
SENATE BILL 5747

State of Washington

56th Legislature

1999 Regular Session

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

Read first time 02/09/1999. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to privileged communications between certified
2 counselors and clients; amending RCW 18.19.180; and adding a new
3 section to chapter 18.19 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.19 RCW
6 to read as follows:

7 Confidential communications between a client and an individual
8 certified under this chapter are privileged against compulsory
9 disclosure to the same extent and subject to the same conditions as
10 confidential communications between a psychologist and client, but this
11 exception is subject to the limitations under RCW 70.96A.140.

12 **Sec. 2.** RCW 18.19.180 and 1991 c 3 s 33 are each amended to read
13 as follows:

14 An individual registered (~~or certified~~) under this chapter shall
15 not disclose the written acknowledgment of the disclosure statement
16 pursuant to RCW 18.19.060 nor any information acquired from persons
17 consulting the individual in a professional capacity when that

1 information was necessary to enable the individual to render
2 professional services to those persons except:

3 (1) With the written consent of that person or, in the case of
4 death or disability, the person's personal representative, other person
5 authorized to sue, or the beneficiary of an insurance policy on the
6 person's life, health, or physical condition;

7 (2) That (~~a person~~) an individual registered (~~or certified~~)
8 under this chapter is not required to treat as confidential a
9 communication that reveals the contemplation or commission of a crime
10 or harmful act;

11 (3) If the person is a minor, and the information acquired by the
12 (~~person~~) individual registered (~~or certified~~) under this chapter
13 indicates that the minor was the victim or subject of a crime, the
14 (~~person~~) individual registered (~~or certified~~) may testify fully
15 upon any examination, trial, or other proceeding in which the
16 commission of the crime is the subject of the inquiry;

17 (4) If the person waives the privilege by bringing charges against
18 the (~~person~~) individual registered (~~or certified~~) under this
19 chapter;

20 (5) In response to a subpoena from a court of law or the secretary.
21 The secretary may subpoena only records related to a complaint or
22 report under chapter 18.130 RCW; or

23 (6) As required under chapter 26.44 RCW.

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