

SSB 6456 - H COMM AMD

By Committee on Health Care & Wellness

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 18.19.020 and 2001 c 251 s 18 are each amended to
4 read as follows:

5 (~~Unless the context clearly requires otherwise,~~) The definitions
6 in this section apply throughout this chapter unless the context
7 clearly requires otherwise.

8 (1) "Agency" means an agency or facility operated, licensed, or
9 certified by the state of Washington.

10 (2) "Agency affiliated counselor" means a person registered under
11 this chapter who is engaged in counseling and employed by an agency.

12 (3) "Certified adviser" means a person certified under this chapter
13 who is engaged in private practice counseling to the extent authorized
14 in section 4 of this act.

15 (4) "Certified counselor" means a person certified under this
16 chapter who is engaged in private practice counseling to the extent
17 authorized in section 4 of this act.

18 (5) "Client" means an individual who receives or participates in
19 counseling or group counseling.

20 (~~(+2)~~) (6) "Counseling" means employing any therapeutic
21 techniques, including but not limited to social work, mental health
22 counseling, marriage and family therapy, and hypnotherapy, for a fee
23 that offer, assist or attempt to assist an individual or individuals in
24 the amelioration or adjustment of mental, emotional, or behavioral
25 problems, and includes therapeutic techniques to achieve sensitivity
26 and awareness of self and others and the development of human
27 potential. For the purposes of this chapter, nothing may be construed
28 to imply that the practice of hypnotherapy is necessarily limited to
29 counseling.

1 ~~((3))~~ (7) "Counselor" means an individual, practitioner,
2 therapist, or analyst who engages in the practice of counseling to the
3 public for a fee, including for the purposes of this chapter,
4 hypnotherapists.

5 ~~((4))~~ (8) "Department" means the department of health.

6 ~~((5))~~ (9) "Hypnotherapist" means a person registered under this
7 chapter who is practicing hypnosis as a modality.

8 (10) "Private practice counseling" means the practice of counseling
9 by a certified counselor or certified adviser as specified in section
10 4 of this act.

11 (11) "Psychotherapy" means the practice of counseling using
12 diagnosis of mental disorders according to the fourth edition of the
13 diagnostic and statistical manual of mental disorders, published in
14 1994, and the development of treatment plans for counseling based on
15 diagnosis of mental disorders in accordance with established practice
16 standards.

17 (12) "Secretary" means the secretary of the department or the
18 secretary's designee.

19 **Sec. 2.** RCW 18.19.030 and 2001 c 251 s 19 are each amended to read
20 as follows:

21 ~~((No))~~ A person may not, ~~((for a fee or))~~ as a part of his or her
22 position as an employee of a state agency, practice counseling without
23 being registered to practice as an agency affiliated counselor by the
24 department under this chapter unless exempt under RCW 18.19.040.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.19 RCW
26 to read as follows:

27 A person may not, for a fee or as a part of his or her position as
28 an employee of a state agency, practice hypnotherapy without being
29 registered to practice as a hypnotherapist by the department under this
30 chapter unless exempt under RCW 18.19.040.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.19 RCW
32 to read as follows:

33 The scope of practice of certified counselors and certified
34 advisers consists exclusively of the following:

1 (1) Appropriate screening of the client's level of functional
2 impairment using the global assessment of functioning as described in
3 the fourth edition of the diagnostic and statistical manual of mental
4 disorders, published in 1994. Recognition of a mental or physical
5 disorder or a global assessment of functioning score of sixty or less
6 requires that the certified counselor refer the client to a physician,
7 osteopathic physician, or licensed mental health practitioner, as
8 defined by the secretary, for diagnosis and treatment;

9 (2) Certified counselors and certified advisers may counsel and
10 guide a client in adjusting to life situations, developing new skills,
11 and making desired changes, in accordance with the theories and
12 techniques of a specific counseling method and established practice
13 standards, if the client has a global assessment of functioning score
14 greater than sixty;

15 (3) Certified counselors may counsel and guide a client in
16 adjusting to life situations, developing new skills, and making desired
17 changes if the client has a global assessment of functioning score of
18 sixty or less if:

19 (a) The client has been referred to the certified counselor by a
20 physician, osteopathic physician, or licensed mental health
21 practitioner, as defined by the secretary, and care is provided as part
22 of a plan of treatment developed by the referring practitioner who is
23 actively treating the client. The certified counselor must adhere to
24 any conditions related to the certified counselor's role as specified
25 in the plan of care; or

26 (b) The certified counselor referred the client to seek diagnosis
27 and treatment from a physician, osteopathic physician, or licensed
28 mental health practitioner, as defined by the secretary, and the client
29 refused, in writing, to seek treatment from the other provider. The
30 certified counselor may provide services to the client consistent with
31 a treatment plan developed by the certified counselor and the
32 consultant or supervisor with whom the certified counselor has a
33 written consultation or supervisory agreement.

34 **Sec. 5.** RCW 18.19.040 and 2001 c 251 s 20 are each amended to read
35 as follows:

36 Nothing in this chapter may be construed to prohibit or restrict:

1 (1) The practice of a profession by a person who is either
2 registered, certified, licensed, or similarly regulated under the laws
3 of this state and who is performing services within the person's
4 authorized scope of practice, including any attorney admitted to
5 practice law in this state when providing counseling incidental to and
6 in the course of providing legal counsel;

7 (2) The practice of counseling by an employee or trainee of any
8 federal agency, or the practice of counseling by a student of a college
9 or university, if the employee, trainee, or student is practicing
10 solely under the supervision of and accountable to the agency, college,
11 or university, through which he or she performs such functions as part
12 of his or her position for no additional fee other than ordinary
13 compensation;

14 (3) The practice of counseling by a person (~~((without a mandatory~~
15 ~~charge))~~ for no compensation;

16 (4) The practice of counseling by persons offering services for
17 public and private nonprofit organizations or charities not primarily
18 engaged in counseling for a fee when approved by the organizations or
19 agencies for whom they render their services;

20 (5) Evaluation, consultation, planning, policy-making, research, or
21 related services conducted by social scientists for private
22 corporations or public agencies;

23 (6) The practice of counseling by a person under the auspices of a
24 religious denomination, church, or organization, or the practice of
25 religion itself;

26 (7) The practice of counseling by peer counselors who use their own
27 experience to encourage and support people with similar conditions or
28 activities related to the training of peer counselors; and

29 (8) Counselors (~~((whose residency is not))~~) who reside outside
30 Washington state from providing up to ten days per quarter of training
31 or workshops in the state, as long as they (~~((don't))~~) do not hold
32 themselves out to be registered or certified in Washington state.

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

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

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

3 (b) To set all registration, certification, and renewal fees in
4 accordance with RCW 43.70.250 and to collect and deposit all such fees
5 in the health professions account established under RCW 43.70.320;

6 (c) To establish forms and procedures necessary to administer this
7 chapter;

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

10 (e) To issue a registration or certification to any applicant who
11 has met the requirements for registration or certification; and

12 (f) To ~~((develop a dictionary of recognized professions and
13 occupations providing counseling services to the public included under
14 this chapter))~~ establish education equivalency, examination,
15 supervisory, consultation, and continuing education requirements for
16 certified counselors and certified advisers.

17 (2) The uniform disciplinary act, chapter 18.130 RCW, governs the
18 issuance and denial of registrations and certifications and the
19 discipline of registrants under this chapter. The secretary shall be
20 the disciplining authority under this chapter. ~~((The absence of
21 educational or training requirements for counselors registered under
22 this chapter or the counselor's use of nontraditional nonabusive
23 therapeutic techniques shall not, in and of itself, give the secretary
24 authority to unilaterally determine the training and competence or to
25 define or restrict the scope of practice of such individuals.))~~

26 (3) The department shall publish and disseminate information ~~((in
27 order))~~ to educate the public about the responsibilities of counselors,
28 the types of counselors, and the rights and responsibilities of clients
29 established under this chapter. ~~((Solely for the purposes of
30 administering this education requirement,))~~ The secretary ~~((shall))~~ may
31 assess an additional fee for each application and renewal ~~((, equal to
32 five percent of the fee. The revenue collected from the assessment fee
33 may be appropriated by the legislature for the department's use in
34 educating consumers pursuant to this section. The authority to charge
35 the assessment fee shall terminate on June 30, 1994))~~ to fund public
36 education efforts under this section.

1 **Sec. 7.** RCW 18.19.060 and 2001 c 251 s 22 are each amended to read
2 as follows:

3 (~~Persons registered under this chapter~~) Certified counselors and
4 certified advisers shall provide clients at the commencement of any
5 program of treatment with accurate disclosure information concerning
6 their practice, in accordance with guidelines developed by the
7 department, that will inform clients of the purposes of and resources
8 available under this chapter, including the right of clients to refuse
9 treatment, the responsibility of clients for choosing the provider and
10 treatment modality which best suits their needs, and the extent of
11 confidentiality provided by this chapter, the department, another
12 agency, or other jurisdiction. The disclosure statement must inform
13 the client of the certified counselor's or certified adviser's
14 consultation arrangement or supervisory agreement as defined in rules
15 adopted by the secretary. The disclosure information provided by the
16 certified counselor or certified adviser, the receipt of which shall be
17 acknowledged in writing by the certified counselor or certified adviser
18 and the client, shall include any relevant education and training, the
19 therapeutic orientation of the practice, the proposed course of
20 treatment where known, any financial requirements, referral resources,
21 and such other information as the department may require by rule. The
22 disclosure information shall also include a statement that
23 (~~registration~~) the certification of an individual under this chapter
24 does not include a recognition of any practice standards, nor
25 necessarily imply the effectiveness of any treatment. Certified
26 counselors and certified advisers must also disclose that they are not
27 credentialed to diagnose mental disorders or to conduct psychotherapy
28 as defined by the secretary by rule. The client is not liable for any
29 fees or charges for services rendered prior to receipt of the
30 disclosure statement.

31 **Sec. 8.** RCW 18.19.090 and 1991 c 3 s 24 are each amended to read
32 as follows:

33 (~~The secretary shall issue a registration to any applicant who~~
34 ~~submits, on forms provided by the secretary, the applicant's name,~~
35 ~~address, occupational title, name and location of business, and other~~
36 ~~information as determined by the secretary, including information~~
37 ~~necessary to determine whether there are grounds for denial of~~

1 ~~registration or issuance of a conditional registration under this~~
2 ~~chapter or chapter 18.130 RCW. Applicants for registration shall~~
3 ~~register as counselors or may register as hypnotherapists if employing~~
4 ~~hypnosis as a modality. Applicants shall, in addition, provide in~~
5 ~~their titles a description of their therapeutic orientation,~~
6 ~~discipline, theory, or technique.))~~ (1) Application for agency
7 affiliated counselor, certified counselor, certified adviser, or
8 hypnotherapist must be made on forms approved by the secretary. The
9 secretary may require information necessary to determine whether
10 applicants meet the qualifications for the credential and whether there
11 are any grounds for denial of the credential, or for issuance of a
12 conditional credential, under this chapter or chapter 18.130 RCW. The
13 application for agency affiliated counselor, certified counselor, or
14 certified adviser must include a description of the applicant's
15 orientation, discipline, theory, or technique. Each applicant shall
16 pay a fee determined by the secretary as provided in RCW 43.70.250,
17 which shall accompany the application.

18 (2) Applicants for agency affiliated counselor must provide
19 satisfactory documentation that they are employed by an agency or have
20 an offer of employment from an agency.

21 (3) At the time of application for initial certification,
22 applicants for certified counselor prior to July 1, 2010, are required
23 to:

24 (a) Have been registered for no less than five years at the time of
25 application for an initial certification;

26 (b) Have held a valid, active registration that is in good standing
27 and be in compliance with any disciplinary process and orders at the
28 time of application for an initial certification;

29 (c) Show evidence of having completed course work in risk
30 assessment, ethics, appropriate screening and referral, and Washington
31 state law and other subjects identified by the secretary;

32 (d) Pass an examination in risk assessment, ethics, appropriate
33 screening and referral, and Washington state law, and other subjects as
34 determined by the secretary; and

35 (e) Have a written consultation agreement with a credential holder
36 who meets the qualifications established by the secretary.

37 (4) Unless eligible for certification under subsection (3) of this

1 section, applicants for certified counselor or certified adviser are
2 required to:

3 (a)(i) Have a bachelor's degree in a counseling-related field, if
4 applying for certified counselor; or

5 (ii) Have an associate degree in a counseling-related field and a
6 supervised internship, if applying for certified adviser;

7 (b) Pass an examination in risk assessment, ethics, appropriate
8 screening and referral, and Washington state law, and other subjects as
9 determined by the secretary; and

10 (c) Have a written supervisory agreement with a supervisor who
11 meets the qualifications established by the secretary.

12 (5) Each applicant shall include payment of the fee determined by
13 the secretary as provided in RCW 43.70.250.

14 NEW SECTION. Sec. 9. A new section is added to chapter 18.19 RCW
15 to read as follows:

16 Agency affiliated counselors shall notify the department if they
17 are either no longer employed by the agency identified on their
18 application or are now employed with another agency, or both. Agency
19 affiliated counselors may not engage in the practice of counseling
20 unless they are currently affiliated with an agency.

21 **Sec. 10.** RCW 18.19.100 and 1996 c 191 s 5 are each amended to read
22 as follows:

23 The secretary shall establish administrative procedures,
24 administrative requirements, continuing education, and fees for renewal
25 of (~~registrations~~) credentials as provided in RCW 43.70.250 and
26 43.70.280. When establishing continuing education requirements for
27 agency affiliated counselors, the secretary shall consult with the
28 appropriate state agency director responsible for licensing,
29 certifying, or operating the relevant agency practice setting.

30 **Sec. 11.** RCW 18.225.010 and 2001 c 251 s 1 are each amended to
31 read as follows:

32 (~~Unless the context clearly requires otherwise,~~) The definitions
33 in this section apply throughout this chapter unless the context
34 clearly requires otherwise.

1 (1) "Advanced social work" means the application of social work
2 theory and methods including emotional and biopsychosocial assessment,
3 psychotherapy under the supervision of a licensed independent clinical
4 social worker, case management, consultation, advocacy, counseling, and
5 community organization.

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

10 (3) "Associate" means a prelicensure candidate who has a graduate
11 degree in a mental health field under RCW 18.225.090 and is gaining the
12 supervision and supervised experience necessary to become a licensed
13 independent clinical social worker, a licensed advanced social worker,
14 a licensed mental health counselor, or a licensed marriage and family
15 therapist.

16 (4) "Committee" means the Washington state mental health
17 counselors, marriage and family therapists, and social workers advisory
18 committee.

19 ((+4)) (5) "Department" means the department of health.

20 ((+5)) (6) "Disciplining authority" means the department.

21 ((+6)) (7) "Independent clinical social work" means the diagnosis
22 and treatment of emotional and mental disorders based on knowledge of
23 human development, the causation and treatment of psychopathology,
24 psychotherapeutic treatment practices, and social work practice as
25 defined in advanced social work. Treatment modalities include but are
26 not limited to diagnosis and treatment of individuals, couples,
27 families, groups, or organizations.

28 ((+7)) (8) "Marriage and family therapy" means the diagnosis and
29 treatment of mental and emotional disorders, whether cognitive,
30 affective, or behavioral, within the context of relationships,
31 including marriage and family systems. Marriage and family therapy
32 involves the professional application of psychotherapeutic and family
33 systems theories and techniques in the delivery of services to
34 individuals, couples, and families for the purpose of treating such
35 diagnosed nervous and mental disorders. The practice of marriage and
36 family therapy means the rendering of professional marriage and family
37 therapy services to individuals, couples, and families, singly or in

1 groups, whether such services are offered directly to the general
2 public or through organizations, either public or private, for a fee,
3 monetary or otherwise.

4 ~~((+8))~~ (9) "Mental health counseling" means the application of
5 principles of human development, learning theory, psychotherapy, group
6 dynamics, and etiology of mental illness and dysfunctional behavior to
7 individuals, couples, families, groups, and organizations, for the
8 purpose of treatment of mental disorders and promoting optimal mental
9 health and functionality. Mental health counseling also includes, but
10 is not limited to, the assessment, diagnosis, and treatment of mental
11 and emotional disorders, as well as the application of a wellness model
12 of mental health.

13 ~~((+9))~~ (10) "Secretary" means the secretary of health or the
14 secretary's designee.

15 **Sec. 12.** RCW 18.225.020 and 2001 c 251 s 2 are each amended to
16 read as follows:

17 A person must not represent himself or herself as a licensed
18 advanced social worker, a licensed independent clinical social worker,
19 a licensed mental health counselor, ~~((+))~~ a licensed marriage and
20 family therapist, a licensed social work associate--advanced, a
21 licensed social work associate--independent clinical, a licensed mental
22 health counselor associate, or a licensed marriage and family therapist
23 associate, without being licensed by the department.

24 NEW SECTION. **Sec. 13.** A new section is added to chapter 18.225
25 RCW to read as follows:

26 (1) The secretary shall issue an associate license to any applicant
27 who demonstrates to the satisfaction of the secretary that the
28 applicant meets the following requirements for the applicant's practice
29 area and submits a declaration that the applicant is working toward
30 full licensure in that category:

31 (a) Licensed social worker associate--advanced or licensed social
32 worker associate--independent clinical: Graduation from a master's
33 degree or doctoral degree educational program in social work accredited
34 by the council on social work education and approved by the secretary
35 based upon nationally recognized standards.

1 (b) Licensed mental health counselor associate: Graduation from a
2 master's degree or doctoral degree educational program in mental health
3 counseling or a related discipline from a college or university
4 approved by the secretary based upon nationally recognized standards.

5 (c) Licensed marriage and family therapist associate: Graduation
6 from a master's degree or doctoral degree educational program in
7 marriage and family therapy or graduation from an educational program
8 in an allied field equivalent to a master's degree or doctoral degree
9 in marriage and family therapy approved by the secretary based upon
10 nationally recognized standards.

11 (2) Associates may not provide independent social work, mental
12 health counseling, or marriage and family therapy for a fee, monetary
13 or otherwise. Associates must work under the supervision of an
14 approved supervisor.

15 (3) Associates shall provide each client or patient, during the
16 first professional contact, with a disclosure form according to RCW
17 18.225.100, disclosing that he or she is an associate under the
18 supervision of an approved supervisor.

19 (4) The department shall adopt by rule what constitutes adequate
20 proof of compliance with the requirements of this section.

21 (5) Applicants are subject to the denial of a license or issuance
22 of a conditional license for the reasons set forth in chapter 18.130
23 RCW.

24 (6) An associate license may be renewed no more than four times.

25 **Sec. 14.** RCW 18.225.150 and 2001 c 251 s 15 are each amended to
26 read as follows:

27 The secretary shall establish by rule the procedural requirements
28 and fees for renewal of a license or associate license. Failure to
29 renew shall invalidate the license or associate license and all
30 privileges granted by the license. If an associate license has lapsed,
31 the person shall submit an updated declaration, in accordance with
32 rules adopted by the department, that the person is working toward full
33 licensure. If a license has lapsed for a period longer than three
34 years, the person shall demonstrate competence to the satisfaction of
35 the secretary by taking continuing education courses, or meeting other
36 standards determined by the secretary. If an associate license has

1 lapsed, the person shall submit an updated declaration, in accordance
2 with rules adopted by the department, that the person is working toward
3 full licensure.

4 **Sec. 15.** RCW 18.205.020 and 1998 c 243 s 2 are each amended to
5 read as follows:

6 (~~Unless the context clearly requires otherwise,~~) The definitions
7 in this section apply throughout this chapter unless the context
8 clearly requires otherwise.

9 (1) "Certification" means a voluntary process recognizing an
10 individual who qualifies by examination and meets established
11 educational prerequisites, and which protects the title of practice.

12 (2) "Certified chemical dependency professional" means an
13 individual certified in chemical dependency counseling, under this
14 chapter.

15 (3) "Certified chemical dependency professional trainee" means an
16 individual working toward the education and experience requirements for
17 certification as a chemical dependency professional.

18 (4) "Chemical dependency counseling" means employing the core
19 competencies of chemical dependency counseling to assist or attempt to
20 assist an alcohol or drug addicted person to develop and maintain
21 abstinence from alcohol and other mood-altering drugs.

22 (~~(4)~~) (5) "Committee" means the chemical dependency certification
23 advisory committee established under this chapter.

24 (~~(5)~~) (6) "Core competencies of chemical dependency counseling"
25 means competency in the nationally recognized knowledge, skills, and
26 attitudes of professional practice, including assessment and diagnosis
27 of chemical dependency, chemical dependency treatment planning and
28 referral, patient and family education in the disease of chemical
29 dependency, individual and group counseling with alcoholic and drug
30 addicted individuals, relapse prevention counseling, and case
31 management, all oriented to assist alcoholic and drug addicted patients
32 to achieve and maintain abstinence from mood-altering substances and
33 develop independent support systems.

34 (~~(6)~~) (7) "Department" means the department of health.

35 (~~(7)~~) (8) "Health profession" means a profession providing health
36 services regulated under the laws of this state.

1 (~~(8)~~) (9) "Secretary" means the secretary of health or the
2 secretary's designee.

3 **Sec. 16.** RCW 18.205.030 and 2000 c 171 s 41 are each amended to
4 read as follows:

5 No person may represent oneself as a certified chemical dependency
6 professional or certified chemical dependency professional trainee or
7 use any title or description of services of a certified chemical
8 dependency professional or certified chemical dependency professional
9 trainee without applying for certification, meeting the required
10 qualifications, and being certified by the department of health, unless
11 otherwise exempted by this chapter.

12 **Sec. 17.** RCW 18.205.040 and 1998 c 243 s 4 are each amended to
13 read as follows:

14 Nothing in this chapter shall be construed to authorize the use of
15 the title "certified chemical dependency professional" or "certified
16 chemical dependency professional trainee" when treating patients in
17 settings other than programs approved under chapter 70.96A RCW.

18 NEW SECTION. **Sec. 18.** A new section is added to chapter 18.205
19 RCW to read as follows:

20 (1) The secretary shall issue a trainee certificate to any
21 applicant who demonstrates to the satisfaction of the secretary that he
22 or she is working toward the education and experience requirements in
23 RCW 18.205.090.

24 (2) A trainee certified under this section shall submit to the
25 secretary for approval a declaration, in accordance with rules adopted
26 by the department, that he or she is enrolled in an approved education
27 program and actively pursuing the experience requirements in RCW
28 18.205.090. This declaration must be updated with the trainee's annual
29 renewal.

30 (3) A trainee certified under this section may practice only under
31 the supervision of a certified chemical dependency professional. The
32 first fifty hours of any face-to-face client contact must be under
33 direct observation. All remaining experience must be under supervision
34 in accordance with rules adopted by the department.

1 (4) A certified chemical dependency professional trainee provides
2 chemical dependency assessments, counseling, and case management with
3 a state regulated agency and can provide clinical services to patients
4 consistent with his or her education, training, and experience as
5 approved by his or her supervisor.

6 (5) A trainee certification may only be renewed four times.

7 (6) Applicants are subject to denial of a certificate or issuance
8 of a conditional certificate for the reasons set forth in chapter
9 18.130 RCW.

10 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.19 RCW
11 to read as follows:

12 The Washington state certified counselors and hypnotherapist
13 advisory committee is established.

14 (1) The committee is comprised of seven members. Two committee
15 members must be certified counselors or certified advisers. Two
16 committee members must be hypnotherapists. Three committee members
17 must be consumers and represent the public at large and may not hold
18 any mental health care provider license, certification, or
19 registration.

20 (2) Two committee members must be appointed for a term of one year,
21 two committee members must be appointed for a term of two years, and
22 three committee members must be appointed for a term of three years.
23 Subsequent committee members must be appointed for terms of three
24 years. A person may not serve as a committee member for more than two
25 consecutive terms.

26 (3)(a) Each committee member must be a resident of the state of
27 Washington.

28 (b) A committee member may not hold an office in a professional
29 association for their profession.

30 (c) Advisory committee members may not be employed by the state of
31 Washington.

32 (d) Each professional committee member must have been actively
33 engaged in their profession for five years immediately preceding
34 appointment.

35 (e) The consumer committee members must represent the general
36 public and be unaffiliated directly or indirectly with the professions
37 credentialed under this chapter.

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

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

5 (6) Committee members must be compensated in accordance with RCW
6 43.03.240, including travel expenses in carrying out his or her
7 authorized duties in accordance with RCW 43.03.050 and 43.03.060.

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

9 NEW SECTION. **Sec. 20.** To practice counseling, all registered
10 counselors must obtain another health profession credential by July 1,
11 2010. The registered counselor credential is abolished July 1, 2010.

12 NEW SECTION. **Sec. 21.** Sections 1, 2, 7 through 9, and 11 through
13 19 of this act take effect July 1, 2009.

14 NEW SECTION. **Sec. 22.** The department of health may not issue any
15 new registered counselor credentials after July 1, 2009.

16 NEW SECTION. **Sec. 23.** (1) The department of health shall report
17 to the legislature and the governor by December 15, 2011, on:

18 (a) The number of registered counselors who become certified
19 counselors or certified advisers;

20 (b) The number, status, type, and outcome of disciplinary actions
21 involving certified counselors and certified advisers beginning on the
22 effective date of this section; and

23 (c) The state of education equivalency, examination, supervisory,
24 consultation, and continuing education requirements established under
25 this act.

26 (2) The department of health shall also report on cost savings or
27 expenditures to administer the provisions of this act and make
28 recommendations regarding future reports or evaluations.

29 NEW SECTION. **Sec. 24.** If specific funding for the purposes of
30 this act, referencing this act by bill or chapter number, is not
31 provided by June 30, 2008, in the omnibus appropriations act, this act
32 is null and void."

EFFECT: Establishes the profession of certified adviser that is a profession that can only provide private practice counseling services to clients with a global assessment of functioning score over 60. Establishes credentialing standards for certified advisers that includes an associate degree and a supervised internship as well as specific course requirements and supervisory agreements that are the same as certified counselors.

Removes the ability of certified counselors to become credentialed with only an associate degree and requires that they at least have a bachelors degree.

Requires that certified counselors and advisers refer clients with a mental or physical disorder or a global assessment of functioning score of 60 or less to a physician, osteopathic physician, or mental health practitioner instead of recommending that clients with a mental or physical disorder seek diagnosis from an appropriate health care provider.

Limits certified counselors to counseling clients with a global assessment of functioning score of 60 or less only when: (1) Referred by certain licensed professionals and to the extent provided in a plan of treatment designed by the referring professional or (2) the client refused the referral made by the counselor, in writing, and services are provided to the extent authorized in a plan of treatment developed by the counselor with his or her consultant or supervisor.

Removes the requirement that certified counselors and advisers disclose to clients that they cannot treat mental disorders and only requires the disclosure that they cannot diagnose mental disorders or conduct psychotherapy.

Removes the definition of mental disorder which had been defined in relation to a global assessment of functioning score of 60 or less.

Exempts peer counselor training activities from regulation.

Requires the Department of Health to report to the Legislature by December 15, 2011, regarding the number of registered counselors that became certified counselors or certified advisers, disciplinary activities related to these professions, and the state of certification requirements for the professions.

--- END ---