

SENATE BILL REPORT

SB 6884

As Reported by Senate Committee On:
Ways & Means, March 19, 2010

Title: An act relating to the practice of counseling.

Brief Description: Concerning the practice of counseling.

Sponsors: Senators Hargrove and Shin.

Brief History:

Committee Activity: Ways & Means: 3/17/10, 3/19/10 [DPS, w/oRec].

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6884 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Hobbs, Honeyford, Keiser, Kline, Kohl-Welles, McDermott, Murray, Parlette, Pflug, Pridemore, Regala, Rockefeller and Schoesler.

Minority Report: That it be referred without recommendation.

Signed by Senator Fairley.

Staff: Richard Ramsey (786-7412)

Background: In 2008 legislation was enacted which required registered counselors to obtain another health profession credential by July 1, 2010, in order to continue to practice counseling. The new law created several new categories of credentialed counselors. One of the new categories of counselor is the agency affiliated counselor. Agency affiliated counselors are registered health professionals who engage in counseling and are employed by an agency. Agency means an agency or facility operated, licensed, or certified by the state of Washington. Applicants for registration as an agency-affiliated counselor must provide documentation of their employment with an agency or an offer of employment.

Certain counseling practices are exempt from this counseling credential requirement: other credentialed professions practicing within their scope of practice, attorneys admitted to practice in Washington, counseling employees of federal agencies, trainees or students under

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supervision, counselors under the auspices of a religious denomination, and peer counselors and those who train them.

It is unclear which one of the counseling categories, created in the law enacted in 2008, employees of the juvenile courts who counsel families and juveniles are required to be credentialed under. However, they are not specifically exempt from the requirements established in 18.19 RCW.

Summary of Bill (Recommended Substitute): Juvenile probation officers and juvenile court employees who provide evidence based programs approved by the juvenile rehabilitation administration are defined as agency affiliated counselors. This means they must meet any requirements as set in rules developed by the Department of Health in collaboration with the county that employs them and the juvenile rehabilitation administration of the Department of Social and Health Services.

The act takes effect immediately.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Substitute): The original bill provided for the juvenile probation officers and juvenile court employees to be temporarily exempt from the credentialing requirements of the statute until the end of the 2009-2011 biennium. Instead, juvenile probation officers and juvenile court employees who provide evidence based programs approved by the juvenile rehabilitation administration are defined as agency affiliated counselors. This means they must meet any requirements as set in rules developed by the Department of Health in collaboration with the county that employs them and the juvenile rehabilitation administration of the Department of Social and Health Services.

The act takes effect immediately.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Original Bill: PRO: Juvenile courts deliver successful programs in aggression replacement therapy and functional family therapy but probation officers aren't credentialed. If they are prohibited from practicing we'll be in a "catch-22" where the juvenile courts will not be able to deliver on the Legislature's expectations of kids in treatment. The juvenile courts participate in ongoing quality assurance for their probation officers counseling activities. This bill is a temporary fix to determine how the juvenile court counselors should be covered by Chapter 18.19 RCW.

Persons Testifying: PRO: Tom McBride; Craig Daly, Juvenile Court Administrators Association; Judge Gordon Godfrey, Superior Court Judges Association.