
SUBSTITUTE HOUSE BILL 1260

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Skinner, Dyer, Cody, Backlund, Murray, Anderson, O'Brien, Mason and Quall)

Read first time 02/27/97.

1 AN ACT Relating to privileged communications between certified
2 counselors and clients; amending RCW 18.19.180; and adding a new
3 section to chapter 18.19 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.19 RCW
6 to read as follows:

7 Confidential communications between a client and an individual
8 certified under this chapter are privileged against compulsory
9 disclosure to the same extent and subject to the same conditions as
10 confidential communications between a psychologist and client, but this
11 exception is subject to the limitations under RCW 70.96A.140.

12 **Sec. 2.** RCW 18.19.180 and 1991 c 3 s 33 are each amended to read
13 as follows:

14 An individual registered (~~or certified~~) under this chapter shall
15 not disclose the written acknowledgment of the disclosure statement
16 pursuant to RCW 18.19.060 nor any information acquired from persons
17 consulting the individual in a professional capacity when that

1 information was necessary to enable the individual to render
2 professional services to those persons except:

3 (1) With the written consent of that person or, in the case of
4 death or disability, the person's personal representative, other person
5 authorized to sue, or the beneficiary of an insurance policy on the
6 person's life, health, or physical condition;

7 (2) That (~~a person~~) an individual registered (~~or certified~~)
8 under this chapter is not required to treat as confidential a
9 communication that reveals the contemplation or commission of a crime
10 or harmful act;

11 (3) If the person is a minor, and the information acquired by the
12 (~~person~~) individual registered (~~or certified~~) under this chapter
13 indicates that the minor was the victim or subject of a crime, the
14 (~~person~~) individual registered (~~or certified~~) may testify fully
15 upon any examination, trial, or other proceeding in which the
16 commission of the crime is the subject of the inquiry;

17 (4) If the person waives the privilege by bringing charges against
18 the (~~person~~) individual registered (~~or certified~~) under this
19 chapter;

20 (5) In response to a subpoena from a court of law or the secretary.
21 The secretary may subpoena only records related to a complaint or
22 report under chapter 18.130 RCW; or

23 (6) As required under chapter 26.44 RCW.

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