

# SENATE BILL REPORT

## SB 5681

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As of February 18, 2013

**Title:** An act relating to facilitating treatment for persons with co- occurring disorders by requiring development of an integrated rule.

**Brief Description:** Facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule.

**Sponsors:** Senators Rolfes and Keiser.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/18/13.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

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

**Background:** The Department of Social and Health Services (DSHS) licenses and performs certification audits for service providers in the fields of mental health and chemical dependency. Minimum standards for the certification of agencies and facilities that provide these services are established in the Washington Administrative Code. The minimum standards that apply to providers in the chemical dependency and mental health fields differ in various ways.

In the past, agencies and facilities that provide simultaneous mental health and chemical dependency to clients with co-occurring chemical dependency and mental health disorders sometimes faced the burden of having to comply simultaneously with multiple regulatory schemes. Some providers of treatment to persons with co-occurring disorders in Washington received waivers from DSHS that allow the provider to comply with only one set of regulations with respect to these clients as long as certain other standards are met.

Following a stakeholder process, DSHS proposed a new set of regulations in late 2012 that are currently undergoing public comment and review. These proposed regulations would consolidate and standardize many of the rules applicable to mental health and chemical dependency providers, but do not go as far as providing a single, consistent body of rules applicable to providers of simultaneous mental health and chemical dependency treatment to clients with co-occurring chemical dependency and mental health disorders.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** DSHS must develop a fully integrated rule that would permit an agency providing co-occurring treatment for chemical dependency and mental health disorders to follow one set of administrative code to facilitate the streamlined and blended provision of these services.

Any licensed mental health agency that has a waiver from DSHS exempting the agency from chemical dependency rules for services provided to patients with co-occurring mental health and chemical dependency disorders as of January 1, 2013, may request and must receive a three-year renewal of the waiver if the integrated rule is not in effect by May 1, 2014.

DSHS must report its progress to the Governor and Legislature by December 31, 2013.

**Appropriation:** None.

**Fiscal Note:** Available.

**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: This is a good solution that will save time and money and clear out red tape for providers who are providing innovative services in Washington. This bill solidifies a regulatory waiver that helps deliver efficient, appropriate services to persons with co-occurring disorders. Our treatment model represents a best practice that should be replicated on a national level. Increased staff efficiencies mean better treatment plans, more client-directed services, and less time spent on paperwork. Failure to pass this bill would put all the progressive innovation achieved over years at risk.

OTHER: We support solidifying the waiver for providers of treatment to persons with co-occurring disorders, but believe that it is premature to mandate fully integrated rules. We are still working to perfect the simplification of administrative rules. The proposed rule is controversial.

**Persons Testifying:** PRO: Senator Rolfes, prime sponsor; Joe Roszak, Kitsap Mental Health Services.

OTHER: Melissa Johnson, Assn. of Alcoholism & Addictions Programs.