
HOUSE BILL 2568

State of Washington

58th Legislature

2004 Regular Session

By Representative Chase

Read first time 01/16/2004. Referred to Committee on Health Care.

1 AN ACT Relating to professional vocational/career evaluation and
2 rehabilitation counselors; and amending RCW 18.225.010, 18.225.020,
3 18.225.030, 18.225.060, 18.225.070, and 18.225.090.

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

5 **Sec. 1.** RCW 18.225.010 and 2001 c 251 s 1 are each amended to read
6 as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Advanced social work" means the application of social work
10 theory and methods including emotional and biopsychosocial assessment,
11 psychotherapy under the supervision of a licensed independent clinical
12 social worker, case management, consultation, advocacy, counseling, and
13 community organization.

14 (2) "Applicant" means a person who completes the required
15 application, pays the required fee, is at least eighteen years of age,
16 and meets any background check requirements and uniform disciplinary
17 act requirements.

18 (3) "Committee" means the Washington state mental health

1 counselors, marriage and family therapists, (~~and~~) social workers, and
2 professional vocational/career evaluation and rehabilitation counselors
3 advisory committee.

4 (4) "Department" means the department of health.

5 (5) "Disciplining authority" means the department.

6 (6) "Independent clinical social work" means the diagnosis and
7 treatment of emotional and mental disorders based on knowledge of human
8 development, the causation and treatment of psychopathology,
9 psychotherapeutic treatment practices, and social work practice as
10 defined in advanced social work. Treatment modalities include but are
11 not limited to diagnosis and treatment of individuals, couples,
12 families, groups, or organizations.

13 (7) "Marriage and family therapy" means the diagnosis and treatment
14 of mental and emotional disorders, whether cognitive, affective, or
15 behavioral, within the context of relationships, including marriage and
16 family systems. Marriage and family therapy involves the professional
17 application of psychotherapeutic and family systems theories and
18 techniques in the delivery of services to individuals, couples, and
19 families for the purpose of treating such diagnosed nervous and mental
20 disorders. The practice of marriage and family therapy means the
21 rendering of professional marriage and family therapy services to
22 individuals, couples, and families, singly or in groups, whether such
23 services are offered directly to the general public or through
24 organizations, either public or private, for a fee, monetary or
25 otherwise.

26 (8) "Mental health counseling" means the application of principles
27 of human development, learning theory, psychotherapy, group dynamics,
28 and etiology of mental illness and dysfunctional behavior to
29 individuals, couples, families, groups, and organizations, for the
30 purpose of treatment of mental disorders and promoting optimal mental
31 health and functionality. Mental health counseling also includes, but
32 is not limited to, the assessment, diagnosis, and treatment of mental
33 and emotional disorders, as well as the application of a wellness model
34 of mental health.

35 (9) "Professional vocational/career evaluation and rehabilitation
36 counselor" means the application of a systematic process which assists
37 persons with physical, mental, developmental, cognitive, and emotional
38 disabilities to achieve their personal, career, and independent living

1 goals in the most integrated setting possible through the application
2 of the counseling process. The counseling process involves
3 communication, goal setting, and beneficial growth or change through
4 self-advocacy, psychological, vocational, social, and behavioral
5 interventions. The specific techniques and modalities utilized within
6 rehabilitation counseling process and career counseling may include,
7 but are not limited to assessment and appraisal of individuals,
8 including selecting, administering, scoring and interpreting individual
9 and group aptitude, ability, achievement, interest, and personality
10 tests; diagnosis and treatment planning for mental, emotional, and
11 behavioral conditions and psycho-social adjustment; vocational/career
12 counseling; case management; program evaluation; and job analysis, job
13 development placement services, labor market surveys, and interventions
14 to remove barriers and make accommodations in employment, environmental
15 and attitudinal areas.

16 (10) "Secretary" means the secretary of health or the secretary's
17 designee.

18 (11) "Vocational/career evaluation" means the practice of
19 evaluation that includes coordinating medical and physical limits, work
20 history, education, and transferable knowledge, skills and abilities
21 into the determination of employability and suitability of a person for
22 any occupation, and training analysis. It involves the application of
23 personal interviews; work sample assessments; physical functional
24 capacity measurement; psychological testing and measurement by
25 individual or group assessment for ability and attitudes, achievement,
26 vocational interests, personality, and behavioral adjustment; job
27 analysis, job classification and pay, job placement, and job/labor
28 market surveys.

29 **Sec. 2.** RCW 18.225.020 and 2001 c 251 s 2 are each amended to read
30 as follows:

31 A person must not represent himself or herself as a licensed
32 advanced social worker, licensed independent clinical social worker,
33 licensed mental health counselor, ((~~or~~)) licensed marriage and family
34 therapist, or licensed professional vocational/career evaluator and
35 rehabilitation counselor, without being licensed by the department.

1 **Sec. 3.** RCW 18.225.030 and 2001 c 251 s 3 are each amended to read
2 as follows:

3 Nothing in this chapter shall be construed to prohibit or restrict:

4 (1) The practice of marriage and family therapy, mental health
5 counseling, ~~((or))~~ social work, or professional vocational/career
6 evaluation and rehabilitation counseling by an individual otherwise
7 regulated under this title and performing services within the
8 authorized scope of practice;

9 (2) The practice of marriage and family therapy, mental health
10 counseling, ~~((or))~~ social work, or professional vocational/career
11 evaluation and rehabilitation counseling by an individual employed by
12 the government of the United States or state of Washington while
13 engaged in the performance of duties prescribed by the laws of the
14 United States or state of Washington;

15 (3) The practice of marriage and family therapy, mental health
16 counseling, ~~((or))~~ social work, or professional vocational/career
17 evaluation and rehabilitation counseling by a person who is a regular
18 student in an educational program based on recognized national
19 standards and approved by the secretary, and whose performance of
20 services is pursuant to a regular course of instruction or assignments
21 from an instructor and under the general supervision of the instructor;

22 (4) The practice of marriage and family therapy, mental health
23 counseling, ~~((or))~~ social work, or professional vocational/career
24 evaluation and rehabilitation counseling under the auspices of a
25 religious denomination, church, or religious organization.

26 **Sec. 4.** RCW 18.225.060 and 2001 c 251 s 6 are each amended to read
27 as follows:

28 The Washington state mental health counselors, marriage and family
29 therapists, ~~((and))~~ social workers, and professional vocational/career
30 evaluation and rehabilitation counselors advisory committee is
31 established.

32 (1) The committee shall be ~~((comprised))~~ composed of ~~((nine))~~
33 eleven members. Two members shall be licensed mental health
34 counselors. Two members shall be licensed marriage and family
35 therapists. Two members shall be licensed professional
36 vocational/career evaluation and rehabilitation counselors. One member
37 shall be a licensed independent clinical social worker, and one member

1 shall be a licensed advanced social worker. Three members must be
2 consumers and represent the public at large and may not be licensed
3 mental health care providers.

4 (2) Three members shall be appointed for a term of one year, three
5 members shall be appointed for a term of two years, and three members
6 shall be appointed for a term of three years. One professional
7 vocational/career evaluation and rehabilitation counselor shall be
8 appointed for an initial term of two years and one for three years.

9 Subsequent members shall be appointed for terms of three years. A
10 person must not serve as a member for more than two consecutive terms.

11 (3)(a) Each member must be a resident of the state of Washington.

12 (b) Each member must not hold an office in a professional
13 association for mental health, social work, (~~(or)~~) marriage and family
14 therapy, or professional vocational/career evaluation and
15 rehabilitation counselors and must not be employed by the state of
16 Washington.

17 (c) Each professional member must have been actively engaged as a
18 mental health counselor, marriage and family therapist, (~~(or)~~) social
19 worker, or professional vocational/career evaluation and rehabilitation
20 counselors for five years immediately preceding appointment.

21 (d) The consumer members must represent the general public and be
22 unaffiliated directly or indirectly with the professions licensed under
23 this chapter.

24 (4) The secretary shall appoint the committee members.

25 (5) Committee members are immune from suit in an action, civil or
26 criminal, based on the department's disciplinary proceedings or other
27 official acts performed in good faith.

28 (6) Committee members shall be compensated in accordance with RCW
29 43.03.240, including travel expenses in carrying out his or her
30 authorized duties in accordance with RCW 43.03.050 and 43.03.060.

31 (7) The committee shall elect a chair and vice-chair.

32 **Sec. 5.** RCW 18.225.070 and 2001 c 251 s 7 are each amended to read
33 as follows:

34 The department of health may seek the advice and assistance of the
35 advisory committee in administering this chapter, including, but not
36 limited to:

1 (1) Advice and recommendations regarding the establishment or
2 implementation of rules related to the administration of this chapter;

3 (2) Advice, recommendations, and consultation regarding case
4 disposition guidelines and priorities related to unprofessional conduct
5 cases regarding licensed mental health counselors, licensed clinical
6 social workers, licensed advanced social workers, (~~and~~) licensed
7 marriage and family therapists, and professional vocational/career
8 evaluation and rehabilitation counselors;

9 (3) Assistance and consultation of individual committee members as
10 needed in the review, analysis, and disposition of reports of
11 unprofessional conduct and consumer complaints;

12 (4) Assistance and recommendations to enhance consumer education;
13 and

14 (5) Assistance and recommendations regarding any continuing
15 education and continuing competency programs administered under the
16 provisions of (~~the [this]~~) this chapter.

17 **Sec. 6.** RCW 18.225.090 and 2003 c 108 s 1 are each amended to read
18 as follows:

19 (1) The secretary shall issue a license to any applicant who
20 demonstrates to the satisfaction of the secretary that the applicant
21 meets the following education and experience requirements for the
22 applicant's practice area.

23 (a) Licensed social work classifications:

24 (i) Licensed advanced social worker:

25 (A) Graduation from a master's or doctorate social work educational
26 program accredited by the council on social work education and approved
27 by the secretary based upon nationally recognized standards;

28 (B) Successful completion of an approved examination;

29 (C) Successful completion of a supervised experience requirement.

30 The experience requirement consists of a minimum of three thousand two
31 hundred hours with ninety hours of supervision by a licensed
32 independent clinical social worker or a licensed advanced social worker
33 who has been licensed or certified for at least two years. Of those
34 hours, fifty hours must include direct supervision by a licensed
35 advanced social worker or licensed independent clinical social worker;
36 the other forty hours may be with an equally qualified licensed mental
37 health practitioner. Forty hours must be in one-to-one supervision and

1 fifty hours may be in one-to-one supervision or group supervision.
2 Distance supervision is limited to forty supervision hours. Eight
3 hundred hours must be in direct client contact; and

4 (D) Successful completion of continuing education requirements of
5 thirty-six hours, with six in professional ethics.

6 (ii) Licensed independent clinical social worker:

7 (A) Graduation from a master's or doctorate level social work
8 educational program accredited by the council on social work education
9 and approved by the secretary based upon nationally recognized
10 standards;

11 (B) Successful completion of an approved examination;

12 (C) Successful completion of a supervised experience requirement.
13 The experience requirement consists of a minimum of four thousand hours
14 of experience, of which one thousand hours must be direct client
15 contact, over a three-year period supervised by a licensed independent
16 clinical social worker who has been licensed or certified for at least
17 five years and who has had at least one year of experience in
18 supervising the clinical social work practice of others, with
19 supervision of at least one hundred thirty hours by a licensed mental
20 health practitioner. Of the total supervision, seventy hours must be
21 with an independent clinical social worker meeting the qualifications
22 under this subsection (1)(a)(ii)(C); the other sixty hours may be with
23 an equally qualified licensed mental health practitioner. Sixty hours
24 must be in one-to-one supervision and seventy hours may be in one-to-
25 one supervision or group supervision. Distance supervision is limited
26 to sixty supervision hours; and

27 (D) Successful completion of continuing education requirements of
28 thirty-six hours, with six in professional ethics.

29 (b) Licensed mental health counselor:

30 (i) Graduation from a master's or doctoral level educational
31 program in mental health counseling or a related discipline from a
32 college or university approved by the secretary based upon nationally
33 recognized standards;

34 (ii) Successful completion of an approved examination;

35 (iii) Successful completion of a supervised experience requirement.
36 The experience requirement consists of a minimum of thirty-six months
37 full-time counseling or three thousand hours of postgraduate mental
38 health counseling under the supervision of a qualified licensed mental

1 health counselor in an approved setting. The three thousand hours of
2 required experience includes a minimum of one hundred hours spent in
3 immediate supervision with the qualified licensed mental health
4 counselor, and includes a minimum of one thousand two hundred hours of
5 direct counseling with individuals, couples, families, or groups; and

6 (iv) Successful completion of continuing education requirements of
7 thirty-six hours, with six in professional ethics.

8 (c) Licensed marriage and family therapist:

9 (i) Graduation from a master's degree or doctoral degree
10 educational program in marriage and family therapy or graduation from
11 an educational program in an allied field equivalent to a master's
12 degree or doctoral degree in marriage and family therapy approved by
13 the secretary based upon nationally recognized standards;

14 (ii) Successful passage of an approved examination;

15 (iii) Successful completion of a supervised experience requirement.

16 The experience requirement consists of a minimum of two calendar years
17 of full-time marriage and family therapy. Of the total supervision,
18 one hundred hours must be with a licensed marriage and family therapist
19 with at least five years' clinical experience; the other one hundred
20 hours may be with an equally qualified licensed mental health
21 practitioner. Total experience requirements include:

22 (A) A minimum of three thousand hours of experience, one thousand
23 hours of which must be direct client contact; at least five hundred
24 hours must be gained in diagnosing and treating couples and families;
25 plus

26 (B) At least two hundred hours of qualified supervision with a
27 supervisor. At least one hundred of the two hundred hours must be one-
28 on-one supervision, and the remaining hours may be in one-on-one or
29 group supervision.

30 Applicants who have completed a master's program accredited by the
31 commission on accreditation for marriage and family therapy education
32 of the American association for marriage and family therapy may be
33 credited with five hundred hours of direct client contact and one
34 hundred hours of formal meetings with an approved supervisor; and

35 (iv) Successful completion of continuing education requirements of
36 thirty-six hours, with six in professional ethics.

37 (d) Professional vocational/career evaluation and rehabilitation
38 counselors:

1 (i) Current certification within two years of the effective date of
2 this act, as a certified rehabilitation counselor; an American board of
3 vocational experts, diplomate or fellow; a certified disability
4 management specialist; or is a nationally certified career counselor
5 from the specialty board of the national board of certified counselors;
6 or

7 (ii) Within two years of the effective date of this act, graduation
8 from a bachelor's degree educational program acceptable to the board,
9 and employment as a vocational rehabilitation counselor for the state,
10 either as a contractor or an employee, for five years full time, or its
11 prorated part-time equivalent, and successful completion of an
12 examination acceptable to the board; or

13 (iii) Graduation from a master's degree or doctoral degree
14 educational program in rehabilitation counseling, educational
15 psychology, counseling, or psychology, or graduation from an
16 educational program in an allied field equivalent to a master's degree
17 or doctoral degree approved by the secretary based upon nationally
18 recognized standards;

19 (iv) Successful completion of an approved examination such as the
20 certified rehabilitation counselor exam or the American board of
21 vocational experts exam, or equivalent exam at a score level acceptable
22 to the board; and

23 (v) Successful completion of a minimum of three years of full-time
24 work experience, or its prorated part-time equivalent, in
25 rehabilitation counseling or vocational/career evaluation work and one
26 additional year of full-time work experience supervised by a certified
27 rehabilitation counselor, an American board of vocational experts
28 diplomate or fellow, or a person licensed under this professional
29 license.

30 (2) The department shall establish by rule what constitutes
31 adequate proof of meeting the criteria.

32 (3) In addition, applicants shall be subject to the grounds for
33 denial of a license or issuance of a conditional license under chapter
34 18.130 RCW.

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