

HOUSE BILL REPORT

ESSB 5877

As Reported by House Committee On:

Health Care
Appropriations

Title: An act relating to licensed mental health counselors, marriage and family therapists, and social workers.

Brief Description: Providing licensing standards for mental health counselors, marriage and family therapists, and social workers.

Sponsors: By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Winsley, Costa and Kohl-Welles).

Brief History:

Committee Activity:

Health Care: 3/29/01 [DPA];

Appropriations: 3/31/01, 4/2/01 [DPA(APP w/o HC)s].

Brief Summary of Engrossed Substitute Bill (As Amended by House Committee)

- Provides for the licensing of advanced social workers, independent clinical social workers, mental health counselors, and marriage and family therapists by the Secretary of Health.
- Establishes educational, examination, supervised experience, and continuing education requirements for applicants for licensing, and provides for an advisory committee to advise and assist the Secretary in administering the licensing programs.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 14 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Alexander, Ballasiotes, Conway, Darneille, Edmonds, Edwards, Marine, McMorris, Pennington and Ruderman.

Staff: John Welsh (786-7133).

Background: (Proposed striking amendment)

The Omnibus Credentialing Act for Counselors requires the registration of counselors providing therapeutic counseling for a fee and provides for the professional certification of social workers, mental health counselors and marriage and family therapists.

Social workers, mental health counselors, and marriage and family therapists are certified by the Secretary of Health, and no such persons may represent themselves as certified with respect to their profession, without being certified and meeting specified education, training, and experience requirements, and passing examinations.

Applicants for certification must graduate from an accredited master's or doctoral degree educational program relating to the profession, complete two years supervised practice, and pass an examination.

Registered counselors and certified professional counselors must provide clients with accurate disclosure information concerning the practice, including education and therapeutic orientation.

The Mental Health Quality Assurance Council advises the Secretary in the administration of the chapter.

The Uniform Disciplinary Act governs the discipline of registered counselors and certified professional counselors for unprofessional conduct, and the Secretary of Health is the disciplining authority.

Summary of Amended Bill:

Advanced social workers, independent clinical social workers, mental health counselors, and marriage and family therapists are regulated and licensed by the Secretary of Health, and no such persons may represent themselves as licensed with respect to these professions, without being licensed and meeting specified education, training, and experience requirements.

The Secretary shall appoint a nine person advisory committee to advise in administering the licensing program, including rules, unprofessional conduct guidelines, and consumer complaints. The committee shall be composed of two members from each of the licensed professions and three representatives of the public to serve three-year terms.

Applicants for licenses as advanced social workers and independent clinical social workers must graduate from a master's or doctoral social work educational program, pass an examination, complete 36 hours of continuing education, and complete 3,200 or 4,000 hours of supervised experience, respectively.

Applicants for licenses as mental health counselors must graduate from a master's or doctorate program in mental health counseling, pass an examination, have 36 months full time counseling or 3,000 hours of supervised post graduate counseling, and complete 36 hours of continuing education.

Applicants for licenses as marriage and family therapists must graduate from a master's or doctoral education program in marriage and family therapy or allied field, pass an examination, complete two years of experience, and complete 36 hours of continuing education.

Licensed counselors must provide clients with accurate disclosure information concerning the practice, including the counselor's education and therapeutic orientation.

The Secretary is given authority to administer the chapter, including rule-making authority, and the authority to charge licensing fees for meeting the costs of the program.

The Uniform Disciplinary Act governs the discipline of licensees, and the Secretary is the disciplining authority.

Counselors certified under current law and meeting requirements may be licensed without taking the examination.

Persons licensed in other states with substantially equivalent standards may be licensed in this state without taking the examination.

The chapter is not to be construed as permitting the administration of drugs, or practice of medicine or psychology.

Technical amendments conform definition references to existing law, including Chapter 18.19 (Registration of Counselors); Chapter 9A.44 (Sex Offenses); Chapter 18.100 (Professional Service Corporations); Chapter 18.205 (Chemical Dependency Professionals); Chapter 25.05 (Limited Liability Partnerships); Chapter 25.15 (Professional Limited Liability Company); and Chapter 48.43 (Insurance Reform).

The advisory Mental Health Quality Assurance Council, and statutes superceded by this chapter are repealed.

Amended Bill Compared to Engrossed Substitute Bill:

Deletes requirement that the secretary consult the advisory committee on all disciplinary cases. Allows all currently certified counselors to receive a license if they meet the new requirements and qualifications.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is a need to update professional credentialing standards for the professional counseling professions. Licensure is an appropriate level of professional regulation, according parity with psychologists.

Testimony Against: None.

Testified: (In support) Melanie Stewart, Mental Health Counselors; Gail McGaffick, Washington State Psychological Association; and Mike Fitzpatrick, Washington Association of Marriage and Family Therapists.

(Concerns) Jack Morris, Department of Social and Health Services.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care. Signed by 31 members: Representatives Sehlin, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; Lisk, Republican Vice Chair; Alexander, Benson, Boldt, Buck, Clements, Cody, Cox, Dunshee, Fromhold, Grant, Kagi, Keiser, Kenney, Kessler, Lambert, Linville, Mastin, McIntire, Mulliken, Pearson, Pflug, Ruderman, D. Schmidt, Schual-Berke, Talcott and Tokuda.

Staff: Linda Brooks (786-7153).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care:

New applicants for social workers' licenses must complete a minimum of 3200 hours of work experience, of which 90 hours must be under the supervision of a person who has been licensed or certified for a minimum of two years. It is also clarified that a person may become licensed as an advanced social worker, independent clinical social worker, marriage and family therapist, or mental health counselor without taking an examination if the person had been certified prior to the effective date of the new licensing requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

Testimony For: We conducted a statewide poll asking persons if they knew the difference between registered and certified counselors. Many persons did not know the difference. The next poll question asked what is the difference between certified and licensed counselors, and most respondents thought that licensed counselors meant persons with higher levels of training and education. Forty-six states license mental health counselors, family therapists, and advanced and clinical social workers. Washington is one of the few states that does not license these professions. It is time for Washington to license like other states do.

Testimony Against: None.

Testified: Lonnie Johns-Brown, National Association of Social Workers; Melanie Stewart, Washington Mental Health Counselors; Ann Simons, Washington Association for Marriage & Family Therapy; and Gail McGaffick, Washington State Psychological Association.