
SUBSTITUTE SENATE BILL 6485

State of Washington

64th Legislature

2016 Regular Session

By Senate Human Services, Mental Health & Housing (originally sponsored by Senators Parlette, Darneille, and O'Ban)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to meeting workforce needs created by the
2 integration of chemical dependency and mental health; amending RCW
3 70.96A.320; reenacting and amending RCW 70.96A.020; creating new
4 sections; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The adult behavioral health system task
7 force examined workforce issues related to behavioral health in 2015
8 and heard numerous concerns related to the shortage of professionals
9 needed to staff the health care system, particularly the growing
10 demand for chemical dependency professionals and for professionals
11 who are dually licensed in chemical dependency and another field.
12 This measure is intended to adopt recommendations made by the task
13 force targeted to meet these needs.

14 NEW SECTION. **Sec. 2.** The state workforce training and education
15 coordinating board shall assess workforce shortages across primary
16 care, behavioral health, and gerontology/long-term care. The board
17 shall create an action plan to address the workforce shortages and to
18 meet the increased demand for services now, and with the integration
19 of behavioral health and primary care in 2020. The action plan must
20 not only focus on behavioral health, but also access to primary care

1 physicians across the state. The study must be prepared with
2 consideration of the recommendations submitted in 2015 to the adult
3 behavioral health system task force, and be completed no later than
4 December 15, 2017.

5 **Sec. 3.** RCW 70.96A.020 and 2014 c 225 s 20 are each reenacted
6 and amended to read as follows:

7 For the purposes of this chapter the following words and phrases
8 shall have the following meanings unless the context clearly requires
9 otherwise:

10 (1) "Alcoholism" means a disease, characterized by a dependency
11 on alcoholic beverages, loss of control over the amount and
12 circumstances of use, symptoms of tolerance, physiological or
13 psychological withdrawal, or both, if use is reduced or discontinued,
14 and impairment of health or disruption of social or economic
15 functioning.

16 (2) "Approved treatment program" means a program for persons with
17 a substance use disorder provided by a treatment program certified by
18 the department of social and health services as meeting standards
19 adopted under this chapter.

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

23 (4) "Behavioral health services" means mental health services as
24 described in chapters 71.24 and 71.36 RCW and chemical dependency
25 treatment services as described in this chapter.

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

29 (6) "Chemical dependency program" means expenditures and
30 activities of the department designed and conducted to prevent or
31 treat alcoholism and other drug addiction, including reasonable
32 administration and overhead.

33 (7) "Department" means the department of social and health
34 services.

35 (8) "Designated chemical dependency specialist" or "specialist"
36 means a person designated by the behavioral health organization or by
37 the county alcoholism and other drug addiction program coordinator
38 designated under RCW 70.96A.310 to perform the commitment duties

1 described in RCW 70.96A.140 and qualified to do so by meeting
2 standards adopted by the department.

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

5 (10) "Drug addiction" means a disease characterized by a
6 dependency on psychoactive chemicals, loss of control over the amount
7 and circumstances of use, symptoms of tolerance, physiological or
8 psychological withdrawal, or both, if use is reduced or discontinued,
9 and impairment of health or disruption of social or economic
10 functioning.

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

13 (12) "Gravely disabled by alcohol or other psychoactive
14 chemicals" or "gravely disabled" means that a person, as a result of
15 the use of alcohol or other psychoactive chemicals: (a) Is in danger
16 of serious physical harm resulting from a failure to provide for his
17 or her essential human needs of health or safety; or (b) manifests
18 severe deterioration in routine functioning evidenced by a repeated
19 and escalating loss of cognition or volitional control over his or
20 her actions and is not receiving care as essential for his or her
21 health or safety.

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

27 (14) "Incapacitated by alcohol or other psychoactive chemicals"
28 means that a person, as a result of the use of alcohol or other
29 psychoactive chemicals, is gravely disabled or presents a likelihood
30 of serious harm to himself or herself, to any other person, or to
31 property.

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

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

37 (17) "Licensed physician" means a person licensed to practice
38 medicine or osteopathic medicine and surgery in the state of
39 Washington.

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

1 (a) A substantial risk that: (i) Physical harm will be inflicted
2 by an individual upon his or her own person, as evidenced by threats
3 or attempts to commit suicide or inflict physical harm on one's self;
4 (ii) physical harm will be inflicted by an individual upon another,
5 as evidenced by behavior that has caused the harm or that places
6 another person or persons in reasonable fear of sustaining the harm;
7 or (iii) physical harm will be inflicted by an individual upon the
8 property of others, as evidenced by behavior that has caused
9 substantial loss or damage to the property of others; or

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

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

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

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

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

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

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

33 (25) "Secretary" means the secretary of the department of social
34 and health services.

35 (26) "Substance use disorder" means a cluster of cognitive,
36 behavioral, and physiological symptoms indicating that an individual
37 continues using the substance despite significant substance-related
38 problems. The diagnosis of a substance use disorder is based on a
39 pathological pattern of behaviors related to the use of the
40 substances.

1 (27) "Treatment" means the broad range of emergency, withdrawal
2 management, residential, and outpatient services and care, including
3 diagnostic evaluation, chemical dependency education and counseling,
4 peer support services, medical, psychiatric, psychological, and
5 social service care, vocational rehabilitation and career counseling,
6 which may be extended to persons with substance use disorders and
7 their families, persons incapacitated by alcohol or other
8 psychoactive chemicals, and intoxicated persons.

9 (28) "Treatment program" means an organization, institution, or
10 corporation, public or private, engaged in the care, treatment, or
11 rehabilitation of persons with substance use ~~((disorder[s]))~~
12 disorders.

13 (29) "Violent act" means behavior that resulted in homicide,
14 attempted suicide, nonfatal injuries, or substantial damage to
15 property.

16 **Sec. 4.** RCW 70.96A.320 and 2014 c 225 s 32 are each amended to
17 read as follows:

18 (1) A county legislative authority, or two or more counties
19 acting jointly, may establish an alcoholism and other drug addiction
20 program. If two or more counties jointly establish the program, they
21 shall designate one county to provide administrative and financial
22 services.

23 (2) To be eligible for funds from the department for the support
24 of the county alcoholism and other drug addiction program, the county
25 legislative authority shall establish a county alcoholism and other
26 drug addiction board under RCW 70.96A.300 and appoint a county
27 alcoholism and other drug addiction program coordinator under RCW
28 70.96A.310.

29 (3) The county legislative authority may apply to the department
30 for financial support for the county program of alcoholism and other
31 drug addiction. To receive financial support, the county legislative
32 authority shall submit a plan that meets the following conditions:

33 (a) It shall describe the prevention, early intervention, or
34 recovery support services and activities to be provided;

35 (b) It shall include anticipated expenditures and revenues;

36 (c) It shall be prepared by the county alcoholism and other drug
37 addiction program board and be adopted by the county legislative
38 authority;

1 (d) It shall reflect maximum effective use of existing services
2 and programs; and

3 (e) It shall meet other conditions that the secretary may
4 require.

5 (4) The county may accept and spend gifts, grants, and fees, from
6 public and private sources, to implement its program of alcoholism
7 and other drug addiction.

8 (5) The department shall require that any agreement to provide
9 financial support to a county that performs the activities of a
10 service coordination organization for alcoholism and other drug
11 addiction services must incorporate the expected outcomes and
12 criteria to measure the performance of service coordination
13 organizations as provided in chapter 70.320 RCW.

14 (6) The county may subcontract for withdrawal management,
15 residential treatment, peer support services, or outpatient treatment
16 with treatment programs that are approved treatment programs. The
17 county may subcontract for other services with individuals or
18 organizations approved by the department.

19 (7) To continue to be eligible for financial support from the
20 department for the county alcoholism and other drug addiction
21 program, an increase in state financial support shall not be used to
22 supplant local funds from a source that was used to support the
23 county alcoholism and other drug addiction program before the
24 effective date of the increase.

25 NEW SECTION. **Sec. 5.** The department of health shall conduct a
26 sunrise review under chapter 18.120 RCW to evaluate the creation of a
27 chemical dependency peer support specialist credential based on a
28 sunrise proposal developed by the department of social and health
29 services by May 1, 2016.

30 NEW SECTION. **Sec. 6.** The department of health shall manage its
31 pending rule-making process relating to the educational and training
32 requirements for chemical dependency professionals in such a fashion
33 in order to complete the rule making by June 30, 2016.

34 NEW SECTION. **Sec. 7.** Sections 3 and 4 of this act take effect
35 January 1, 2017.

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