

116TH CONGRESS
2D SESSION

S. 4416

To provide funding for the Assistant Secretary for Mental Health and Substance Use to award grants for the purpose of supporting virtual peer behavioral health support services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2020

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide funding for the Assistant Secretary for Mental Health and Substance Use to award grants for the purpose of supporting virtual peer behavioral health support services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Virtual Peer Support
5 Act of 2020”.

1 **SEC. 2. VIRTUAL PLATFORMS FOR IN-PERSON PEER BE-**
 2 **HAVIORAL HEALTH SUPPORT SERVICES.**

3 (a) IN GENERAL.—The Secretary of Health and
 4 Human Services (referred to in this section as the “Sec-
 5 retary”), acting through the Assistant Secretary for Men-
 6 tal Health and Substance Use, shall award grants on a
 7 competitive basis to eligible entities to—

8 (1) transition in-person peer behavioral health
 9 support services to virtual platforms; or

10 (2) expand and improve virtual peer behavioral
 11 health support services.

12 (b) APPLICATION AND SELECTION PROCESS.—

13 (1) APPLICATIONS.—An eligible entity seeking
 14 a grant under this section shall, as a condition for
 15 receiving such grant, submit an application to the
 16 Secretary at such time, in such manner, and con-
 17 taining such information as the Secretary may rea-
 18 sonably require.

19 (2) SELECTION.—

20 (A) RESERVATIONS.—

21 (i) IN GENERAL.—The Secretary shall
 22 reserve not less than 50 percent of the
 23 amount appropriated under subsection (f)
 24 for awarding grants under this section to
 25 eligible entities that are—

1 (I) community-based providers;
2 or

3 (II) Tribal communities in ac-
4 cordance with clause (ii).

5 (ii) TRIBAL GOVERNMENTS.—

6 (I) IN GENERAL.—Subject to
7 subclause (II), of the amount reserved
8 under clause (i), not less than 8 per-
9 cent shall be reserved for grants
10 under this section to Tribal commu-
11 nities.

12 (II) REMAINING AMOUNTS.—In
13 the case that there are remaining
14 funds after the reservation under sub-
15 clause (I) due to an insufficient num-
16 ber of Tribal communities that apply
17 for a grant under this section, any
18 such remaining funds shall be used to-
19 wards grants to community-based pro-
20 viders that serve Tribal communities.

21 (B) MAXIMUM GEOGRAPHIC REPRESENTA-
22 TION.—Subject to subparagraph (A) and the el-
23 igible entities that submit applications under
24 paragraph (1), in selecting eligible entities to
25 receive grants under this section, the Secretary

1 shall, to the maximum extent possible, ensure
2 that the residents of all States and Tribal com-
3 munities are served by at least 1 grant under
4 this section.

5 (c) USE OF FUNDS.—

6 (1) IN GENERAL.—An eligible entity receiving a
7 grant under this section may use the funds awarded
8 through such grant to—

9 (A) carry out workforce development, re-
10 cruitment, and retention activities, to train, re-
11 cruit, and retain certified peer-support special-
12 ists;

13 (B) transition a network of in-person,
14 peer-facilitated behavioral health support serv-
15 ices to a virtual platform for such behavioral
16 health support services;

17 (C) expand or improve virtual, peer behav-
18 ioral health support services carried out by the
19 entity prior to the date of enactment of this
20 section;

21 (D) adopt technologies to transition in-per-
22 son peer behavioral health support services to
23 virtual peer behavioral health support services,
24 including by acquiring—

1 (i) appropriate physical hardware for
2 such virtual services;

3 (ii) software and programs to effi-
4 ciently run peer support services virtually;
5 and

6 (iii) other technology for establishing
7 virtual waiting rooms and virtual video
8 platforms for meetings;

9 (E)(i) provide multilingual virtual peer be-
10 havioral health support services as needed with-
11 in the community; and

12 (ii) provide language access services, in-
13 cluding translation and interpretation services,
14 with respect to virtual peer behavioral health
15 support services to allow individuals with lim-
16 ited-English proficiency and individuals with
17 disabilities to access such services;

18 (F) provide targeted virtual peer behav-
19 ioral health support services to demographics
20 such as—

21 (i) those heavily impacted by the
22 COVID–19 response such as clinicians,
23 emergency service workers, nurses, and
24 physicians; and

1 (ii) populations such as those who are
 2 high risk or potentially face barriers to
 3 care due to the pandemic, including vet-
 4 erans, rural communities, seniors, youth,
 5 young adults, parents, and caregivers;

6 (G) provide 1-on-1 peer support services
 7 when feasible to provide additional support to
 8 individuals;

9 (H) increase awareness of peer support re-
 10 sources in the community by conducting out-
 11 reach and education including through webinars
 12 and podcasts;

13 (I) provide funding for certification and
 14 salaries for certified peer-support specialists;

15 (J) conduct research to demonstrate the
 16 efficacy of virtual peer support; and

17 (K) provide funding for the staffing and
 18 administrative needs of the eligible entity to
 19 carry out virtual peer behavioral health support
 20 services for not less than 1 year.

21 (2) REQUIREMENTS FOR SUPPORT SERVICES.—

22 A behavioral health support service supported under
 23 this section shall—

24 (A) be provided by a certified peer-support
 25 specialist;

1 (B) be provided at no cost to the recipients
2 of such service;

3 (C) incorporate promising or evidence-
4 based practices for providing peer behavioral
5 health support to recipients; and

6 (D) comply with the requirements for non-
7 discrimination under paragraph (3).

8 (3) NONDISCRIMINATION.—No individual in the
9 United States shall, on the basis of the actual or
10 perceived race, color, national origin, sex (including
11 sexual orientation and gender identity), age, lan-
12 guage proficiency, or disability of the individual be
13 excluded from participation in, denied the benefits
14 of, or otherwise be subjected to discrimination under
15 any program or activity receiving any funding made
16 available under subsection (f).

17 (d) GRANT AMOUNT.—

18 (1) IN GENERAL.—Except for a grant described
19 in subsection (b)(2)(A), each grant awarded under
20 this section shall be in an amount of not less than
21 \$1,000,000.

22 (2) COMMUNITY-BASED PROVIDERS AND TRIBAL
23 COMMUNITIES.—The Secretary shall determine an
24 appropriate amount for each grant awarded under

1 subsection (b)(2)(A) to a community-based provider
 2 or Tribal community.

3 (e) REPORT TO CONGRESS.—

4 (1) IN GENERAL.—Not later than 3 years after
 5 the date of enactment of this Act, the Secretary
 6 shall submit a report to the Committees described in
 7 paragraph (2) that includes an analysis of the out-
 8 comes of the grants awarded under this section,
 9 such as outcomes measured by the level of participa-
 10 tion in peer support services receiving funds under
 11 subsection (f), the development of a peer support-
 12 specialist workforce, any barriers and challenges in
 13 developing recommendations to assist individuals in
 14 need of peer behavioral health support services, and
 15 any other measure determined appropriate by the
 16 Secretary.

17 (2) COMMITTEES.—The Committees described
 18 in this paragraph are each of the following:

19 (A) The Committee on Health, Education,
 20 Labor, and Pensions of the Senate.

21 (B) The Committee on Finance of the Sen-
 22 ate

23 (C) The Committee on Energy and Com-
 24 merce of the House of Representatives.

1 (D) The Committee on Ways and Means of
2 the House of Representatives.

3 (f) FUNDING.—There is appropriated, out of
4 amounts in the Treasury not otherwise appropriated, to
5 remain available until expended, \$50,000,000 to carry out
6 this section.

7 (g) DEFINITIONS.—In this section:

8 (1) CERTIFIED PEER-SUPPORT SPECIALIST.—
9 The term “certified peer-support specialist” means
10 an individual who—

11 (A) is a self-identified current or former
12 recipient of behavioral health services who has
13 the ability to support other individuals diag-
14 nosed with a mental illness or substance use
15 disorder; and

16 (B)(i) is certified in accordance with appli-
17 cable State law to provide peer support services
18 in behavioral health settings; or

19 (ii) is certified as qualified to furnish peer
20 support services under a certification process
21 consistent with the National Practice Guidelines
22 for Peer Supporters and inclusive of the core
23 competencies identified by the Substance Abuse
24 and Mental Health Services Administration in

1 the Core Competencies for Peer Workers in Be-
2 havioral Health Settings.

3 (2) COMMUNITY-BASED PROVIDER.—The term
4 “community-based provider” means an eligible entity
5 that is a consumer-controlled or consumer-run orga-
6 nization and is certified in accordance with applica-
7 ble State law to deliver peer support services at a
8 State or local level, and not at the national level.

9 (3) ELIGIBLE ENTITY.—The term “eligible enti-
10 ty” means a consumer-controlled or consumer-run
11 organization, or a Tribal community, that—

12 (A) facilitates evidence-informed peer be-
13 havioral health support services;

14 (B) offers certified peer-support training;

15 (C) prior to the public health emergency
16 declared by the Secretary under section 319 of
17 the Public Health Service Act (42 U.S.C. 247d)
18 on January 31, 2020, with respect to COVID–
19 19, operated a network of in-person or virtual
20 peer-facilitated behavioral health support serv-
21 ices or group meetings at no cost to the partici-
22 pants; and

23 (D) has the capability to, or is able to
24 show how it will have the capability to, launch

1 and support a virtual platform for peer behav-
2 ioral health support services.

3 (4) STATE.—The term “State” has the mean-
4 ing given such term in section 2 of the Public
5 Health Service Act (42 U.S.C. 201).

6 (5) TRIBAL COMMUNITY.—The term “Tribal
7 community” means an Indian tribe, tribal organiza-
8 tion, or urban Indian organization, as such terms
9 are defined in section 4 of the Indian Health Care
10 Improvement Act (25 U.S.C. 1603).

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