

HOUSE BILL REPORT

SB 5054

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications.

Brief Description: Increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications.

Sponsors: Senators O'Ban, Brown, Conway, Wilson, L., Zeiger, Short, Van De Wege and Wagoner.

Brief History:

Committee Activity:

Health Care & Wellness: 3/26/19, 4/2/19 [DPA].

Brief Summary of Bill
(As Amended by Committee)

- Directs the Department of Health to establish a reciprocity program for applicants from other states who seek a credential in Washington as a chemical dependency professional, mental health counselor, social worker, marriage and family therapist, or psychologist.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass as amended. Signed by 13 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Chambers, Davis, Harris, Jinkins, Riccelli, Robinson, Stonier, Thai and Tharinger.

Staff: Chris Blake (786-7392).

Background:

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.

The Department of Health (Department) certifies chemical dependency professionals and licenses mental health counselors, advanced social workers, independent clinical social workers, marriage and family therapists, and psychologists.

To become certified as a chemical dependency counselor, an applicant must meet specific education, examination, and experience standards. The education standards require the applicant to have at least an associate's degree in human services or have completed a specified number of college credits. The experience standard requires the completion of:

- 2,500 hours of chemical dependency counseling for applicants with an associate degree;
- 2,000 hours of chemical dependency counseling for applicants with a baccalaureate degree; or
- 1,500 hours of chemical dependency counseling for applicants with a master's or doctoral degree.

To become licensed as a mental health counselor, social worker, or marriage and family therapist, an applicant must meet specific education, examination, and experience standards. The education standards require the applicant to have at least a master's degree in the relevant field of study. The experience standards require the completion of:

- 3,200 hours of supervised experience for applicants for an advanced social worker license;
- 4,000 hours of supervised experience for applicants for an independent clinical social worker license;
- either 36 months of full-time supervised counseling or 3,000 hours of supervised postgraduate mental health counseling for applicants for a mental health counselor license; and
- two calendar years of supervised counseling for applicants for a marriage and family therapist license.

To become licensed as a psychologist, an applicant must meet specific education, examination, and experience standards. The education standard requires the applicant to have a doctorate degree from an accredited program of graduate study in psychology. The experience standard requires the applicant to have at least two years of supervised experience. Applicants for a license to practice psychology may receive a license through an endorsement process if the applicant has held a license to practice psychology in another state that has essentially equivalent licensing standards to Washington for at least two years or if the applicant is a member of an approved professional organization.

Applicants who hold a credential in another state may be credentialed in Washington as a chemical dependency professional, mental health counselor, social worker, or marriage and family therapist if the Department determines that the other state's credentialing standards are substantially equivalent to Washington's standards.

Summary of Amended Bill:

The Department of Health (Department) must establish a reciprocity program for applicants from other states who seek a credential in Washington as a chemical dependency professional, mental health counselor, social worker, marriage and family therapist, or psychologist. Under the reciprocity program, the Department shall issue a probationary credential to an applicant who:

- holds, or has held within the previous 12 months, a credential in good standing from another state or territory that has a scope of practice that is substantially equivalent to or greater than the scope of practice for the credential being applied for; and
- has no disciplinary record or disqualifying criminal history.

Following the issuance of the probationary credential, the Department must identify any areas in which the training and education standards of the other state are less than those of Washington. Upon consideration of the applicant's experience and capabilities, the Department may require the applicant to complete additional training or education to maintain the probationary credential and transition to a full credential. A person with a probationary credential may only practice in a behavioral health agency. The Department may place a reasonable time limit on a probationary license.

For chemical dependency professionals, mental health counselors, social workers, marriage and family therapists, and psychologists, the Department must maintain a list of credentials from other states that it has determined have a substantially equivalent or greater scope of practice than the corresponding Washington credential. The Department must prioritize the identification of the five states or territories that have historically had the most applicants for reciprocity and have a scope of practice that is substantially equivalent to or greater than the scope of practice in Washington.

The Department must consider options for the adoption of interstate compacts supporting credential portability for chemical dependency professionals, mental health counselors, social workers, marriage and family therapists, and psychologists. The Department must report its recommendations to the Governor and the Legislature by November 1, 2020.

Amended Bill Compared to Original Bill:

The amended bill adds psychologists to the reciprocity program. Psychologists and chemical dependency professionals are added to the provisions directing the Department of Health to explore options related to interstate compacts.

The amended bill applies the reciprocity program to applicants from other states or territories with substantially equivalent or greater scope of practice to Washington's, rather than an equivalent scope of practice or greater. Persons with a probationary credential are limited to only practicing in licensed or certified behavioral health service providers. The Department of Health must prioritize identifying the five states or territories that have historically had the most applicants for reciprocity with a scope of practice that is substantially equivalent to or greater than the scope in Washington.

The amended bill relocates the reciprocity program to the chapters for the respective professions.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Washington has a behavioral health workforce shortage and this bill is a strategy that is likely to result in an expansion of the workforce. Washington will see more people coming to the state through this reciprocity program than leaving. This bill is important because it is difficult to recruit licensed, professional, and experienced staff in Washington. When a person relocates from another state, having a reciprocity program for applicants would support entry into the workforce sooner without the need to restart the licensing process.

Spouses of military personnel are often subjected to long waiting periods in the reciprocity process. This bill will allow the spouses of military personnel who have health professions licenses to have a provisional license if they are licensed in a state with the same or higher scope of practice, until they have met the education and training requirements for Washington. The Department of Defense supports the improvement of license reciprocity for military members and their families. Reciprocity of licensure for military families will impact future basing decisions. Eliminating or mitigating licensing barriers will improve quality of life for military families. Washington is home to about 60,000 service members and 30,000 military spouses, many of whom practice in health professions and would be helped by this bill. Licensing compacts are the gold standard for reciprocity and there are several compact opportunities in this field.

(Opposed) None.

Persons Testifying: Senator O'Ban, prime sponsor; Tammie Perreault, Department of Defense; and Al Aldrich, Northpoint Recovery.

Persons Signed In To Testify But Not Testifying: None.