

**WAC 246-976-191 Disciplinary actions.** (1) The secretary is the disciplining authority under RCW 18.130.040 (2) (a).

(2) Modification, suspension, revocation, or denial of certification will be consistent with the requirements of the Administrative Procedure Act (chapter 34.05 RCW), the Uniform Disciplinary Act (chapter 18.130 RCW), and chapter 246-10 WAC.

(3) MPDs may perform counseling regarding the clinical practice of certified individuals.

(4) Before recommending disciplinary action, the MPD must initiate protocol and procedural counseling with the certified individual, consistent with department guidelines.

(5) The MPD may request the secretary to summarily suspend certification of an individual if the MPD believes that continued certification is an immediate and critical threat to public health and safety.

(6) The MPD may recommend denial or renewal of an individual's certification.

(7) As required by RCW 18.130.080, an employing or sponsoring agency is subject to the reporting requirements identified in chapter 246-16 WAC. An employing or sponsoring agency must report to the department the following:

(a) When the certified individual's services have been terminated or restricted based upon a final determination that the individual has either committed an act or acts that may constitute unprofessional conduct; or

(b) That the certified individual may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition; or

(c) When a certified individual is disciplined by an employing or sponsoring agency for conduct or circumstances that would be unprofessional conduct under RCW 18.130.180 of the Uniform Disciplinary Act.

[Statutory Authority: Chapters 18.71, 18.73, and 70.168 RCW. WSR 11-07-078, § 246-976-191, filed 3/22/11, effective 5/15/11; WSR 00-08-102, § 246-976-191, filed 4/5/00, effective 5/6/00.]