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SENATE BILL 6363

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State of Washington 57th Legislature

2002 Regular Session

By Senators Winsley, Prentice, Thibaudeau and Fairley

Read first time 01/16/2002. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to unprofessional conduct of chemical dependency  
2 professionals and counselors; amending RCW 18.19.050; and adding a new  
3 section to chapter 18.205 RCW.

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

5 **Sec. 1.** RCW 18.19.050 and 2001 c 251 s 21 are each amended to read  
6 as follows:

7 (1) In addition to any other authority provided by law, the  
8 secretary has the following authority:

9 (a) To adopt rules, in accordance with chapter 34.05 RCW, necessary  
10 to implement this chapter;

11 (b) To set all registration and renewal fees in accordance with RCW  
12 43.70.250 and to collect and deposit all such fees in the health  
13 professions account established under RCW 43.70.320;

14 (c) To establish forms and procedures necessary to administer this  
15 chapter;

16 (d) To hire clerical, administrative, and investigative staff as  
17 needed to implement this chapter;

18 (e) To issue a registration to any applicant who has met the  
19 requirements for registration; and

1 (f) To develop a dictionary of recognized professions and  
2 occupations providing counseling services to the public included under  
3 this chapter.

4 (2) The uniform disciplinary act, chapter 18.130 RCW, governs the  
5 issuance and denial of registrations and the discipline of registrants  
6 under this chapter. The secretary shall be the disciplining authority  
7 under this chapter. The absence of educational or training  
8 requirements for counselors registered under this chapter or the  
9 counselor's use of nontraditional nonabusive therapeutic techniques  
10 shall not, in and of itself, give the secretary authority to  
11 unilaterally determine the training and competence or to define or  
12 restrict the scope of practice of such individuals.

13 (3) A treatment recommendation by a counselor registered under this  
14 chapter constitutes unprofessional conduct under RCW 18.130.180 unless  
15 the counselor has personally met with the person who is the subject of  
16 the recommendation.

17 (4) The department shall publish and disseminate information in  
18 order to educate the public about the responsibilities of counselors  
19 and the rights and responsibilities of clients established under this  
20 chapter. Solely for the purposes of administering this education  
21 requirement, the secretary shall assess an additional fee for each  
22 application and renewal, equal to five percent of the fee. The revenue  
23 collected from the assessment fee may be appropriated by the  
24 legislature for the department's use in educating consumers pursuant to  
25 this section. The authority to charge the assessment fee shall  
26 terminate on June 30, 1994.

27 NEW SECTION. Sec. 2. A new section is added to chapter 18.205 RCW  
28 to read as follows:

29 A treatment recommendation by a chemical dependency professional  
30 certified under this chapter constitutes unprofessional conduct under  
31 the uniform disciplinary act unless the chemical dependency  
32 professional has personally met with the person who is the subject of  
33 the recommendation.

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