

# HOUSE BILL REPORT

## SB 6804

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**As Passed House:**  
March 3, 2010

**Title:** An act relating to allowing the department of social and health services to adopt rules establishing standards for the review and certification of treatment facilities under the problem and pathological gambling treatment program.

**Brief Description:** Allowing the department of social and health services to adopt rules establishing standards for the review and certification of treatment facilities under the problem and pathological gambling treatment program.

**Sponsors:** Senator Kohl-Welles.

**Brief History:**

**Committee Activity:**

Human Services: 2/18/10, 2/22/10 [DP].

**Floor Activity:**

Passed House: 3/3/10, 97-0.

**Brief Summary of Bill**

- Allows the Department of Social and Health Services (DSHS) to certify pathological gambling treatment facilities.
- Allows the DSHS to adopt rules establishing standards for the review and certification of pathological gambling treatment facilities.

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### HOUSE COMMITTEE ON HUMAN SERVICES

**Majority Report:** Do pass. Signed by 6 members: Representatives Dickerson, Chair; Orwall, Vice Chair; Darneille, Green, O'Brien and Walsh.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Dammeier, Ranking Minority Member; Herrera.

**Staff:** Brian Kilgore (786-7119) and Linda Merelle (786-7092).

**Background:**

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

The Problem and Pathological Gambling Program (Program) was established in the Department of Social and Health Services (DSHS). The Program provides for the prevention and treatment of problem and pathological gambling, and the training of professionals in the identification and treatment of problem and pathological gambling. When the Program was established, the DSHS was permitted to contract for any services provided under the Program but was not provided with rulemaking authority.

Most of the pathological gambling counseling services provided through the Program are provided by Chemical Dependency Practitioners (CDPs). Most CDPs are certified as Registered Counselors by the Department of Health. In 2008 the Legislature abolished the Registered Counselor credential, effective July 1, 2010, and replaced it with eight new credentials. Certified Registered Counselors are authorized to provide pathological gambling counseling services. None of the eight new credentials authorize credential holders to practice pathological gambling counseling.

The CDPs who currently provide the bulk of the DSHS's pathological gambling counseling could continue their work if they became agency affiliated counselors. An agency affiliated counselor is a person who is engaged in counseling and is currently affiliated with an agency or facility operated, licensed, or certified by Washington.

**Summary of Bill:**

The DSHS is permitted to certify treatment facilities to provide services under the Program. The DSHS may adopt rules establishing standards for the review and certification of treatment facilities under the Program. Certification and rulemaking authority will expire on December 31, 2012.

The Department of Health is directed to develop recommendations regarding the credentialing of problem and pathological gambling treatment providers who were, prior to July 1, 2010, providing problem and pathological gambling treatment services as registered counselors under chapter 18.19 RCW. The Department of Health must report its recommendations to the Legislature no later than December 1, 2010.

In developing its recommendations, the Department of Health must:

- consider sunrise review criteria;
- solicit input from stakeholders when developing its recommendations;
- determine appropriate training, education, or examination requirements for problem and pathological gambling treatment providers; and
- determine whether the scope of practice of an existing credential should be expanded to include problem and pathological gambling treatment services or whether a new credential for problem and pathological gambling treatment providers should be created.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) Because of the elimination of the Registered Counselor certification, chemical dependency counselors will no longer be able to continue to treat problem gamblers. Without this bill many gamblers and their families would no longer be able to receive services.

(Opposed) None.

**Persons Testifying:** Sarah Clark, Evergreen Council on Problem Gambling; and Robert Shope, Balanced Perspectives Counseling.

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