
SUBSTITUTE HOUSE BILL 2315

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Cody, McDermott, Kenney and Tokuda)

Read first time 01/25/2002. Referred to Committee on .

1 AN ACT Relating to recreation therapy; amending RCW 18.130.040;
2 adding a new chapter to Title 18 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** The overriding mission of therapeutic
5 recreation is the provision of purposeful intervention designed to help
6 clients grow and to assist them to prevent or relieve problems through
7 recreation and leisure. It is a systematic methodology through a
8 progression of phases, including assessment, planning, implementation,
9 and evaluation. It is not a limited or restricted concept of service
10 carried out only within the constraints of institutional care, but is
11 a client-centered model that reflects a concern for the total well-
12 being of the client. Recreation therapy is cost-effective and can
13 decrease the costs of health care services by reducing primary and
14 secondary disabilities. In anticipation of the expansion in long-term
15 care, physical and psychiatric rehabilitation, and services for people
16 with disabilities, the legislature finds and declares that the
17 registration of recreational therapists is in the interest of the
18 public health and safety.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply
2 throughout this chapter unless the context clearly requires otherwise.

3 (1) "Department" means the department of health.

4 (2) "Recreation therapy" means the use of recreational, and/or
5 community activities to include leisure counseling and community
6 integration as treatment intervention to improve functional leisure and
7 community competence of persons with a physical, cognitive, emotional,
8 behavioral, or social disability. The primary purpose of recreation
9 therapy is the use of leisure and community integration activities to
10 restore, remediate, or rehabilitate persons in order to improve
11 functioning and independence, as well as reduce or eliminate the
12 effects of illness or disability.

13 (3) "Recreational therapist" means a person registered under this
14 chapter.

15 (4) "Registration" means the registration issued to a person under
16 this chapter.

17 (5) "Secretary" means the secretary of health or the secretary's
18 designee.

19 NEW SECTION. **Sec. 3.** No person may practice or represent oneself
20 as a registered recreational therapist by use of any title without
21 being registered to practice by the department of health, unless
22 otherwise exempted by this chapter.

23 NEW SECTION. **Sec. 4.** Nothing in this chapter may be construed to
24 prohibit or restrict:

25 (1) The practice by an individual licensed, certified, or
26 registered under the laws of this state and performing services within
27 the authorized scope of practice;

28 (2) The practice by an individual employed by the government of the
29 United States while engaged in the performance of duties prescribed by
30 the laws of the United States;

31 (3) The practice by a person who is a regular student in an
32 educational program approved by the secretary, and whose performance of
33 services is pursuant to a regular course of instruction or assignments
34 from an instructor and under the general supervision of the instructor.

35 NEW SECTION. **Sec. 5.** In addition to any other authority provided
36 by law, the secretary has the authority to:

1 (1) Adopt rules under chapter 34.05 RCW necessary to implement this
2 chapter;

3 (2) Establish all registration and renewal fees in accordance with
4 RCW 43.70.250;

5 (3) Establish forms and procedures necessary to administer this
6 chapter;

7 (4) Register any applicants who have met the requirements for
8 registration and to deny registration to applicants who do not meet the
9 requirements of this chapter, except that proceedings concerning the
10 denial of registration based upon unprofessional conduct or impairment
11 is governed by the uniform disciplinary act, chapter 18.130 RCW;

12 (5) Hire clerical, administrative, investigative, and other staff
13 as needed to implement this chapter; and

14 (6) Maintain the official department record of all applicants and
15 persons registered under this chapter.

16 NEW SECTION. **Sec. 6.** The secretary must keep an official record
17 of all proceedings. A part of the record shall consist of a register
18 of all applicants for registration under this chapter and the results
19 of each application.

20 NEW SECTION. **Sec. 7.** (1) Applicants for registration under this
21 chapter are subject to the grounds for denial of a registration under
22 chapter 18.130 RCW.

23 (2) The secretary must issue a registration to an applicant who
24 completes an application form that identifies the name and address of
25 the applicant, the registration requested, and information required by
26 the secretary necessary to establish whether there are grounds for
27 denial of a registration.

28 NEW SECTION. **Sec. 8.** Applications for registration must be
29 submitted on forms provided by the secretary. The secretary may
30 require any information and documentation that reasonably relates to
31 the need to determine whether the applicant meets the criteria for
32 registration provided for in this chapter and chapter 18.130 RCW. Each
33 applicant must pay a fee determined by the secretary under RCW
34 43.70.250. The fee must accompany the application.

1 NEW SECTION. **Sec. 9.** The secretary must establish by rule the
2 procedural requirements and fees for renewal of a registration.
3 Failure to renew invalidates the registration and all privileges
4 granted by the registration.

5 NEW SECTION. **Sec. 10.** The uniform disciplinary act, chapter
6 18.130 RCW, governs the issuance and denial of a registration,
7 unauthorized practice, and the discipline of persons registered under
8 this chapter. The secretary is the disciplining authority under this
9 chapter.

10 **Sec. 11.** RCW 18.130.040 and 2001 c 251 s 27 are each amended to
11 read as follows:

12 (1) This chapter applies only to the secretary and the boards and
13 commissions having jurisdiction in relation to the professions licensed
14 under the chapters specified in this section. This chapter does not
15 apply to any business or profession not licensed under the chapters
16 specified in this section.

17 (2)(a) The secretary has authority under this chapter in relation
18 to the following professions:

- 19 (i) Dispensing opticians licensed under chapter 18.34 RCW;
- 20 (ii) Naturopaths licensed under chapter 18.36A RCW;
- 21 (iii) Midwives licensed under chapter 18.50 RCW;
- 22 (iv) Ocularists licensed under chapter 18.55 RCW;
- 23 (v) Massage operators and businesses licensed under chapter 18.108
24 RCW;
- 25 (vi) Dental hygienists licensed under chapter 18.29 RCW;
- 26 (vii) Acupuncturists licensed under chapter 18.06 RCW;
- 27 (viii) Radiologic technologists certified and X-ray technicians
28 registered under chapter 18.84 RCW;
- 29 (ix) Respiratory care practitioners licensed under chapter 18.89
30 RCW;
- 31 (x) Persons registered under chapter 18.19 RCW;
- 32 (xi) Persons licensed as mental health counselors, marriage and
33 family therapists, and social workers under chapter 18.225 RCW;
- 34 (xii) Persons registered as nursing pool operators under chapter
35 18.52C RCW;
- 36 (xiii) Nursing assistants registered or certified under chapter
37 18.88A RCW;

1 (xiv) Health care assistants certified under chapter 18.135 RCW;
2 (xv) Dietitians and nutritionists certified under chapter 18.138
3 RCW;
4 (xvi) Chemical dependency professionals certified under chapter
5 18.205 RCW;
6 (xvii) Sex offender treatment providers certified under chapter
7 18.155 RCW;
8 (xviii) Persons licensed and certified under chapter 18.73 RCW or
9 RCW 18.71.205;
10 (xix) Persons registered as adult family home providers and
11 resident managers under RCW 18.48.020;
12 (xx) Denturists licensed under chapter 18.30 RCW;
13 (xxi) Orthotists and prosthetists licensed under chapter 18.200
14 RCW; ((and))
15 (xxii) Surgical technologists registered under chapter 18.215 RCW;
16 and
17 (xxiii) Recreational therapists.
18 (b) The boards and commissions having authority under this chapter
19 are as follows:
20 (i) The podiatric medical board as established in chapter 18.22
21 RCW;
22 (ii) The chiropractic quality assurance commission as established
23 in chapter 18.25 RCW;
24 (iii) The dental quality assurance commission as established in
25 chapter 18.32 RCW;
26 (iv) The board of hearing and speech as established in chapter
27 18.35 RCW;
28 (v) The board of examiners for nursing home administrators as
29 established in chapter 18.52 RCW;
30 (vi) The optometry board as established in chapter 18.54 RCW
31 governing licenses issued under chapter 18.53 RCW;
32 (vii) The board of osteopathic medicine and surgery as established
33 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
34 18.57A RCW;
35 (viii) The board of pharmacy as established in chapter 18.64 RCW
36 governing licenses issued under chapters 18.64 and 18.64A RCW;
37 (ix) The medical quality assurance commission as established in
38 chapter 18.71 RCW governing licenses and registrations issued under
39 chapters 18.71 and 18.71A RCW;

1 (x) The board of physical therapy as established in chapter 18.74
2 RCW;

3 (xi) The board of occupational therapy practice as established in
4 chapter 18.59 RCW;

5 (xii) The nursing care quality assurance commission as established
6 in chapter 18.79 RCW governing licenses issued under that chapter;

7 (xiii) The examining board of psychology and its disciplinary
8 committee as established in chapter 18.83 RCW; and

9 (xiv) The veterinary board of governors as established in chapter
10 18.92 RCW.

11 (3) In addition to the authority to discipline license holders, the
12 disciplining authority has the authority to grant or deny licenses
13 based on the conditions and criteria established in this chapter and
14 the chapters specified in subsection (2) of this section. This chapter
15 also governs any investigation, hearing, or proceeding relating to
16 denial of licensure or issuance of a license conditioned on the
17 applicant's compliance with an order entered pursuant to RCW 18.130.160
18 by the disciplining authority.

19 (4) All disciplining authorities shall adopt procedures to ensure
20 substantially consistent application of this chapter, the Uniform
21 Disciplinary Act, among the disciplining authorities listed in
22 subsection (2) of this section.

23 NEW SECTION. **Sec. 12.** If any provision of this act or its
24 application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

27 NEW SECTION. **Sec. 13.** Sections 1 through 10 and 12 of this act
28 constitute a new chapter in Title 18 RCW.

29 NEW SECTION. **Sec. 14.** This act takes effect July 1, 2003.

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