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SENATE BILL 5950

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State of Washington

60th Legislature

2007 Regular Session

By Senator Murray

Read first time 02/08/2007. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to protecting consumers and agency clients by  
2 clarifying the definition of social worker; amending RCW 18.225.010 and  
3 70.124.020; adding a new section to chapter 18.225 RCW; and creating a  
4 new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the public's  
7 interest is best served by receiving social and clinical services from  
8 a professional social worker who abides by a professional code of  
9 ethics, is educated in the field of social work, and is deemed by the  
10 completion of requirements of the social work education and/or  
11 licensing requirements to be a social worker.

12 Social work education provides a unique combination of knowledge,  
13 values, skills, and professional ethics that cannot be obtained through  
14 other educational programs, equipping professional social workers with  
15 the specialized knowledge base necessary for an effective social  
16 services delivery system that cannot be approximated through other  
17 degree programs or on-the-job training.

18 In addition, many professional social workers practice in settings  
19 that do not require licensure and the professional title of social

1 worker is misunderstood or undervalued due to use of the title "social  
2 worker" by persons neither trained nor licensed as a professional  
3 social worker.

4 It is therefore the intent of the legislature to ensure that the  
5 title of "social worker" is defined clearly for mental health consumers  
6 and the clients of public and private agencies.

7 **Sec. 2.** RCW 18.225.010 and 2001 c 251 s 1 are each amended to read  
8 as follows:

9 Unless the context clearly requires otherwise, the definitions in  
10 this section apply throughout this chapter.

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

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

20 (3) "Committee" means the Washington state mental health  
21 counselors, marriage and family therapists, and social workers advisory  
22 committee.

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

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

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

32 (7) "Marriage and family therapy" means the diagnosis and treatment  
33 of mental and emotional disorders, whether cognitive, affective, or  
34 behavioral, within the context of relationships, including marriage and  
35 family systems. Marriage and family therapy involves the professional  
36 application of psychotherapeutic and family systems theories and  
37 techniques in the delivery of services to individuals, couples, and

1 families for the purpose of treating such diagnosed nervous and mental  
2 disorders. The practice of marriage and family therapy means the  
3 rendering of professional marriage and family therapy services to  
4 individuals, couples, and families, singly or in groups, whether such  
5 services are offered directly to the general public or through  
6 organizations, either public or private, for a fee, monetary or  
7 otherwise.

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

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

19 (10) "Social worker" means a person who has met one or more of the  
20 following requirements:

21 (a) Graduation from a bachelor's, master's, or doctorate social  
22 work educational program accredited by the council on social work  
23 education and approved by the secretary based upon nationally  
24 recognized standards; or

25 (b) Is licensed under RCW 18.225.090 as a licensed advanced social  
26 worker or licensed independent clinical social worker.

27 **Sec. 3.** RCW 70.124.020 and 1999 c 176 s 21 are each amended to  
28 read as follows:

29 Unless the context requires otherwise, the definitions in this  
30 section apply throughout this chapter.

31 (1) "Court" means the superior court of the state of Washington.

32 (2) "Law enforcement agency" means the police department, the  
33 director of public safety, or the office of the sheriff.

34 (3) "Practitioner of the healing arts" or "practitioner" means a  
35 person licensed by this state to practice podiatric medicine and  
36 surgery, optometry, pharmacy, physical therapy, chiropractic, nursing,

1 dentistry, osteopathic medicine and surgery, or medicine and surgery.  
2 The term "practitioner" includes a nurse's aide and a duly accredited  
3 Christian Science practitioner.

4 (4) "Department" means the state department of social and health  
5 services.

6 (5) "Social worker" means ~~((anyone engaged in a professional  
7 capacity during the regular course of employment in encouraging or  
8 promoting the health, welfare, support, or education of patients, or  
9 providing social services to patients, whether in an individual  
10 capacity or as an employee or agent of any public or private  
11 organization or institution))~~ a person who has met one or more of the  
12 following requirements:

13 (a) Graduation from a bachelor's, master's, or doctorate social  
14 work educational program accredited by the council on social work  
15 education and approved by the secretary based upon nationally  
16 recognized standards; or

17 (b) Is licensed under RCW 18.225.090 as a licensed advanced social  
18 worker or licensed independent clinical social worker.

19 (6) "Psychologist" means any person licensed to practice psychology  
20 under chapter 18.83 RCW, whether acting in an individual capacity or as  
21 an employee or agent of any public or private organization or  
22 institution.

23 (7) "Pharmacist" means any registered pharmacist under chapter  
24 18.64 RCW, whether acting in an individual capacity or as an employee  
25 or agent of any public or private organization or institution.

26 (8) "Abuse or neglect" or "patient abuse or neglect" means the  
27 nonaccidental physical injury or condition, sexual abuse, or negligent  
28 treatment of a state hospital patient under circumstances which  
29 indicate that the patient's health, welfare, or safety is harmed  
30 thereby.

31 (9) "Negligent treatment" means an act or omission which evinces a  
32 serious disregard of consequences of such magnitude as to constitute a  
33 clear and present danger to the patient's health, welfare, or safety.

34 (10) "State hospital" means any hospital operated and maintained by  
35 the state for the care of the mentally ill under chapter 72.23 RCW.

36 NEW SECTION. Sec. 4. A new section is added to chapter 18.225 RCW  
37 to read as follows:

1           (1) To safeguard the people of the state of Washington from the  
2 dangers of unqualified, unethical, and improper practice of social  
3 work, a person must not represent himself or herself as a social worker  
4 without being qualified as a social worker as defined in this chapter.

5           (2) No public or private agencies or organizations in the state of  
6 Washington shall use the title "social worker" or any form of the title  
7 for volunteer or employment positions or within contracts for services,  
8 documents, manuals, or reference material, effective January 1, 2008,  
9 unless all volunteers or employees in those positions meet the  
10 qualifications of a social worker as defined in this chapter, or were  
11 employed with the title "social worker" on or before the effective date  
12 of this act.

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