
SUBSTITUTE HOUSE BILL 1888

State of Washington

64th Legislature

2016 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Dent, Kagi, McCabe, Haler, Manweller, Fagan, Walsh, Farrell, Johnson, Van Werven, Moeller, and Buys)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to transferring certification responsibilities
2 for chemical dependency treatment programs from the department of
3 social and health services to the department of health; amending RCW
4 70.96A.090, 70.96A.095, 70.96A.240, and 70.96A.245; reenacting and
5 amending RCW 70.96A.020; adding a new section to chapter 70.96A RCW;
6 adding a new chapter to Title 70 RCW; creating new sections;
7 providing an effective date; and prescribing penalties.

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

9 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
10 continue the integration of the behavioral health system into the
11 primary care system by transferring the regulation of chemical
12 dependency treatment programs from the department of social and
13 health services to the department of health. In this way, the
14 department of health will regulate all chemical dependency treatment,
15 from the licensed providers, to the chemical dependency agencies, to
16 the chemical dependency programs, just as it regulates primary care
17 providers, hospitals, and other primary care systems.

18 This transfer of regulation will promote government efficiency by
19 granting one state agency, the department of health, the regulatory
20 authority over the chemical dependency treatment system. It is also
21 the intent of the legislature to further promote government

1 efficiency by encouraging that national accreditation standards for
2 chemical dependency programs be used in state regulation of these
3 programs to the maximum extent possible. In this way, both costs to
4 the state and to the chemical dependency treatment system will be
5 reduced and administrative consistency will be increased.

6 Through this transfer of regulation from the department of social
7 and health services to the department of health, Washington's robust
8 chemical dependency treatment system will continue to meet the needs
9 of patients requiring these critical health care services during the
10 time of primary care integration.

11 NEW SECTION. **Sec. 2.** The definitions in this section apply
12 throughout this chapter unless the context clearly requires
13 otherwise.

14 (1) "Approved treatment program" means a discrete program of
15 chemical dependency treatment provided by a treatment program
16 certified by the department as meeting standards adopted under this
17 chapter.

18 (2) "Chemical dependency" means:

19 (a) Alcoholism;

20 (b) Drug addiction; or

21 (c) Dependence on alcohol and one or more other psychoactive
22 chemicals, as the context requires.

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

24 (4) "Secretary" means the secretary of health.

25 (5) "Treatment program" means an organization, institution, or
26 corporation, public or private, engaged in the care, treatment, or
27 rehabilitation of people suffering from chemical dependency.

28 NEW SECTION. **Sec. 3.** The secretary shall:

29 (1) Issue a certification to any treatment program that:

30 (a) Submits payment of the fee established by the secretary;

31 (b) Submits:

32 (i) A completed application that demonstrates the ability to
33 comply with the standards established for operating and maintaining a
34 treatment program in statute and rule; or

35 (ii) Proof of accreditation by the joint commission on
36 accreditation of health care organizations, the commission on
37 accreditation of rehabilitation facilities, the council on
38 accreditation for alcohol and drug abuse prevention programs, or any

1 other organization that the department has determined to have
2 substantially equivalent standards to those of the department; and

3 (c) Successfully completes the inspection requirements
4 established in section 4 of this act;

5 (2) Adopt rules establishing standards for treatment programs
6 applying to the department for certification as an approved treatment
7 program. The standards may concern the health standards to be met and
8 standards of services and treatment to be afforded patients;

9 (3) Develop an application form for applicants for a
10 certification to operate a treatment program or to renew a
11 certification;

12 (4) Initiate investigations and enforcement actions for
13 complaints or other information regarding failure to comply with this
14 chapter or the standards and rules adopted under this chapter;

15 (5) Conduct inspections of facilities, including reviews of
16 treatment records and documents required to be maintained under this
17 chapter or rules adopted under this chapter;

18 (6) Establish fees for certification, certification renewal, and
19 other associated costs at an amount that is sufficient to defray the
20 costs of administering the program;

21 (7) Maintain and periodically publish a current list of approved
22 treatment programs; and

23 (8) Adopt any rules necessary to implement this chapter. When
24 considering the adoption of the initial rules, the secretary shall
25 consider those rules adopted by the department of social and health
26 services under chapter 70.96A RCW.

27 NEW SECTION. **Sec. 4.** (1)(a) The department shall inspect
28 applicants for an initial certification and inspect approved public
29 and private treatment programs according to an established schedule.

30 (b) A treatment program originally certified under chapter 70.96A
31 RCW applying for an initial certification renewal with the department
32 is subject to (a) of this subsection.

33 (2) The department may deem a public or private treatment program
34 to have met the inspection standards of this section if it submits
35 proof of accreditation by an organization referenced in section
36 3(1)(b)(ii) of this act.

37 (3) Treatment programs shall make the written reports of
38 inspections or surveys conducted by an approved accrediting

1 organization available to the department inspectors during any
2 department inspection, upon request.

3 (4) Nothing in this section prohibits the department from
4 conducting an inspection at any time in the course of investigating a
5 complaint or other information which indicates potential failure of a
6 program to comply with the requirements of this chapter or the
7 standards or rules adopted under this chapter.

8 NEW SECTION. **Sec. 5.** (1) The secretary may deny, suspend, or
9 revoke the certification of any treatment program in any case in
10 which he or she finds the applicant or certified entity knowingly
11 made a false statement of material fact in the application for the
12 certification or any supporting data in any record required by this
13 chapter or matter under investigation by the department.

14 (2) The secretary shall investigate complaints concerning
15 operation of a treatment program without a certification. The
16 secretary may issue a notice of intention to issue a cease and desist
17 order to any person whom the secretary has reason to believe is
18 engaged in the uncertified operation of a treatment program. If the
19 secretary makes a written finding of fact that the public interest
20 will be irreparably harmed by delay in issuing an order, the
21 secretary may issue a temporary cease and desist order. The person
22 receiving a temporary cease and desist order must be provided an
23 opportunity for a prompt hearing. The temporary cease and desist
24 order remains in effect until further order of the secretary. Any
25 person operating a treatment program under this chapter without a
26 certification is guilty of a misdemeanor, and each day of operation
27 of an uncertified treatment program constitutes a separate offense.

28 (3) The secretary is authorized to deny, suspend, revoke, or
29 modify a certification or provisional certification in any case in
30 which it finds that there has been a failure or refusal to comply
31 with the requirements of this chapter or the standards or rules
32 adopted under this chapter. RCW 43.70.115 governs notice of a
33 certification denial, revocation, suspension, or modification and
34 provides the right to an adjudicative proceeding.

35 (4) Pursuant to chapter 34.05 RCW, the secretary may assess
36 monetary penalties of a civil nature not to exceed one thousand
37 dollars per violation.

1 NEW SECTION. **Sec. 6.** (1) No person or governmental unit of the
2 state of Washington, acting separately or jointly with any other
3 person or governmental unit, may establish, maintain, or operate a
4 treatment program or advertise or represent itself as an approved
5 treatment program in this state without a certification issued by the
6 department under this chapter.

7 (2) Upon the expiration of an approved treatment program's
8 certification that was issued by the department of social and health
9 services under chapter 70.96A RCW, the approved treatment program
10 shall apply to the secretary for the renewal of the certification.

11 (3) Until July 1, 2018, the department shall recognize the
12 unexpired certification of a treatment program issued by the
13 department of social and health services.

14 NEW SECTION. **Sec. 7.** (1) Certification as an approved treatment
15 program is effective for one calendar year from the date of issuance
16 of the certificate. The certification must specify the types of
17 services provided by the approved treatment program that meet the
18 standards adopted under this chapter. Renewal of certification must
19 be made in accordance with this chapter for initial approval and in
20 accordance with the standards set forth in rules adopted by the
21 secretary.

22 (2) Approved treatment programs may not provide chemical
23 dependency treatment services for which the approved treatment
24 program has not been certified. Approved treatment programs may
25 provide services for which approval has been sought and is pending,
26 if approval for the services has not been previously revoked or
27 denied.

28 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act
29 constitute a new chapter in Title 70 RCW.

30 **Sec. 9.** RCW 70.96A.020 and 2014 c 225 s 20 are each reenacted
31 and amended to read as follows:

32 For the purposes of this chapter the following words and phrases
33 shall have the following meanings unless the context clearly requires
34 otherwise:

35 (1) "Alcoholism" means a disease, characterized by a dependency
36 on alcoholic beverages, loss of control over the amount and
37 circumstances of use, symptoms of tolerance, physiological or

1 psychological withdrawal, or both, if use is reduced or discontinued,
2 and impairment of health or disruption of social or economic
3 functioning.

4 (2) "Approved treatment program" means a program for persons with
5 a substance use disorder provided by a treatment program certified by
6 the department of (~~social and health services as meeting standards~~
7 ~~adopted under this chapter~~) health under chapter 70.--- RCW (the new
8 chapter created in section 8 of this act).

9 (3) "Behavioral health organization" means a county authority or
10 group of county authorities or other entity recognized by the
11 secretary in contract in a defined regional service area.

12 (4) "Behavioral health services" means mental health services as
13 described in chapters 71.24 and 71.36 RCW and chemical dependency
14 treatment services as described in this chapter.

15 (5) "Chemical dependency" means: (a) Alcoholism; (b) drug
16 addiction; or (c) dependence on alcohol and one or more other
17 psychoactive chemicals, as the context requires.

18 (6) "Chemical dependency program" means expenditures and
19 activities of the department designed and conducted to prevent or
20 treat alcoholism and other drug addiction, including reasonable
21 administration and overhead.

22 (7) "Department" means the department of social and health
23 services.

24 (8) "Designated chemical dependency specialist" or "specialist"
25 means a person designated by the behavioral health organization or by
26 the county alcoholism and other drug addiction program coordinator
27 designated under RCW 70.96A.310 to perform the commitment duties
28 described in RCW 70.96A.140 and qualified to do so by meeting
29 standards adopted by the department.

30 (9) "Director" means the person administering the substance use
31 disorder program within the department.

32 (10) "Drug addiction" means a disease characterized by a
33 dependency on psychoactive chemicals, loss of control over the amount
34 and circumstances of use, symptoms of tolerance, physiological or
35 psychological withdrawal, or both, if use is reduced or discontinued,
36 and impairment of health or disruption of social or economic
37 functioning.

38 (11) "Emergency service patrol" means a patrol established under
39 RCW 70.96A.170.

1 (12) "Gravely disabled by alcohol or other psychoactive
2 chemicals" or "gravely disabled" means that a person, as a result of
3 the use of alcohol or other psychoactive chemicals: (a) Is in danger
4 of serious physical harm resulting from a failure to provide for his
5 or her essential human needs of health or safety; or (b) manifests
6 severe deterioration in routine functioning evidenced by a repeated
7 and escalating loss of cognition or volitional control over his or
8 her actions and is not receiving care as essential for his or her
9 health or safety.

10 (13) "History of one or more violent acts" refers to the period
11 of time ten years prior to the filing of a petition under this
12 chapter, excluding any time spent, but not any violent acts
13 committed, in a mental health facility, or a long-term alcoholism or
14 drug treatment facility, or in confinement.

15 (14) "Incapacitated by alcohol or other psychoactive chemicals"
16 means that a person, as a result of the use of alcohol or other
17 psychoactive chemicals, is gravely disabled or presents a likelihood
18 of serious harm to himself or herself, to any other person, or to
19 property.

20 (15) "Incompetent person" means a person who has been adjudged
21 incompetent by the superior court.

22 (16) "Intoxicated person" means a person whose mental or physical
23 functioning is substantially impaired as a result of the use of
24 alcohol or other psychoactive chemicals.

25 (17) "Licensed physician" means a person licensed to practice
26 medicine or osteopathic medicine and surgery in the state of
27 Washington.

28 (18) "Likelihood of serious harm" means:

29 (a) A substantial risk that: (i) Physical harm will be inflicted
30 by an individual upon his or her own person, as evidenced by threats
31 or attempts to commit suicide or inflict physical harm on one's self;
32 (ii) physical harm will be inflicted by an individual upon another,
33 as evidenced by behavior that has caused the harm or that places
34 another person or persons in reasonable fear of sustaining the harm;
35 or (iii) physical harm will be inflicted by an individual upon the
36 property of others, as evidenced by behavior that has caused
37 substantial loss or damage to the property of others; or

38 (b) The individual has threatened the physical safety of another
39 and has a history of one or more violent acts.

1 (19) "Medical necessity" for inpatient care of a minor means a
2 requested certified inpatient service that is reasonably calculated
3 to: (a) Diagnose, arrest, or alleviate a chemical dependency; or (b)
4 prevent the progression of substance use disorders that endanger life
5 or cause suffering and pain, or result in illness or infirmity or
6 threaten to cause or aggravate a handicap, or cause physical
7 deformity or malfunction, and there is no adequate less restrictive
8 alternative available.

9 (20) "Minor" means a person less than eighteen years of age.

10 (21) "Parent" means the parent or parents who have the legal
11 right to custody of the child. Parent includes custodian or guardian.

12 (22) "Peace officer" means a law enforcement official of a public
13 agency or governmental unit, and includes persons specifically given
14 peace officer powers by any state law, local ordinance, or judicial
15 order of appointment.

16 (23) "Person" means an individual, including a minor.

17 (24) "Professional person in charge" or "professional person"
18 means a physician or chemical dependency counselor as defined in rule
19 by the department, who is empowered by a certified treatment program
20 with authority to make assessment, admission, continuing care, and
21 discharge decisions on behalf of the certified program.

22 (25) "Secretary" means the secretary of the department of social
23 and health services.

24 (26) "Substance use disorder" means a cluster of cognitive,
25 behavioral, and physiological symptoms indicating that an individual
26 continues using the substance despite significant substance-related
27 problems. The diagnosis of a substance use disorder is based on a
28 pathological pattern of behaviors related to the use of the
29 substances.

30 (27) "Treatment" means the broad range of emergency, withdrawal
31 management, residential, and outpatient services and care, including
32 diagnostic evaluation, chemical dependency education and counseling,
33 medical, psychiatric, psychological, and social service care,
34 vocational rehabilitation and career counseling, which may be
35 extended to persons with substance use disorders and their families,
36 persons incapacitated by alcohol or other psychoactive chemicals, and
37 intoxicated persons.

38 (28) "Treatment program" means an organization, institution, or
39 corporation, public or private, engaged in the care, treatment, or

1 rehabilitation of persons with substance use ~~((disorder[s]))~~
2 disorders.

3 (29) "Violent act" means behavior that resulted in homicide,
4 attempted suicide, nonfatal injuries, or substantial damage to
5 property.

6 **Sec. 10.** RCW 70.96A.090 and 2005 c 70 s 2 are each amended to
7 read as follows:

8 (1) As of July 1, 2017, the department shall no longer issue new
9 or renewal certifications to treatment programs. This section only
10 applies to those approved treatment programs that the department had
11 certified prior to July 1, 2017.

12 (2) The department shall adopt rules establishing standards for
13 approved treatment programs, the process for the review and
14 inspection program applying to the department for certification as an
15 approved treatment program, and fixing the fees to be charged by the
16 department for the required inspections. The standards may concern
17 the health standards to be met and standards of services and
18 treatment to be afforded patients.

19 ~~((+2))~~ (3) The department may suspend, revoke, limit, restrict,
20 or modify an approval, or refuse to grant approval, for failure to
21 meet the provisions of this chapter, or the standards adopted under
22 this chapter. RCW 43.20A.205 governs notice of a license denial,
23 revocation, suspension, or modification and provides the right to an
24 adjudicative proceeding.

25 ~~((+3))~~ (4) No treatment program may advertise or represent
26 itself as an approved treatment program if approval has not been
27 granted, has been denied, suspended, revoked, or canceled.

28 ~~((+4))~~ (5) Certification as an approved treatment program is
29 effective for one calendar year from the date of issuance of the
30 certificate. The certification shall specify the types of services
31 provided by the approved treatment program that meet the standards
32 adopted under this chapter. ~~((Renewal of certification shall be made~~
33 ~~in accordance with this section for initial approval and in~~
34 ~~accordance with the standards set forth in rules adopted by the~~
35 ~~secretary.~~

36 ~~(+5))~~ (6) Approved treatment programs shall not provide
37 alcoholism or other drug addiction treatment services for which the
38 approved treatment program has not been certified. Approved treatment
39 programs may provide services for which approval has been sought and

1 is pending, if approval for the services has not been previously
2 revoked or denied.

3 ~~((+6))~~ (7) The department periodically shall inspect approved
4 public and private treatment programs at reasonable times and in a
5 reasonable manner.

6 ~~((+7))~~ (8) The department shall maintain and periodically
7 publish a current list of approved treatment programs.

8 ~~((+8) Each approved treatment program shall file with the
9 department on request, data, statistics, schedules, and information
10 the department reasonably requires. An approved treatment program
11 that without good cause fails to furnish any data, statistics,
12 schedules, or information as requested, or files fraudulent returns
13 thereof, may be removed from the list of approved treatment programs,
14 and its certification revoked or suspended.~~

15 ~~(9) The department shall use the data provided in subsection (8)
16 of this section to evaluate each program that admits children to
17 inpatient treatment upon application of their parents. The evaluation
18 shall be done at least once every twelve months. In addition, the
19 department shall randomly select and review the information on
20 individual children who are admitted on application of the child's
21 parent for the purpose of determining whether the child was
22 appropriately placed into treatment based on an objective evaluation
23 of the child's condition and the outcome of the child's treatment.~~

24 ~~(+10))~~ (9) Upon petition of the department and after a hearing
25 held upon reasonable notice to the facility, the superior court may
26 issue a warrant to an officer or employee of the department
27 authorizing him or her to enter and inspect at reasonable times, and
28 examine the books and accounts of, any approved public or private
29 treatment program refusing to consent to inspection or examination by
30 the department or which the department has reasonable cause to
31 believe is operating in violation of this chapter.

32 ~~((+11))~~ (10)(a) All approved opiate substitution treatment
33 programs that provide services to women who are pregnant are required
34 to disseminate up-to-date and accurate health education information
35 to all their pregnant clients concerning the possible addiction and
36 health risks that their opiate substitution treatment may have on
37 their baby. All pregnant clients must also be advised of the risks to
38 both them and their baby associated with not remaining on the opiate
39 substitute program. The information must be provided to these clients
40 both verbally and in writing. The health education information

1 provided to the pregnant clients must include referral options for
2 the addicted baby.

3 (b) The department shall adopt rules that require all opiate
4 treatment programs to educate all pregnant women in their program on
5 the benefits and risks of methadone treatment to their fetus before
6 they are provided these medications, as part of their addiction
7 treatment. The department shall meet the requirements under this
8 subsection within the appropriations provided for opiate treatment
9 programs. The department, working with treatment providers and
10 medical experts, shall develop and disseminate the educational
11 materials to all certified opiate treatment programs.

12 NEW SECTION. **Sec. 11.** A new section is added to chapter 70.96A
13 RCW to read as follows:

14 (1) Each approved treatment program shall file with the
15 department, on request, data, statistics, schedules, and information
16 the department reasonably requires. An approved treatment program
17 that without good cause fails to furnish any data, statistics,
18 schedules, or information as requested, or files fraudulent returns
19 thereof, may be removed from the list of approved treatment programs
20 and its certification revoked or suspended.

21 (2) The department shall use the data provided in subsection (1)
22 of this section to evaluate each program that admits children to
23 inpatient treatment upon application of their parents. The evaluation
24 must be done at least once every twelve months. In addition, the
25 department shall randomly select and review the information on
26 individual children who are admitted on application of the child's
27 parent for the purpose of determining whether the child was
28 appropriately placed into treatment based on an objective evaluation
29 of the child's condition and the outcome of the child's treatment.

30 **Sec. 12.** RCW 70.96A.095 and 1998 c 296 s 23 are each amended to
31 read as follows:

32 Any person thirteen years of age or older may give consent for
33 himself or herself to the furnishing of outpatient treatment by ((a))
34 an approved chemical dependency treatment program ((certified by the
35 department)). Parental authorization is required for any treatment of
36 a minor under the age of thirteen.

1 **Sec. 13.** RCW 70.96A.240 and 1998 c 296 s 26 are each amended to
2 read as follows:

3 (1) The parent of a minor is not liable for payment of inpatient
4 or outpatient chemical dependency treatment unless the parent has
5 joined in the consent to the treatment.

6 (2) The ability of a parent to apply to (~~(a-certified)~~) an
7 approved treatment program for the admission of his or her minor
8 child does not create a right to obtain or benefit from any funds or
9 resources of the state. However, the state may provide services for
10 indigent minors to the extent that funds are available therefor.

11 **Sec. 14.** RCW 70.96A.245 and 1998 c 296 s 27 are each amended to
12 read as follows:

13 (1) A parent may bring, or authorize the bringing of, his or her
14 minor child to (~~(a-certified)~~) an approved treatment program and
15 request that a chemical dependency assessment be conducted by a
16 professional person to determine whether the minor is chemically
17 dependent and in need of inpatient treatment.

18 (2) The consent of the minor is not required for admission,
19 evaluation, and treatment if the parent brings the minor to the
20 program.

21 (3) An appropriately trained professional person may evaluate
22 whether the minor is chemically dependent. The evaluation shall be
23 completed within twenty-four hours of the time the minor was brought
24 to the program, unless the professional person determines that the
25 condition of the minor necessitates additional time for evaluation.
26 In no event shall a minor be held longer than seventy-two hours for
27 evaluation. If, in the judgment of the professional person, it is
28 determined it is a medical necessity for the minor to receive
29 inpatient treatment, the minor may be held for treatment. The
30 facility shall limit treatment to that which the professional person
31 determines is medically necessary to stabilize the minor's condition
32 until the evaluation has been completed. Within twenty-four hours of
33 completion of the evaluation, the professional person shall notify
34 the department if the child is held for treatment and of the date of
35 admission.

36 (4) No provider is obligated to provide treatment to a minor
37 under the provisions of this section. No provider may admit a minor
38 to treatment under this section unless it is medically necessary.

1 (5) No minor receiving inpatient treatment under this section may
2 be discharged from the program based solely on his or her request.

3 NEW SECTION. **Sec. 15.** (1) All powers, duties, and functions of
4 the department of social and health services pertaining to
5 certification of chemical dependency treatment programs are
6 transferred to the department of health. All references to the
7 secretary or the department of social and health services in the
8 Revised Code of Washington shall be construed to mean the secretary
9 or the department of health when referring to the functions
10 transferred in this section.

11 (2)(a) All reports, documents, surveys, books, records, files,
12 papers, or written material in the possession of the department of
13 social and health services pertaining to the powers, functions, and
14 duties transferred shall be delivered to the custody of the
15 department of health. All cabinets, furniture, office equipment,
16 motor vehicles, and other tangible property employed by the
17 department of social and health services in carrying out the powers,
18 functions, and duties transferred shall be made available to the
19 department of health. All funds, credits, or other assets held in
20 connection with the powers, functions, and duties transferred shall
21 be assigned to the department of health.

22 (b) Any appropriations made to the department of social and
23 health services for carrying out the powers, functions, and duties
24 transferred shall, on the effective date of this section, be
25 transferred and credited to the department of health.

26 (c) Whenever any question arises as to the transfer of any
27 personnel, funds, books, documents, records, papers, files,
28 equipment, or other tangible property used or held in the exercise of
29 the powers and the performance of the duties and functions
30 transferred, the director of financial management shall make a
31 determination as to the proper allocation and certify the same to the
32 state agencies concerned.

33 (3) All employees of the department of social and health services
34 engaged in performing the powers, functions, and duties transferred
35 are transferred to the jurisdiction of the department of health. All
36 employees classified under chapter 41.06 RCW, the state civil service
37 law, are assigned to the department of health to perform their usual
38 duties upon the same terms as formerly, without any loss of rights,

1 subject to any action that may be appropriate thereafter in
2 accordance with the laws and rules governing state civil service.

3 (4) All rules and all pending business before the department of
4 social and health services pertaining to the powers, functions, and
5 duties transferred shall be continued and acted upon by the
6 department of health. All existing contracts and obligations shall
7 remain in full force and shall be performed by the department of
8 health.

9 (5) The transfer of the powers, duties, functions, and personnel
10 of the department of social and health services shall not affect the
11 validity of any act performed before the effective date of this
12 section.

13 (6) If apportionments of budgeted funds are required because of
14 the transfers directed by this section, the director of financial
15 management shall certify the apportionments to the agencies affected,
16 the state auditor, and the state treasurer. Each of these shall make
17 the appropriate transfer and adjustments in funds and appropriation
18 accounts and equipment records in accordance with the certification.

19 (7) All classified employees of the department of social and
20 health services assigned to the certification of chemical dependency
21 treatment programs under this section whose positions are within an
22 existing bargaining unit description at the certification of chemical
23 dependency treatment programs shall become a part of the existing
24 bargaining unit at the certification of chemical dependency treatment
25 programs and shall be considered an appropriate inclusion or
26 modification of the existing bargaining unit under the provisions of
27 chapter 41.80 RCW.

28 NEW SECTION. **Sec. 16.** This act takes effect July 1, 2017.

29 NEW SECTION. **Sec. 17.** The secretary of health may take the
30 necessary steps to ensure that this act is implemented on its
31 effective date.

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