)
Join by phone +1-415-527-5035 United States Toll +1-303-498-7536 United States Toll (Denver)

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below. Meeting(s) will conclude after 30 minutes if no participants sign in or wish to comment in the meeting.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Under [Executive Order 2020-01](#): Zero-Based Regulation, the Department is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter by collaborating with the public to streamline or simplify this rule language.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

This chapter contains no fees or charges.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the State General Fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

This rulemaking is not anticipated to have any fiscal impact on the State General Fund, or any other known funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the February 1, 2023, Idaho Administrative Bulletin, Vol. 23-2, pages 12 - 13.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

This chapter of rule contains two (2) new incorporations by reference:

1. Idaho Certified Peer Support Specialist Code of Ethics and Professional Conduct, rev 08/2015; and
2. Idaho Certified Family Support Partner Code of Ethics, rev 09/2020.

These codes of ethics have been revised and posted online. The text related to these has been removed from the chapter and the revised versions incorporated by reference, both to save space in the chapter and ensure that the codes of ethics continue to have the force and effect of law.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Treena Clark at 208-334-6611, or Cade Hulbert at 208-334-0463.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 23, 2023.

DATED this 6th day of July, 2023.

Trinette Middlebrook and Frank Powell
DHW – Administrative Rules Unit
450 W. State Street – 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5500
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THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 16-0719-2301
(ZBR Chapter Rewrite)

16.07.19 – CERTIFICATION OF PEER SUPPORT SPECIALISTS AND FAMILY SUPPORT PARTNERS

000. LEGAL AUTHORITY.

~~Under~~ Title 39, Chapter 31, Idaho Code, ~~delegates~~ the ~~Idaho Legislature has delegated to the~~ Department of Health and Welfare as the state behavioral health authority ~~for~~ the establishment, maintenance, and oversight of ~~the state of Idaho's~~ behavioral health services. Section 39-3140, Idaho Code, authorizes the Department to promulgate and enforce rules ~~to carry out the purposes and intent of~~ ~~under~~ the Regional Behavioral Health Services Act. ~~Under~~ Sections 56-1003, 56-1004, Idaho Code, ~~authorize~~ the Director ~~of the Department is authorized~~ to adopt and enforce rules to ~~supervise and~~ administer mental health programs. (3-17-22)()

001. ~~TITLE AND SCOPE.~~ (RESERVED)

~~01. Title.~~ These rules are titled IDAPA 16.07.19, “Certification of Peer Support Specialists and Family Support Partners.” (3-17-22)

~~02. Scope.~~ These rules establish the minimum qualifications and requirements for certification of peer support specialists and family support partners in Idaho including enforcement actions. (3-17-22)

002. INCORPORATION BY REFERENCE.
The following documents are incorporated by reference: ()

01. Idaho Certified Peer Support Specialist Code of Ethics and Professional Conduct, rev 08/2015. Copies may be obtained from the Department at: <https://publicdocuments.dhw.idaho.gov/WebLink/DocView.aspx?id=4037&dbid=0&repo=PUBLIC-DOCUMENTS> ()

02. Idaho Certified Family Support Partner Code of Ethics, rev 09/2020. Copies may be obtained from the Department at <https://publicdocuments.dhw.idaho.gov/WebLink/DocView.aspx?id=4036&dbid=0&repo=PUBLIC-DOCUMENTS> ()

~~003.~~ -- 009. (RESERVED)

010. DEFINITIONS.

~~For the purposes of these rules~~ In addition to definitions under Section 39-3122, Idaho Code, the following terms definitions apply. (3-17-22)()

~~01. Behavioral Health Program.~~ A behavioral health program refers to an organization offering mental health or substance use disorders treatment services that includes the organization’s facilities, management, staffing patterns, treatment, and related activities. (3-17-22)

021. Certificate. A certificate is issued by the Department to an individual who is a behavioral health peer support specialist or a family support partner who the Department deems to be in compliance with these rules. (3-17-22)()

032. Department. The Idaho Department of Health and Welfare, or its designee. ()

043. Director. The Director of the Department of Health and Welfare, or designee. (3-17-22)()

054. Family Support Partner. An individual who has lived experience raising a child who has a behavioral health disorder diagnosis, mental illness, or mental illness with a co-occurring substance use disorder, has specialized training related to such care, and who has successfully navigated the various systems of care. ()

065. Family Support Partner Services. Family-to-family services are non-clinical support services provided by family support partners who have participated in mental health services, and who have received training in how to share their experiences with others facing similar challenges. ()

076. Lived Experience. Life experiences of an individual who has received behavioral health services or has raised a child who is living with a behavioral health diagnosis, mental illness, or mental illness with a co-occurring substance use disorder, and has at least one (1) year of lived experience navigating the behavioral health systems. ()

087. Peer Support Services. Non-clinical services are provided by peer support specialists who are on their own recovery journey, and who have received training in supporting others who are actively involved in their own recovery process. (3-17-22)()

098. Peer Support Specialist. An individual in recovery from mental illness or mental illness with a co-occurring substance use disorder who uses lived experience and specialized training to assist other individuals in recovery. ()

011. -- 099. (RESERVED)

100. APPLICATION FOR CERTIFICATION.

An applicant ~~for any certification by the Department~~ must furnish the following information prior to any certification being issued. (3-17-22)()

01. Completed Application. Each applicant ~~must~~ completes and signs an application for certification on ~~Department-approved~~ forms ~~approved by the Department~~. (3-17-22)()

02. Verification of Education, Training, and Experience. Each applicant must provide verification to the Department of the following: ()

a. A copy of their high school diploma, GED certificate, or a Bachelor's degree in a human services field; ()

b. Documentation of ~~successful~~ completion of training required for the certification being sought according to the requirements in Sections 200 and 300 of these rules; and (3-17-22)()

c. A summary of work or volunteer experience, including documentation of supervised hours. ()

03. Code of Ethics Acknowledgment. Each applicant ~~must~~ submit a signed and dated Code of Ethics Acknowledgment. (3-17-22)()

101. -- 109. (RESERVED)

110. TYPES OF CERTIFICATION.

01. Peer Support Specialist. ()

02. Family Support Partner. ()

111. DURATION OF CERTIFICATION.

01. Six-Month Certification. ~~A six (6) month certification a~~ Applies to an applicant that has completed the requirements in Sections 200 and 300 of these rules for initial certification, but may be lacking work or volunteer experience and supervised hours. (3-17-22)()

02. Full Certification. ~~A full certification a~~ Applies to an applicant that has completed ~~all the~~ requirements in Sections 200 and 300 of these rules for certification, including work or volunteer experience and supervised hours. Full certification is valid for one (1) year. (3-17-22)()

112. RENEWAL OF CERTIFICATION.

~~Each certified peer support specialist or certified family support partner must:~~ ()

01. Submit Renewal Application. ~~Each certified peer support specialist or certified family support partner who is~~ When seeking certification renewal ~~must~~ submit a completed renewal application prior to expiration of current certificate. (3-17-22)()

02. Continuing Education. ~~Each certified peer support specialist or certified family support partner~~ ~~must p~~ Provide documentation of a minimum of ten (10) hours of continuing education as follows: (3-17-22)()

a. Continuing education obtained in competency areas listed in training requirements germane to the type of certification being renewed; and ()

b. At least one (1) hour of continuing education for each renewal period must be in ethics. ()

~~03. Code of Ethics Acknowledgment. Each certified peer support specialist or certified family support partner must submit an updated signed, and dated Code of Ethics Acknowledgment. (3-17-22)()~~

113. EXTENSION OF CERTIFICATION.

~~Certified peer support specialists or certified family support partners may request an extension prior to the expiration of their certificate if they need more time to gain required work or volunteer experience, supervised hours, or continuing education hours. Certified peer support specialists or certified family support partners on: ()~~

~~01. Six-Month Certifications. Are eligible for one (1) four-month extension while they work towards the requirements for full certification. ()~~

~~02. Full Certification. Are eligible for one (1) four-month extension while they work towards the continuing education hours required for certification renewal. ()~~

~~1134. -- 119. (RESERVED)~~

120. RECIPROCITY.

~~An applicant for who holds a valid and current certificate or license in good standing issued by the regulatory entity of another state, which in the opinion of the Department imposed substantially equivalent requirements, may apply for reciprocity for certification as a peer support specialist or a family support partner. certificate must be a holder of a current and active license or certificate at the level for which certification is sought, and be in good standing in the profession, and with the other state who is the authorizing regulatory entity for licensure or certification. Each applicant seeking reciprocity must: (3-17-22)()~~

~~01. Completed and Sign an Application on Department-Approved Forms. Each applicant must complete and sign an application for reciprocity on forms approved by the Department. (3-17-22)()~~

~~02. Provide Verification of Education, Training, and Experience the Following Verification of Education and Experience. Each applicant seeking reciprocity must provide the Department with the following: (3-17-22)()~~

~~a. Education experience summary; ()~~

~~b. Continuing education/training hours received since certification; ()~~

~~c. Statement of personal experience; and (3-17-22)()~~

~~d. Work or volunteer experience summary form with documentation of supervised hours; and (3-17-22)()~~

~~e. Documentation of current certification or licensure issued by the other state's regulatory entity. ()~~

~~03. Submit a Signed and Dated Idaho Code of Ethics Acknowledgment. Each applicant seeking reciprocity must submit a signed and dated Code of Ethics Acknowledgment. (3-17-22)()~~

~~04. Documentation From Other State. Documentation of licensure or certification must be received from the other state's issuing regulatory agency. The other state's licensing or certification requirements must be substantially equivalent to, or higher than, those required in this chapter of rules. (3-17-22)~~

~~121. -- 149. (RESERVED)~~

150. INACTIVE STATUS.

~~A certified peer specialist or certified family support partner, in good standing, may request an temporary inactive status due to an inability to meet recertification requirements related to a decline in physical, mental health, or extenuating circumstances. (3-17-22)()~~

01. Request for Inactive Status. An individual who is certified must submit a request in writing to the Department asking for inactive status. ()

02. Inactive Certification Status. The Department may grant inactive status to a certified individual for up to one (1) year. ()

03. Reactivation of Certification. When the individual desires to reactivate status, they must submit a new application along with an updated and signed Code of Ethics Acknowledgment and documentation of fulfillment of continuing education requirements for the previous twelve (12) months must be submitted to the Department. (3-17-22)()

151. -- 199. (RESERVED)

200. PEER SUPPORT SPECIALIST -- CERTIFICATION QUALIFICATIONS AND REQUIREMENTS. Each applicant must be at least eighteen (18) years of age old and meet the following minimum qualifications and requirements listed below to be certified as a Peer Support Specialist in Idaho. (3-17-22)()

01. Educational Requirements. Each applicant for a peer support specialist certification must have has a high school diploma or GED certificate. (3-17-22)()

02. Training Requirements. Each applicant must has completed forty (40) hours of training that includes the following Peer Support Specialist competency areas: (3-17-22)()

- a. Motivation and empowerment; ()
- b. The stages of recovery and the role peers play within it; ()
- c. The state behavioral health system and the role peers play within it; ()
- d. Advocacy for recovery programs and for the peers they serve; ()
- e. The practice of recovery values: authenticity, self-determination, diversity, and inclusion; ()
- f. How to tell your recovery story and use your story to help others; ()
- g. Ethics; ()
- h. The awareness of risk factors in participants' behaviors and the ability to access appropriate services; ()
- i. The use of interpersonal and professional communication skills; ()
- j. Stages of change; ()
- k. Work place dynamics and processes; ()
- l. The Certified Peer Support Specialist's roles and duties on the job; ()
- m. Relationship building; ()
- n. Family dynamics; ()
- o. The effects of trauma and use of a trauma-informed approach; (3-17-22)()
- p. Wellness and natural supports; ()

- q. Boundaries and self-care; ()
- r. Cultural sensitivity; ()
- s. Recovery plans; and ()
- t. Local, state, and national resources. ()

03. Work or Volunteer Experience Requirements. Each applicant ~~must~~^{has} obtained supervised experience providing peer support services. A six-month (6) certification may be granted ~~according to~~^{under} Section 111 of these rules to an applicant who lacks the required experience. (3-17-22)()

a. An applicant who holds a bachelor's degree in a human services field ~~must~~^{documents} one hundred (100) hours of peer support specialist experience. (3-17-22)()

b. An applicant who does not hold a bachelor's degree in a human support services field ~~must~~^{documents} two hundred (200) hours of peer support specialist experience. (3-17-22)()

c. An applicant ~~must~~^{documents} at a minimum twenty (20) hours of supervised peer support services work or volunteer experience. (3-17-22)()

~~**04. Supervision Requirements.** A six-month (6) certification may be granted according to Section 111 of these rules to an applicant who lacks the required work or volunteer supervision hours required in Subsection 200.03 of this rule. (3-17-22)~~

~~**054. Person Self-Identified with Lived Experience.** Each applicant ~~must~~^{identifies} as an individual with lived experience in recovery from mental illness or mental illness with a co-occurring substance use disorder. (3-17-22)()~~

201. -- 249. (RESERVED)

250. PEER SUPPORT SPECIALISTS -- CODE OF ETHICS AND PROFESSIONAL CONDUCT.
All certified peer support specialists must understand and comply with the Idaho Certified Peer Support Specialist Code of Ethics and Professional Conduct incorporated by reference under Section 002 of these rules. ()

~~**01. Peer Support.** Peer Support is a helping relationship between mental health clients and Certified Peer Support Specialists. The primary responsibility of Certified Peer Support Specialists is to help those they serve achieve self-directed recovery. They believe that every individual has strengths and the ability to learn and grow. (3-17-22)~~

~~**02. Certified Peer Support Specialists.** Certified peer support specialists are committed to providing and advocating for effective recovery-based services for the people they serve in order for these individuals to meet their own needs, desires, and goals. (3-17-22)~~

~~**03. Certified Peer Support Specialist Professional Conduct.** A certified peer support specialist must: (3-17-22)~~

- ~~a. Seek to role-model recovery; (3-17-22)~~
- ~~b. Respect the rights and dignity of those they serve; (3-17-22)~~
- ~~c. Respect the privacy and confidentiality of those they serve; (3-17-22)~~
- ~~d. Openly share their personal recovery stories with colleagues and those they serve; (3-17-22)~~
- ~~e. Maintain high standards of personal conduct and conduct themselves in a manner that fosters their own recovery; (3-17-22)~~

- ~~f.~~ Never intimidate, threaten, or harass those they serve; never use undue influence, physical force, or verbal abuse with those they serve; and never make unwarranted promises of benefits to those they serve; (3-17-22)
- ~~g.~~ Not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of ethnicity, race, gender, sexual orientation, age, religion, national origin, marital status, political belief, or mental or physical disability; (3-17-22)
- ~~h.~~ Never engage in sexual/intimate activities with colleagues or those they serve; (3-17-22)
- ~~i.~~ Not accept gifts of significant value from those they serve; (3-17-22)
- ~~j.~~ Not enter into dual relationships or commitments that conflict with the interests of those they serve; (3-17-22)
- ~~k.~~ Not abuse substances under any circumstances while they are employed as a Certified Peer Support Specialist; (3-17-22)
- ~~l.~~ Work to equalize the power differentials that may occur in the peer support/client relationship; (3-17-22)
- ~~m.~~ Ensure that all information and documentation provided is true and accurate to the best of their knowledge; (3-17-22)
- ~~n.~~ Keep current with emerging knowledge relevant to recovery, and openly share this knowledge with their colleagues and those they serve; (3-17-22)
- ~~o.~~ Remain aware of their skills and limitations, and do not provide services or represent themselves as expert in areas for which they do not have sufficient knowledge or expertise; and (3-17-22)
- ~~p.~~ Not hold a clinical role nor offer primary treatment for mental health issues, prescribe medicine, act as a legal representative or provide legal advice, participate in the determination of competence, or provide counseling, therapy, social work, drug testing, or diagnosis of symptoms and disorders. (3-17-22)

~~04. Ethics Training. A certified peer support specialist must complete ethics training at least once per year, and maintain personal documentation of completed ethics training. (3-17-22)~~

~~05. Comply with Code of Ethics. A certified peer support specialist must understand and comply with these rules and Idaho's Certified Peer Support Specialists Code of Ethics and Professional Conduct. (3-17-22)~~

251. -- 299. (RESERVED)

300. FAMILY SUPPORT PARTNER -- CERTIFICATION QUALIFICATIONS AND REQUIREMENTS.

Each applicant must be at least eighteen (18) years of age and meet the following minimum qualifications and requirements listed below to be certified as a family support partner in Idaho. (3-17-22)()

01. Educational Requirements. Each applicant for a family support partner certification must have, at a minimum, has a high school diploma or GED certificate. (3-17-22)()

02. Training Requirements. Each applicant must has completed a minimum of forty (40) hours of training that includes, at a minimum, the following Family Support Partner competency areas: (3-17-22)()

- a. Overview of mental illness and substance use disorders and their effects on the brain; ()
- b. Advocacy skills used in multiple systems (children's behavioral health system, education and special education system, child welfare system, and juvenile court system); ()

- c. Ethics; ()
- d. The awareness of risk factors in participants' behaviors and the ability to access appropriate services; ()
- e. The use of interpersonal and professional communication skills; ()
- f. Stages of change; ()
- g. Motivation and empowerment; ()
- h. Parenting special needs children and family dynamics; ()
- i. The recovery process; ()
- j. The effects of trauma and use of a trauma-informed approach; ()
- k. Wellness and natural supports; ()
- l. Family-centered planning; ()
- m. Boundaries and self-care; ()
- n. Cultural sensitivity; ()
- o. The children's mental health system; ()
- p. How to tell your story and use your story to help others; ()
- q. The child and family team and how to be a team player; ()
- r. Work place dynamics and process; ()
- s. The Certified Family Support Partner's role and duties on the job; ()
- t. Relationship building; ()
- u. Recovery plans; and ()
- v. Local, state, and national resources. ()

03. Work or Volunteer Experience Requirements. Each applicant ~~must~~^{has} obtained supervised experience providing family support services. A six (6) month certification may be granted ~~according to~~^{under} Section 111 of these rules to an applicant who lacks required experience. (3-17-22)()

a. An applicant that holds a bachelor's degree in a human services field ~~must~~^{documents} one hundred (100) hours of family support partner experience. (3-17-22)()

b. An applicant that does not hold a bachelor's degree in a human support services field ~~must~~^{documents} two hundred (200) hours of family support partner experience. (3-17-22)()

c. An applicant ~~must~~^{documents} at a minimum twenty (20) hours of supervised family support services work or volunteer experience. (3-17-22)()

~~**04. Supervision Requirements.** A six (6) month certification may be granted according to Section 111 of these rules to an applicant who lacks the required work or volunteer supervision hours required in Subsection~~

~~300.03 of this rule.~~

~~(3-17-22)~~

~~**054. Person Self-Identified with Lived Experience.** Each applicant ~~must identify~~^{ies} as an individual with lived experience as a parent or adult caregiver who is raising ~~a child~~ or has raised ~~a~~ child who lives with a mental illness or mental illness with a co-occurring substance use disorder. ~~(3-17-22)~~()~~

~~301. -- 349. (RESERVED)~~

~~**350. FAMILY SUPPORT PARTNERS -- CODE OF ETHICS AND PROFESSIONAL CONDUCT.**~~

~~All certified family support partners must understand and comply with the Idaho Certified Family Support Partner Code of Ethics incorporated by reference under Section 002 of these rules.~~ ()

~~**01. Family Support Principles.** These family support principles are intended to serve as a guide for certified family support partners and those who are working toward full certification in their everyday professional conduct that includes various roles, relationships, and levels of responsibilities within their jobs. ~~(3-17-22)~~~~

~~**02. Certified Family Support Partner Integrity.** In order to maintain high standards of competency and integrity, a certified family support partner must: ~~(3-17-22)~~~~

~~**a.** Apply the principles of resiliency, wellness and recovery, or both, family driven approach, youth-guided or youth-driven approach, consumer-driven approach, and peer-to-peer mutual learning principles in every day interactions with family members; ~~(3-17-22)~~~~

~~**b.** Promote the family member's ethical decision-making and personal responsibility consistent with that family member's culture, values, and beliefs; ~~(3-17-22)~~~~

~~**c.** Promote the family members' voices and the articulation of their values in planning and evaluating children's behavioral health related issues; ~~(3-17-22)~~~~

~~**d.** Teach, mentor, coach, and support family members to articulate goals that reflect each family member's current needs and strengths; ~~(3-17-22)~~~~

~~**e.** Demonstrate respect for the cultural-based values of the family members engaged in peer support; ~~(3-17-22)~~~~

~~**f.** Communicate information in ways that are both developmentally and culturally appropriate; ~~(3-17-22)~~~~

~~**g.** Empower family members to be fully informed in preparing to make decisions and understand the implications of these decisions; ~~(3-17-22)~~~~

~~**h.** Maintain high standards of professional competence and integrity; ~~(3-17-22)~~~~

~~**i.** Abstain from discriminating against or refusing services to anyone on the basis of race, ethnicity, gender, gender identity, religion/spirituality, culture, national origin, age, sexual orientation, marital status, language preference, socioeconomic status, or disability; ~~(3-17-22)~~~~

~~**j.** Only assist family members whose concerns are within one's competency as determined by one's education, training, experience, and on-going supervision or consultation; ~~(3-17-22)~~~~

~~**k.** Abstain from establishing or maintaining a relationship for the sole purpose of financial remuneration to self or the agency with which one is associated; and ~~(3-17-22)~~~~

~~**l.** Terminate a relationship when it becomes reasonably clear that the peer relationship is no longer the desire of the family member. ~~(3-17-22)~~~~

~~**03. Certified Family Support Partner Safety.** In order to maintain the safety of all family members~~

~~involved with family support services, a certified family support partner must: (3-17-22)~~

~~**a.** Comply with all laws and regulations applicable to the jurisdiction in which the peer support services are provided, including confidentiality; (3-17-22)~~

~~**b.** Maintain confidentiality in personal and professional communication and ensure that family members have authorized the use or release of any and all information about themselves or family members for whom they have legal authority, including verbal statements, writings, or re-release of documents; (3-17-22)~~

~~**c.** Respect the privacy of partner agencies and not distribute internal or draft documents or share private, internal conversations; (3-17-22)~~

~~**d.** When complying with laws and regulations involving mandatory reporting of harm, abuse, or neglect, make every effort to involve the family members in the planning for services and ensure that no further harm is done to family members as the result of the reporting; (3-17-22)~~

~~**e.** Discuss and explain to family members the rights, roles, expectations, benefits, and limitations of the peer support process; (3-17-22)~~

~~**f.** Avoid ambiguity in the relationship with family members and ensure clarity of the certified family support partner's role at all times; (3-17-22)~~

~~**g.** Maintain a positive relationship with family members, refraining from premature or unannounced ceasing of the relationship until a reasonable alternative arrangement is made for continuation of similar peer support services; (3-17-22)~~

~~**h.** Abstain from engaging in intimate, emotional, or physical relationships with family members engaged in a peer support relationship; (3-17-22)~~

~~**i.** Neither offer nor accept gifts, other than token gifts, related to the professional service of peer support, including personal barter services, payment for referrals, or other remunerations; and (3-17-22)~~

~~**j.** Abstain from engaging in personal financial transactions with family members engaged in a peer support relationship. (3-17-22)~~

~~**04. Certified Family Support Partner Professional Responsibility.** Through educational activities, supervision and personal commitment, a certified family support partner must: (3-17-22)~~

~~**a.** Stay informed and up-to-date with regard to the research, policy, and developments in the field of parent/peer support and children's emotional, developmental, behavioral (including substance use), or mental health which relates to one's own practice area and children's general health and wellbeing; (3-17-22)~~

~~**b.** Engage in helping relationships that include skills building, not exceeding one's scope of practice, experience, training, education, or competence; (3-17-22)~~

~~**c.** Perform or hold oneself out as competent to perform only peer services not beyond one's education, training, experience, or competence; (3-17-22)~~

~~**d.** Seek appropriate professional supervision/consultation or assistance for one's personal problems or conflicts that may impair or affect work/volunteer performance or judgment; (3-17-22)~~

~~**e.** File a complaint with the certification body for Family Support Partners when one has reason to believe that another family support partner is, or has been, engaged in conduct that violates the law or these rules. Making a complaint to the certification body for Family Support Partners is an additional requirement, not a substitute for, or alternative to, any duty of filing reports required by statute or regulation; (3-17-22)~~

~~**f.** Refrain from distorting, misusing, or misrepresenting one's experience, knowledge, skills, or~~

~~research findings;~~ (3-17-22)

~~g. Refrain from financially or professionally exploiting a colleague or representing a colleague's work, associated with the provision of peer support or the profession of peer support, as one's own;~~ (3-17-22)

~~h. In the role of a supervisor/consultant, be responsible for maintaining the quality of one's own supervisory/consultation skills and obtaining supervision/consultation for work as a supervisor/consultant;~~ (3-17-22)

~~i. In the role of a researcher, be aware of and comply with federal and state laws and regulations, agency regulations, and professional standards governing the conduct of research, including ensuring the participants' complete informed consent for participating or declining to participate in a study; and~~ (3-17-22)

~~j. In the role as a volunteer, member, or employee of an organization, give credit to persons for published or unpublished original ideas, take reasonable precautions to ensure that one's employer or affiliate organization promotes and advertises materials accurately and factually.~~ (3-17-22)

~~05. **Ethics Training.** A certified family support partner must complete ethics training at least once per year, and maintain personal documentation of completed ethics training.~~ (3-17-22)

~~06. **Comply with Code of Ethics.** A certified family support partner must understand and comply with these rules and Idaho's Certified Family Support Partners Code of Ethics.~~ (3-17-22)

351. -- 399. (RESERVED)

400. SUPERVISOR FOR PEER SUPPORT SPECIALIST OR FAMILY SUPPORT PARTNER -- QUALIFICATIONS AND REQUIREMENTS.

An individual must meet the following requirements to provide supervision to a peer support specialist or family support partner. ()

01. Bachelor's Degree or Higher. ~~In order to~~ To supervise a peer support specialist or family support partner, an individual ~~must hold~~ must hold a bachelor's degree or higher in a human services field. (3-17-22)()

02. Supervisory Position. An individual ~~must be~~ is in a supervisory position and works in in that capacity within the agency. (3-17-22)()

401. -- 499. (RESERVED)

500. COMPLAINTS.

A complaint is an informal process to address the concerns of an individual. Any individual may file a written complaint or concern with the Department regarding a certified peer support specialist; or certified family support partner; ~~or a behavioral health program.~~ (3-17-22)()

01. Complaint Content. A complaint must include: ()

a. The full name, mailing address, phone number, and email contact for the person reporting the complaint; ()

b. A description of the nature of the complaint, including the desired outcome. ()

02. Department Response to Complaint. The Department will respond to the complaint within thirty (30) days of receipt of the complaint. This process may include gathering additional information from involved parties, including the complainant. (3-17-22)()

501. -- 509. (RESERVED)

510. GRIEVANCES.

A grievance is a type of complaint about the certification decision that has been made following application to the

Department. When an applicant is denied certification, questions the results of the application review process, or is subject to an action that they deem unjustified, the applicant may submit a written grievance to the Department. ()

01. Grievance Content. The grievance must include: ()

a. The full name, mailing address, phone number, and email contact for the person reporting the grievance; and ()

b. A detailed explanation of the decision that is being contested, from the perspective of the complainant, including any steps already taken to resolve the issue. ()

02. Department Response ~~to Grievance~~. The Department will respond within sixty (60) days of receipt of the grievance. This process may include gathering additional information from involved parties. ~~(3-17-22)~~()

511. -- 519. (RESERVED)

520. DENIAL, REVOCATION, OR SUSPENSION OF CERTIFICATION.
The Department may deny, suspend, or revoke an individual's application, certification, or ~~recertification~~ renewal as a peer support specialist or family support partner for noncompliance with these rules. ~~(3-17-22)~~()

521. -- 524. (RESERVED)

525. IMMEDIATE DENIAL, REVOCATION, OR SUSPENSION.
The Department may deny, revoke, or suspend a certification or ~~recertification~~ renewal, without prior notice, when conditions exist that endanger the health and safety of any participant. ~~(3-17-22)~~()

526. -- 529. (RESERVED)

530. REASONS FOR DENIAL, REVOCATION, OR SUSPENSION.
An individual may have a certification denied, revoked, or suspended for any ~~one (1)~~ of the following reasons listed below. ~~(3-17-22)~~()

01. Failure to Comply with These Rules and the Code of Ethics. ~~Failure to comply with these rules and the code of ethics described in Sections 250 and 350 of these rules.~~ ~~(3-17-22)~~()

02. Failure to Provide Information Requested by the Department. ~~Failure to provide information requested by the Department.~~ ~~(3-17-22)~~()

03. ~~Failure to Perform~~. ~~Inadequate knowledge or performance that is demonstrated by repeated substandard peer or quality assurance reviews.~~ ~~(3-17-22)~~

043. Misrepresentation of Information ~~Provided~~. Misrepresentation by the applicant in an application, or in documents required by the Department for certification. ~~(3-17-22)~~()

054. Conflict of Interest. Conflict of interest in which a certified individual exploits their position as a Certified Peer Support Specialist or a Certified Family Support Partner for personal benefit. ()

065. Negligent Performance or Fraud. A criminal, civil, or administrative determination that a certified individual has committed fraud or gross negligence in their capacity as a Certified Peer Support Specialist or Certified Family Support Partner. ()

076. Failure to Correct. Failure to correct within thirty (30) days of written notice, any unacceptable conduct, practice, or condition as determined by the Department. ()

531. -- 534. (RESERVED)

535. APPEAL OF DEPARTMENT DECISION.

An applicant or certificate holder may appeal a Department decision to deny, suspend, or revoke a certification ~~according to~~under IDAPA 16.05.03, “Contested Case Proceedings and Declaratory Rulings.” ~~(3-17-22)~~()

536. -- 539. (RESERVED)

540. REAPPLICATION FOR CERTIFICATION.

Following a denial, suspension, or revocation of certification or ~~re~~certification renewal, the same applicant may not reapply for certification for a period of six (6) months after the effective date of the action. Applicants reapplying after a suspension or revocation adhere to the same continuing education and ethics requirements under Section 112 of these rules. ~~(3-17-22)~~()

541. -- 999. (RESERVED)

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently in full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the State of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

**DEPARTMENT OF HEALTH AND WELFARE
IDAPA 16.07.19 – CERTIFICATION OF PEER SUPPORT SPECIALISTS AND FAMILY
SUPPORT PARTNERS
Proposed Rulemaking -- Docket No. 16-0719-2301**

(Include a brief description that explains the differences between the version of the materials or documents that are currently incorporated by reference and the materials or documents that are being proposed for adoption in this rulemaking.)

(You may use the following table or write a summary of the differences)

Incorporated Document Version/URL	IDAPA Section Number	Current Version of Incorporated Document	Substantive Changes in New Incorporation by Reference Version
01. Certified Peer Support Specialist Code of Ethics (idaho.gov) 02. Certified Family Support Partner Code of Ethics (idaho.gov)	16.07.19.002 (01. And 02.)	There are no documents incorporated by reference in the current chapter. These proposed incorporations are both new.	There is no summary of changes as these are new incorporations. The 2 new documents being incorporated: <ul style="list-style-type: none"> • Idaho Certified Peer Support Specialist Code of Ethics and Professional Conduct, rev 08/2015 • Idaho Certified Family Support Partner Code of Ethics, rev 09/2020 If you have further questions, please contact BH Program Manager, Treena Clark at: Treena.Clark@dhw.idaho.gov

Idaho Certified Peer Support Specialist Code of Ethics & Professional Conduct

Peer Support is a helping relationship between mental health clients and Certified Peer Support Specialists. The primary responsibility of Certified Peer Support Specialists is to help those they serve achieve self-directed recovery. They believe that every individual has strengths and the ability to learn and grow. As such, Certified Peer Support Specialists are committed to providing and advocating for effective recovery-based services for the people they serve in order for them to meet their own needs, desires, and goals.

1. Certified Peer Support Specialists seek to role-model recovery.
2. Certified Peer Support Specialists respect the rights and dignity of those they serve.
3. Certified Peer Support Specialists respect the privacy and confidentiality of those they serve.
4. Certified Peer Support Specialists openly share their personal recovery stories with colleagues and those they serve.
5. Certified Peer Support Specialists maintain high standards of personal conduct and conduct themselves in a manner that fosters their own recovery.
6. Certified Peer Support Specialists never intimidate, threaten, or harass those they serve; never use undue influence, physical force, or verbal abuse with those they serve; and never make unwarranted promises of benefits to those they serve.
7. Certified Peer Support Specialists do not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of ethnicity, race, gender, sexual orientation, age, religion, national origin, marital status, political belief, or mental or physical disability.
8. Certified Peer Support Specialists never engage in sexual/intimate activities with colleagues or those they serve.
9. Certified Peer Support Specialists do not accept gifts of significant value from those they serve.
10. Certified Peer Support Specialists do not enter into dual relationships or commitments that conflict with the interests of those they serve.
11. Certified Peer Support Specialists do not abuse substances under any circumstances while they are employed as a Certified Peer Support Specialist.
12. Certified Peer Support Specialists work to equalize the power differentials that may occur in the peer support/client relationship.
13. Certified Peer Support Specialists ensure that all information and documentation provided is true and accurate to the best of their knowledge.
14. Certified Peer Support Specialists keep current with emerging knowledge relevant to recovery, and openly share this knowledge with their colleagues and those they serve.
15. Certified Peer Support Specialists remain aware of their skills and limitations, and do not provide services or represent themselves as expert in areas for which they do not have sufficient knowledge or expertise.
16. Certified Peer Support Specialists do not hold a clinical role and do not offer primary treatment for mental health issues, prescribe medicine, act as a legal representative or provide legal advice, participate in the determination of competence, or provide counseling, therapy, social work, drug testing, or diagnosis of symptoms and disorders.

Certified Peer Support Specialists must complete ethics training approved by the certifying body at least once per year and maintain personal documentation of completed ethics training.

Certified Peer Support Specialists must understand and adhere to Idaho's Certified Peer Support Specialist Code of Ethics & Professional Conduct. A Code of Ethics violation is the failure to do so. Individuals who have violated the Code of Ethics & Professional Conduct will follow the process for corrective action put forth by the certifying body approved by the Idaho Division of Behavioral Health.

Idaho Certified Family Support Partner Code of Ethics

(*This Code of Ethics is borrowed from the *National Federation of Families for Children's Mental Health.*)

These principles are intended to serve as a guide for Certified Family Support Partners (CFSPs) and those Family Support Partners working toward full certification in their everyday professional conduct, which includes their various roles, relationships and levels of responsibility within their jobs.

Principle 1: Integrity

In order to maintain high standards of competence and integrity, I will:

1. Apply the principles of resiliency, wellness and/or recovery, family-driven approach, youth-guided or youth-driven approach, consumer-driven approach and peer to peer mutual-learning principles in every day interactions with family members;
2. Promote the family member's ethical decision-making and personal responsibility consistent with that family member's culture, values and beliefs;
3. Promote the family members' voices and the articulation of their values in planning and evaluating children's behavioral health related issues;
4. Teach, mentor, coach and support family members to articulate goals that reflect each family member's current needs and strengths;
5. Demonstrate respect for the cultural-based values of the family members engaged in peer support;
6. Communicate information in ways that are both developmentally and culturally appropriate;
7. Empower family members I am assisting to be fully informed in preparing to make decisions and understand the implications of these decisions;
8. Maintain high standards of professional competence and integrity;
9. Abstain from discriminating against or refusing services to anyone on the basis of race, ethnicity, gender, gender identity, religion/spirituality, culture, national origin, age, sexual orientation, marital status, language preference, socioeconomic status or disability;
10. Only assist family members whose concerns are within my competency as determined by my education, training, experience and on-going supervision/consultation;
11. Abstain from establishing or maintaining a relationship for the sole purpose of financial remuneration to me or the agency associated with me; and
12. Terminate a relationship when it becomes reasonably clear that the peer relationship is no longer the desire of the family member.

Principle 2: Safety

In order to maintain the safety of all family members involved with their services, I will:

1. Comply with all laws and regulations applicable to the jurisdiction in which the peer support services are provided, including but not limited to confidentiality;
2. Maintain confidentiality in my personal and professional communication and ensure that family members have authorized my use or release of any and all information about themselves or family members for whom they have legal authority, including but not limited to verbal statements, writings, or re-release of documents;
3. Respect the privacy of the agencies with whom I partner and not distribute internal or draft documents or share private, internal conversations;

4. When complying with laws and regulations involving mandatory reporting of harm, abuse or neglect, make every effort to involve the family members in the planning for services and ensure that no further harm is done to family members as the result of the reporting;
5. Discuss and explain to family members the rights, roles, expectations, benefits and limitations of the peer support process;
6. Avoid ambiguity in the relationship with family members and ensure clarity of my role at all times;
7. Maintain a positive relationship with family members, refraining from premature or unannounced ceasing of the relationship, until a reasonable alternative arrangement is made for continuation of similar peer support services;
8. Abstain from engaging in intimate emotional or physical relationships with family members engaged in a peer support relationship;
9. Neither offer nor accept gifts, other than token gifts, related to the professional service of peer support, including but not limited to, personal barter services, payment for referrals, or other remunerations; and
10. Abstain from engaging in personal financial transactions with family members engaged in a peer support relationship.

Principle 3: Professional Responsibility

Through educational activities, supervision and personal commitment, I will:

1. Stay informed and up-to date with regard to the research, policy and developments in the field of parent/peer support and children's emotional, developmental, behavioral (including substance use), or mental health which relates to my own practice area and children's general health and wellbeing;
2. Engage in helping relationships that include skills-building, not exceeding my scope of practice, experience, training, education or competence;
3. Perform or hold myself out as competent to perform only peer services not beyond my education, training, experience, or competence;
4. Seek appropriate professional supervision/consultation or assistance for my personal problems or conflicts that may impair or affect work/volunteer performance or judgment;
5. File a complaint with the certification body for Family Support Partners when I have reason to believe that another Family Support Partner is or has been engaged in conduct that violates the law or this Code. Making a complaint to the certification body for Family Support Partners is an additional requirement, not a substitute for or alternative to any duty of filing report(s) required by statute or regulation;
6. Refrain from distorting, misusing or misrepresenting my experience, knowledge, skills or research findings;
7. Refrain from financially or professionally exploiting a colleague or representing a colleague's work, associated with the provision of peer support or the profession of peer support, as my own;
8. In the role of a supervisor/consultant, be responsible for maintaining the quality of my own supervisory/consultation skills and obtaining supervision/consultation for work as a supervisor/consultant;
9. In the role of a researcher, be aware of and comply with federal and state laws and regulations, agency regulations and professional standards governing the conduct of research, including but not limited to ensuring the participants' complete informed consent for participating or declining to participate in a study; and
10. In the role as a volunteer member or employee of an organization, give credit to persons for published or unpublished original ideas, take reasonable precautions to ensure that my employer or affiliate organization promotes and advertises materials accurately and factually.