
SENATE BILL 5596

State of Washington

67th Legislature

2022 Regular Session

By Senators Trudeau, Frockt, Dhingra, Nobles, and C. Wilson

Prefiled 12/27/21. Read first time 01/10/22. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to conforming disclosure restrictions for mental
2 health counselors, marriage and family therapists, and social workers
3 to the requirements of the Uniform Health Care Information Act; and
4 amending RCW 18.225.100 and 18.225.105.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 18.225.100 and 2001 c 251 s 10 are each amended to
7 read as follows:

8 A person licensed under this chapter must provide clients at the
9 commencement of any program of treatment with accurate disclosure
10 information concerning the practice, in accordance with rules adopted
11 by the department, including the right of clients to refuse
12 treatment, the responsibility of clients to choose the provider and
13 treatment modality which best suits their needs, and the extent of
14 confidentiality provided by this chapter and chapter 70.02 RCW. The
15 disclosure information must also include the license holder's
16 professional education and training, the therapeutic orientation of
17 the practice, the proposed course of treatment where known, financial
18 requirements, and such other information as required by rule. The
19 disclosure must be acknowledged in writing by the client and license
20 holder.

1 **Sec. 2.** RCW 18.225.105 and 2020 c 302 s 115 are each amended to
2 read as follows:

3 A person licensed under this chapter shall not disclose the
4 written acknowledgment of the disclosure statement pursuant to RCW
5 18.225.100, nor any information acquired from persons consulting the
6 individual in a professional capacity when the information was
7 necessary to enable the individual to render professional services to
8 those persons except:

9 (1) ~~((With the written authorization of that person or, in the
10 ease of death or disability, the person's personal representative;~~

11 ~~(2))~~ If the person waives the privilege by bringing charges
12 against the person licensed under this chapter;

13 ~~((3) In response to a subpoena from the secretary. The secretary
14 may subpoena only records related to a complaint or report under RCW
15 18.130.050;~~

16 ~~(4))~~ (2) As required under chapter 26.44 or 74.34 RCW or RCW
17 71.05.217 (6) and (7); or

18 ~~((5) To any individual if the person licensed under this chapter
19 reasonably believes that disclosure will avoid or minimize an
20 imminent danger to the health or safety of the individual or any
21 other individual; however, there is no obligation on the part of the
22 provider to so disclose))~~ (3) As otherwise authorized or required
23 under chapter 70.02 RCW.

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