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HOUSE BILL 2793

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State of Washington

64th Legislature

2016 Regular Session

By Representatives Orwall, Blake, Kretz, Sullivan, Cody, Jinkins, Kagi, Goodman, Ormsby, Tharinger, Rossetti, and Reykdal

Read first time 01/20/16. Referred to Committee on Judiciary.

1 AN ACT Relating to providing for suicide awareness and prevention  
2 education for safer homes; amending RCW 9.41.310 and 43.70.442;  
3 adding a new section to chapter 43.70 RCW; adding a new section to  
4 chapter 82.04 RCW; creating new sections; providing an effective  
5 date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that: Washington's  
8 suicide rate is fourteen percent higher than the national average; on  
9 average, two young people between the ages of ten and twenty-four die  
10 by suicide each week; almost a quarter of those who die by suicide  
11 are veterans; and many of the state's rural and tribal communities  
12 have the highest suicide rates. The legislature further finds that  
13 when suicide occurs, it has devastating consequences for communities  
14 and schools, yet, according to the United States surgeon general,  
15 suicide is the nation's most preventable form of death. The  
16 legislature further finds that one of the most immediate ways to  
17 reduce the tragedy of suicide is through suicide awareness and  
18 prevention education coupled with safe storage of lethal means  
19 commonly used in suicides, such as firearms and prescription  
20 medications. The legislature further finds that incentivizing  
21 firearms dealers to participate in suicide awareness and prevention

1 education programs and provide certain safe storage devices at cost  
2 is an important step in creating safer homes and reducing suicide  
3 deaths in the state.

4 NEW SECTION. **Sec. 2.** (1)(a) A safe homes task force is  
5 established to raise public awareness and increase suicide prevention  
6 education among new partners who are in key positions to help reduce  
7 suicide. The task force shall be administered and staffed by  
8 Forefront at the University of Washington school of social work.

9 (b) The safe homes task force shall consist of the members  
10 comprised of a suicide prevention and firearms subcommittee and a  
11 suicide prevention and pharmacy subcommittee, as follows:

12 (i) The suicide prevention and firearms subcommittee shall  
13 consist of the following members and be cochaired by Forefront at the  
14 University of Washington school of social work and a member  
15 identified in (b)(i)(A) of this subsection (1):

16 (A) A representative of the national rifle association and a  
17 representative of the second amendment foundation;

18 (B) Two representatives of suicide prevention organizations,  
19 selected by the cochaairs of the subcommittee;

20 (C) Two representatives of the firearms industry, selected by the  
21 cochaairs of the subcommittee;

22 (D) Two individuals who are suicide attempt survivors or who have  
23 experienced suicide loss, selected by the cochaairs of the  
24 subcommittee;

25 (E) Two representatives of law enforcement agencies, selected by  
26 the cochaairs of the subcommittee;

27 (F) One representative from the department of health;

28 (G) Two representatives from the department of fish and wildlife;  
29 and

30 (H) No more than two other interested parties, selected by the  
31 cochaairs of the subcommittee.

32 (ii) The suicide prevention and pharmacy subcommittee shall  
33 consist of the following members and be cochaired by Forefront at the  
34 University of Washington school of social work and a member  
35 identified in (b)(ii)(A) of this subsection (1):

36 (A) Two representatives of the Washington state pharmacy  
37 association;

38 (B) Two representatives of retailers who operate pharmacies,  
39 selected by the cochaairs of the subcommittee;

1 (C) One faculty member from the University of Washington school  
2 of pharmacy and one faculty member from the Western State University  
3 school of pharmacy;

4 (D) One representative of the department of health;

5 (E) One representative of the pharmacy quality assurance  
6 commission;

7 (F) Two representatives of the Washington state poison control  
8 center; and

9 (G) No more than two other interested parties, selected by the  
10 cochairs of the subcommittee.

11 (c) Forefront at the University of Washington school of social  
12 work shall convene the initial meeting of the task force.

13 (2) The task force shall:

14 (a) Develop and prepare to disseminate online trainings on  
15 suicide awareness and prevention for firearms dealers and their  
16 employees and firearm range owners and their employees;

17 (b) Review the firearm safety pamphlet produced by the department  
18 of fish and wildlife under RCW 9.41.310 and, by January 1, 2017,  
19 recommend changes to the pamphlet to incorporate information on  
20 suicide awareness and prevention;

21 (c) Develop suicide awareness and prevention messages for posters  
22 and brochures that are tailored to be effective for firearms owners  
23 for distribution to firearms dealers and firearm ranges;

24 (d) Develop suicide awareness and prevention messages for posters  
25 and brochures for distribution to pharmacies;

26 (e) Develop strategies for creating and disseminating suicide  
27 awareness and prevention information for hunting safety classes,  
28 including messages to parents that can be shared during online  
29 registration, in either follow up electronic mail communications, or  
30 in writing, or both;

31 (f) Develop suicide awareness and prevention messages for  
32 training for the schools of pharmacy and provide input on trainings  
33 being developed for community pharmacists;

34 (g) Provide input to the department of health on the  
35 implementation of the safe homes project established in section 3 of  
36 this act;

37 (h) Create a web site that will be a clearinghouse for the newly  
38 created suicide awareness and prevention materials developed by the  
39 task force; and

1 (i) Create, implement, and evaluate a suicide awareness and  
2 prevention pilot program in two counties, one rural and one urban,  
3 that have high suicide rates. The pilot program shall include:

4 (i) Developing and directing advocacy efforts with firearms  
5 dealers to pair suicide awareness and prevention training with  
6 distribution of safe storage devices;

7 (ii) Developing and directing advocacy efforts with pharmacies to  
8 pair suicide awareness and prevention training with distribution of  
9 medication disposal kits and safe storage devices;

10 (iii) Training health care providers on suicide awareness and  
11 prevention, paired with distribution of medication disposal kits and  
12 safe storage devices; and

13 (iv) Training local law enforcement officers on suicide awareness  
14 and prevention, paired with distribution of medication disposal kits  
15 and safe storage devices.

16 (3) The task force shall consult with the department of health to  
17 develop timelines for the completion of the necessary tasks  
18 identified in subsection (2) of this section so that the department  
19 of health is able to implement the safe homes project under section 3  
20 of this act by January 1, 2018.

21 (4) Beginning December 1, 2016, the task force shall annually  
22 report to the legislature on the status of its work. The task force  
23 shall submit a final report by December 1, 2019, that includes the  
24 findings of the suicide awareness and prevention pilot program  
25 evaluation under subsection (2) of this section and recommendations  
26 on possible continuation of the program. The task force shall submit  
27 its reports in accordance with RCW 43.01.036.

28 (5) This section expires July 1, 2020.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70  
30 RCW to read as follows:

31 (1) The department shall develop and administer a safe homes  
32 project to provide financial incentives to firearms dealers to  
33 encourage participation in a program to implement suicide awareness  
34 and prevention strategies.

35 (2) As part of the safe homes project, the department shall  
36 certify a firearms dealer who meets the requirements of subsection  
37 (3) of this section as a safe homes partner. A firearms dealer who  
38 has been certified by the department as a safe homes partner is  
39 entitled to the tax incentives provided in section 5 of this act.

1 (3) The department, in consultation with the safe homes task  
2 force created in section 2 of this act, shall develop criteria for  
3 certification of a firearms dealer as a safe homes partner that  
4 include, at a minimum, the following requirements:

5 (a) Posting of suicide awareness and prevention posters,  
6 developed by the safe homes task force, at the firearms dealer's  
7 premises;

8 (b) Distribution of suicide awareness and prevention brochures,  
9 developed by the safe homes task force, to firearms purchasers and  
10 customers;

11 (c) Completion by the firearms dealer and employees of an online  
12 suicide awareness and prevention training developed by the safe homes  
13 task force; and

14 (d) Offering safe storage devices, in the form of a lock box or  
15 life jacket, for sale at cost to firearms purchasers.

16 (4) The department shall:

17 (a) Provide technical assistance to firearms dealers who want to  
18 participate in the safe homes project;

19 (b) Track and report status updates of the program to the  
20 legislature in accordance with RCW 43.01.036; and

21 (c) Conduct, or contract with local health departments to  
22 conduct, random audits of businesses who participate in the safe  
23 homes project to ensure compliance with the requirements of this  
24 section.

25 (5) The department shall implement the safe homes project  
26 beginning January 1, 2018. Beginning December 1, 2017, and annually  
27 thereafter, the department shall provide to the department of revenue  
28 the name, address, and unified business identification number of each  
29 firearms dealer that is certified as a safe homes partner under this  
30 section.

31 NEW SECTION. **Sec. 4.** (1) This section is the tax preference  
32 performance statement for the tax preference contained in section 5  
33 of this act. This performance statement is only intended to be used  
34 for subsequent evaluation of the tax preference. It is not intended  
35 to create a private right of action by any party or be used to  
36 determine eligibility for preferential tax treatment.

37 (2) The legislature categorizes this tax preference as one  
38 intended to induce certain designated behavior by taxpayers, as  
39 indicated in RCW 82.32.808(2)(a).

1 (3) It is the legislature's specific public policy objective to  
2 incentivize firearms dealers to participate in the safe homes project  
3 by providing a tax credit for firearms dealers who become certified  
4 safe home partners under section 3 of this act.

5 (4) To measure the effectiveness of the tax preference in section  
6 5 of this act, in achieving the specific public policy objective  
7 described in subsection (2) of this section, the joint legislative  
8 audit and review committee must, at minimum, evaluate the following:

9 (a) The number of businesses that are claiming the credit  
10 authorized in section 5 of this act;

11 (b) The total amount of credit claimed by fiscal year, with an  
12 average credit amount estimated based on the number of businesses  
13 claiming the credit;

14 (c) Any additional data related to the utilization and outcomes  
15 of the safe homes project administered by the department of health  
16 under section 3 of this act, including data related to the number of  
17 suicide deaths in the state prior to the authorization of the credit  
18 and after.

19 (5) The joint legislative audit and review committee may request  
20 the necessary data from the department of health needed to complete  
21 the evaluation under subsection (4) of this section.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 82.04  
23 RCW to read as follows:

24 (1) Subject to the limits and provisions of this section, a  
25 credit is authorized against the tax otherwise due under this chapter  
26 for a firearms dealer licensed under RCW 9.41.110 that is certified  
27 as a safe homes partner under section 3 of this act.

28 (2) The maximum amount of credit that can be claimed under this  
29 section is two thousand five hundred dollars per calendar year.

30 (3) Persons claiming a credit under this section must file  
31 electronically with the department. No application is required to  
32 claim the credit, but a taxpayer claiming a credit under this section  
33 must keep records necessary for the department to determine  
34 eligibility under this section, including records from the department  
35 of health that identifies the taxpayer as a certified safe home  
36 partner.

37 (4) Credits under this section may not be claimed before January  
38 1, 2018, or after December 31, 2023.

1       **Sec. 6.** RCW 9.41.310 and 1994 c 264 s 2 are each amended to read  
2 as follows:

3       (1) After a public hearing, the department of fish and wildlife  
4 shall publish a pamphlet on firearms safety and the legal limits of  
5 the use of firearms. The pamphlet shall include current information  
6 on firearms laws and regulations and state preemption of local  
7 firearms laws. By July 1, 2017, the department of fish and wildlife  
8 shall update the pamphlet to incorporate information on suicide  
9 awareness and prevention as recommended by the safe homes task force  
10 established in section 2 of this act.

11       (2) This pamphlet may be used in the department's hunter safety  
12 education program and shall be provided to the department of  
13 licensing for distribution to firearms dealers and persons authorized  
14 to issue concealed pistol licenses. The department of fish and  
15 wildlife shall reimburse the department of licensing for costs  
16 associated with distribution of the pamphlet.

17       **Sec. 7.** RCW 43.70.442 and 2015 c 249 s 1 are each amended to  
18 read as follows:

19       (1)(a) Each of the following professionals certified or licensed  
20 under Title 18 RCW shall, at least once every six years, complete  
21 training in suicide assessment, treatment, and management that is  
22 approved, in rule, by the relevant disciplining authority:

23       (i) An adviser or counselor certified under chapter 18.19 RCW;

24       (ii) A chemical dependency professional licensed under chapter  
25 18.205 RCW;

26       (iii) A marriage and family therapist licensed under chapter  
27 18.225 RCW;

28       (iv) A mental health counselor licensed under chapter 18.225 RCW;

29       (v) An occupational therapy practitioner licensed under chapter  
30 18.59 RCW;

31       (vi) A psychologist licensed under chapter 18.83 RCW;

32       (vii) An advanced social worker or independent clinical social  
33 worker licensed under chapter 18.225 RCW; and

34       (viii) A social worker associate—advanced or social worker  
35 associate—independent clinical licensed under chapter 18.225 RCW.

36       (b) The requirements in (a) of this subsection apply to a person  
37 holding a retired active license for one of the professions in (a) of  
38 this subsection.

1 (c) The training required by this subsection must be at least six  
2 hours in length, unless a disciplining authority has determined,  
3 under subsection ~~((+9))~~ (10)(b) of this section, that training that  
4 includes only screening and referral elements is appropriate for the  
5 profession in question, in which case the training must be at least  
6 three hours in length.

7 (d) Beginning July 1, 2017, the training required by this  
8 subsection must be on the model list developed under subsection (6)  
9 of this section. Nothing in this subsection (1)(d) affects the  
10 validity of training completed prior to July 1, 2017.

11 (2)(a) Except as provided in (b) of this subsection, a  
12 professional listed in subsection (1)(a) of this section must  
13 complete the first training required by this section by the end of  
14 the first full continuing education reporting period after January 1,  
15 2014, or during the first full continuing education reporting period  
16 after initial licensure or certification, whichever occurs later.

17 (b) A professional listed in subsection (1)(a) of this section  
18 applying for initial licensure may delay completion of the first  
19 training required by this section for six years after initial  
20 licensure if he or she can demonstrate successful completion of the  
21 training required in subsection (1) of this section no more than six  
22 years prior to the application for initial licensure.

23 (3) The hours spent completing training in suicide assessment,  
24 treatment, and management under this section count toward meeting any  
25 applicable continuing education or continuing competency requirements  
26 for each profession.

27 (4)(a) A disciplining authority may, by rule, specify minimum  
28 training and experience that is sufficient to exempt an individual  
29 professional from the training requirements in subsections (1) and  
30 (5) of this section. Nothing in this subsection (4)(a) allows a  
31 disciplining authority to provide blanket exemptions to broad  
32 categories or specialties within a profession.

33 (b) A disciplining authority may exempt a professional from the  
34 training requirements of subsections (1) and (5) of this section if  
35 the professional has only brief or limited patient contact.

36 (5)(a) ~~((Beginning January 1, 2016,))~~ Each of the following  
37 professionals credentialed under Title 18 RCW shall complete a one-  
38 time training in suicide assessment, treatment, and management that  
39 is approved by the relevant disciplining authority:

40 (i) A chiropractor licensed under chapter 18.25 RCW;



1 (ii) A naturopath licensed under chapter 18.36A RCW;  
2 (iii) A licensed practical nurse, registered nurse, or advanced  
3 registered nurse practitioner, other than a certified registered  
4 nurse anesthetist, licensed under chapter 18.79 RCW;  
5 (iv) An osteopathic physician and surgeon licensed under chapter  
6 18.57 RCW, other than a holder of a postgraduate osteopathic medicine  
7 and surgery license issued under RCW 18.57.035;  
8 (v) An osteopathic physician assistant licensed under chapter  
9 18.57A RCW;  
10 (vi) A physical therapist or physical therapist assistant  
11 licensed under chapter 18.74 RCW;  
12 (vii) A physician licensed under chapter 18.71 RCW, other than a  
13 resident holding a limited license issued under RCW 18.71.095(3);  
14 (viii) A physician assistant licensed under chapter 18.71A RCW;  
15 (~~and~~)  
16 (ix) A pharmacist licensed under chapter 18.64 RCW; and  
17 (x) A person holding a retired active license for one of the  
18 professions listed in (a)(i) through (~~(viii)~~) (ix) of this  
19 subsection.  
20 (b)(i) A professional listed in (a)(i) through (viii) of this  
21 subsection or a person holding a retired active license for one of  
22 the professions listed in (a)(i) through (viii) of this subsection  
23 must complete the one-time training by the end of the first full  
24 continuing education reporting period after January 1, 2016, or  
25 during the first full continuing education reporting period after  
26 initial licensure, whichever is later. Training completed between  
27 June 12, 2014, and January 1, 2016, that meets the requirements of  
28 this section, other than the timing requirements of this subsection  
29 (5)(b), must be accepted by the disciplining authority as meeting the  
30 one-time training requirement of this subsection (5).  
31 (ii) A licensed pharmacist or a person holding a retired active  
32 pharmacist license must complete the one-time training by the end of  
33 the first full continuing education reporting period after January 1,  
34 2017, or during the first full continuing education reporting period  
35 after initial licensure, whichever is later.  
36 (c) The training required by this subsection must be at least six  
37 hours in length, unless a disciplining authority has determined,  
38 under subsection (~~(9)~~) (10)(b) of this section, that training that  
39 includes only screening and referral elements is appropriate for the

1 profession in question, in which case the training must be at least  
2 three hours in length.

3 (d) Beginning July 1, 2017, the training required by this  
4 subsection must be on the model list developed under subsection (6)  
5 of this section. Nothing in this subsection (5)(d) affects the  
6 validity of training completed prior to July 1, 2017.

7 (6)(a) The secretary and the disciplining authorities shall work  
8 collaboratively to develop a model list of training programs in  
9 suicide assessment, treatment, and management.

10 (b) The secretary and the disciplining authorities shall update  
11 the list at least once every two years.

12 (c) By June 30, 2016, the department shall adopt rules  
13 establishing minimum standards for the training programs included on  
14 the model list. The minimum standards must require that six-hour  
15 trainings include content specific to veterans and the assessment of  
16 issues related to imminent harm via lethal means or self-injurious  
17 behaviors and that three-hour trainings for pharmacists include  
18 content related to the assessment of issues related to imminent harm  
19 via lethal means. When adopting the rules required under this  
20 subsection (6)(c), the department shall:

21 (i) Consult with the affected disciplining authorities, public  
22 and private institutions of higher education, educators, experts in  
23 suicide assessment, treatment, and management, the Washington  
24 department of veterans affairs, and affected professional  
25 associations; and

26 (ii) Consider standards related to the best practices registry of  
27 the American foundation for suicide prevention and the suicide  
28 prevention resource center.

29 (d) Beginning January 1, 2017:

30 (i) The model list must include only trainings that meet the  
31 minimum standards established in the rules adopted under (c) of this  
32 subsection and any three-hour trainings that met the requirements of  
33 this section on or before July 24, 2015;

34 (ii) The model list must include six-hour trainings in suicide  
35 assessment, treatment, and management, and three-hour trainings that  
36 include only screening and referral elements; and

37 (iii) A person or entity providing the training required in this  
38 section may petition the department for inclusion on the model list.  
39 The department shall add the training to the list only if the

1 department determines that the training meets the minimum standards  
2 established in the rules adopted under (c) of this subsection.

3 (7) The department shall provide the health profession training  
4 standards created in this section to the professional (~~education~~  
5 ~~[educator]~~) educator standards board as a model in meeting the  
6 requirements of RCW 28A.410.226 and provide technical assistance, as  
7 requested, in the review and evaluation of educator training  
8 programs. The educator training programs approved by the professional  
9 educator standards board may be included in the department's model  
10 list.

11 (8) Nothing in this section may be interpreted to expand or limit  
12 the scope of practice of any profession regulated under chapter  
13 18.130 RCW.

14 (9) The secretary and the disciplining authorities affected by  
15 this section shall adopt any rules necessary to implement this  
16 section.

17 (10) For purposes of this section:

18 (a) "Disciplining authority" has the same meaning as in RCW  
19 18.130.020.

20 (b) "Training in suicide assessment, treatment, and management"  
21 means empirically supported training approved by the appropriate  
22 disciplining authority that contains the following elements: Suicide  
23 assessment, including screening and referral, suicide treatment, and  
24 suicide management. However, the disciplining authority may approve  
25 training that includes only screening and referral elements if  
26 appropriate for the profession in question based on the profession's  
27 scope of practice. The board of occupational therapy may also approve  
28 training that includes only screening and referral elements if  
29 appropriate for occupational therapy practitioners based on practice  
30 setting.

31 (11) A state or local government employee is exempt from the  
32 requirements of this section if he or she receives a total of at  
33 least six hours of training in suicide assessment, treatment, and  
34 management from his or her employer every six years. For purposes of  
35 this subsection, the training may be provided in one six-hour block  
36 or may be spread among shorter training sessions at the employer's  
37 discretion.

38 (12) An employee of a community mental health agency licensed  
39 under chapter 71.24 RCW or a chemical dependency program certified  
40 under chapter 70.96A RCW is exempt from the requirements of this

1 section if he or she receives a total of at least six hours of  
2 training in suicide assessment, treatment, and management from his or  
3 her employer every six years. For purposes of this subsection, the  
4 training may be provided in one six-hour block or may be spread among  
5 shorter training sessions at the employer's discretion.

6 NEW SECTION. **Sec. 8.** The schools of pharmacy at the University  
7 of Washington and Washington State University shall convene a work  
8 group to jointly develop a curriculum on suicide assessment,  
9 treatment, and management for pharmacy students. The curriculum must  
10 include material on identifying at-risk patients and limiting access  
11 to lethal means. When developing the curriculum, the schools shall  
12 consult with experts on suicide assessment, treatment, and  
13 management, and with the safe homes task force created in section 2  
14 of this act on appropriate suicide awareness and prevention  
15 messaging. The schools of pharmacy shall submit a progress report to  
16 the governor and the relevant committees of the legislature by  
17 December 1, 2016.

18 NEW SECTION. **Sec. 9.** By January 1, 2017, the department of  
19 health and the pharmacy quality assurance commission shall jointly  
20 develop written materials on suicide awareness and prevention that  
21 pharmacies may post or distribute to customers. When developing the  
22 written materials, the department and the commission shall consult  
23 with experts on suicide assessment, treatment, and management, and  
24 with the safe homes task force created in section 2 of this act on  
25 appropriate suicide awareness and prevention messaging.

26 NEW SECTION. **Sec. 10.** Section 7 of this act takes effect  
27 January 1, 2017.

--- END ---