

# SENATE BILL REPORT

## SB 6328

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As of January 30, 2012

**Title:** An act relating to the creation of a retired active license for mental health professionals.

**Brief Description:** Creating a retired active license for mental health professionals.

**Sponsors:** Senators Conway, Hargrove, Regala, Harper, Stevens and McAuliffe.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/26/12.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Kevin Black (786-7747)

**Background:** The Department of Health (DOH) licenses practitioners in the fields of mental health counseling, marriage and family therapy, and social work. The license framework provides for competency requirements, disciplinary procedures, continuing education requirements, and a licensing fee.

A retired active license is a license from DOH which permits a health care professional to practice in emergent or intermittent circumstances for a reduced license renewal fee. Emergent or intermittent circumstances are defined by rule to mean practice for no more than 90 days each year or practice during emergency circumstances such as earthquakes, floods, times of declared war, or other states of emergency. The holder of such a license must meet continuing education or competency requirements established by the disciplinary authority.

No specific rules exist currently that would permit a retired active license to be issued for a mental health counselor, marriage and family therapist, or social worker. DOH has recently refused requests to promulgate such rules based on a declared moratorium on new rulemaking.

**Summary of Bill:** DOH may issue a retired active license to any mental health counselor, marriage and family therapist, licensed advanced social worker, or licensed independent social worker who holds an active license or has held an active license within ten years of applying for a retired active license.

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A mental health counselor, marriage and family therapist, licensed advanced social worker, or licensed independent clinical social worker who obtains a retired active license is exempt from continuing education or competency requirements.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2012.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Retired mental health professionals have been working with DOH to establish a retired active license. The roadblock to accomplishing this has been restraints on rulemaking. There is a shortage of volunteers who are mental health professionals to help with disasters. Retired professionals are a strong source of volunteers, but don't want to keep up with continuing education requirements and lose their professional license, which is a requirement for the volunteer work. Retired professionals don't need continuing education.

**Persons Testifying:** PRO: Senator Conway, prime sponsor; Walt Huber, retired social worker; Patrick Nagle, retired counselor; Gerald Anderson, therapist.