

SENATE BILL REPORT

SB 5054

As Amended by House, April 12, 2019

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 & Long Term Care: 1/25/19, 1/30/19 [DP].

Floor Activity:

Passed Senate: 3/13/19, 49-0.

Passed House: 4/12/19, 95-1.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Creates a reciprocity and probationary license program for certain mental health professionals licensed in another state.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Dhingra, Frockt, Keiser and Van De Wege.

Staff: Greg Attanasio (786-7410)

Background: The Department of Health (DOH) regulates the practice of chemical dependency professionals, mental health counselors, social workers, and marriage and family therapists. To obtain a license or certification, DOH requires the applicant meet certain educational and experience qualifications, including holding the appropriate level degree, completing relevant coursework, completing supervised experience hours, and passing a jurisprudential examination. For applicants holding an out-of-state license or certification, DOH conducts a substantial equivalence review to determine if the professional's out-of-state

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license or certification required sufficiently similar education, experience, and examination requirements to qualify them for licensure in Washington.

Summary of Bill: DOH must establish a reciprocity program from chemical dependency professionals, mental health counselors, social workers, and marriage and family therapists. DOH must issue a probationary license or certification to any individuals who holds, or has held within the past twelve months, a license or certification in good standing from another state or territory of the United States that has an equivalent or greater scope of practice to the corresponding Washington state license or certification, and has no disciplinary record or disqualifying criminal history.

Following the issuance of the probationary license or certification, DOH must determine if any training or education deficiencies exist between the foreign license requirements and Washington State requirements. If a deficiency in the applicant's background exists, DOH must determine whether, considering the experience and capabilities of the applicant, additional training or education is necessary to maintain the probationary license or certification and within a reasonable time transition to full licensure or certification. DOH may place a reasonable time limit on a probationary license or certification and require an applicant to pass a jurisprudential exam when appropriate.

DOH must maintain and publish a list of states and territories that it has determined have an equivalent or greater scope of practice, training, and education requirements to the corresponding Washington license or certification. DOH must also explore options for adoption of interstate compacts supporting license portability for chemical dependency professionals, mental health counselors, social workers, and marriage and family therapists.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There is a mental health workforce shortage in Washington and part of that problem is the difficulty out-of-state providers face in becoming licensed in this state. The bill will ease that problem and allow more providers to begin practicing sooner.

OTHER: Not every state has the same requirements for licensure and there should be a study to show how this act would work in conjunction with all states.

Persons Testifying: PRO: Senator Steve O'Ban, Prime Sponsor; Gary Strannigan, Premera Blue Cross; Michael Hatchett, Policy Analyst, Washington Council for Behavioral Health.

OTHER: Bob Cooper, National Association of Social Workers Washington Chapter.

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

EFFECT OF HOUSE AMENDMENT(S):

- Adds psychologists to the lists of professions eligible for the reciprocity program.
- Limits a person holding a probationary credential to practicing at a licensed or certified behavioral health provider.
- Requires DOH to prioritize identifying the five states or territories that have historically had the most applicants when determining the states or territories that have a substantially equivalent scope of practice.
- Relocates the reciprocity program language to the RCW chapters for each profession.