

# SENATE BILL REPORT

## SB 6637

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As of February 5, 2020

**Title:** An act relating to creating a license for the operation of a wilderness therapy program.

**Brief Description:** Licensing wilderness therapy.

**Sponsors:** Senators Salomon, Kuderer, Hunt, Lovelett, Wellman and Wilson, C.

**Brief History:**

**Committee Activity:** Health & Long Term Care: 2/03/20.

**Brief Summary of Bill**

- Requires the Department of Health to create a business license for wilderness therapy programs that include behavioral health treatment by licensed providers.
- Establishes a definition and requirements for wilderness therapy programs in Washington.
- Requires the Department of Health to complete rulemaking for licensed wilderness therapy programs by December 31, 2021.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Staff:** Kevin Black (786-7747)

**Background:** Wilderness Therapy. Wilderness therapy is a program model that evolved from a broader field of wilderness experience programs aimed at the personal growth of participants, such as Outward Bound. Different wilderness therapy models have been employed, using a nomadic model involving extended wilderness stays, a base camp model with weekly returns to a base structure, and integrated programs that may incorporate wilderness periods in phases with treatment in other settings. Wilderness therapy can involve backpacking, camping, ocean-based sailing, adventure therapy, horticulture therapy, and more variations. Wilderness therapy programs emerged to prominence in the 1990s and have proliferated in the Northwest, but do not have a presence in Washington State.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Department of Health Licensing. The Department of Health (DOH) licenses and regulates "establishments" which are defined as places receiving or caring for persons with mental illness or substance use disorder. To become licensed to operate an establishment, a person must receive a certificate of need for the project, obtain approval of facility plans under the construction review process, obtain approval from the state director of fire protection, and successfully complete a DOH survey of the facility. Establishments must comply with DOH regulations regarding clinical facilities, patient care services, staffing, patient safety, clinical records, and pharmacy and medication services.

DOH may conduct inspections at any time to determine compliance with establishment standards. DOH may issue a statement of deficiencies if it finds the establishment is not in compliance with operating standards. Failure to correct the deficiencies may result in the denial, suspension, modification, or revocation of the establishment license.

**Summary of Bill:** DOH must create a business license for wilderness therapy programs catering to youth who experience emotional and behavioral problems that include behavioral health treatment delivered by licensed professionals, who may practice as agency affiliated counselors.

Wilderness therapy is defined as a form of residential treatment provided in a nontraditional setting that employs supportive peer groups, skill building, and experiential learning challenges alongside more traditional therapy techniques.

Wilderness therapy programs licensed by DOH must:

- build self-confidence;
- deliver important lessons;
- provide medically necessary behavioral health therapy;
- help youth develop social connections;
- help move youth in the direction of repair to fractured family units; and
- use wilderness as a healing source for adolescents.

DOH must establish rules for licensed wilderness therapy programs by December 31, 2021. DOH must research mature programs in other states including Utah, Idaho, Minnesota, and Alaska and its research must emphasize models grounded in evidence demonstrating their effectiveness. The rules must consider youth safety, cultural competency, and strategies that maximize the potential for family reintegration. The rulemaking must consider program designs that facilitate coverage by insurance providers.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: We are trying to get reimbursement coverage for this program so that it does not have to depend on taxpayers. I think kids should go out

into nature. There is nothing more character building than hiking to the top of a mountain, pitching a tent, and seeing the Milky Way for the first time. Sometimes just a change in perspective can do more than anything else. This is similar to Outward Bound. I want to get kids out into nature show them how awesome it can be. Youth at risk tend to be less engaged in therapy. Wilderness therapy is a great way to engage kids who are resisting treatment. The youth who would benefit the most from this are in very expensive systems. I think this would be very effective.

**Persons Testifying:** PRO: Senator Jesse Salomon, Prime Sponsor; Olivia Van De Rostyne; citizen.

**Persons Signed In To Testify But Not Testifying:** No one.