

# HOUSE BILL REPORT

## EHB 1311

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### As Amended by the Senate

**Title:** An act relating to authorizing the issuance of substance use disorder professional certifications to persons participating in apprenticeship programs.

**Brief Description:** Authorizing the issuance of substance use disorder professional certifications to persons participating in apprenticeship programs.

**Sponsors:** Representatives Bronoske, Ryu, Simmons, Leavitt, Sells, Berry, Cody, Ortiz-Self, Chopp, Davis, Bateman, Lovick, Callan, Pollet, Macri and Peterson.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 2/1/21, 2/3/21 [DP].

**Floor Activity:**

Passed House: 2/12/21, 85-11.

Senate Amended.

Passed Senate: 4/3/21, 46-0.

**Brief Summary of Engrossed Bill**

- Allows for persons participating in authorized apprenticeship programs to qualify for substance use disorder professional certification.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 10 members: Representatives Cody, Chair; Bateman, Vice Chair; Bronoske, Davis, Macri, Maycumber, Riccelli, Simmons, Stonier and Tharinger.

**Minority Report:** Without recommendation. Signed by 5 members: Representatives Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Harris, Rude and Ybarra.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Theiline Cramer (786-7291) and Jim Morishima (786-7191).

**Background:**

A Substance Use Disorder Professional.

A substance use disorder professional is a person certified in substance use disorder counseling that assists others with substance use disorder in their recovery.

In order for the Secretary of Health to issue a substance use disorder professional certificate, an applicant:

- must complete an approved educational program or complete alternate training that meets established criteria;
- must successfully complete an approved examination, based on core competencies of substance use disorder counseling; and
- must successfully complete the experience requirements, which vary depending upon the education level of the applicant.

A Substance Use Disorder Professional Trainee.

A substance use disorder professional trainee (SUDPT) certification allows applicants to work towards the education and experience requirements for certification as a substance use disorder professional. An SUDPT provides substance use disorder assessments, counseling, clinical services, and case management to patients consistent with the trainee's training under a state regulated agency and approved supervision.

In order for the Secretary of Health to issue an SUPDT certificate, an applicant:

- must submit a declaration that the applicant is enrolled in an approved education program and actively pursuing all other relevant experience requirements. This declaration must be updated with the trainee's annual renewal;
- must practice only under the supervision of a certified substance use disorder professional. The first 50 hours of any face-to-face client contact must be under direct observation and all remaining experience must be under supervision in accordance with rules adopted by the Department of Health; and
- may only renew a trainee certification four times.

Apprenticeships Under the Department of Labor and Industries.

The Department of Labor and Industries is responsible for appointing a regulatory apprenticeship council, which authorizes apprenticeship programs, sets program standards, and other requirements, through agency rulemaking. Approved apprenticeship programs in Washington range from positions in aerospace, construction, and energy efficiency services.

**Summary of Engrossed Bill:**

In addition to participation in an approved education program, an applicant for a substance use disorder professional certification or a substance use disorder professional trainee certification may also participate in an approved apprenticeship program. An apprenticeship program must be registered and approved by the Department of Labor and Industries, and approved by the Secretary of Health. The educational requirements for an approved apprenticeship must be defined by the Secretary of Health. The Department of Health may adopt any rules necessary to implementation of substance use disorder professional apprenticeship programs.

#### **EFFECT OF SENATE AMENDMENT(S):**

##### The Senate amendment:

- requires apprenticeship programs to be reviewed by the Substance Use Disorder Certification Advisory Committee and approved by the Secretary of Health (Secretary);
- removes the requirement that alternate training be "successfully" completed; and
- requires that "all education requirements established as defined by the Secretary under RCW 18.205.100 credited by an approved education program for participants in an apprenticeship program for substance use disorder professionals must meet or exceed competency requirements established by the Secretary."

**Appropriation:** None.

**Fiscal Note:** Available.

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

#### **Staff Summary of Public Testimony:**

(In support) There have been successes in apprenticeships across other industries; apprenticeships for the substance use disorder profession would complement existing educational programs that can train and broaden this workforce. This bill will create a more diverse and robust workforce that will help address the behavioral health care staff shortage and retention issues. This bill will provide increased employment opportunities and access to these employment opportunities for individuals that identify as Black, Indigenous, and people of color. The bill aligns with the Legislature's commitment to its constituents to improve their quality of life. All apprenticeship programs will be connected with community colleges; by attaching college credit to apprenticeships, there will be a pathway to a baccalaureate degree for those that have certain barriers to licensure. The word "registered" means the Department of Health must approve of the apprenticeship program in order for it to be eligible. The apprenticeship curriculum development is still underway and stakeholders are welcome to contribute to curriculum development efforts. This is not a one-size-fits-all approach, nor will the approach merely allow already established

qualifications to extend to "on-the-job" training. There will be additional costs of this new program and these will be built into the developing plan. The working group responsible for the bill is looking for private funding opportunities, while also recognizing the state budget crisis. This apprenticeship program will serve as a model that will allow expansion to other certifications for the behavioral health system.

(Opposed) The bill does not contain a definition for the term "apprenticeship." It is unclear how an apprenticeship would be different from trainee status. This bill does not create prescribed qualifications or parameters for apprenticeships. The details of the apprenticeship curriculum and language regarding supervision need clarification. There was insufficient outreach to stakeholders prior to this legislation. An interim working group should be established that includes stakeholders and possible inclusion of the Substance Use Disorder Certification Advisory Committee. Issues with the financing should be addressed before passage because this type of program will create administrative programs with financial burdens.

(Other) There is concern about the lack of specific language in the bill, the need for the preservation of the integrity of the substance use disorder professional and trainee credentials, and the potential impact on existing education providers. Some providers have closed due to low enrollment and apprenticeship programs may exacerbate this issue. There is concern regarding unvetted and unqualified programs calling themselves a "registered apprenticeship" program. There may be undue administrative burden on substance use disorder treatment agencies. Treatment agencies may not be able to provide the necessary one-to-one mentorship ratio for apprenticeships and there are questions about the impact on the supervision capabilities of these agencies for existing trainees.

**Persons Testifying:** (In support) Representative Bronoske, prime sponsor; Melody McKee, Behavioral Health Institute; Laura Hopkins, Service Employees International Union 1199 Northwest Multi-Employer Training Fund and the Healthcare Apprenticeship Consortium; Sandra Touissaint, Washington Federation of State Employees; Laurie Lippold, Partners for Our Children; Lindsey Grad, Service Employees International Union Healthcare 1199 Northwest; and Julia O'Connor, Workforce Board.

(Opposed) Bob Cooper, National Association of Social Workers, Washington Chapter; Dennis Neal, Northwest Resources II; and Michael Transue, Seadrumar.

(Other) Terri Roper, WAADAC.

**Persons Signed In To Testify But Not Testifying:** None.