

SENATE BILL REPORT

ESHB 1340

As Reported by Senate Committee On:
Health Care, March 28, 2017

Title: An act relating to modernizing substance use disorder professional practice.

Brief Description: Modernizing substance use disorder professional practice.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Harris, Jinkins, Johnson, Robinson and Tharinger).

Brief History: Passed House: 3/02/17, 63-35.

Committee Activity: Health Care: 3/21/17, 3/28/17 [DPA, DNP, w/oRec].

Brief Summary of Amended Bill

- Renames chemical dependency professionals to substance use disorder professionals.
- Provides that substance use disorder counseling includes diagnosis of substance use disorders, treatment planning and referral, and individual and group counseling.
- Removes language that connects the goal of counseling to the achievement and maintenance of abstinence from alcohol and drug use.
- Removes restrictions on the practice setting of substance use disorder professionals.

SENATE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended.

Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer, Assistant Ranking Minority Member; Bailey, Conway, Fain, Keiser and Mullet.

Minority Report: Do not pass.

Signed by Senator Miloscia.

Minority Report: That it be referred without recommendation.

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.

Signed by Senator O'Ban.

Staff: Kathleen Buchli (786-7488)

Background: Chemical dependency professionals are health care providers who assist persons to develop and maintain abstinence from alcohol and other drugs. The Department of Health (DOH) certifies chemical dependency professionals and establishes education, examination, and experience requirements for this certification. These include completion of courses relating to the chemical dependency profession such as: understanding addiction, pharmacological actions of alcohol or other drugs, substance abuse and addiction treatment methods, individual and group counseling, and other topics established in DOH rule.

In their practice, chemical dependency professionals use the core competencies of chemical dependency counseling which include the assessment and diagnosis of chemical dependency, chemical dependency treatment planning and referral, patient and family education, individual and group counseling with alcoholic and drug addicted individuals, relapse prevention counseling, and case management. These activities are to be performed with the stated goal of assisting patients in achieving and maintaining abstinence from alcohol and drugs and developing independent support systems.

Summary of Amended Bill: Chemical dependency professionals are renamed substance use disorder professionals, and chemical dependency professional trainees are renamed substance use disorder professional trainees. Statutory references to chemical dependency professionals are changed accordingly.

The core competencies of substance use disorders are modified to remove the requirement that they be oriented to assist alcoholic and drug addicted patients to achieve and maintain abstinence from mood-altering substances and develop independent support systems. Abstinence is a goal of substance use disorder counseling and this goal does not prohibit the use of lawfully prescribed medication for the treatment of substance use disorders.

Substance use disorder professionals may treat patients in all practice settings.

In the event that either HB 1388 (2017) or SB 5259 (2017) is enacted, provisions are made to have the Director of the Health Care Authority, rather than the Secretary of the Department of Social and Health Services, serve on the Substance Use Disorder Certification Advisory Committee.

EFFECT OF HEALTH CARE COMMITTEE AMENDMENT(S):

- Provides that abstinence is a goal of substance use disorder counseling and this goal does not prohibit the use of lawfully prescribed medication for the treatment of substance use disorders.
- Clarifies that substance use disorder professionals may use that title when treating patients in settings other than programs approved under the Community Mental Health Services Act.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The bill removes the goal of abstinence because we have learned that medication assisted treatment is a leading treatment for substance use disorders and some groups have been interpreting abstinence as prohibiting medication assisted treatment. Many people in treatment have co-occurring disorders and this bill removes the silo between substance abuse and mental health. This erases the determination that there is one treatment for substance use disorder.

OTHER: We are concerned about the changes in the bill and removing abstinence as a goal of treatment. Abstinence as a goal does not preclude the use of medication assisted treatment but abstinence should be maintained as the goal of treatment. The bill should retain the references to alcohol or drug-addicted persons. Section 4 states that substance use disorder professionals can only work within their certified settings except that same section says that they can. The chemical dependency professional association and practitioners were not involved in the name change provided in the bill.

Persons Testifying: PRO: Representative Eileen Cody, Prime Sponsor; Melanie Smith, Washington State Society for Clinical Social Workers.

OTHER: Scott Munson, Association of Alcoholism and Addiction Programs; Carl Kester, Association of Alcoholism and Addiction Programs.

Persons Signed In To Testify But Not Testifying: No one.