
HOUSE BILL 1668

State of Washington

54th Legislature

1995 Regular Session

By Representatives Dellwo, Dyer and Mastin

Read first time 02/03/95. Referred to Committee on Children & Family Services.

1 AN ACT Relating to the certification of pastoral counselors;
2 amending RCW 18.19.020, 18.19.030, 18.19.040, and 18.19.070; adding new
3 sections to chapter 18.19 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The purpose of this act is to promote
6 professional standards of practice and ethical conduct for pastoral
7 counselors by establishing a voluntary certification process for
8 pastoral counselors who wish to practice counseling to the public at
9 large for a fee.

10 The legislature recognizes the right of all counselors to practice
11 their skills freely, consistent with the requirements of the public
12 health and safety, as well as the right of individuals to choose which
13 counselors can best suit their needs and purposes. Professional and
14 ethical standards of pastoral counseling are recognized by national
15 accrediting bodies and provide a unique therapeutic modality
16 integrating the behavior sciences to spiritual perspectives.

17 The legislature finds and declares that this act is necessary for
18 the protection of the public health and safety through the enactment of
19 professional standards of practice by pastoral counselors with

1 procedures for addressing unprofessional conduct under chapter 18.130
2 RCW.

3 The voluntary certification of pastoral counselors practicing
4 counseling to the public at large for a fee is for a secular purpose,
5 and is not to be construed to advance or inhibit religion nor interfere
6 in the free exercise of any religion or church.

7 **Sec. 2.** RCW 18.19.020 and 1991 c 3 s 19 are each amended to read
8 as follows:

9 Unless the context clearly requires otherwise, the definitions in
10 this section apply throughout this chapter.

11 (1) "Certified marriage and family therapist" means a person
12 certified to practice marriage and family therapy pursuant to RCW
13 18.19.130.

14 (2) "Certified mental health counselor" means a person certified to
15 practice mental health counseling pursuant to RCW 18.19.120.

16 (3) "Certified pastoral counselor" means a person certified to
17 practice pastoral counseling under section 5 of this act.

18 (4) "Certified social worker" means a person certified to practice
19 social work pursuant to RCW 18.19.110.

20 (~~(4)~~) (5) "Client" means an individual who receives or
21 participates in counseling or group counseling.

22 (~~(5)~~) (6) "Counseling" means employing any therapeutic
23 techniques, including but not limited to social work, mental health
24 counseling, marriage and family therapy, pastoral counseling, and
25 hypnotherapy, for a fee that offer, assist or attempt to assist an
26 individual or individuals in the amelioration or adjustment of mental,
27 emotional, or behavioral problems, and includes therapeutic techniques
28 to achieve sensitivity and awareness of self and others and the
29 development of human potential. For the purposes of this chapter,
30 nothing may be construed to imply that the practice of hypnotherapy is
31 necessarily limited to counseling.

32 (~~(6)~~) (7) "Counselor" means an individual, practitioner,
33 therapist, or analyst who engages in the practice of counseling to the
34 public for a fee, including for the purposes of this chapter,
35 hypnotherapists.

36 (~~(7)~~) (8) "Department" means the department of health.

37 (~~(8)~~) (9) "Secretary" means the secretary of the department or
38 the secretary's designee.

1 **Sec. 3.** RCW 18.19.030 and 1991 c 3 s 20 are each amended to read
2 as follows:

3 No person may, for a fee or as a part of his or her position as an
4 employee of a state agency, practice counseling without being
5 registered to practice by the department under this chapter unless
6 exempt under RCW 18.19.040. No person may represent himself or herself
7 as a certified social worker, certified mental health counselor,
8 certified pastoral counselor, or certified marriage and family
9 therapist without being so certified by the department under this
10 chapter.

11 **Sec. 4.** RCW 18.19.040 and 1987 c 512 s 4 are each amended to read
12 as follows:

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

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

20 (2) The practice of counseling by an employee or trainee of any
21 federal agency, or the practice of counseling by a student of a college
22 or university, if the employee, trainee, or student is practicing
23 solely under the supervision of and accountable to the agency, college,
24 or university, through which he or she performs such functions as part
25 of his or her position for no additional fee other than ordinary
26 compensation;

27 (3) The practice of counseling by a person without a mandatory
28 charge;

29 (4) The practice of counseling by persons offering services for
30 public and private nonprofit organizations or charities not primarily
31 engaged in counseling for a fee when approved by the organizations or
32 agencies for whom they render their services;

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

36 (6) The practice of counseling by a person under the auspices of a
37 religious denomination, church, or organization, or the practice of
38 religion itself. The voluntary regulation of pastoral counselors under

1 this chapter with procedures for addressing unprofessional conduct
2 under chapter 18.130 RCW is deemed to be for secular purposes, and
3 shall not be construed as the practice of religion, nor the advancement
4 or restriction of religion, nor the fostering of excessive government
5 entanglement with religion when limited to the provisions of this
6 chapter;

7 (7) Counselors whose residency is not Washington state from
8 providing up to ten days per quarter of training or workshops in the
9 state, as long as they ((don't)) do not hold themselves out to be
10 registered or certified in Washington state.

11 NEW SECTION. Sec. 5. A new section is added to chapter 18.19 RCW
12 to read as follows:

13 (1) The department shall issue a certified pastoral counselor
14 certificate to an applicant meeting the following requirements:

15 (a) A master's degree or other advanced degree in pastoral
16 counseling or its equivalent as determined by the secretary, based on
17 a planned and directed program of studies in pastoral counseling from
18 an educational program accredited by an accreditation institution
19 recognized by the secretary;

20 (b) Satisfactory completion of a period of clinical pastoral
21 counseling under qualified supervision in a program of training meeting
22 standards of competency as determined by the secretary; and

23 (c) Successful completion of an examination under RCW 18.19.150,
24 unless the applicant is exempted under RCW 18.19.160.

25 (2) In consultation with the advisory committee established under
26 section 6 of this act, the secretary shall establish by rule under the
27 authority of RCW 18.19.050 the qualifications for certification,
28 including any equivalency or alternative prerequisites.

29 (3) Nothing in this chapter prevents a faith group from requiring
30 other standards, including conditions for the employment or sponsorship
31 of, or association with a pastoral counselor by the faith group. Any
32 such additional standards, including terms of employment, association,
33 or sponsorship by a faith group, may not be a requirement for
34 certification under this chapter, and is strictly a private
35 professional matter between the pastoral counselor and the faith group.

36 (4) Certified pastoral counseling is that aspect of counseling that
37 involves a process using insights and principles derived from the
38 disciplines of theology and the behavioral sciences, including

1 counseling-related diagnosis, to help persons achieve wholeness and
2 health. It includes the use of pastoral counseling methods in a
3 professional relationship to assist a person in modifying feelings,
4 attitudes, and behavior that are intellectually, socially, emotionally,
5 or spiritually maladjustive, ineffectual, or that otherwise contribute
6 to difficulties in living.

7 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.19 RCW
8 to read as follows:

9 (1) Within sixty days of the effective date of this act, the
10 secretary may appoint an advisory committee to assist the department in
11 the implementation of section 5 of this act. The committee shall be
12 composed of five members, four of whom must be eligible for
13 certification under this chapter, and one member shall represent the
14 public. The secretary may remove any member for cause, and in case of
15 a vacancy shall appoint a replacement.

16 (2) The advisory committee shall meet on the call of the secretary
17 to provide advice on the implementation of section 5 of this act.

18 Each member shall be reimbursed for travel expenses as authorized
19 in RCW 43.03.050 and 43.03.060. In addition, a member shall be
20 compensated in accordance with RCW 43.03.240 when engaged in the
21 authorized business of the committee.

22 (3) This section expires three years from the effective date of
23 this act.

24 **Sec. 7.** RCW 18.19.070 and 1994 1st sp.s. c 9 s 501 are each
25 amended to read as follows:

26 (1) The Washington state mental health quality assurance council is
27 created, consisting of (~~nine~~) ten members appointed by the secretary.
28 All appointments shall be for a term of four years. No person may
29 serve as a member of the council for more than two consecutive full
30 terms.

31 Voting members of the council must include one social worker
32 certified under RCW 18.19.110, one mental health counselor certified
33 under RCW 18.19.120, one marriage and family therapist certified under
34 RCW 18.19.130, one pastoral counselor certified under section 5 of this
35 act, one counselor registered under RCW 18.19.090, one hypnotherapist
36 registered under RCW 18.19.090, and two public members. Each member of
37 the council must be a citizen of the United States and a resident of

1 this state. Public members of the council may not be a member of any
2 other health care licensing board or commission, or have a fiduciary
3 obligation to a facility rendering health services regulated by the
4 council, or have a material or financial interest in the rendering of
5 health services regulated by the council.

6 The secretary may appoint the initial members of the council to
7 staggered terms of from one to four years. Thereafter, all members
8 shall be appointed to full four-year terms. Members of the council
9 hold office until their successors are appointed.

10 The secretary may remove any member of the council for cause as
11 specified by rule. In the case of a vacancy, the secretary shall
12 appoint a person to serve for the remainder of the unexpired term.

13 (2) The council shall meet at the times and places designated by
14 the secretary and shall hold meetings during the year as necessary to
15 provide advice to the secretary.

16 Each member of the council shall be reimbursed for travel expenses
17 as authorized in RCW 43.03.050 and 43.03.060. In addition, members of
18 the council shall be compensated in accordance with RCW 43.03.240 when
19 engaged in the authorized business of the council. The members of the
20 council are immune from suit in an action, civil or criminal, based on
21 their official acts performed in good faith as members of the council.

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