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 HOUSE OF REPRESENTATIVES

APRIL 30, 2021

Mrs. Lee of Nevada (for herself, Mr. Upton, Ms. Manning, Mr. Fitzpatrick, Ms. Dean, Mr. Amodei, Ms. Jayapal, Mr. San Nicolas, Ms. Kuster, Ms. Clark of Massachusetts, Mr. Phillips, Ms. Stevens, and Mr. Trone) introduced the following bill; which was referred to the Committee on Energy and Commerce

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 Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Virtual Peer Support Act of 2021”.

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SEC. 2. VIRTUAL PLATFORMS FOR IN-PERSON PEER BEHAVIORAL HEALTH SUPPORT SERVICES.

(a) In General.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Assistant Secretary for Mental Health and Substance Use, shall award grants on a competitive basis to eligible entities to—

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

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

(b) Application and Selection Process.—

(1) Applications.—An eligible entity seeking a grant under this section shall, as a condition for receiving such grant, submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(2) Selection.—

(A) Reservations.—

(i) In General.—The Secretary shall reserve not less than 50 percent of the amount appropriated under subsection (f) for awarding grants under this section to eligible entities that are—
(I) community-based providers;

or

(II) Tribal communities in accordance with clause (ii).

(ii) TRIBAL GOVERNMENTS.—

(I) IN GENERAL.—Subject to subclause (II), of the amount reserved under clause (i), not less than 8 percent shall be reserved for grants under this section to Tribal communities.

(II) REMAINING AMOUNTS.—In the case that there are remaining funds after the reservation under subclause (I) due to an insufficient number of Tribal communities that apply for a grant under this section, any such remaining funds shall be used towards grants to community-based providers that serve Tribal communities.

(B) MAXIMUM GEOGRAPHIC REPRESENTATION.—Subject to subparagraph (A) and the eligible entities that submit applications under paragraph (1), in selecting eligible entities to receive grants under this section, the Secretary
shall, to the maximum extent possible, ensure
that the residents of all States and Tribal com-
munities are served by at least 1 grant under
this section.

(c) USE OF FUNDS.—

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

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

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

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

(D) adopt technologies to transition in-per-
son peer behavioral health support services to
virtual peer behavioral health support services,
including by acquiring—
(i) appropriate physical hardware for such virtual services;

(ii) software and programs to efficiently run peer support services virtually; and

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

(E)(i) provide multilingual virtual peer behavioral health support services as needed within the community; and

(ii) provide language access services, including translation and interpretation services, with respect to virtual peer behavioral health support services to allow individuals with limited-English proficiency and individuals with disabilities to access such services;

(F) provide targeted virtual peer behavioral health support services to demographics such as—

(i) those heavily impacted by the COVID–19 response such as clinicians, emergency service workers, nurses, and physicians; and
(ii) populations such as those who are high risk or potentially face barriers to care due to the pandemic, including veterans, rural communities, seniors, youth, young adults, parents, and caregivers;

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

(H) increase awareness of peer support resources in the community by conducting outreach and education including through webinars and podcasts;

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

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

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

(2) REQUIREMENTS FOR SUPPORT SERVICES.—A behavioral health support service supported under this section shall—

(A) be provided by a certified peer-support specialist;
(B) be provided at no cost to the recipients of such service;

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

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

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

(d) GRANT AMOUNT.—

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

(2) COMMUNITY-BASED PROVIDERS AND TRIBAL COMMUNITIES.—The Secretary shall determine an appropriate amount for each grant awarded under
subsection (b)(2)(A) to a community-based provider
or Tribal community.

(e) Report to Congress.—

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

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

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

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

(C) The Committee on Energy and Com-
merce of the House of Representatives.
(D) The Committee on Ways and Means of the House of Representatives.

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

(g) DEFINITIONS.—In this section:

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

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

(B)(i) is certified in accordance with applicable State law to provide peer support services in behavioral health settings; or

(ii) is certified as qualified to furnish peer support services under a certification process consistent with the National Practice Guidelines for Peer Supporters and inclusive of the core competencies identified by the Substance Abuse and Mental Health Services Administration in
the Core Competencies for Peer Workers in Behavioral Health Services.

(2) COMMUNITY-BASED PROVIDER.—The term “community-based provider” means an eligible entity that is a consumer-controlled or consumer-run organization and is certified in accordance with applicable State law to deliver peer support services at a State or local level, and not at the national level.

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

(A) facilitates evidence-informed peer behavioral health support services;

(B) offers certified peer-support training;

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

(D) has the capability to, or is able to show how it will have the capability to, launch
and support a virtual platform for peer behavioral health support services.

(4) **State**.—The term “State” has the meaning given such term in section 2 of the Public Health Service Act (42 U.S.C. 201).

(5) **Tribal Community**.—The term “Tribal community” means an Indian tribe, tribal organization, or urban Indian organization, as such terms are defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).