

HOUSE BILL REPORT

HB 1888

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to transferring certification responsibilities for chemical dependency treatment programs from the department of social and health services to the department of health.

Brief Description: Transferring certification responsibilities for chemical dependency treatment programs from the department of social and health services to the department of health.

Sponsors: Representatives Dent, Kagi, McCabe, Haler, Manweller, Fagan, Walsh, Farrell, Johnson, Van Werven, Moeller and Buys.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/13/15, 2/3/16, 2/5/16 [DPS].

Brief Summary of Substitute Bill

- Transfers to the Department of Health all responsibilities of the Department of Social and Health Services regarding certification of chemical dependency treatment programs.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Kagi, Chair; Senn, Vice Chair; Walsh, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Hawkins, Kilduff, McCaslin, Ortiz-Self, Sawyer, Scott and Walkinshaw.

Staff: Ashley Paintner (786-7120).

Background:

The Department of Health.

The Department of Health (DOH) is the primary agency responsible for statewide public health activities. These activities include epidemiology, health professions and facilities

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regulation, health promotion, disease and injury prevention, and environmental health monitoring and assessment. Each of these activities includes various programs to address particular health concerns. The health facilities that the DOH regulates include hospitals, ambulatory surgical facilities, and residential treatment facilities.

Certification of Chemical Dependency Treatment Programs.

All programs that provide chemical dependency treatment must obtain certification from the Department of Social and Health Services (DSHS). Chemical dependency treatment programs provide for the care, treatment, or rehabilitation of people with substance use disorders. These programs may either be public or private entities. A program must be certified by the DSHS for each of the chemical dependency services that it provides. These chemical dependency services may include: detoxification services, residential treatment services, outpatient treatment services, assessment services, and information and assistance services.

While the DSHS is responsible for certifying services for all chemical dependency treatment programs, residential treatment programs are also required to be licensed by the DOH as a residential treatment facility. Residential treatment facilities that plan to change the number of DOH licensed beds, undergo a remodel of their facility, or to relocate the facility must get approval from the DOH before relocation or remodeling.

Summary of Substitute Bill:

Transfer of Responsibilities to the Department of Health.

All of the responsibilities of the DSHS regarding certification of chemical dependency treatment programs are transferred to the DOH. The DOH will adopt rules establishing standards for treatment programs and develop an application form for applicants to obtain an initial certification to operate a treatment program or to renew a certification. The DOH may deem a public or private treatment program to have met the certification standards if the treatment program provides proof of accreditation by an organization that has standards substantially equivalent to those of the DOH. Treatment programs that have already been approved by the Division of Behavioral Health and Recovery are subject to inspection by the DOH upon renewal. Upon the expiration of the certification of a treatment program approved by the DSHS, the treatment program must apply to the Secretary of Health for renewal of the certification. In adopting rules to implement the provisions of the bill, the Secretary of Health must consider rules already adopted by the DSHS.

Responsibility Retained by the Department of Social and Health Services.

The responsibilities regarding alcohol and substance abuse treatment other than the certification of treatment providers remains with the DSHS.

Effective Dates.

As of July 1, 2017, the DSHS will no longer issue new or renewal certifications to treatment programs. Until July 1, 2018, the DOH must recognize the unexpired certification of a treatment program issued by the DSHS. The transfer of the responsibility of the certification of chemical dependency treatment programs takes effect July 1, 2017.

Substitute Bill Compared to Original Bill:

The substitute bill delays the implementation dates by one year.

Appropriation: None.

Fiscal Note: Requested on January 27, 2016.

Effective Date of Substitute Bill: The bill takes effect on July 1, 2017.

Staff Summary of Public Testimony:

(In support) It is important to keep our treatment centers intact to serve individuals suffering with chemical dependency issues. The bill provides much-needed certainty for providers and their patients by consolidating all chemical dependency licensure and certification functions under a single state agency, the DOH. Additionally, it ensures a baseline of quality care and access to treatment throughout the challenges and future benefits of integration. Currently, the DSHS certifies chemical dependency programs, but the rest of the chemical dependency world is regulated by the DOH.

(Opposed) The bill would needlessly complicate complying with regulations from two different agencies for agencies licensed to provide both community mental health services and substance use disorder services. Currently, the DSHS licenses both mental health and substance use disorder services. House Bill 1713 may provide more efficient and streamlined licensing, but this bill actually goes in the opposite direction by adding another state agency in the mix. The DSHS licenses over 500 substance use disorder treatment facilities in Washington. Of these 500 facilities, 44 agencies have a dual licensure situation because they provide inpatient chemical dependency treatment.

(Other) The DOH licenses 44 residential treatment facilities but doesn't license any outpatient facilities. Although the bill would remove the dual-licensing requirements for these 44 programs, it would create a dual-licensure situation for approximately 200 facilities that provide both community mental health and substance use disorder services.

Persons Testifying: (In support) Representative Dent, prime sponsor; Scott Munson, Sundown M Ranch; Carl Kester, Lakeside-Milam Recovery Centers; and Ken Stark.

(Opposed) Joe Roszak, Kitsap Mental Health Services; and Carla Reyes, Department of Social and Health Services.

(Other) Martin Mueller, Department of Health.

Persons Signed In To Testify But Not Testifying: None.