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NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

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TITLE 206 BEHAVIORAL HEALTH SERVICES

CHAPTER 7 PEER SUPPORT

001. CERTIFICATION. To obtain a certificate to provide peer support in Nebraska, an individual must submit a completed application and provide documentation of meeting the certification requirements.

001.01 APPLICATION. All applicants must submit a completed application, including all required supporting documentation utilizing the Department's approved application form. The following information is required:

- (A) Legal name and any other names by which the applicant is known;
- (B) Mailing address;
- (C) Social Security Number or Alien Registration Number, if the applicant has both, both need to be reported;
- (D) Date and place of birth; and
- (E) Phone number and email address.

001.02 REQUIREMENTS AND DOCUMENTATION. To obtain certification as a peer support specialist, an individual must submit a complete application. All applicants must meet the minimum requirements for certification and submit documentary proof of same.

001.02(A) AGE. An applicant must be at least 19 years old.

001.02(B) CITIZENSHIP OR LAWFUL PRESENCE. Applicants must submit documentation that he or she meets the requirements set out in Neb. Rev. Stat. §§ 4-108 through 4-111.

001.02(C) EDUCATION. Applicants for a certification must provide:

- (i) Documentation of a minimum of a high school diploma or General Equivalency Degree as recognized by a state Department of Education; and
- (ii) Certificate of completion or equivalent documentation of completion of peer support core curriculum training course approved by the Department within 12 months prior to the date of the application that includes:
  - (1) The name and address of the training program;
  - (2) Applicant's name;
  - (3) Category of training;
  - (4) Hours of training;
  - (5) Date training completed; and
  - (6) The signature of the training instructor for a total of 60 hours, a minimum of 40 hours must be live interactive peer support training.

001.02(D) EXAMINATION. Applicants are required to take and pass the Peer Recovery Examination or its successor administered by the International Certification & Reciprocity Consortium or its successor. The passing score is the score established by International Certification & Reciprocity Consortium or its successor.

001.02(E) LIVED EXPERIENCE. The applicant must provide an attestation that the applicant is a self-disclosed current or previous individual who receives or has received behavioral health services, or is a parent, legal guardian, or primary caretaker of an individual who receives or has received behavioral health services.

001.02(F) CODE OF ETHICS. The applicant must attest to receiving the State of Nebraska Certified Peer Support Specialist Code of Ethics.

001.02(G) RECOVERY. The applicant must have been in recovery for a minimum of one year.

001.02(H) RELEASES. The applicant must sign all appropriate releases for a Child and Adult Abuse and Neglect Central Registry check and sign a release to allow his or her name to be placed on the Department's website as a Certified Peer Support Specialist.

001.02(I) CONVICTION INFORMATION. If the applicant has ever been convicted of a felony or misdemeanor in Nebraska or in another jurisdiction, submit:

- (i) A copy of the court record related to all misdemeanor and felony convictions that includes the statement of all charges and final disposition, if the conviction(s) occurred in a state other than Nebraska;
- (ii) An explanation of the events leading to the conviction and a summary of actions that the applicant has taken to address the behaviors or actions related to the conviction; and
- (iii) A letter from the applicant's probation officer addressing the terms and current status of the probation, if the applicant is currently on probation.

001.02(J) DRUG OR ALCOHOL RELATED CONVICTIONS. To aid in the evaluation of drug or alcohol related convictions, an applicant may submit evaluations and discharge summaries where drug or alcohol treatment was obtained or required. Evaluations and discharge summaries may be submitted by the provider directly to the Department.

001.02(K) OTHER PROFESSIONAL CERTIFICATION OR LICENSURE. If disciplinary action was taken against any of the applicant's current or past certifications or licenses by Nebraska or another jurisdiction, the applicant must submit an official copy of the disciplinary action, including charges, sanctions, and disposition.

001.03 GRANDFATHER. All applicants must submit a completed application, including all required supporting documentation, utilizing the Department's approved application form. Applicants seeking grandfathering must provide a current Peer Support and Wellness Specialist or Certified Peer Support Specialist certificate from the Department.

001.03(A) TRAINING. Applicants do not have to take the required training if the applicant has:

- (i) Been employed or volunteered a minimum of 500 hours in the 12 months prior to the effective date of this chapter as a peer support specialist. The applicant must provide an attestation from the applicant's employer or supervising volunteer coordinator containing:
- (1) The dates of employment or volunteer work;
  - (2) The name of the employer or organization where volunteer work was performed;
  - (3) The job title; and
  - (4) The job description or volunteer duties indicating direct work with consumers.

001.03(B) EXAMINATION. Applicants do not have to take the required examination if the applicant has already passed the examination.

001.03(C) APPLICATION SUBMISSION. Applications for grandfathering must be submitted within 90 days after the effective date of this chapter.

001.03(D) CONTINUING EDUCATION. If an applicant is grandfathered, the applicant has until August 31, 2021 to complete continuing education hours.

001.04 RECIPROCITY. All applicants seeking reciprocity must submit a completed application, a valid reciprocal level certification from another jurisdiction or valid national certification, and all required supporting documentation, utilizing the Department's approved application form. Applicants seeking reciprocity do not have to take the required training.

001.04(A) EXAMINATION. Applicants seeking reciprocity do not have to take the required examination if the applicant has passed the International Certification & Reciprocity Consortium or its successor's examination.

001.04(B) CONTINUING EDUCATION. If an applicant is granted reciprocity, the applicant has until August 31st of odd numbered years to complete continuing education hours.

002. RENEWAL AND CONTINUING EDUCATION. All certificates issued by the Department pursuant to these regulations expire on September 1<sup>st</sup> of each odd numbered year.

002.01 RENEWAL INFORMATION. The certificate holder must submit a completed renewal application, prior to the expiration date, utilizing the Department's approved renewal application form. The certificate holder must provide:

- (A) Legal name and any other names by which the certificate holder is known;
- (B) Mailing address;
- (C) Social Security Number or Alien Registration Number, if the certificate holder has both, both need to be reported;
- (D) Telephone number and E-mail address; and
- (E) An attestation to the completion of at least 20 hours of continuing education per certification period in the 13 designated peer support domains. Of the 20 hours, six hours must be in ethics. Continuing education must be completed during the renewal period for which credit is sought. Credit will not be received for the same continuing education program more than once per biennial renewal period.

002.02 WAIVER OF CONTINUING EDUCATION REQUIREMENTS. The continuing education requirements are waived for:

- (A) Certificate holders who were certified within the 12 month period immediately prior to the renewal date.
  - (i) This does not apply to certificate holders who received their certificate by meeting the grandfathering requirements.
- (B) Certificate holders actively engaged in military service. The Department may conduct an audit of military status. The certificate holder selected for audit must provide documentation of active military service within 30 days.

002.03 AUDIT OF CONTINUING EDUCATION REQUIREMENTS. Each certificate holder is responsible for retaining documentation of completion and credit from continuing education classes. A certificate holder selected for audit by the Department must provide documentation of completion and credit for the continuing education hours attested to on the renewal application.

002.03(A) AUDIT DOCUMENTATION. When selected for an audit, the credential holder must provide documentation of completion of continuing education hours attested to on the certification renewal form within 30 days from the date of the letter requesting the documents.

002.03(B) INSUFFICIENT DOCUMENTATION. Continuing education classes for which sufficient documentation of completion is not produced will not be included in the calculation of the total number of continuing education hours earned.

002.03(C) FAILURE TO COMPLY. Failure to comply with the audit or failure to meet the continuing education requirements will result in expiration of the certificate.

003. DENIAL AND DISCIPLINARY ACTION. A certificate may be denied, refused renewal, or have other disciplinary measures taken against it on any of the following grounds:

- (A) Not respecting the privacy and confidentiality of private information shared by people utilizing peer support services and disclosing confidential information except as permitted by law;
- (B) Engaging in a romantic or sexual relationship with the people utilizing peer support where the certificate holder is employed or providing peer support services to anyone with whom the certificate holder had romantic or sexual relationship with in the past;
- (C) Using clients of peer support services for improper financial gain or putting the client at risk of exploitation or harm;
- (D) Intimidating, threatening, harassing, using undue influence, physical force or verbal abuse, or making unwarranted promises of benefits to any individual that utilizes peer support services;
- (E) Abuse of a substance or a substance use disorder, not in remission, related to alcohol, drugs, controlled substances or any mind-altering substance;
- (F) Practice as a Certified Peer Support Specialist while his or her ability to practice is impaired by alcohol, drugs, controlled substances, or any mind-altering substances or mental health disorder with serious functional impairments;
- (G) Misrepresentation of information provided in procuring or attempting to procure certification;

- (H) Practice as a Certified Peer Support Specialist fraudulently, beyond its authorized scope, with gross incompetence or gross negligence, or in a pattern of incompetence or negligent conduct. Use of any letters, words, or terms on stationery, in advertisements, or otherwise indicating that such person is entitled to practice a profession for which the individual is not certified or credentialed;
- (I) Failure to keep and maintain adequate records of treatment or service;
- (J) Having any certification denied, refused renewal, limited, suspended, revoked, or disciplined in any manner by another jurisdiction;
- (K) Failure to maintain the requirements necessary to obtain certification;
- (L) Cheating on or attempting to subvert the credentialing examination;
- (M) Commission of any act of sexual abuse, misconduct, or exploitation related to the practice of the Certified Peer Support Specialists;
- (N) Failure to follow procedures and policies of the certificate holder's employer to ensure safety of the client;
- (O) Failure to meet the requirements of certification;
- (P) Convicted of a felony or misdemeanor in Nebraska or in another jurisdiction; or
- (Q) A current entry on a Child and Adult Abuse and Neglect Central Registry or Sex Offender Registry or equivalent registry in Nebraska or another jurisdiction.

003.01 DISCIPLINARY ACTION. Disciplinary action against a certificate can include:

- (A) Censure or reprimand;
- (B) Probation;
- (C) Temporary suspension; or
- (D) Revocation of certificate.

004. MANDATORY REPORTING. A certificate holder shall, within 30 days of an occurrence described in this section, report to the Department:

- (A) Loss of employment due to alleged incompetence, negligence, unethical or unprofessional conduct, or impairment by alcohol, drugs, controlled substances or any mind-altering substance and an explanation of the events that led to the loss of employment;
- (B) Conviction of a felony or misdemeanor in Nebraska or another jurisdiction and provide required documentation; or
- (C) An entry on a Child and Adult Abuse and Neglect Central Registry or Sex Offender Registry or equivalent registry in Nebraska or another jurisdiction and an explanation of the incident.

005. PEER SUPPORT CORE CURRICULUM TRAINING COURSE APPROVAL. To receive approval of a peer support core curriculum training course that is required for applicants, the following is required to be submitted to the Department:

- (A) Name, qualifications of the instructor submitting peer support core curriculum for approval, and instructors who will be assisting in providing education and support to the class. One instructor must be a Nebraska Certified Peer Support Specialist in good standing;
- (B) An attestation that the trainer to trainee ratio will be a minimum of one instructor per ten students;
- (C) Curriculum including course competencies and amount of hours spent in each course competency for a total of 60 hours of total course work with a minimum of 40 hours of

live, interactive training. All 60 hours must meet the competencies specified within the following 13 domains including a minimum of 10 hours in ethics:

- (i) Engages peers in collaborative and caring relationships;
  - (ii) Support;
  - (iii) Shares lived experiences of recovery;
  - (iv) Personalized peer support;
  - (v) Supports recovery planning;
  - (vi) Links to resources, services, and supports;
  - (vii) Provides information about skills related to health, wellness, and recovery;
  - (viii) Helps peers to manage crises;
  - (ix) Values communication;
  - (x) Supports collaboration and teamwork;
  - (xi) Promotes leadership and advocacy;
  - (xii) Promotes growth and development; and
  - (xiii) Ethics;
- (D) Means of delivering the curriculum;
  - (E) Handouts, worksheets, and video links utilized;
  - (F) Interactive exercises that will aid in the facilitation of understanding key competencies;
  - (G) Competency measurements utilized to ensure an understanding of key competencies; and
  - (H) Signature and telephone number of the instructor or representative of the training entity.

005.01 REPORT CHANGES. Any change in structure, instructor, or to the curriculum must be submitted to the Department for approval 30 days prior to implementing the proposed change.

005.02 LENGTH OF APPROVAL. Approval of the peer support core curriculum training course is effective for three years from the initial date of approval.

005.03 AUDIT. All approved peer support core curriculum training courses are subject to audit by the Department.

005.03(A) AUDIT DOCUMENTATION. Documentation requested by the Department for an audit must be provided within 30 days of the request. Failure to provide documentation requested during an audit will result in revocation of approval of curriculum and course work.

005.04 DENIAL OR REVOCATION OF CURRICULUM. Certification of curriculum and course work will be denied or have approval revoked if:

- (A) There has been fraud or misrepresentation of information provided to the Department; or
- (B) The course curriculum does not meet the criteria.

006. NON-ENGLISH DOCUMENTS. Any documents written in a language other than English must be translated. An individual may not translate his or her own non-English documents. For the translation to be considered, it must contain:

- (A) The original English translation;

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- (B) A certification containing the original notarized signature of the translator or certification statement, attesting that the translator is:
  - (i) Fluent in English;
  - (ii) Fluent in the language of the original non-English document;
  - (iii) Competent to render the translation; and
  - (iv) That the translation is a complete and accurate rendition of the original language; and
- (C) Include a copy of the original non-English document.

007. APPEAL. A decision made by the Department pursuant to this chapter may be contested according to Neb. Rev. Stat. § 84-917.