
SUBSTITUTE SENATE BILL 5220

State of Washington

61st Legislature

2009 Regular Session

By Senate Human Services & Corrections (originally sponsored by Senators Franklin, Stevens, Hargrove, Regala, and Murray)

READ FIRST TIME 02/23/09.

1 AN ACT Relating to protecting consumers by assuring persons using
2 the title of social worker have graduated with a degree in social work
3 from an educational program accredited by the council on social work
4 education; amending RCW 18.225.010 and 70.124.020; adding a new section
5 to chapter 18.225 RCW; creating a new section; providing an effective
6 date; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that the practice of
9 social work improves the lives of many people throughout the state of
10 Washington by focusing on a broad spectrum of social sciences to
11 enhance the quality of life and develop the full potential of each
12 client. The legislature further finds that those individuals who work
13 as social workers should have a degree from an accredited institution
14 of higher education approved by the council on social work education to
15 appropriately address their clients' problems, needs, and concerns so
16 that their clients may achieve the maximum possible enhancement of
17 their quality of life, and develop to their full potential.

1 **Sec. 2.** RCW 18.225.010 and 2008 c 135 s 11 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Advanced social work" means the application of social work
6 theory and methods including emotional and biopsychosocial assessment,
7 psychotherapy under the supervision of a licensed independent clinical
8 social worker, case management, consultation, advocacy, counseling, and
9 community organization.

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

14 (3) "Associate" means a prelicensure candidate who has a graduate
15 degree in a mental health field under RCW 18.225.090 and is gaining the
16 supervision and supervised experience necessary to become a licensed
17 independent clinical social worker, a licensed advanced social worker,
18 a licensed mental health counselor, or a licensed marriage and family
19 therapist.

20 (4) "Committee" means the Washington state mental health
21 counselors, marriage and family therapists, and social workers advisory
22 committee.

23 (5) "Department" means the department of health.

24 (6) "Disciplining authority" means the department.

25 (7) "Independent clinical social work" means the diagnosis and
26 treatment of emotional and mental disorders based on knowledge of human
27 development, the causation and treatment of psychopathology,
28 psychotherapeutic treatment practices, and social work practice as
29 defined in advanced social work. Treatment modalities include but are
30 not limited to diagnosis and treatment of individuals, couples,
31 families, groups, or organizations.

32 (8) "Marriage and family therapy" means the diagnosis and treatment
33 of mental and emotional disorders, whether cognitive, affective, or
34 behavioral, within the context of relationships, including marriage and
35 family systems. Marriage and family therapy involves the professional
36 application of psychotherapeutic and family systems theories and
37 techniques in the delivery of services to individuals, couples, and
38 families for the purpose of treating such diagnosed nervous and mental

1 disorders. The practice of marriage and family therapy means the
2 rendering of professional marriage and family therapy services to
3 individuals, couples, and families, singly or in groups, whether such
4 services are offered directly to the general public or through
5 organizations, either public or private, for a fee, monetary or
6 otherwise.

7 (9) "Mental health counseling" means the application of principles
8 of human development, learning theory, psychotherapy, group dynamics,
9 and etiology of mental illness and dysfunctional behavior to
10 individuals, couples, families, groups, and organizations, for the
11 purpose of treatment of mental disorders and promoting optimal mental
12 health and functionality. Mental health counseling also includes, but
13 is not limited to, the assessment, diagnosis, and treatment of mental
14 and emotional disorders, as well as the application of a wellness model
15 of mental health.

16 (10) "Secretary" means the secretary of health or the secretary's
17 designee.

18 (11) "Social worker" means a person who has met one or more of the
19 following requirements:

20 (a) Is licensed under RCW 18.225.090 as an advanced social worker
21 or an independent clinical social worker; or

22 (b) Has graduated with a bachelor's, master's, or doctoral degree
23 from a social work educational program accredited by the council on
24 social work education and approved by the secretary based upon
25 nationally recognized standards.

26 **Sec. 3.** RCW 70.124.020 and 1999 c 176 s 21 are each amended to
27 read as follows:

28 Unless the context requires otherwise, the definitions in this
29 section apply throughout this chapter.

30 (1) "Court" means the superior court of the state of Washington.

31 (2) "Law enforcement agency" means the police department, the
32 director of public safety, or the office of the sheriff.

33 (3) "Practitioner of the healing arts" or "practitioner" means a
34 person licensed by this state to practice podiatric medicine and
35 surgery, optometry, pharmacy, physical therapy, chiropractic, nursing,
36 dentistry, osteopathic medicine and surgery, or medicine and surgery.

1 The term "practitioner" includes a nurse's aide and a duly accredited
2 Christian Science practitioner.

3 (4) "Department" means the state department of social and health
4 services.

5 (5) "Social worker" means (~~(anyone engaged in a professional~~
6 ~~capacity during the regular course of employment in encouraging or~~
7 ~~promoting the health, welfare, support, or education of patients, or~~
8 ~~providing social services to patients, whether in an individual~~
9 ~~capacity or as an employee or agent of any public or private~~
10 ~~organization or institution)) a person who has met one or more of the
11 following requirements:~~

12 (a) Is licensed under RCW 18.225.090 as an advanced social worker
13 or an independent clinical social worker; or

14 (b) Has graduated with a bachelor's, master's, or doctoral degree
15 from a social work educational program accredited by the council on
16 social work education and approved by the secretary based upon
17 nationally recognized standards.

18 (6) "Psychologist" means any person licensed to practice psychology
19 under chapter 18.83 RCW, whether acting in an individual capacity or as
20 an employee or agent of any public or private organization or
21 institution.

22 (7) "Pharmacist" means any registered pharmacist under chapter
23 18.64 RCW, whether acting in an individual capacity or as an employee
24 or agent of any public or private organization or institution.

25 (8) "Abuse or neglect" or "patient abuse or neglect" means the
26 nonaccidental physical injury or condition, sexual abuse, or negligent
27 treatment of a state hospital patient under circumstances which
28 indicate that the patient's health, welfare, or safety is harmed
29 thereby.

30 (9) "Negligent treatment" means an act or omission which evinces a
31 serious disregard of consequences of such magnitude as to constitute a
32 clear and present danger to the patient's health, welfare, or safety.

33 (10) "State hospital" means any hospital operated and maintained by
34 the state for the care of the mentally ill under chapter 72.23 RCW.

35 NEW SECTION. Sec. 4. A new section is added to chapter 18.225 RCW
36 to read as follows:

37 No public agency or private entity doing business in Washington may

1 use the title of social worker or a form of the title for describing or
2 designating volunteer or employment positions or within contracts for
3 services, reference materials, manuals, or other documents, unless the
4 volunteers or employees working in those positions are qualified as a
5 social worker as defined in this chapter.

6 This section does not apply to persons employed in Washington on
7 the effective date of this section under the job title of social worker
8 or a form of the title, during the time of their continued employment
9 in the same position and under the same job description and title held
10 on the effective date of this section.

11 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 July 1, 2009.

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