

SENATE BILL REPORT

SB 5747

As of February 15, 1999

Title: An act relating to privileged communications between certified counselors and clients.

Brief Description: Providing that communications between certified counselors and their clients are privileged.

Sponsors: Senators Thibaudeau, Deccio, Kline, Roach, Gardner, Eide, B. Sheldon, T. Sheldon, Hale, Fraser, Prentice, Fairley, Costa, Goings and Kohl-Welles.

Brief History:

Committee Activity: Health & Long-Term Care: 2/18/99.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Joan K. Mell (786-7447)

Background: Currently there are three types of counselors certified in this state by the Department of Health: social workers; mental health counselors; and marriage and family therapists. None of these counselors have a statutory privilege, meaning a right to object to testifying in court proceedings and to object to communicating the confidences of a client to anyone whom the client does not authorize.

Summary of Bill: Confidential communications between a client and a certified counselor are privileged to the same extent and subject to the same conditions as exist for psychologists.

The privilege does not apply in cases of involuntary commitment for drug and alcohol treatment.

Certified counselors are deleted from some of the confidentiality provisions of the counselor's practice provisions in the licensing statutes.

Appropriation: None.

Fiscal Note: Requested on February 14, 1999.

Effective Date: Ninety days after adjournment of session in which bill is passed.