
SECOND SUBSTITUTE HOUSE BILL 1993

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Barlow, Curtis, Schual-Berke, Kagi, Cody, Hinkle, Green, B. Sullivan, Eddy, Pettigrew, P. Sullivan, Bailey, Schindler, Dickerson, Morrell, Kenney, Simpson and Ormsby)

READ FIRST TIME 03/05/07.

1 AN ACT Relating to credentialing standards for counselors; amending
2 RCW 18.19.020, 18.19.030, 18.19.040, 18.19.050, 18.19.060, 18.19.090,
3 18.19.100, 18.225.010, 18.225.020, 18.225.070, 18.225.090, 18.225.150,
4 18.205.020, 18.205.030, and 18.205.040; adding new sections to chapter
5 18.19 RCW; adding a new section to chapter 18.225 RCW; adding a new
6 section to chapter 18.205 RCW; creating new sections; providing an
7 effective date; and declaring an emergency.

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

9 **Sec. 1.** RCW 18.19.020 and 2001 c 251 s 18 are each amended to read
10 as follows:

11 ~~((Unless the context clearly requires otherwise,))~~ The definitions
12 in this section apply throughout this chapter unless the context
13 clearly requires otherwise.

14 (1) "Agency" means an agency or facility operated, licensed, or
15 certified by the state of Washington.

16 (2) "Agency affiliated counselor" means a person credentialed under
17 this chapter who is engaged in therapeutic counseling and employed by
18 an agency.

1 (3) "Client" means an individual who receives or participates in
2 counseling or group counseling.

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

13 ~~(3) "Counselor" means an individual, practitioner, therapist, or
14 analyst who engages in the practice of counseling to the public for a
15 fee, including for the purposes of this chapter, hypnotherapists.)~~

16 (4) "Department" means the department of health.

17 (5) "Hypnotherapist" means a person registered under this chapter
18 who is practicing hypnosis as a modality.

19 (6) "Mental health adviser" means a person credentialed under this
20 chapter who is engaged in therapeutic counseling under the direct
21 supervision, as defined in RCW 18.19.090(3)(b), of a licensed mental
22 health practitioner.

23 (7) "Mental health practitioner" means a licensed mental health
24 counselor, marriage and family therapist, independent clinical social
25 worker and advanced social worker psychologist, psychiatrist, or
26 psychiatric advanced registered nurse practitioner.

27 (8) "Secretary" means the secretary of the department or the
28 secretary's designee.

29 (9) "Therapeutic counseling" means assisting a client or clients in
30 the amelioration or adjustment of mental, emotional, and behavioral
31 problems by employing a recognized theory of mental health treatment
32 based on an understanding of human development, emotional disorders,
33 and well-being, and the use of recognized counseling techniques,
34 including the use of self. Therapeutic counseling does not include:

35 (a) Counseling done by vocational counselors related to employment,
36 career development, or vocational rehabilitation; school counselors
37 employed or contracted with a school or college who work to promote the
38 academic career and personal and social development of students; peer

1 counselors, peer counselor trainers, and student peer counselors who
2 use their own experience to help people in similar situations; domestic
3 violence treatment providers; crime victim advocates; or camp
4 counselors; or

5 (b) Supportive services such as case management activities, human
6 services, residential support, or administration of tests unless these
7 services are provided in conjunction with therapeutic counseling.
8 "Therapeutic counseling" does not imply proficiency in the practice or
9 competencies of licensed marriage and family therapy, mental health
10 counselor, social work, chemical dependency professional, psychiatric
11 nurse practice, psychology, or psychiatry that are regulated under
12 other laws.

13 **Sec. 2.** RCW 18.19.030 and 2001 c 251 s 19 are each amended to read
14 as follows:

15 ~~((No))~~ A person may not, ((for a fee or)) as a part of his or her
16 position as an employee of a state agency, practice therapeutic
17 counseling without being ((registered)) credentialed to practice as an
18 agency affiliated counselor or mental health adviser by the department
19 under this chapter unless exempt under RCW 18.19.040.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.19 RCW
21 to read as follows:

22 A person may not, for a fee or as a part of his or her position as
23 an employee of a state agency, practice hypnotherapy without being
24 registered to practice as a hypnotherapist by the department under this
25 chapter unless exempt under RCW 18.19.040.

26 **Sec. 4.** RCW 18.19.040 and 2001 c 251 s 20 are each amended to read
27 as follows:

28 Nothing in this chapter may be construed to prohibit or restrict:

29 (1) The practice of a profession by a person who is either
30 registered, certified, licensed, or similarly regulated under the laws
31 of this state and who is performing services within the person's
32 authorized scope of practice, including any attorney admitted to
33 practice law in this state when providing counseling incidental to and
34 in the course of providing legal counsel;

1 (2) The practice of therapeutic counseling by an employee or
2 trainee of any federal agency, or the practice of counseling by a
3 student of a college or university, if the employee, trainee, or
4 student is practicing solely under the supervision of and accountable
5 to the agency, college, or university, through which he or she performs
6 such functions as part of his or her position for no additional fee
7 other than ordinary compensation;

8 (3) The practice of therapeutic counseling by a person (~~((without a~~
9 ~~mandatory charge))~~) for no compensation;

10 (4) The practice of therapeutic counseling by persons offering
11 services for public and private nonprofit organizations or charities
12 not primarily engaged in therapeutic counseling for a fee when approved
13 by the organizations or agencies for whom they render their services;

14 (5) Evaluation, consultation, planning, policy-making, research, or
15 related services conducted by social scientists for private
16 corporations or public agencies;

17 (6) The practice of therapeutic counseling by a person under the
18 auspices of a religious denomination, church, or organization, or the
19 practice of religion itself;

20 (7) (~~((Counselors whose residency is not))~~) Mental health advisers
21 who reside outside Washington state from providing up to ten days per
22 quarter of training or workshops in the state, as long as they
23 (~~((don't))~~) do not hold themselves out to be (~~((registered))~~) credentialed
24 in Washington state.

25 **Sec. 5.** RCW 18.19.050 and 2001 c 251 s 21 are each amended to read
26 as follows:

27 (1) In addition to any other authority provided by law, the
28 secretary has the following authority:

29 (a) To adopt rules, in accordance with chapter 34.05 RCW, necessary
30 to implement this chapter;

31 (b) To set all (~~((registration))~~) credential and renewal fees in
32 accordance with RCW 43.70.250 and to collect and deposit all such fees
33 in the health professions account established under RCW 43.70.320;

34 (c) To establish forms and procedures necessary to administer this
35 chapter;

36 (d) To hire clerical, administrative, and investigative staff as
37 needed to implement this chapter; and

1 (e) To issue a (~~registration~~) credential to any applicant who has
2 met the requirements (~~for registration; and~~

3 ~~(f) To develop a dictionary of recognized professions and~~
4 ~~occupations providing counseling services to the public included under~~
5 ~~this chapter)) of this chapter.~~

6 (2) The uniform disciplinary act, chapter 18.130 RCW, governs the
7 issuance and denial of (~~registrations~~) credentials and the discipline
8 of (~~registrants~~) persons credentialed under this chapter. The
9 secretary shall be the disciplining authority under this chapter.
10 (~~The absence of educational or training requirements for counselors~~
11 ~~registered under this chapter or the counselor's use of nontraditional~~
12 ~~nonabusive therapeutic techniques shall not, in and of itself, give the~~
13 ~~secretary authority to unilaterally determine the training and~~
14 ~~competence or to define or restrict the scope of practice of such~~
15 ~~individuals.))~~

16 (3) The department shall publish and disseminate information (~~in~~
17 ~~order~~) to educate the public about the responsibilities of therapeutic
18 counselors, the types of therapeutic counselors, and the rights and
19 responsibilities of clients established under this chapter. (~~Solely~~
20 ~~for the purposes of administering this education requirement,~~) The
21 secretary (~~shall~~) may assess an additional fee for each application
22 and renewal(~~, equal to five percent of the fee. The revenue collected~~
23 ~~from the assessment fee may be appropriated by the legislature for the~~
24 ~~department's use in educating consumers pursuant to this section. The~~
25 ~~authority to charge the assessment fee shall terminate on June 30,~~
26 ~~1994)) to fund public education efforts under this section.~~

27 (4) The department may seek the advice and consultation of the
28 mental health counselors, marriage and family therapists, and social
29 workers advisory committee established under RCW 18.225.060 as
30 necessary for the administration of the professions established in this
31 chapter.

32 **Sec. 6.** RCW 18.19.060 and 2001 c 251 s 22 are each amended to read
33 as follows:

34 Persons (~~registered~~) credentialed under this chapter shall
35 provide clients at the commencement of any program of treatment with
36 accurate disclosure information concerning their practice, in
37 accordance with guidelines developed by the department, that will

1 inform clients of the purposes of and resources available under this
2 chapter, including the right of clients to refuse treatment, the
3 responsibility of clients for choosing the provider and treatment
4 modality which best suits their needs, and the extent of
5 confidentiality provided by this chapter, the department, another
6 agency, or other jurisdiction. The disclosure statement must inform
7 the client that the mental health adviser is under the supervision of
8 a licensed mental health practitioner. The disclosure information
9 provided by the ((~~counselor~~)) credential holder, the receipt of which
10 shall be acknowledged in writing by the ((~~counselor~~)) credential holder
11 and client, shall include any relevant education and training, the
12 therapeutic orientation of the practice, the proposed course of
13 treatment where known, any financial requirements, referral resources,
14 and such other information as the department may require by rule. The
15 disclosure statement must inform the client of any disciplinary action
16 taken against the credential holder by the department, other agency, or
17 other jurisdiction. The disclosure information shall also include a
18 statement that ((~~registration of an individual~~)) a credential issued
19 under this chapter does not include a recognition of any practice
20 standards, nor necessarily imply the effectiveness of any treatment.
21 The client is not liable for any fees or charges for services rendered
22 prior to receipt of the disclosure statement.

23 **Sec. 7.** RCW 18.19.090 and 1991 c 3 s 24 are each amended to read
24 as follows:

25 ((~~The secretary shall issue a registration to any applicant who~~
26 ~~submits, on forms provided by the secretary, the applicant's name,~~
27 ~~address, occupational title, name and location of business, and other~~
28 ~~information as determined by the secretary, including information~~
29 ~~necessary to determine whether there are grounds for denial of~~
30 ~~registration or issuance of a conditional registration under this~~
31 ~~chapter or chapter 18.130 RCW.~~

32 Applicants)) (1) Applications for ((~~registration shall register as~~
33 ~~counselors or may register as hypnotherapists if employing hypnosis as~~
34 ~~a modality. Applicants shall, in addition, provide in their titles a~~
35 ~~description of their therapeutic orientation, discipline, theory, or~~
36 ~~technique. Each applicant shall pay a fee determined by the secretary~~
37 ~~as provided in RCW 43.70.250, which shall accompany the application.))~~

1 credential as agency affiliated counselors, mental health advisers, or
2 hypnotherapists must be made on forms approved by the secretary. The
3 secretary may require information necessary to determine whether
4 applicants meet the qualifications for the credential and whether there
5 are any grounds for denial or issuance of a conditional credential
6 under this chapter or chapter 18.130 RCW. An application for a
7 credential as an agency affiliated counselor or mental health adviser
8 shall include a description of their therapeutic orientation,
9 discipline, theory, or technique to the department.

10 (2) Applicants for registration as agency affiliated counselors
11 must provide satisfactory documentation that they are employed by an
12 agency or have an offer of employment from an agency.

13 (3) Applicants for credential as mental health advisers are
14 required to:

15 (a) Have a baccalaureate degree in social work, mental health
16 counseling, psychology, or some other field from an accredited college
17 or university; and

18 (b) Have a written supervision agreement with a licensed mental
19 health practitioner. The department must develop rules defining
20 supervisory requirements and a model supervision agreement. After
21 January 1, 2009, the practice of mental health advisers is limited to
22 group practice settings as defined by the secretary. Provided that,
23 persons obtaining the mental health adviser credential who will be
24 practicing solely under the provisions of chapter 18.155 RCW are exempt
25 from the supervision and practice setting requirements of this
26 subsection.

27 (4) Each applicant shall include payment of the fee determined by
28 the secretary as provided in RCW 43.70.250.

29 NEW SECTION. Sec. 8. A new section is added to chapter 18.19 RCW
30 to read as follows:

31 Agency affiliated counselors shall notify the department if they
32 are either no longer employed by the agency identified on their
33 application or are now employed with another agency, or both. Agency
34 affiliated counselors may not engage in the practice of therapeutic
35 counseling unless they are currently affiliated with an agency.

1 **Sec. 9.** RCW 18.19.100 and 1996 c 191 s 5 are each amended to read
2 as follows:

3 The secretary shall establish administrative procedures,
4 administrative requirements, and fees for renewal of ~~((registrations))~~
5 credentials as provided in RCW 43.70.250 and 43.70.280. The secretary
6 may establish continuing education requirements for renewal of
7 credentials.

8 **Sec. 10.** RCW 18.225.010 and 2001 c 251 s 1 are each amended to
9 read as follows:

10 ~~((Unless the context clearly requires otherwise,))~~ The definitions
11 in this section apply throughout this chapter unless the context
12 clearly requires otherwise.

13 (1) "Advanced social work" means the application of social work
14 theory and methods including emotional and biopsychosocial assessment,
15 psychotherapy under the supervision of a licensed independent clinical
16 social worker, case management, consultation, advocacy, counseling, and
17 community organization.

18 (2) "Applicant" means a person who completes the required
19 application, pays the required fee, is at least eighteen years of age,
20 and meets any background check requirements and uniform disciplinary
21 act requirements.

22 (3) "Associate" means a person with a master's degree in a mental
23 health field as described in RCW 18.225.090 who is gaining the
24 supervision and supervised experience necessary to become a licensed
25 independent clinical social worker, a licensed advanced social worker,
26 a licensed mental health counselor, or a licensed marriage and family
27 therapist.

28 (4) "Committee" means the Washington state mental health
29 counselors, marriage and family therapists, and social workers advisory
30 committee.

31 ~~((4))~~ (5) "Department" means the department of health.

32 ~~((5))~~ (6) "Disciplining authority" means the department.

33 ~~((6))~~ (7) "Independent clinical social work" means the diagnosis
34 and treatment of emotional and mental disorders based on knowledge of
35 human development, the causation and treatment of psychopathology,
36 psychotherapeutic treatment practices, and social work practice as

1 defined in advanced social work. Treatment modalities include but are
2 not limited to diagnosis and treatment of individuals, couples,
3 families, groups, or organizations.

4 ~~((7))~~ (8) "Marriage and family therapy" means the diagnosis and
5 treatment of mental and emotional disorders, whether cognitive,
6 affective, or behavioral, within the context of relationships,
7 including marriage and family systems. Marriage and family therapy
8 involves the professional application of psychotherapeutic and family
9 systems theories and techniques in the delivery of services to
10 individuals, couples, and families for the purpose of treating such
11 diagnosed nervous and mental disorders. The practice of marriage and
12 family therapy means the rendering of professional marriage and family
13 therapy services to individuals, couples, and families, singly or in
14 groups, whether such services are offered directly to the general
15 public or through organizations, either public or private, for a fee,
16 monetary or otherwise.

17 ~~((8))~~ (9) "Mental health counseling" means the application of
18 principles of human development, learning theory, psychotherapy, group
19 dynamics, and etiology of mental illness and dysfunctional behavior to
20 individuals, couples, families, groups, and organizations, for the
21 purpose of treatment of mental disorders and promoting optimal mental
22 health and functionality. Mental health counseling also includes, but
23 is not limited to, the assessment, diagnosis, and treatment of mental
24 and emotional disorders, as well as the application of a wellness model
25 of mental health.

26 ~~((9))~~ (10) "Secretary" means the secretary of health or the
27 secretary's designee.

28 **Sec. 11.** RCW 18.225.020 and 2001 c 251 s 2 are each amended to
29 read as follows:

30 A person must not represent himself or herself as a licensed
31 advanced social worker, a licensed independent clinical social worker,
32 a licensed mental health counselor, ~~((or))~~ a licensed marriage and
33 family therapist, a licensed social work associate - advanced, a
34 licensed social work associate - independent clinical, a licensed
35 mental health counselor associate, or a licensed marriage and family
36 therapist associate, without being licensed by the department.

1 NEW SECTION. **Sec. 12.** A new section is added to chapter 18.225
2 RCW to read as follows:

3 (1) The secretary shall issue an associate license to any applicant
4 who demonstrates to the satisfaction of the secretary that the
5 applicant meets the following requirements for the applicant's practice
6 area and submits a declaration that the applicant is working toward
7 full licensure in that category:

8 (a) Licensed social worker - advanced or licensed social worker -
9 clinical: Graduation from a master's or doctorate social work
10 educational program accredited by the council on social work education
11 and approved by the secretary based upon nationally recognized
12 standards;

13 (b) Licensed mental health counselor: Graduation from a master's
14 or doctoral level educational program in mental health counseling or a
15 related discipline from a college or university approved by the
16 secretary based upon nationally recognized standards;

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

23 (2) Associates may not provide independent social work, mental
24 health counseling, or marriage and family therapy for a fee, monetary
25 or otherwise. Associates must work under the supervision of an
26 approved supervisor.

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 establish by rule what constitutes
32 adequate 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) An associate license may be renewed no more than four times.

1 **Sec. 13.** RCW 18.225.070 and 2001 c 251 s 7 are each amended to
2 read as follows:

3 The department of health may seek the advice and assistance of the
4 advisory committee in administering this chapter, including, but not
5 limited to:

6 (1) Advice and recommendations regarding the establishment or
7 implementation of rules related to the administration of this chapter;

8 (2) Advice, recommendations, and consultation regarding case
9 disposition guidelines and priorities related to unprofessional conduct
10 cases regarding licensed mental health counselors, licensed clinical
11 social workers, licensed advanced social workers, (~~and~~) licensed
12 marriage and family therapists, and associates;

13 (3) Assistance and consultation of individual committee members as
14 needed in the review, analysis, and disposition of reports of
15 unprofessional conduct and consumer complaints;

16 (4) Assistance and recommendations to enhance consumer education;
17 (~~and~~)

18 (5) Assistance and recommendations regarding any continuing
19 education and continuing competency programs administered under the
20 provisions of (~~the [this]~~) this chapter; and

21 (6) Advice and assistance regarding the establishment or
22 implementation of rules related to agency-affiliated counselors and
23 mental health advisers credentialed under chapter 18.19 RCW.

24 **Sec. 14.** RCW 18.225.090 and 2006 c 69 s 1 are each amended to read
25 as follows:

26 (1) The secretary shall issue a license to any applicant who
27 demonstrates to the satisfaction of the secretary that the applicant
28 meets the following education and experience requirements for the
29 applicant's practice area.

30 (a) Licensed social work classifications:

31 (i) Licensed advanced social worker:

32 (A) Graduation from a master's or doctorate social work educational
33 program accredited by the council on social work education and approved
34 by the secretary based upon nationally recognized standards;

35 (B) Successful completion of an approved examination;

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

37 The experience requirement consists of a minimum of three thousand two

1 hundred hours with ninety hours of supervision by a licensed
2 independent clinical social worker or a licensed advanced social worker
3 who has been licensed or certified for at least two years. Of those
4 hours, fifty hours must include direct supervision by a licensed
5 advanced social worker or licensed independent clinical social worker;
6 the other forty hours may be with an equally qualified licensed mental
7 health practitioner. Forty hours must be in one-to-one supervision and
8 fifty hours may be in one-to-one supervision or group supervision.
9 Distance supervision is limited to forty supervision hours. Eight
10 hundred hours must be in direct client contact; and

11 (D) Successful completion of continuing education requirements of
12 thirty-six hours, with six in professional ethics.

13 (ii) Licensed independent clinical social worker:

14 (A) Graduation from a master's or doctorate level social work
15 educational program accredited by the council on social work education
16 and approved by the secretary based upon nationally recognized
17 standards;

18 (B) Successful completion of an approved examination;

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

20 The experience requirement consists of a minimum of four thousand hours
21 of experience, of which one thousand hours must be direct client
22 contact, over a three-year period supervised by a licensed independent
23 clinical social worker who has been licensed or certified for at least
24 five years and who has had at least one year of experience in
25 supervising the clinical social work practice of others, with
26 supervision of at least one hundred thirty hours by a licensed mental
27 health practitioner. Of the total supervision, seventy hours must be
28 with an independent clinical social worker meeting the qualifications
29 under this subsection (1)(a)(ii)(C); the other sixty hours may be with
30 an equally qualified licensed mental health practitioner. Sixty hours
31 must be in one-to-one supervision and seventy hours may be in one-to-
32 one supervision or group supervision. Distance supervision is limited
33 to sixty supervision hours; and

34 (D) Successful completion of continuing education requirements of
35 thirty-six hours, with six in professional ethics.

36 (b) Licensed mental health counselor:

37 (i) Graduation from a master's or doctoral level educational

1 program in mental health counseling or a related discipline from a
2 college or university approved by the secretary based upon nationally
3 recognized standards;

- 4 (ii) Successful completion of an approved examination;
- 5 (iii) Successful completion of a supervised experience requirement.

6 The experience requirement consists of a minimum of thirty-six months
7 full-time counseling or three thousand hours of postgraduate mental
8 health counseling under the supervision of a qualified licensed mental
9 health counselor or equally qualified licensed mental health
10 practitioner, in an approved setting. The three thousand hours of
11 required experience includes a minimum of one hundred hours spent in
12 immediate supervision with the qualified licensed mental health
13 counselor, and includes a minimum of one thousand two hundred hours of
14 direct counseling with individuals, couples, families, or groups; and

- 15 (iv) Successful completion of continuing education requirements of
16 thirty-six hours, with six in professional ethics.

17 (c) Licensed marriage and family therapist:

- 18 (i) Graduation from a master's degree or doctoral degree
19 educational program in marriage and family therapy or graduation from
20 an educational program in an allied field equivalent to a master's
21 degree or doctoral degree in marriage and family therapy approved by
22 the secretary based upon nationally recognized standards;

- 23 (ii) Successful passage of an approved examination;

24 (iii) Successful completion of a supervised experience requirement.
25 The experience requirement consists of a minimum of two calendar years
26 of full-time marriage and family therapy. Of the total supervision,
27 one hundred hours must be with a licensed marriage and family therapist
28 with at least five years' clinical experience; the other one hundred
29 hours may be with an equally qualified licensed mental health
30 practitioner. Total experience requirements include:

31 (A) A minimum of three thousand hours of experience, one thousand
32 hours of which must be direct client contact; at least five hundred
33 hours must be gained in diagnosing and treating couples and families;
34 plus

35 (B) At least two hundred hours of qualified supervision with a
36 supervisor. At least one hundred of the two hundred hours must be one-
37 on-one supervision, and the remaining hours may be in one-on-one or
38 group supervision.

1 Applicants who have completed a master's program accredited by the
2 commission on accreditation for marriage and family therapy education
3 of the American association for marriage and family therapy may be
4 credited with five hundred hours of direct client contact and one
5 hundred hours of formal meetings with an approved supervisor; and

6 (iv) Successful completion of continuing education requirements of
7 thirty-six hours, with six in professional ethics.

8 (2) The department shall establish by rule what constitutes
9 adequate proof of meeting the criteria.

10 (3) In addition, applicants shall be subject to the grounds for
11 denial of a license or issuance of a conditional license under chapter
12 18.130 RCW.

13 (4) Persons who apply for licensure by July 1, 2009, and who meet
14 the education requirements for any of the credentials issued under this
15 section and who have held a Washington state counselor credential
16 issued under chapter 18.19 RCW for five years since obtaining their
17 master's degree are exempt from documenting the supervision and
18 experience requirements of this section.

19 **Sec. 15.** RCW 18.225.150 and 2001 c 251 s 15 are each amended to
20 read as follows:

21 The secretary shall establish by rule the procedural requirements
22 and fees for renewal of a license or associate license. Failure to
23 renew shall invalidate the license or associate license and all
24 privileges granted by the license. If an associate license has lapsed,
25 the person shall submit an updated declaration, in accordance with
26 rules adopted by the department, that the person is working toward full
27 licensure. If a license has lapsed for a period longer than three
28 years, the person shall demonstrate competence to the satisfaction of
29 the secretary by taking continuing education courses, or meeting other
30 standards determined by the secretary. If an associate license has
31 lapsed, the person shall submit an updated declaration, in accordance
32 with rules adopted by the department, that the person is working toward
33 full licensure.

34 **Sec. 16.** RCW 18.205.020 and 1998 c 243 s 2 are each amended to
35 read as follows:

1 (~~Unless the context clearly requires otherwise,~~) The definitions
2 in this section apply throughout this chapter unless the context
3 clearly requires otherwise.

4 (1) "Certification" means a voluntary process recognizing an
5 individual who qualifies by examination and meets established
6 educational prerequisites, and which protects the title of practice.

7 (2) (~~"Certified"~~) "Chemical dependency professional" means an
8 individual certified in chemical dependency counseling, under this
9 chapter.

10 (3) "Chemical dependency professional trainee" means an individual
11 working toward the education and experience requirements for
12 certification as a chemical dependency professional.

13 (4) "Chemical dependency counseling" means employing the core
14 competencies of chemical dependency counseling to assist or attempt to
15 assist (~~an alcohol or drug addicted~~) a chemically dependent person to
16 develop and maintain abstinence from alcohol and other mood-altering
17 drugs.

18 (~~(4)~~) (5) "Committee" means the chemical dependency certification
19 advisory committee established under this chapter.

20 (~~(5)~~) (6) "Core competencies of chemical dependency counseling"
21 means competency in the nationally recognized knowledge, skills, and
22 attitudes of professional practice, including assessment and diagnosis
23 of chemical dependency, chemical dependency treatment planning and
24 referral, patient and family education in the disease of chemical
25 dependency, individual and group counseling with (~~alcoholic and drug~~
26 ~~addicted~~) chemically dependent individuals, relapse prevention
27 counseling, and case management, all oriented to assist (~~alcoholic and~~
28 ~~drug addicted~~) chemically dependent patients to achieve and maintain
29 abstinence from mood-altering substances and develop independent
30 support systems.

31 (~~(6)~~) (7) "Department" means the department of health.

32 (~~(7)~~) (8) "Health profession" means a profession providing health
33 services regulated under the laws of this state.

34 (~~(8)~~) (9) "Secretary" means the secretary of health or the
35 secretary's designee.

36 **Sec. 17.** RCW 18.205.030 and 2000 c 171 s 41 are each amended to
37 read as follows:

1 No person may represent oneself as a (~~certified~~) chemical
2 dependency professional or chemical dependency professional trainee or
3 use any title or description of services of a (~~certified~~) chemical
4 dependency professional or chemical dependency professional trainee
5 without applying for certification or registration under this chapter,
6 meeting the required qualifications, and being certified or registered
7 by the department of health, unless otherwise exempted by this chapter.

8 **Sec. 18.** RCW 18.205.040 and 1998 c 243 s 4 are each amended to
9 read as follows:

10 Nothing in this chapter shall be construed to authorize the use of
11 the title "~~certified~~) chemical dependency professional" or "chemical
12 dependency professional trainee" when treating patients in settings
13 other than programs approved under chapter 70.96A RCW.

14 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.205
15 RCW to read as follows:

16 (1) The secretary shall issue a chemical dependency professional
17 trainee credential to any applicant who demonstrates to the
18 satisfaction of the secretary that he or she is working toward the
19 education and experience requirements in RCW 18.205.090.

20 (2) A chemical dependency professional trainee credentialed under
21 this section shall submit to the secretary for approval a declaration,
22 in accordance with rules adopted by the department, that he or she is
23 enrolled in an approved education program and actively pursuing the
24 experience requirements in RCW 18.205.090. This declaration must be
25 updated with the trainee's annual renewal.

26 (3) A trainee certified under this section may practice only under
27 the supervision of a certified chemical dependency professional. The
28 first one hundred hours of any face-to-face client contact must be
29 under direct observation. All remaining experience must be under
30 supervision in accordance with rules adopted by the department.
31 Chemical dependency professional trainees are prohibited from
32 supervising any clinical staff.

33 (4) A chemical dependency professional trainee provides chemical
34 dependency assessments, counseling, and case management within a state
35 regulated agency and can provide clinical services to patients

1 consistent with his or her education, training, and experience as
2 determined by his or her approved supervisor.

3 (5) A chemical dependency professional trainee credential may only
4 be renewed four times.

5 (6) Applicants are subject to denial of a certificate or issuance
6 of a conditional certificate for the reasons set forth in chapter
7 18.130 RCW.

8 NEW SECTION. **Sec. 20.** To practice counseling, all registered
9 counselors must obtain another health profession credential by January
10 1, 2009. The registered counselor credential shall be abolished
11 January 1, 2009.

12 NEW SECTION. **Sec. 21.** The department of licensing shall convene
13 a work group to develop recommendations regarding the need to regulate
14 those individuals currently registered with the department of health as
15 counselors and whose practice does not meet the definition of
16 "therapeutic counseling" or a specified exemption to the definition.
17 The work group shall consist of a broad representation of registered
18 counselors that do not practice therapeutic counseling as defined in
19 RCW 18.19.020, such as life coaches and spiritual counselors, the
20 clients of such counselors, and representatives of licensed mental
21 health practitioners as defined in RCW 18.19.020, including members of
22 the mental health counselors, marriage and family therapists, and
23 social workers advisory committee established under RCW 18.225.060.
24 The work group shall consider the harm to the public if the individuals
25 are not regulated and the benefit to the public that the regulation
26 would provide, and alternatives to state regulation. The department of
27 licensing shall submit the recommendations of the work group to the
28 legislature by November 15, 2007.

29 NEW SECTION. **Sec. 22.** Except for sections 21 and 23 of this act,
30 this act takes effect July 1, 2008.

31 NEW SECTION. **Sec. 23.** The secretary of health may take the
32 necessary steps to ensure that this act is implemented on its effective
33 date.

1 NEW SECTION. **Sec. 24.** Section 21 of this act is necessary for the
2 immediate preservation of the public peace, health, or safety, or
3 support of the state government and its existing public institutions,
4 and takes effect immediately.

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