

**SHB 1800** - S COMM AMD

By Subcommittee on Behavioral Health

**ADOPTED 03/03/2022**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 71.34  
4 RCW to read as follows:

5 The authority shall dedicate at least one full-time employee to:

6 (1) Connecting families, behavioral health providers, educators,  
7 and other stakeholders with current information about law and policy  
8 related to behavioral health services for minors;

9 (2) Creating shareable content appropriate for communicating  
10 policy and resources related to behavioral health services for  
11 minors;

12 (3) Designing and maintaining a communications plan related to  
13 behavioral health services for minors involving social media and  
14 other forms of direct outreach to providers, families, and youth; and

15 (4) Monitoring the health care authority website to make sure  
16 that the information included on the website is accurate and designed  
17 in a manner that is accessible to families.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 71.34  
19 RCW to read as follows:

20 (1) The authority shall convene stakeholders to design, further  
21 define, and implement a parent portal. The authority shall work with  
22 stakeholders including Washington state community connectors and  
23 consider the website prototype already under development by that  
24 organization. The stakeholders convened must additionally include  
25 other parents and young adults with relevant lived experience.

26 (2) As used in this section, "parent portal" means a method for  
27 connecting families to their community's service and education  
28 infrastructure related to behavioral health services for minors,  
29 including services supported or provided by:

1 (a) A behavioral health provider as defined in RCW 71.24.025 that  
2 provides services to minors;

3 (b) A licensed or certified behavioral health agency as defined  
4 in RCW 71.24.025 that provides behavioral health services to minors;

5 (c) A long-term care facility as defined in RCW 43.190.020 in  
6 which minors with behavioral health conditions reside;

7 (d) The child study and treatment center as identified in RCW  
8 71.34.380;

9 (e) A facility or agency that receives state funding to provide  
10 behavioral health treatment services to minors with a behavioral  
11 health condition;

12 (f) The department of children, youth, and families;

13 (g) The office of the superintendent of public instruction; and

14 (h) The department.

15 (3) By November 1, 2022, the authority shall provide a report to  
16 the governor and the appropriate committees of the legislature  
17 detailing:

18 (a) The stakeholder engagement conducted under this section;

19 (b) The design and further definition of the parent portal; and

20 (c) Other relevant information about successfully implementing  
21 the parent portal, including needed legislative changes or support.

22 **Sec. 3.** RCW 71.34.3871 and 2019 c 381 s 24 are each amended to  
23 read as follows:

24 (1) Subject to the availability of amounts appropriated for this  
25 specific purpose, the authority must conduct ~~((an annual survey of a  
26 sample group of))~~ stakeholder engagement efforts with parents, youth,  
27 and behavioral health providers to measure the impacts of  
28 implementing policies resulting from chapter 381, Laws of 2019 during  
29 the first three years of implementation and sections 1 and 2 of this  
30 act. The stakeholder engagement efforts required under this  
31 subsection must include live events soliciting feedback from  
32 stakeholders and alternative methods for stakeholders to submit  
33 feedback. The first ~~((survey))~~ stakeholder engagement efforts must be  
34 complete by ~~((July 1, 2020))~~ October 1, 2022, followed by subsequent  
35 annual ~~((surveys))~~ stakeholder engagement efforts completed by July  
36 1, ~~((2021))~~ 2023, and by July 1, ~~((2022))~~ 2024. The authority must  
37 report on the results of the ~~((surveys))~~ stakeholder engagement  
38 efforts annually to the governor and the legislature beginning  
39 November 1, ~~((2020))~~ 2022. The final report is due November 1,

1 ((2022)) 2024, and must include any recommendations for statutory  
2 changes identified as needed based on ((survey)) stakeholder  
3 engagement efforts results.

4 (2) This section expires December 31, ((2022)) 2024.

5 **Sec. 4.** RCW 71.40.040 and 2021 c 202 s 4 are each amended to  
6 read as follows:

7 The state office of behavioral health consumer advocacy shall  
8 assure performance of the following activities, as authorized in  
9 contract:

10 (1) Selection of a name for the contracting advocacy organization  
11 to use for the advocacy program that it operates pursuant to contract  
12 with the office. The name must be selected by the statewide advisory  
13 council established in this section and must be separate and  
14 distinguishable from that of the office;

15 (2) Certification of behavioral health consumer advocates by  
16 October 1, 2022, and coordination of the activities of the behavioral  
17 health consumer advocates throughout the state according to standards  
18 adopted by the office;

19 (3) Provision of training regarding appropriate access by  
20 behavioral health consumer advocates to behavioral health providers  
21 or facilities according to standards adopted by the office;

22 (4) Establishment of a toll-free telephone number, website, and  
23 other appropriate technology to facilitate access to contracting  
24 advocacy organization services for patients, residents, and clients  
25 of behavioral health providers or facilities;

26 (5) Establishment of a statewide uniform reporting system to  
27 collect and analyze data relating to complaints and conditions  
28 provided by behavioral health providers or facilities for the purpose  
29 of identifying and resolving significant problems, with permission to  
30 submit the data to all appropriate state agencies on a regular basis;

31 (6) Establishment of procedures consistent with the standards  
32 adopted by the office to protect the confidentiality of the office's  
33 records, including the records of patients, residents, clients,  
34 providers, and complainants;

35 (7) Establishment of a statewide advisory council, a majority of  
36 which must be composed of people with lived experience, that shall  
37 include:

1 (a) Individuals with a history of mental illness including one or  
2 more members from the black community, the indigenous community, or a  
3 community of color;

4 (b) Individuals with a history of substance use disorder  
5 including one or more members from the black community, the  
6 indigenous community, or a community of color;

7 (c) Family members of individuals with behavioral health needs  
8 including one or more members from the black community, the  
9 indigenous community, or a community of color;

10 (d) One or more representatives of an organization representing  
11 consumers of behavioral health services;

12 (e) Representatives of behavioral health providers and  
13 facilities, including representatives of facilities offering  
14 inpatient and residential behavioral health services;

15 (f) One or more certified peer specialists;

16 (g) One or more medical clinicians serving individuals with  
17 behavioral health needs;

18 (h) One or more nonmedical providers serving individuals with  
19 behavioral health needs;

20 (i) One representative from a behavioral health administrative  
21 services organization;

22 (j) Two parents or caregivers of a child who received behavioral  
23 health services, including one parent or caregiver of a child who  
24 received complex, multisystem behavioral health services, one parent  
25 or caregiver of a child ages one through 12, or one parent or  
26 caregiver of a child ages 13 through 17;

27 (k) Two representatives of medicaid managed care organizations,  
28 one of which must provide managed care to children and youth  
29 receiving child welfare services;

30 (l) Other community representatives, as determined by the office;  
31 and

32 ~~((k))~~ (m) One representative from a labor union representing  
33 workers who work in settings serving individuals with behavioral  
34 health conditions;

35 (8) Monitoring the development of and recommend improvements in  
36 the implementation of federal, state, and local laws, rules,  
37 regulations, and policies with respect to the provision of behavioral  
38 health services in the state and advocate for consumers;

39 (9) Development and delivery of educational programs and  
40 information statewide to patients, residents, and clients of

1 behavioral health providers or facilities, and their families on  
2 topics including, but not limited to, the execution of mental health  
3 advance directives, wellness recovery action plans, crisis services  
4 and contacts, peer services and supports, family advocacy and rights,  
5 family-initiated treatment and other behavioral health service  
6 options for minors, and involuntary treatment; and

7 (10) Reporting to the office, the legislature, and all  
8 appropriate public agencies regarding the quality of services,  
9 complaints, problems for individuals receiving services from  
10 behavioral health providers or facilities, and any recommendations  
11 for improved services for behavioral health consumers.

12 **Sec. 5.** RCW 71.40.090 and 2021 c 202 s 9 are each amended to  
13 read as follows:

14 The contracting advocacy organization shall develop and submit,  
15 for approval by the office, a process to train and certify all  
16 behavioral health consumer advocates, whether paid or volunteer,  
17 authorized by this chapter as follows:

18 (1) Certified behavioral health consumer advocates must have  
19 training or experience in the following areas:

20 (a) Behavioral health and other related social services programs,  
21 including behavioral health services for minors;

22 (b) The legal system, including differences in state or federal  
23 law between voluntary and involuntary patients, residents, or  
24 clients;

25 (c) Advocacy and supporting self-advocacy;

26 (d) Dispute or problem resolution techniques, including  
27 investigation, mediation, and negotiation; and

28 (e) All applicable patient, resident, and client rights  
29 established by either state or federal law.

30 (2) A certified behavioral health consumer advocate may not have  
31 been employed by any behavioral health provider or facility within  
32 the previous twelve months, except as a certified peer specialist or  
33 where prior to July 25, 2021, the person has been employed by a  
34 regional behavioral health consumer advocate.

35 (3) No certified behavioral health consumer advocate or any  
36 member of a certified behavioral health consumer advocate's family  
37 may have, or have had, within the previous twelve months, any  
38 significant ownership or financial interest in the provision of  
39 behavioral health services."

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1        On page 1, line 2 of the title, after "miners;" strike the  
2 remainder of the title and insert "amending RCW 71.34.3871,  
3 71.40.040, and 71.40.090; adding new sections to chapter 71.34 RCW;  
4 and providing an expiration date."

EFFECT: Requires the Health Care Authority to work with Washington State Community Connectors to define and implement the parent portal and to consider the website prototype already under development by that organization.

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