

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1939**

62nd Legislature  
2011 Regular Session

Passed by the House March 3, 2011  
Yeas 80 Nays 17

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**Speaker of the House of Representatives**

Passed by the Senate April 5, 2011  
Yeas 41 Nays 6

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1939** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1939

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Passed Legislature - 2011 Regular Session

State of Washington

62nd Legislature

2011 Regular Session

By Representative Appleton

1 AN ACT Relating to defining federally recognized tribes as agencies  
2 for purposes of agency-affiliated counselors; and amending RCW  
3 18.19.020.

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

5 **Sec. 1.** RCW 18.19.020 and 2010 1st sp.s. c 20 s 1 are each amended  
6 to read as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Agency" means (a) an agency or facility operated, licensed, or  
10 certified by the state of Washington (~~(or)~~); (b) a federally recognized  
11 Indian tribe located within the state; or (c) a county.

12 (2) "Agency affiliated counselor" means a person registered under  
13 this chapter who is engaged in counseling and employed by an agency.  
14 "Agency affiliated counselor" includes juvenile probation counselors  
15 who are employees of the juvenile court under RCW 13.04.035 and  
16 13.04.040 and juvenile court employees providing functional family  
17 therapy, aggression replacement training, or other evidence-based  
18 programs approved by the juvenile rehabilitation administration of the  
19 department of social and health services.

1 (3) "Certified adviser" means a person certified under this chapter  
2 who is engaged in private practice counseling to the extent authorized  
3 in RCW 18.19.200.

4 (4) "Certified counselor" means a person certified under this  
5 chapter who is engaged in private practice counseling to the extent  
6 authorized in RCW 18.19.200.

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

9 (6) "Counseling" means employing any therapeutic techniques,  
10 including but not limited to social work, mental health counseling,  
11 marriage and family therapy, and hypnotherapy, for a fee that offer,  
12 assist or attempt to assist an individual or individuals in the  
13 amelioration or adjustment of mental, emotional, or behavioral  
14 problems, and includes therapeutic techniques to achieve sensitivity  
15 and awareness of self and others and the development of human  
16 potential. For the purposes of this chapter, nothing may be construed  
17 to imply that the practice of hypnotherapy is necessarily limited to  
18 counseling.

19 (7) "Counselor" means an individual, practitioner, therapist, or  
20 analyst who engages in the practice of counseling to the public for a  
21 fee, including for the purposes of this chapter, hypnotherapists.

22 (8) "Department" means the department of health.

23 (9) "Hypnotherapist" means a person registered under this chapter  
24 who is practicing hypnosis as a modality.

25 (10) "Private practice counseling" means the practice of counseling  
26 by a certified counselor or certified adviser as specified in RCW  
27 18.19.200.

28 (11) "Psychotherapy" means the practice of counseling using  
29 diagnosis of mental disorders according to the fourth edition of the  
30 diagnostic and statistical manual of mental disorders, published in  
31 1994, and the development of treatment plans for counseling based on  
32 diagnosis of mental disorders in accordance with established practice  
33 standards.

34 (12) "Secretary" means the secretary of the department or the  
35 secretary's designee.

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