

ESSB 6641 - H AMD TO HCW COMM AMD (H-5139.1/20) **2093**

By Representative Kilduff

ADOPTED 03/05/2020

1 On page 6, line 26 of the striking amendment, after "Washington"
2 insert ". In considering workforce issues, the advisory committee must
3 evaluate options for reducing or eliminating some or all of the
4 certification-related fees, including the feasibility of requiring
5 that the cost of regulation of persons certified under this chapter be
6 borne by the professions that are identified as eligible to be an
7 underlying credential for certification"

8

9 On page 7, after line 9 of the striking amendment, insert the
10 following:

11 "NEW SECTION. **Sec. 6.** A new section is added to chapter 71.09 RCW
12 to read as follows:

13 To facilitate the equitable geographic distribution of
14 conditional releases under this chapter, the department shall notify
15 the secretary of health, or the secretary's designee, whenever a sex
16 offender treatment provider in an underserved county has been
17 contracted to provide treatment services to persons on conditional
18 release under this chapter, in which case the secretary of health
19 shall waive any fees for the initial issue, renewal, and reissuance
20 of a credential for the provider under chapter 18.155 RCW. An
21 underserved county is any county identified by the department as
22 having an inadequate supply of qualified sex offender treatment
23 providers to achieve equitable geographic distribution of
24 conditional releases under this chapter.

25

26 **Sec. 7.** RCW 18.155.040 and 2004 c 38 s 5 are each amended to
27 read as follows:

1 In addition to any other authority provided by law, the
2 secretary shall have the following authority:

3 (1) To set administrative procedures, administrative
4 requirements, and fees in accordance with RCW 43.70.250, ~~((and))~~
5 43.70.280, and section 6 of this act;

6 (2) To establish forms necessary to administer this chapter;

7 (3) To issue a certificate or an affiliate certificate to any
8 applicant who has met the education, training, and examination
9 requirements for certification or an affiliate certification and
10 deny a certificate to applicants who do not meet the minimum
11 qualifications for certification or affiliate certification.
12 Proceedings concerning the denial of certificates based on
13 unprofessional conduct or impaired practice shall be governed by the
14 uniform disciplinary act, chapter 18.130 RCW;

15 (4) To hire clerical, administrative, and investigative staff as
16 needed to implement and administer this chapter and to hire
17 individuals including those certified under this chapter to serve as
18 examiners or consultants as necessary to implement and administer
19 this chapter;

20 (5) To maintain the official department record of all applicants
21 and certifications;

22 (6) To conduct a hearing on an appeal of a denial of a
23 certificate on the applicant's failure to meet the minimum
24 qualifications for certification. The hearing shall be conducted
25 pursuant to chapter 34.05 RCW;

26 (7) To issue subpoenas, statements of charges, statements of
27 intent to deny certificates, and orders and to delegate in writing
28 to a designee the authority to issue subpoenas, statements of
29 charges, and statements of intent to deny certificates;

30 (8) To determine the minimum education, work experience, and
31 training requirements for certification or affiliate certification,
32 including but not limited to approval of educational programs;

33 (9) To prepare and administer or approve the preparation and
34 administration of examinations for certification;

1 (10) To establish by rule the procedure for appeal of an
2 examination failure;

3 (11) To adopt rules implementing a continuing competency program;

4 (12) To adopt rules in accordance with chapter 34.05 RCW as
5 necessary to implement this chapter."

6
7 Renumber the remaining sections consecutively and correct any
8 internal references accordingly.

9 Correct the title.

10

EFFECT: Instructs the Sex Offender Treatment Provider Advisory Committee (Advisory Committee) to consider options for reducing or eliminating certification-related fees, including the feasibility of requiring the underlying professions that the applicants are credentialed as to bear the regulatory costs.

Requires the Department of Social and Health Services to notify the Department of Health whenever a sex offender treatment provider in an underserved county contracts to provide treatment services to a sexually violent predator on conditional release. Directs the Department of Health to waive credentialing fees for sex offender treatment providers practicing in such circumstances. Defines an "underserved county" as a county identified by the Department of Social and Health services as having an inadequate supply of qualified sex offender treatment providers to achieve an equitable geographic distribution of conditional releases.

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