
HOUSE BILL 2803

State of Washington 61st Legislature 2010 Regular Session

By Representatives Clibborn, Cody, and Wallace

Read first time 01/14/10. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to certification for speech-language pathology
2 assistants; amending RCW 18.35.161; amending 2009 c 301 s 11
3 (uncodified); reenacting and amending RCW 18.130.040, 18.130.040, and
4 18.130.040; providing effective dates; and providing expiration dates.

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

6 **Sec. 1.** RCW 18.130.040 and 2009 c 301 s 8 and 2009 c 52 s 1 are
7 each reenacted and amended to read as follows:

8 (1) This chapter applies only to the secretary and the boards and
9 commissions having jurisdiction in relation to the professions licensed
10 under the chapters specified in this section. This chapter does not
11 apply to any business or profession not licensed under the chapters
12 specified in this section.

13 (2)(a) The secretary has authority under this chapter in relation
14 to the following professions:

- 15 (i) Dispensing opticians licensed and designated apprentices under
16 chapter 18.34 RCW;
- 17 (ii) Naturopaths licensed under chapter 18.36A RCW;
- 18 (iii) Midwives licensed under chapter 18.50 RCW;
- 19 (iv) Ocularists licensed under chapter 18.55 RCW;

1 (v) Massage operators and businesses licensed under chapter 18.108
2 RCW;

3 (vi) Dental hygienists licensed under chapter 18.29 RCW;

4 (vii) Acupuncturists licensed under chapter 18.06 RCW;

5 (viii) Radiologic technologists certified and X-ray technicians
6 registered under chapter 18.84 RCW;

7 (ix) Respiratory care practitioners licensed under chapter 18.89
8 RCW;

9 (x) Counselors, hypnotherapists, and agency affiliated counselors
10 registered and advisors and counselors certified under chapter 18.19
11 RCW;

12 (xi) Persons licensed as mental health counselors, mental health
13 counselor associates, marriage and family therapists, marriage and
14 family therapist associates, social workers, social work associates--
15 advanced, and social work associates--independent clinical under
16 chapter 18.225 RCW;

17 (xii) Persons registered as nursing pool operators under chapter
18 18.52C RCW;

19 (xiii) Nursing assistants registered or certified under chapter
20 18.88A RCW;

21 (xiv) Health care assistants certified under chapter 18.135 RCW;

22 (xv) Dietitians and nutritionists certified under chapter 18.138
23 RCW;

24 (xvi) Chemical dependency professionals and chemical dependency
25 professional trainees certified under chapter 18.205 RCW;

26 (xvii) Sex offender treatment providers and certified affiliate sex
27 offender treatment providers certified under chapter 18.155 RCW;

28 (xviii) Persons licensed and certified under chapter 18.73 RCW or
29 RCW 18.71.205;

30 (xix) Denturists licensed under chapter 18.30 RCW;

31 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

32 (xxi) Surgical technologists registered under chapter 18.215 RCW;

33 (xxii) Recreational therapists;

34 (xxiii) Animal massage practitioners certified under chapter 18.240
35 RCW;

36 (xxiv) Athletic trainers licensed under chapter 18.250 RCW; and

37 (xxv) Home care aides certified under chapter 18.88B RCW(~~+~~and

1 ~~(xxvi) Speech language pathology assistants certified under chapter~~
2 ~~18.35 RCW~~)).

3 (b) The boards and commissions having authority under this chapter
4 are as follows:

5 (i) The podiatric medical board as established in chapter 18.22
6 RCW;

7 (ii) The chiropractic quality assurance commission as established
8 in chapter 18.25 RCW;

9 (iii) The dental quality assurance commission as established in
10 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and
11 licenses and registrations issued under chapter 18.260 RCW;

12 (iv) The board of hearing and speech as established in chapter
13 18.35 RCW;

14 (v) The board of examiners for nursing home administrators as
15 established in chapter 18.52 RCW;

16 (vi) The optometry board as established in chapter 18.54 RCW
17 governing licenses issued under chapter 18.53 RCW;

18 (vii) The board of osteopathic medicine and surgery as established
19 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
20 18.57A RCW;

21 (viii) The board of pharmacy as established in chapter 18.64 RCW
22 governing licenses issued under chapters 18.64 and 18.64A RCW;

23 (ix) The medical quality assurance commission as established in
24 chapter 18.71 RCW governing licenses and registrations issued under
25 chapters 18.71 and 18.71A RCW;

26 (x) The board of physical therapy as established in chapter 18.74
27 RCW;

28 (xi) The board of occupational therapy practice as established in
29 chapter 18.59 RCW;

30 (xii) The nursing care quality assurance commission as established
31 in chapter 18.79 RCW governing licenses and registrations issued under
32 that chapter;

33 (xiii) The examining board of psychology and its disciplinary
34 committee as established in chapter 18.83 RCW; and

35 (xiv) The veterinary board of governors as established in chapter
36 18.92 RCW.

37 (3) In addition to the authority to discipline license holders, the

1 disciplining authority has the authority to grant or deny licenses.
2 The disciplining authority may also grant a license subject to
3 conditions.

4 (4) All disciplining authorities shall adopt procedures to ensure
5 substantially consistent application of this chapter, the Uniform
6 Disciplinary Act, among the disciplining authorities listed in
7 subsection (2) of this section.

8 **Sec. 2.** RCW 18.130.040 and 2009 c 301 s 8 and 2009 c 52 s 2 are
9 each reenacted and amended to read as follows:

10 (1) This chapter applies only to the secretary and the boards and
11 commissions having jurisdiction in relation to the professions licensed
12 under the chapters specified in this section. This chapter does not
13 apply to any business or profession not licensed under the chapters
14 specified in this section.

15 (2)(a) The secretary has authority under this chapter in relation
16 to the following professions:

17 (i) Dispensing opticians licensed and designated apprentices under
18 chapter 18.34 RCW;

19 (ii) Naturopaths licensed under chapter 18.36A RCW;

20 (iii) Midwives licensed under chapter 18.50 RCW;

21 (iv) Ocularists licensed under chapter 18.55 RCW;

22 (v) Massage operators and businesses licensed under chapter 18.108
23 RCW;

24 (vi) Dental hygienists licensed under chapter 18.29 RCW;

25 (vii) Acupuncturists licensed under chapter 18.06 RCW;

26 (viii) Radiologic technologists certified and X-ray technicians
27 registered under chapter 18.84 RCW;

28 (ix) Respiratory care practitioners licensed under chapter 18.89
29 RCW;

30 (x) Hypnotherapists and agency affiliated counselors registered and
31 advisors and counselors certified under chapter 18.19 RCW;

32 (xi) Persons licensed as mental health counselors, mental health
33 counselor associates, marriage and family therapists, marriage and
34 family therapist associates, social workers, social work associates--
35 advanced, and social work associates--independent clinical under
36 chapter 18.225 RCW;

1 (xii) Persons registered as nursing pool operators under chapter
2 18.52C RCW;

3 (xiii) Nursing assistants registered or certified under chapter
4 18.88A RCW;

5 (xiv) Health care assistants certified under chapter 18.135 RCW;

6 (xv) Dietitians and nutritionists certified under chapter 18.138
7 RCW;

8 (xvi) Chemical dependency professionals and chemical dependency
9 professional trainees certified under chapter 18.205 RCW;

10 (xvii) Sex offender treatment providers and certified affiliate sex
11 offender treatment providers certified under chapter 18.155 RCW;

12 (xviii) Persons licensed and certified under chapter 18.73 RCW or
13 RCW 18.71.205;

14 (xix) Denturists licensed under chapter 18.30 RCW;

15 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

16 (xxi) Surgical technologists registered under chapter 18.215 RCW;

17 (xxii) Recreational therapists;

18 (xxiii) Animal massage practitioners certified under chapter 18.240
19 RCW;

20 (xxiv) Athletic trainers licensed under chapter 18.250 RCW; and
21 (xxv) Home care aides certified under chapter 18.88B RCW(~~+~~and
22 ~~(xxvi) Speech language pathology assistants certified under chapter~~
23 ~~18.35 RCW~~)).

24 (b) The boards and commissions having authority under this chapter
25 are as follows:

26 (i) The podiatric medical board as established in chapter 18.22
27 RCW;

28 (ii) The chiropractic quality assurance commission as established
29 in chapter 18.25 RCW;

30 (iii) The dental quality assurance commission as established in
31 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and
32 licenses and registrations issued under chapter 18.260 RCW;

33 (iv) The board of hearing and speech as established in chapter
34 18.35 RCW;

35 (v) The board of examiners for nursing home administrators as
36 established in chapter 18.52 RCW;

37 (vi) The optometry board as established in chapter 18.54 RCW
38 governing licenses issued under chapter 18.53 RCW;

1 (vii) The board of osteopathic medicine and surgery as established
2 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
3 18.57A RCW;

4 (viii) The board of pharmacy as established in chapter 18.64 RCW
5 governing licenses issued under chapters 18.64 and 18.64A RCW;

6 (ix) The medical quality assurance commission as established in
7 chapter 18.71 RCW governing licenses and registrations issued under
8 chapters 18.71 and 18.71A RCW;

9 (x) The board of physical therapy as established in chapter 18.74
10 RCW;

11 (xi) The board of occupational therapy practice as established in
12 chapter 18.59 RCW;

13 (xii) The nursing care quality assurance commission as established
14 in chapter 18.79 RCW governing licenses and registrations issued under
15 that chapter;

16 (xiii) The examining board of psychology and its disciplinary
17 committee as established in chapter 18.83 RCW; and

18 (xiv) The veterinary board of governors as established in chapter
19 18.92 RCW.

20 (3) In addition to the authority to discipline license holders, the
21 disciplining authority has the authority to grant or deny licenses.
22 The disciplining authority may also grant a license subject to
23 conditions.

24 (4) All disciplining authorities shall adopt procedures to ensure
25 substantially consistent application of this chapter, the Uniform
26 Disciplinary Act, among the disciplining authorities listed in
27 subsection (2) of this section.

28 **Sec. 3.** RCW 18.130.040 and 2009 c 302 s 14, 2009 c 301 s 8, and
29 2009 c 52 s 2 are each reenacted and amended to read as follows:

30 (1) This chapter applies only to the secretary and the boards and
31 commissions having jurisdiction in relation to the professions licensed
32 under the chapters specified in this section. This chapter does not
33 apply to any business or profession not licensed under the chapters
34 specified in this section.

35 (2)(a) The secretary has authority under this chapter in relation
36 to the following professions:

1 (i) Dispensing opticians licensed and designated apprentices under
2 chapter 18.34 RCW;

3 (ii) Naturopaths licensed under chapter 18.36A RCW;

4 (iii) Midwives licensed under chapter 18.50 RCW;

5 (iv) Ocularists licensed under chapter 18.55 RCW;

6 (v) Massage operators and businesses licensed under chapter 18.108
7 RCW;

8 (vi) Dental hygienists licensed under chapter 18.29 RCW;

9 (vii) Acupuncturists licensed under chapter 18.06 RCW;

10 (viii) Radiologic technologists certified and X-ray technicians
11 registered under chapter 18.84 RCW;

12 (ix) Respiratory care practitioners licensed under chapter 18.89
13 RCW;

14 (x) Hypnotherapists and agency affiliated counselors registered and
15 advisors and counselors certified under chapter 18.19 RCW;

16 (xi) Persons licensed as mental health counselors, mental health
17 counselor associates, marriage and family therapists, marriage and
18 family therapist associates, social workers, social work associates--
19 advanced, and social work associates--independent clinical under
20 chapter 18.225 RCW;

21 (xii) Persons registered as nursing pool operators under chapter
22 18.52C RCW;

23 (xiii) Nursing assistants registered or certified under chapter
24 18.88A RCW;

25 (xiv) Health care assistants certified under chapter 18.135 RCW;

26 (xv) Dietitians and nutritionists certified under chapter 18.138
27 RCW;

28 (xvi) Chemical dependency professionals and chemical dependency
29 professional trainees certified under chapter 18.205 RCW;

30 (xvii) Sex offender treatment providers and certified affiliate sex
31 offender treatment providers certified under chapter 18.155 RCW;

32 (xviii) Persons licensed and certified under chapter 18.73 RCW or
33 RCW 18.71.205;

34 (xix) Denturists licensed under chapter 18.30 RCW;

35 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

36 (xxi) Surgical technologists registered under chapter 18.215 RCW;

37 (xxii) Recreational therapists;

1 (xxiii) Animal massage practitioners certified under chapter 18.240
2 RCW;

3 (xxiv) Athletic trainers licensed under chapter 18.250 RCW;

4 (xxv) Home care aides certified under chapter 18.88B RCW; and
5 (xxvi) (~~Speech language pathology assistants certified under~~
6 ~~chapter 18.35 RCW; and~~
7 ~~(xxvii))~~) Genetic counselors licensed under chapter 18.290 RCW.

8 (b) The boards and commissions having authority under this chapter
9 are as follows:

10 (i) The podiatric medical board as established in chapter 18.22
11 RCW;

12 (ii) The chiropractic quality assurance commission as established
13 in chapter 18.25 RCW;

14 (iii) The dental quality assurance commission as established in
15 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and
16 licenses and registrations issued under chapter 18.260 RCW;

17 (iv) The board of hearing and speech as established in chapter
18 18.35 RCW;

19 (v) The board of examiners for nursing home administrators as
20 established in chapter 18.52 RCW;

21 (vi) The optometry board as established in chapter 18.54 RCW
22 governing licenses issued under chapter 18.53 RCW;

23 (vii) The board of osteopathic medicine and surgery as established
24 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
25 18.57A RCW;

26 (viii) The board of pharmacy as established in chapter 18.64 RCW
27 governing licenses issued under chapters 18.64 and 18.64A RCW;

28 (ix) The medical quality assurance commission as established in
29 chapter 18.71 RCW governing licenses and registrations issued under
30 chapters 18.71 and 18.71A RCW;

31 (x) The board of physical therapy as established in chapter 18.74
32 RCW;

33 (xi) The board of occupational therapy practice as established in
34 chapter 18.59 RCW;

35 (xii) The nursing care quality assurance commission as established
36 in chapter 18.79 RCW governing licenses and registrations issued under
37 that chapter;

1 (xiii) The examining board of psychology and its disciplinary
2 committee as established in chapter 18.83 RCW; and

3 (xiv) The veterinary board of governors as established in chapter
4 18.92 RCW.

5 (3) In addition to the authority to discipline license holders, the
6 disciplining authority has the authority to grant or deny licenses.
7 The disciplining authority may also grant a license subject to
8 conditions.

9 (4) All disciplining authorities shall adopt procedures to ensure
10 substantially consistent application of this chapter, the Uniform
11 Disciplinary Act, among the disciplining authorities listed in
12 subsection (2) of this section.

13 **Sec. 4.** RCW 18.35.161 and 2002 c 310 s 16 are each amended to read
14 as follows:

15 The board shall have the following powers and duties:

16 (1) To establish by rule such minimum standards and procedures in
17 the fitting and dispensing of hearing instruments as deemed appropriate
18 and in the public interest;

19 (2) To adopt any other rules necessary to implement this chapter
20 and which are not inconsistent with it;

21 (3) To develop, approve, and administer or supervise the
22 administration of examinations to applicants for licensure under this
23 chapter;

24 (4) To require a licensee or interim permit holder to make
25 restitution to any individual injured by a violation of this chapter or
26 chapter 18.130 RCW, the uniform disciplinary act. The authority to
27 require restitution does not limit the board's authority to take other
28 action deemed appropriate and provided for in this chapter or chapter
29 18.130 RCW;

30 (5) To pass upon the qualifications of applicants for licensure or
31 interim permits and to certify to the secretary;

32 (6) To recommend requirements for continuing education and
33 continuing competency requirements as a prerequisite to renewing a
34 license or certification under this chapter;

35 (7) To keep an official record of all its proceedings. The record
36 is evidence of all proceedings of the board that are set forth in this
37 record;

1 (8) To adopt rules, if the board finds it appropriate, in response
2 to questions put to it by professional health associations, hearing
3 instrument fitter/dispensers or audiologists, speech-language
4 pathologists, interim permit holders, and consumers in this state; and

5 (9) To adopt rules relating to standards of care relating to
6 hearing instrument fitter/dispensers or audiologists, including the
7 dispensing of hearing instruments, and relating to speech-language
8 pathologists, including dispensing of communication devices.

9 **Sec. 5.** 2009 c 301 s 11 (uncodified) is amended to read as
10 follows:

11 An applicant for certification as a speech-language pathology
12 assistant may meet the requirements for certification as a speech-
13 language pathology assistant if, within one year of July (~~26, 2009~~)
14 1, 2010, he or she submits a competency checklist to the board of
15 hearing and speech, and is employed under the supervision of a speech-
16 language pathologist for at least six hundred hours within the last
17 three years as defined by the board by rule.

18 NEW SECTION. **Sec. 6.** Section 1 of this act expires July 1, 2010.

19 NEW SECTION. **Sec. 7.** Section 2 of this act takes effect July 1,
20 2010.

21 NEW SECTION. **Sec. 8.** Section 2 of this act expires August 1,
22 2010.

23 NEW SECTION. **Sec. 9.** Section 3 of this act takes effect August 1,
24 2010.

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