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HOUSE BILL 2247

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State of Washington

68th Legislature

2024 Regular Session

By Representatives Bateman, Bronoske, Simmons, Duerr, Callan, Reed, Macri, Doglio, Leavitt, and Davis

Read first time 01/09/24. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to addressing behavioral health provider  
2 shortages; amending RCW 18.19.020, 18.83.020, 18.83.050, 18.83.080,  
3 18.83.105, 18.83.110, 18.83.115, 18.83.135, 18.83.170, 18.83.180,  
4 18.83.190, 18.83.210, 18.225.145, 18.225.180, 48.43.045, and  
5 74.09.522; reenacting and amending RCW 18.205.095 and 18.225.090;  
6 creating new sections; and providing an effective date.

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

8 **Sec. 1.** RCW 18.19.020 and 2023 c 425 s 13 are each amended to  
9 read as follows:

10 The definitions in this section apply throughout this chapter  
11 unless the context clearly requires otherwise.

12 (1) "Agency" means (a) an agency or facility operated, licensed,  
13 or certified by the state of Washington; (b) a federally recognized  
14 Indian tribe located within the state; ~~((c))~~ (c) a county; or (d) a  
15 federally qualified health center.

16 (2) "Agency affiliated counselor" means a person registered,  
17 certified, or licensed under this chapter who is employed by an  
18 agency or is a student intern, as defined by the department.

19 (3) "Certified adviser" means a person certified under this  
20 chapter who is engaged in private practice counseling to the extent  
21 authorized in RCW 18.19.200.

1 (4) "Certified agency affiliated counselor" means a person  
2 certified under this chapter who is engaging in counseling to the  
3 extent authorized in RCW 18.19.215.

4 (5) "Certified counselor" means a person certified under this  
5 chapter who is engaged in private practice counseling to the extent  
6 authorized in RCW 18.19.200.

7 (6) "Client" means an individual who receives or participates in  
8 counseling or group counseling.

9 (7) "Counseling" means employing any therapeutic techniques,  
10 including but not limited to social work, mental health counseling,  
11 marriage and family therapy, and hypnotherapy, for a fee that offer,  
12 assist or attempt to assist an individual or individuals in the  
13 amelioration or adjustment of mental, emotional, or behavioral  
14 problems, and includes therapeutic techniques to achieve sensitivity  
15 and awareness of self and others and the development of human  
16 potential. For the purposes of this chapter, nothing may be construed  
17 to imply that the practice of hypnotherapy is necessarily limited to  
18 counseling.

19 (8) "Counselor" means an individual, practitioner, therapist, or  
20 analyst who engages in the practice of counseling to the public for a  
21 fee, including for the purposes of this chapter, hypnotherapists.

22 (9) "Department" means the department of health.

23 (10) "Hypnotherapist" means a person registered under this  
24 chapter who is practicing hypnosis as a modality.

25 (11) "Licensed agency affiliated counselor" means a person  
26 licensed under this chapter who is engaged in counseling to the  
27 extent authorized in RCW 18.19.215.

28 (12) "Mental health professional" has the same definition as  
29 under RCW 71.05.020.

30 (13) "Private practice counseling" means the practice of  
31 counseling by a certified counselor or certified adviser as specified  
32 in RCW 18.19.200.

33 (14) "Psychotherapy" means the practice of counseling using  
34 diagnosis of mental disorders according to the fourth edition of the  
35 diagnostic and statistical manual of mental disorders, published in  
36 1994, and the development of treatment plans for counseling based on  
37 diagnosis of mental disorders in accordance with established practice  
38 standards.

39 (15) "Registered agency affiliated counselor" means a person  
40 registered under this chapter who is engaged in counseling to the

1 extent authorized in RCW 18.19.215. This includes juvenile probation  
2 counselors who are employees of the juvenile court under RCW  
3 13.04.035 and 13.04.040 and juvenile court employees providing  
4 functional family therapy, aggression replacement training, or other  
5 evidence-based programs approved by the department of children,  
6 youth, and families. A student intern as defined by the department  
7 may be a registered agency affiliated counselor.

8 (16) "Secretary" means the secretary of the department or the  
9 secretary's designee.

10 **Sec. 2.** RCW 18.83.020 and 1986 c 27 s 1 are each amended to read  
11 as follows:

12 (1) To safeguard the people of the state of Washington from the  
13 dangers of unqualified and improper practice of psychology, it is  
14 unlawful for any person to whom this chapter applies to represent  
15 himself or herself to be a psychologist or a licensed psychological  
16 associate without first obtaining a license as provided in this  
17 chapter.

18 (2) A person represents himself or herself to be a psychologist  
19 or a licensed psychological associate when the person adopts or uses  
20 any title or any description of services which incorporates one or  
21 more of the following terms: "psychology," "psychological,"  
22 "psychologist," or any term of like import.

23 (3) A licensed psychological associate shall provide each client  
24 or patient, during the first professional contact, with a disclosure  
25 form disclosing that the licensed psychological associate is an  
26 associate under the supervision of an approved supervisor.

27 **Sec. 3.** RCW 18.83.050 and 2004 c 262 s 8 are each amended to  
28 read as follows:

29 (1) The board shall adopt such rules as it deems necessary to  
30 carry out its functions.

31 (2) The board shall examine the qualifications of applicants for  
32 licensing under this chapter, to determine which applicants are  
33 eligible for licensing under this chapter and shall forward to the  
34 secretary the names of applicants so eligible.

35 (3) The board shall administer examinations to qualified  
36 applicants on at least an annual basis. The board shall determine the  
37 subject matter and scope of the examination, except as provided in  
38 RCW 18.83.170. The board may allow applicants to take the examination

1 upon the granting of their doctoral degree before completion of their  
2 internship for supervised experience.

3 (4) The board shall keep a complete record of its own  
4 proceedings, of the questions given in examinations, of the names and  
5 qualifications of all applicants, and the names and addresses of all  
6 licensed psychologists and licensed psychological associates. The  
7 examination paper of such applicant shall be kept on file for a  
8 period of at least one year after examination.

9 (5) The board shall, by rule, adopt a code of ethics for  
10 psychologists and licensed psychological associates which is designed  
11 to protect the public interest.

12 (6) The board may require that persons licensed under this  
13 chapter as psychologists or licensed psychological associates obtain  
14 and maintain professional liability insurance in amounts determined  
15 by the board to be practicable and reasonably available.

16 **Sec. 4.** RCW 18.83.080 and 1996 c 191 s 66 are each amended to  
17 read as follows:

18 The board shall forward to the secretary the name of each  
19 applicant entitled to a license under this chapter. The secretary  
20 shall promptly issue to such applicant a license authorizing such  
21 applicant to use the title "psychologist" ~~((→))~~ or "licensed  
22 psychological associate." Each licensed psychologist or licensed  
23 psychological associate shall keep his or her license displayed in a  
24 conspicuous place in his or her principal place of business.

25 **Sec. 5.** RCW 18.83.105 and 1996 c 191 s 69 are each amended to  
26 read as follows:

27 ~~(1) The board ((may issue certificates of qualification with~~  
28 ~~appropriate title to applicants who meet all the licensing~~  
29 ~~requirements except the possession of the degree of Doctor of~~  
30 ~~Philosophy or its equivalent in psychology from an accredited~~  
31 ~~educational institution. These certificates of qualification certify~~  
32 ~~that the holder has been examined by the board and is deemed~~  
33 ~~competent to perform certain functions within the practice of~~  
34 ~~psychology under the periodic direct supervision of a psychologist~~  
35 ~~licensed by the board. Such functions will be specified on the~~  
36 ~~certificate issued by the board. Such applicant shall comply with~~  
37 ~~administrative procedures, administrative requirements, and fees~~  
38 ~~determined under RCW 43.70.250 and 43.70.280. Upon petition by a~~

1 ~~holder the board of examiners may grant authority to function without~~  
2 ~~immediate supervision.))~~ shall issue a licensed psychological  
3 associate license to an applicant who:

4 (a) Is:

5 (i) Currently enrolled in a doctor of philosophy, doctor of  
6 psychology program, or its equivalent in psychology at an accredited  
7 educational institution; or

8 (ii) Participating in a postdoctoral residency, postdoctoral  
9 fellowship, or another supervised postdoctoral experience;

10 (b) Has been deemed competent by the director of clinical  
11 training or postdoctoral supervisor to practice psychology under the  
12 supervision of a licensed supervisor subject to rules adopted by the  
13 board; and

14 (c) Has complied with administrative procedures, administrative  
15 requirements, and fees determined under RCW 43.70.250 and 43.70.280.

16 (2) A holder of a licensed psychological associate license may  
17 only practice under the supervision of a licensed supervisor pursuant  
18 to rules adopted by the board. An applicant for a licensed  
19 psychological associate license may practice under the direct  
20 supervision of a licensed supervisor until the applicant's license is  
21 issued or denied, pursuant to rules adopted by the board.

22 **Sec. 6.** RCW 18.83.110 and 2020 c 302 s 116 are each amended to  
23 read as follows:

24 Confidential communications between a client and a psychologist  
25 or licensed psychological associate shall be privileged against  
26 compulsory disclosure to the same extent and subject to the same  
27 conditions as confidential communications between attorney and  
28 client, but this exception is subject to the limitations under RCW  
29 71.05.217 (6) and (7).

30 **Sec. 7.** RCW 18.83.115 and 1986 c 27 s 9 are each amended to read  
31 as follows:

32 (1) Psychologists and licensed psychological associates licensed  
33 under this chapter shall provide clients at the commencement of any  
34 program of treatment with accurate disclosure information concerning  
35 their practice, in accordance with guidelines developed by the board,  
36 which will inform clients of the purposes of and resources available  
37 under this chapter, including the right of clients to refuse  
38 treatment, the responsibility of clients for choosing the provider

1 and treatment modality which best suits their needs, and the extent  
2 of confidentiality provided by this chapter. The disclosure  
3 information provided by the psychologist or licensed psychological  
4 associate, the receipt of which shall be acknowledged in writing by  
5 the psychologist or licensed psychological associate and client,  
6 shall include any relevant education and training, the therapeutic  
7 orientation of the practice, the proposed course of treatment where  
8 known, any financial requirements, and such other information as the  
9 board may require by rule.

10 (2) In inpatient settings, the health facility shall provide  
11 clients with the disclosure statement at the commencement of any  
12 program of treatment, and shall post the statement in a conspicuous  
13 location accessible to the client.

14 (3) The board shall provide for modification of the guidelines as  
15 appropriate in cases where the client has been referred by the court,  
16 a state agency, or other governmental body to a particular provider  
17 for specified evaluation or treatment.

18 **Sec. 8.** RCW 18.83.135 and 2000 c 93 s 7 are each amended to read  
19 as follows:

20 In addition to the authority prescribed under RCW 18.130.050, the  
21 board shall have the following authority:

22 (1) To maintain records of all activities, and to publish and  
23 distribute to all psychologists and licensed psychological associates  
24 at least once each year abstracts of significant activities of the  
25 board;

26 (2) To obtain the written consent of the complaining client or  
27 patient or their legal representative, or of any person who may be  
28 affected by the complaint, in order to obtain information which  
29 otherwise might be confidential or privileged; and

30 (3) To apply the provisions of the uniform disciplinary act,  
31 chapter 18.130 RCW, to all persons licensed as psychologists or  
32 licensed psychological associates under this chapter.

33 **Sec. 9.** RCW 18.83.170 and 2023 c 425 s 1 are each amended to  
34 read as follows:

35 (1) (a) Upon compliance with administrative procedures,  
36 administrative requirements, and fees determined under RCW 43.70.250  
37 and 43.70.280, the board may grant a license, without oral  
38 examination, to any applicant who has not previously failed any

1 examination held by the board of psychology of the state of  
2 Washington and furnishes evidence satisfactory to the board that the  
3 applicant:

4 ~~((a))~~ (i) Holds a doctoral degree with primary emphasis on  
5 psychology from an accredited college or university; and

6 ~~((b)(i))~~ (ii)(A) Is licensed or certified to practice  
7 psychology in another state or country in which the requirements for  
8 such licensing or certification are, in the judgment of the board,  
9 essentially equivalent to those required by this chapter and the  
10 rules and regulations of the board. Such individuals must have been  
11 licensed or certified in another state for a period of at least two  
12 years; or

13 ~~((iii))~~ (B) Is a diplomate in good standing of the American  
14 Board of Examiners in Professional Psychology; or

15 ~~((iii))~~ (C) Is a member of a professional organization and  
16 holds a certificate deemed by the board to meet standards equivalent  
17 to this chapter.

18 (b) The board may adopt rules waiving any of the requirements of  
19 this subsection (1) for an applicant who has continuously held a  
20 license to practice psychology in good standing in another state,  
21 territory, or country for a period of time that, in the judgment of  
22 the board, renders the waived requirements duplicative or  
23 unnecessary.

24 (2) (a) (i) The department shall establish a reciprocity program  
25 for applicants for licensure as a psychologist in Washington.

26 (ii) The reciprocity program applies to applicants for a license  
27 as a psychologist who:

28 (A) Hold or have held within the past twelve months a credential  
29 in good standing from another state or territory of the United States  
30 which has a scope of practice that is substantially equivalent to or  
31 greater than the scope of practice for licensed psychologists as  
32 established under this chapter; and

33 (B) Have no disciplinary record or disqualifying criminal  
34 history.

35 (b) The department shall issue a probationary license to an  
36 applicant who meets the requirements of (a)(ii)(B) of this  
37 subsection. The department must determine what deficiencies, if any,  
38 exist between the education and experience requirements of the other  
39 state's credential and, after consideration of the experience and  
40 capabilities of the applicant, determine whether it is appropriate to

1 require the applicant to complete additional education or experience  
2 requirements to maintain the probationary license and, within a  
3 reasonable time period, transition to a full license. The department  
4 may place a reasonable time limit on a probationary license and may,  
5 if appropriate, require the applicant to pass a jurisprudential  
6 examination.

7 (c) The department must maintain and publish a list of  
8 credentials in other states and territories that the department has  
9 determined to have a scope of practice that is substantially  
10 equivalent to or greater than the scope of practice for licensed  
11 psychologists as established under this chapter. The department shall  
12 prioritize identifying and publishing the department's determination  
13 for the five states or territories that have historically had the  
14 most applicants for reciprocity under subsection (1) of this section  
15 with a scope of practice that is substantially equivalent to or  
16 greater than the scope of practice for licensed psychologists as  
17 established under this chapter.

18 **Sec. 10.** RCW 18.83.180 and 1987 c 150 s 55 are each amended to  
19 read as follows:

20 It shall be a gross misdemeanor and unlicensed practice for any  
21 person to:

22 (1) Use in connection with his or her name any designation  
23 tending to imply that he or she is a licensed psychologist or  
24 licensed psychological associate unless duly licensed under or  
25 specifically excluded from the provisions of this chapter;

26 (2) Practice as a licensed psychologist or licensed psychological  
27 associate during the time his or her license issued under the  
28 provisions of this chapter is suspended or revoked.

29 **Sec. 11.** RCW 18.83.190 and 1991 c 3 s 203 are each amended to  
30 read as follows:

31 If any person represents himself or herself to be a psychologist  
32 or licensed psychological associate, unless the person is exempt from  
33 the provisions of this chapter, without possessing a valid license,  
34 certificated qualification, or a temporary permit to do so, or if he  
35 or she violates any of the provisions of this chapter, any  
36 prosecuting attorney, the secretary, or any citizen of the same  
37 county may maintain an action in the name of the state to enjoin such  
38 person from representing himself or herself as a psychologist or

1 licensed psychological associate. The injunction shall not relieve  
2 the person from criminal prosecution, but the remedy by injunction  
3 shall be in addition to the liability of such offender to criminal  
4 prosecution and to suspension or revocation of his or her license.

5 **Sec. 12.** RCW 18.83.210 and 1965 c 70 s 25 are each amended to  
6 read as follows:

7 Nothing in this chapter shall be construed as prohibiting any  
8 individual from offering counseling or guidance provided that such  
9 individuals do not hold themselves forth as psychologists or licensed  
10 psychological associates.

11 **Sec. 13.** RCW 18.205.095 and 2021 c 165 s 1 and 2021 c 57 s 1 are  
12 each reenacted and amended to read as follows:

13 (1) The secretary shall issue a trainee certificate to any  
14 applicant who demonstrates to the satisfaction of the secretary that  
15 he or she is working toward the education and experience requirements  
16 in RCW 18.205.090.

17 (2) A trainee certified under this section shall submit to the  
18 secretary for approval a declaration, in accordance with rules  
19 adopted by the department, which shall be updated with the trainee's  
20 annual renewal, that he or she is actively pursuing the experience  
21 requirements under RCW 18.205.090 and is enrolled in:

22 (a) An approved education program; or

23 (b) An apprenticeship program reviewed by the substance use  
24 disorder certification advisory committee, approved by the secretary,  
25 and registered and approved under chapter 49.04 RCW.

26 (3) A trainee certified under this section may practice only  
27 under the supervision of a certified substance use disorder  
28 professional. The first 50 hours of any face-to-face client contact  
29 must be under direct observation. All remaining experience must be  
30 under supervision in accordance with rules adopted by the department.

31 (4) A certified substance use disorder professional trainee  
32 provides substance use disorder assessments, counseling, and case  
33 management (~~((with a state regulated agency))~~) and can provide clinical  
34 services to patients consistent with his or her education, training,  
35 and experience as approved by his or her supervisor.

36 (5) (~~((A trainee certification may only be renewed four times,~~  
37 ~~unless the secretary finds that a waiver to allow additional renewals~~  
38 ~~is justified due to barriers to testing or training resulting from a~~

1 ~~governor-declared emergency.))~~ A person whose trainee certification  
2 was not renewed due to the person exceeding the four-renewal limit in  
3 place prior to the effective date of this section shall be treated as  
4 if the person's certification expired. The secretary shall allow such  
5 a person to return the person's trainee certification to active  
6 status pursuant to standard rules and procedures in place for  
7 returning an expired credential to active status.

8 (6) Applicants are subject to denial of a certificate or issuance  
9 of a conditional certificate for the reasons set forth in chapter  
10 18.130 RCW.

11 (7) A person certified under this chapter holding the title of  
12 chemical dependency professional trainee is considered to hold the  
13 title of substance use disorder professional trainee until such time  
14 as the person's present certification expires or is renewed.

15 **Sec. 14.** RCW 18.225.090 and 2023 c 425 s 3 and 2023 c 58 s 16  
16 are each reenacted and amended to read as follows:

17 (1) The secretary shall issue a license to any applicant who  
18 demonstrates to the satisfaction of the secretary that the applicant  
19 meets the following education and experience requirements for the  
20 applicant's practice area.

21 (a) Licensed social work classifications:

22 (i) Licensed advanced social worker:

23 (A) Graduation from a master's social work educational program  
24 accredited by the council on social work education or a social work  
25 doctorate program at a university accredited by a recognized  
26 accrediting organization, and approved by the secretary based upon  
27 nationally recognized standards;

28 (B) Successful completion of an approved examination;

29 (C) Successful completion of a supervised experience requirement.

30 The supervised experience requirement consists of a minimum of 3,200  
31 hours with supervision by an approved supervisor who has been  
32 licensed for at least two years. Of those supervised hours:

33 (I) At least 90 hours must include direct supervision as  
34 specified in this subsection by a licensed independent clinical  
35 social worker, a licensed advanced social worker, or an equally  
36 qualified licensed mental health professional. Of those hours of  
37 directly supervised experience at least 40 hours must be in one-to-  
38 one supervision and 50 hours may be in one-to-one supervision or  
39 group supervision; and

1 (II) 800 hours must be in direct client contact; and

2 (D) Successful completion of continuing education requirements  
3 (~~of 36 hours, with six~~) established in rule by the secretary,  
4 including a minimum number of hours in professional ethics.

5 (ii) Licensed independent clinical social worker:

6 (A) Graduation from a master's level social work educational  
7 program accredited by the council on social work education or a  
8 social work doctorate program at a university accredited by a  
9 recognized accrediting organization, and approved by the secretary  
10 based upon nationally recognized standards;

11 (B) Successful completion of an approved examination;

12 (C) Successful completion of a supervised experience requirement.

13 The supervised experience requirement consists of a minimum of 3,000  
14 hours of experience, over a period of not less than two years, with  
15 supervision by an approved supervisor who has been licensed for at  
16 least two years and, as specified in this subsection, may be either a  
17 licensed independent clinical social worker who has had at least one  
18 year of experience in supervising the clinical social work of others  
19 or an equally qualified licensed mental health practitioner. Of those  
20 supervised hours:

21 (I) At least 1,000 hours must be direct client contact; and

22 (II) Hours of direct supervision must include:

23 (1) At least 100 hours by a licensed mental health practitioner;

24 (2) At least 70 hours of supervision with a licensed independent  
25 clinical social worker meeting the qualifications under this  
26 subsection (1)(a)(ii)(C); the remaining hours may be supervised by an  
27 equally qualified licensed mental health practitioner; and

28 (3) At least 60 hours must be in one-to-one supervision and the  
29 remaining hours may be in one-to-one supervision or group  
30 supervision; and

31 (D) Successful completion of continuing education requirements  
32 (~~of 36 hours, with six~~) established in rule by the secretary,  
33 including a minimum number of hours in professional ethics.

34 (b) Licensed mental health counselor:

35 (i)(A) Graduation from a master's or doctoral level educational  
36 program in counseling that consists of at least 60 semester hours or  
37 90 quarter hours, or includes at least 60 semester hours or 90  
38 quarter hours of graduate coursework that includes the following  
39 topic areas:

40 (I) Mental health counseling orientation and ethical practice;

1 (II) Social and cultural diversity;  
2 (III) Human growth and development;  
3 (IV) Career development;  
4 (V) Counseling and helping relationships;  
5 (VI) Group counseling and group work;  
6 (VII) Diagnosis and treatment;  
7 (VIII) Assessment and testing; and  
8 (IX) Research and program evaluation; or  
9 (B) Graduation from a master's or doctoral level educational  
10 program in a related discipline from a college or university approved  
11 by the secretary based upon nationally recognized standards. An  
12 applicant who satisfies the educational requirements for licensure  
13 under this subsection (1)(b)(i)(B) is not qualified to exercise the  
14 privilege to practice under the counseling compact established in  
15 chapter 18.17 RCW unless the master's or doctoral level educational  
16 program in a related discipline consists of at least 60 semester  
17 hours or 90 quarter hours, or includes at least 60 semester hours or  
18 90 quarter hours of graduate coursework that includes the topic areas  
19 specified in ~~((subsection (1)))~~ (b) (i) (A) (I) through (IX) of this  
20 ~~((section [(b) (i) (A) (I) through (IX) of this subsection]))~~  
21 subsection;  
22 (ii) Successful completion of an approved examination;  
23 (iii) Successful completion of a supervised experience  
24 requirement. The experience requirement consists of a minimum of 36  
25 months full-time counseling or 3,000 hours of postgraduate mental  
26 health counseling under the supervision of a qualified licensed  
27 mental health counselor or equally qualified licensed mental health  
28 practitioner, in an approved setting. The 3,000 hours of required  
29 experience includes a minimum of 100 hours spent in immediate  
30 supervision with the qualified licensed mental health counselor, and  
31 includes a minimum of 1,200 hours of direct counseling with  
32 individuals, couples, families, or groups; and  
33 (iv) Successful completion of continuing education requirements  
34 ~~((of 36 hours, with six))~~ established in rule by the secretary,  
35 including a minimum number of hours in professional ethics.  
36 (c) Licensed marriage and family therapist:  
37 (i) Graduation from a master's degree or doctoral degree  
38 educational program in marriage and family therapy or graduation from  
39 an educational program in an allied field equivalent to a master's

1 degree or doctoral degree in marriage and family therapy approved by  
2 the secretary based upon nationally recognized standards;

3 (ii) Successful passage of an approved examination;

4 (iii) Successful completion of a supervised experience  
5 requirement. The experience requirement consists of a minimum of  
6 3,000 hours of marriage and family therapy. Of the total supervision,  
7 100 hours must be with a licensed marriage and family therapist with  
8 at least ~~((five))~~ two years' clinical experience; the other 100 hours  
9 may be with an equally qualified licensed mental health practitioner.  
10 Total experience requirements include:

11 (A) 1,000 hours of direct client contact; at least 500 hours must  
12 be gained in diagnosing and treating couples and families; plus

13 (B) At least 200 hours of qualified supervision with a  
14 supervisor. At least 100 of the 200 hours must be one-on-one  
15 supervision, and the remaining hours may be in one-on-one or group  
16 supervision.

17 Applicants who have completed a master's program accredited by  
18 the commission on accreditation for marriage and family therapy  
19 education of the American association for marriage and family therapy  
20 may be credited with 500 hours of direct client contact and 100 hours  
21 of formal meetings with an approved supervisor; and

22 (iv) Successful completion of continuing education requirements  
23 ~~((of 36 hours, with six))~~ established in rule by the secretary,  
24 including a minimum number of hours in professional ethics.

25 (2) The department shall establish by rule what constitutes  
26 adequate proof of meeting the criteria. Only rules in effect on the  
27 date of submission of a completed application of an associate for her  
28 or his license shall apply. If the rules change after a completed  
29 application is submitted but before a license is issued, the new  
30 rules shall not be reason to deny the application.

31 (3) In addition, applicants shall be subject to the grounds for  
32 denial of a license or issuance of a conditional license under  
33 chapter 18.130 RCW.

34 **Sec. 15.** RCW 18.225.145 and 2021 c 57 s 2 are each amended to  
35 read as follows:

36 (1) The secretary shall issue an associate license to any  
37 applicant who demonstrates to the satisfaction of the secretary that  
38 the applicant meets the following requirements for the applicant's

1 practice area and submits a declaration that the applicant is working  
2 toward full licensure in that category:

3 (a) Licensed social worker associate—advanced or licensed social  
4 worker associate—independent clinical: Graduation from a master's  
5 degree or doctoral degree educational program in social work  
6 accredited by the council on social work education and approved by  
7 the secretary based upon nationally recognized standards.

8 (b) Licensed mental health counselor associate: Graduation from a  
9 master's degree or doctoral degree educational program in mental  
10 health counseling or a related discipline from a college or  
11 university approved by the secretary based upon nationally recognized  
12 standards.

13 (c) Licensed marriage and family therapist associate: Graduation  
14 from a master's degree or doctoral degree educational program in  
15 marriage and family therapy or graduation from an educational program  
16 in an allied field equivalent to a master's degree or doctoral degree  
17 in marriage and family therapy approved by the secretary based upon  
18 nationally recognized standards.

19 (2) Associates may not provide independent social work, mental  
20 health counseling, or marriage and family therapy for a fee, monetary  
21 or otherwise. Associates must work under the supervision of an  
22 approved supervisor. An applicant for an associate license under this  
23 section may practice, for up to 120 days after the department  
24 receives the applicant's completed application, under the direct  
25 supervision of an approved supervisor until the applicant's license  
26 is issued or denied.

27 (3) Associates shall provide each client or patient, during the  
28 first professional contact, with a disclosure form according to RCW  
29 18.225.100, disclosing that he or she is an associate under the  
30 supervision of an approved supervisor.

31 (4) The department shall adopt by rule what constitutes adequate  
32 proof of compliance with the requirements of this section.

33 (5) Applicants are subject to the denial of a license or issuance  
34 of a conditional license for the reasons set forth in chapter 18.130  
35 RCW.

36 (6) (a) (~~Except as provided in (b) of this subsection, an~~) An  
37 associate license may be renewed ((no more than six times)), provided  
38 that the applicant for renewal has successfully completed ((eighteen  
39 hours of)), in the preceding year, continuing education ((in the  
40 preceding year)) requirements established in rule by the secretary.

1 Beginning with the second renewal, ~~((at least six of))~~ the continuing  
2 education requirements established in rule by the secretary must  
3 require the applicant to complete a minimum number of continuing  
4 education hours in the preceding two years ~~((must be))~~ in  
5 professional ethics.

6 (b) ~~((If the secretary finds that a waiver to allow additional~~  
7 ~~renewals is justified due to barriers to testing or training~~  
8 ~~resulting from a governor-declared emergency, additional renewals may~~  
9 ~~be approved.))~~ A person whose associate license was not renewed due  
10 to the person exceeding the six-renewal limit in place prior to the  
11 effective date of this section shall be treated as if the person's  
12 license expired. The secretary shall allow such a person to return  
13 the person's associate license to active status pursuant to standard  
14 rules and procedures in place for returning an expired credential to  
15 active status.

16 **Sec. 16.** RCW 18.225.180 and 2023 c 425 s 7 are each amended to  
17 read as follows:

18 (1)(a) Subject to the availability of amounts appropriated for  
19 this specific purpose, by October 1, 2023, the department shall  
20 develop a program to facilitate placement of associates with clinical  
21 supervision services. The program must include a database of license  
22 holders with the required qualifications who are willing to serve as  
23 approved supervisors and agencies or facilities that offer  
24 supervision services through their facilities to associates seeking  
25 to satisfy supervised experience requirements under RCW 18.225.090.

26 (b) The department shall adopt, by rule, minimum qualifications  
27 for supervisors or facilities to be included in the database and  
28 minimum standards for adequate supervision of associates. The  
29 department may not include in the database any person who, or  
30 facility that, does not meet the minimum qualifications. The  
31 department shall periodically audit the list to remove persons who,  
32 or facilities that, no longer meet the minimum qualifications or fail  
33 to meet the minimum standards.

34 (2) Subject to the availability of amounts appropriated for this  
35 specific purpose, the department shall establish a stipend program to  
36 ~~((defray the out-of-pocket expenses incurred by))~~ offset the costs of  
37 providing supervision for associates completing supervised experience  
38 requirements under RCW 18.225.090.

1       (a) (~~Out-of-pocket expenses eligible for defrayment under this~~  
2 ~~section include costs incurred in order to obtain supervised~~  
3 ~~experience, such as fees or charges imposed by the individual or~~  
4 ~~entity providing supervision, and any other expenses deemed~~  
5 ~~appropriate by the department.)) To be eligible for the stipend  
6 program under this subsection (2), a supervisor must:~~

7       (i) Meet all requirements of a qualified supervisor in this  
8 chapter and chapter 246-809 WAC;

9       (ii) Charge no more than \$150 per hour to the associate receiving  
10 supervision, up to a total of \$2,000 per year; and

11       (iii) Be actively providing supervision to at least one associate  
12 completing supervised experience requirements under RCW 18.225.090.

13       (b) (~~Associates~~) Supervisors participating in the stipend  
14 program established in this section shall document their (~~out-of-~~  
15 ~~pocket~~) expenses, time spent supervising each associate under their  
16 supervision, and any fees that the supervisors charge the associate  
17 in a manner specified by the department.

18       (c) (~~When adopting the stipend program, the department shall~~  
19 ~~consider defraying out-of-pocket expenses associated with unpaid~~  
20 ~~internships that are part of an applicant's educational program.))  
21 Supervisors receiving a stipend under this section are eligible for  
22 up to \$2,000 per year per associate if the supervisor maintains the  
23 supervisory relationship for the entire year and subject to the  
24 availability of funds. If the supervisor does not provide supervision  
25 for an entire year, the department shall prorate the stipend amount  
26 accordingly.~~

27       (d) The department shall establish the stipend program no later  
28 than July 1, (~~2024~~) 2025.

29       (~~e~~) (3) The department may adopt any rules necessary to  
30 implement this section.

31       **Sec. 17.** RCW 48.43.045 and 2015 c 237 s 2 are each amended to  
32 read as follows:

33       (1) Every health plan delivered, issued for delivery, or renewed  
34 by a health carrier on and after January 1, 1996, shall:

35       (a) Permit every category of health care provider to provide  
36 health services or care included in the basic essential health  
37 benefits benchmark plan established by the commissioner consistent  
38 with RCW 48.43.715, to the extent that:

1 (i) The provision of such health services or care is within the  
2 health care providers' permitted scope of practice;

3 (ii) The providers agree to abide by standards related to:

4 (A) Provision, utilization review, and cost containment of health  
5 services;

6 (B) Management and administrative procedures; and

7 (C) Provision of cost-effective and clinically efficacious health  
8 services; and

9 (iii) The plan covers such services or care in the essential  
10 health benefits benchmark plan. The reference to the essential health  
11 benefits does not create a mandate to cover a service that is  
12 otherwise not a covered benefit.

13 (b) Annually report the names and addresses of all officers,  
14 directors, or trustees of the health carrier during the preceding  
15 year, and the amount of wages, expense reimbursements, or other  
16 payments to such individuals, unless substantially similar  
17 information is filed with the commissioner or the national  
18 association of insurance commissioners. This requirement does not  
19 apply to a foreign or alien insurer regulated under chapter 48.20 or  
20 48.21 RCW that files a supplemental compensation exhibit in its  
21 annual statement as required by law.

22 (2) If a health plan's provider network includes participating  
23 providers licensed under chapter 18.83 or 18.225 RCW, the plan may  
24 not categorically exclude associate licensees under those chapters.

25 (3) The requirements of subsection (1)(a) of this section do not  
26 apply to a licensed health care profession regulated under Title 18  
27 RCW when the licensing statute for the profession states that such  
28 requirements do not apply.

29 **Sec. 18.** RCW 74.09.522 and 2023 c 51 s 43 are each amended to  
30 read as follows:

31 (1) For the purposes of this section, "nonparticipating provider"  
32 means a person, health care provider, practitioner, facility, or  
33 entity, acting within their scope of practice, that does not have a  
34 written contract to participate in a managed care organization's  
35 provider network, but provides health care services to enrollees of  
36 programs authorized under this chapter or other applicable law whose  
37 health care services are provided by the managed care organization.

1 (2) The authority shall enter into agreements with managed care  
2 organizations to provide health care services to recipients of  
3 medicaid under the following conditions:

4 (a) Agreements shall be made for at least thirty thousand  
5 recipients statewide;

6 (b) Agreements in at least one county shall include enrollment of  
7 all recipients of programs as allowed for in the approved state plan  
8 amendment or federal waiver for Washington state's medicaid program;

9 (c) To the extent that this provision is consistent with section  
10 1903(m) of Title XIX of the federal social security act or federal  
11 demonstration waivers granted under section 1115(a) of Title XI of  
12 the federal social security act, recipients shall have a choice of  
13 systems in which to enroll and shall have the right to terminate  
14 their enrollment in a system: PROVIDED, That the authority may limit  
15 recipient termination of enrollment without cause to the first month  
16 of a period of enrollment, which period shall not exceed twelve  
17 months: AND PROVIDED FURTHER, That the authority shall not restrict a  
18 recipient's right to terminate enrollment in a system for good cause  
19 as established by the authority by rule;

20 (d) To the extent that this provision is consistent with section  
21 1903(m) of Title XIX of the federal social security act,  
22 participating managed care organizations shall not enroll a  
23 disproportionate number of medical assistance recipients within the  
24 total numbers of persons served by the managed care organizations,  
25 except as authorized by the authority under federal demonstration  
26 waivers granted under section 1115(a) of Title XI of the federal  
27 social security act;

28 (e)(i) In negotiating with managed care organizations the  
29 authority shall adopt a uniform procedure to enter into contractual  
30 arrangements, including:

31 (A) Standards regarding the quality of services to be provided;

32 (B) The financial integrity of the responding system;

33 (C) Provider reimbursement methods that incentivize chronic care  
34 management within health homes, including comprehensive medication  
35 management services for patients with multiple chronic conditions  
36 consistent with the findings and goals established in RCW 74.09.5223;

37 (D) Provider reimbursement methods that reward health homes that,  
38 by using chronic care management, reduce emergency department and  
39 inpatient use;

1 (E) Promoting provider participation in the program of training  
2 and technical assistance regarding care of people with chronic  
3 conditions described in RCW 43.70.533, including allocation of funds  
4 to support provider participation in the training, unless the managed  
5 care organization is an integrated health delivery system that has  
6 programs in place for chronic care management;

7 (F) Provider reimbursement methods within the medical billing  
8 processes that incentivize pharmacists or other qualified providers  
9 licensed in Washington state to provide comprehensive medication  
10 management services consistent with the findings and goals  
11 established in RCW 74.09.5223;

12 (G) Evaluation and reporting on the impact of comprehensive  
13 medication management services on patient clinical outcomes and total  
14 health care costs, including reductions in emergency department  
15 utilization, hospitalization, and drug costs; and

16 (H) Established consistent processes to incentivize integration  
17 of behavioral health services in the primary care setting, promoting  
18 care that is integrated, collaborative, colocated, and preventive.

19 (ii)(A) Health home services contracted for under this subsection  
20 may be prioritized to enrollees with complex, high cost, or multiple  
21 chronic conditions.

22 (B) Contracts that include the items in (e)(i)(C) through (G) of  
23 this subsection must not exceed the rates that would be paid in the  
24 absence of these provisions;

25 (f) The authority shall seek waivers from federal requirements as  
26 necessary to implement this chapter;

27 (g) The authority shall, wherever possible, enter into prepaid  
28 capitation contracts that include inpatient care. However, if this is  
29 not possible or feasible, the authority may enter into prepaid  
30 capitation contracts that do not include inpatient care;

31 (h) The authority shall define those circumstances under which a  
32 managed care organization is responsible for out-of-plan services and  
33 assure that recipients shall not be charged for such services;

34 (i) Nothing in this section prevents the authority from entering  
35 into similar agreements for other groups of people eligible to  
36 receive services under this chapter; and

37 (j) The authority must consult with the federal center for  
38 medicare and medicaid innovation and seek funding opportunities to  
39 support health homes.

1 (3) The authority shall ensure that publicly supported community  
2 health centers and providers in rural areas, who show serious intent  
3 and apparent capability to participate as managed care organizations  
4 are seriously considered as contractors. The authority shall  
5 coordinate its managed care activities with activities under chapter  
6 70.47 RCW.

7 (4) The authority shall work jointly with the state of Oregon and  
8 other states in this geographical region in order to develop  
9 recommendations to be presented to the appropriate federal agencies  
10 and the United States congress for improving health care of the poor,  
11 while controlling related costs.

12 (5) The legislature finds that competition in the managed health  
13 care marketplace is enhanced, in the long term, by the existence of a  
14 large number of managed care organization options for medicaid  
15 clients. In a managed care delivery system, whose goal is to focus on  
16 prevention, primary care, and improved enrollee health status,  
17 continuity in care relationships is of substantial importance, and  
18 disruption to clients and health care providers should be minimized.  
19 To help ensure these goals are met, the following principles shall  
20 guide the authority in its healthy options managed health care  
21 purchasing efforts:

22 (a) All managed care organizations should have an opportunity to  
23 contract with the authority to the extent that minimum contracting  
24 requirements defined by the authority are met, at payment rates that  
25 enable the authority to operate as far below appropriated spending  
26 levels as possible, consistent with the principles established in  
27 this section.

28 (b) Managed care organizations should compete for the award of  
29 contracts and assignment of medicaid beneficiaries who do not  
30 voluntarily select a contracting system, based upon:

31 (i) Demonstrated commitment to or experience in serving low-  
32 income populations;

33 (ii) Quality of services provided to enrollees;

34 (iii) Accessibility, including appropriate utilization, of  
35 services offered to enrollees;

36 (iv) Demonstrated capability to perform contracted services,  
37 including ability to supply an adequate provider network;

38 (v) Payment rates; and

39 (vi) The ability to meet other specifically defined contract  
40 requirements established by the authority, including consideration of

1 past and current performance and participation in other state or  
2 federal health programs as a contractor.

3 (c) Consideration should be given to using multiple year  
4 contracting periods.

5 (d) Quality, accessibility, and demonstrated commitment to  
6 serving low-income populations shall be given significant weight in  
7 the contracting, evaluation, and assignment process.

8 (e) All contractors that are regulated health carriers must meet  
9 state minimum net worth requirements as defined in applicable state  
10 laws. The authority shall adopt rules establishing the minimum net  
11 worth requirements for contractors that are not regulated health  
12 carriers. This subsection does not limit the authority of the  
13 Washington state health care authority to take action under a  
14 contract upon finding that a contractor's financial status seriously  
15 jeopardizes the contractor's ability to meet its contract  
16 obligations.

17 (f) Procedures for resolution of disputes between the authority  
18 and contract bidders or the authority and contracting carriers  
19 related to the award of, or failure to award, a managed care contract  
20 must be clearly set out in the procurement document.

21 (6) The authority may apply the principles set forth in  
22 subsection (5) of this section to its managed health care purchasing  
23 efforts on behalf of clients receiving supplemental security income  
24 benefits to the extent appropriate.

25 (7) Any contract with a managed care organization to provide  
26 services to medical assistance enrollees shall require that managed  
27 care organizations offer contracts to mental health providers and  
28 substance use disorder treatment providers to provide access to  
29 primary care services integrated into behavioral health clinical  
30 settings, for individuals with behavioral health and medical  
31 comorbidities.

32 (8) Managed care organization contracts effective on or after  
33 April 1, 2016, shall serve geographic areas that correspond to the  
34 regional service areas established in RCW 74.09.870.

35 (9) A managed care organization shall pay a nonparticipating  
36 provider that provides a service covered under this chapter or other  
37 applicable law to the organization's enrollee no more than the lowest  
38 amount paid for that service under the managed care organization's  
39 contracts with similar providers in the state if the managed care

1 organization has made good faith efforts to contract with the  
2 nonparticipating provider.

3 (10) For services covered under this chapter or other applicable  
4 law to medical assistance or medical care services enrollees,  
5 nonparticipating providers must accept as payment in full the amount  
6 paid by the managed care organization under subsection (9) of this  
7 section in addition to any deductible, coinsurance, or copayment that  
8 is due from the enrollee for the service provided. An enrollee is not  
9 liable to any nonparticipating provider for covered services, except  
10 for amounts due for any deductible, coinsurance, or copayment under  
11 the terms and conditions set forth in the managed care organization  
12 contract to provide services under this section.

13 (11) Pursuant to federal managed care access standards, 42 C.F.R.  
14 Sec. 438, managed care organizations must maintain a network of  
15 appropriate providers that is supported by written agreements  
16 sufficient to provide adequate access to all services covered under  
17 the contract with the authority, including hospital-based physician  
18 services. The authority will monitor and periodically report on the  
19 proportion of services provided by contracted providers and  
20 nonparticipating providers, by county, for each managed care  
21 organization to ensure that managed health care systems are meeting  
22 network adequacy requirements. No later than January 1st of each  
23 year, the authority will review and report its findings to the  
24 appropriate policy and fiscal committees of the legislature for the  
25 preceding state fiscal year.

26 (12) If a managed care organization's provider network includes  
27 participating providers licensed under chapter 18.83 or 18.225 RCW,  
28 the plan may not categorically exclude associate licensees under  
29 those chapters.

30 (13) Payments under RCW 74.60.130 are exempt from this section.

31 NEW SECTION. Sec. 19. The health care authority shall ensure  
32 that all services provided by associate licenses under chapters  
33 18.225 and 18.83 RCW are included in the state medicaid program,  
34 including filing any necessary state plan amendments by January 1,  
35 2025.

36 NEW SECTION. Sec. 20. The board of psychology and the secretary  
37 of health may adopt any rules necessary to implement this act.

1        NEW SECTION.    **Sec. 21.**    Sections 1 through 18 of this act take  
2 effect October 1, 2025.

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