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**SUBSTITUTE SENATE BILL 5601**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Health & Long-Term Care (originally sponsored by Senator Franklin)

READ FIRST TIME 02/19/09.

1           AN ACT Relating to speech-language pathology assistants; amending  
2 RCW 18.35.010, 18.35.040, 18.35.095, 18.35.150, 18.35.205, and  
3 18.35.260, and 18.130.040; adding new sections to chapter 18.35 RCW;  
4 and creating new sections.

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

6           NEW SECTION.   **Sec. 1.** It is declared to be the policy of this  
7 state that, in order to safeguard the public health, safety, and  
8 welfare, to protect the public from incompetent, unscrupulous,  
9 unauthorized persons and unprofessional conduct, and to ensure the  
10 availability of the highest possible standards of speech-language  
11 pathology services to the communicatively impaired people of this  
12 state, it is necessary to provide regulatory authority over persons  
13 offering speech-language pathology services as speech-language  
14 pathology assistants.

15           **Sec. 2.** RCW 18.35.010 and 2005 c 45 s 1 are each amended to read  
16 as follows:

17           ((As used in)) The definitions in this section apply throughout  
18 this chapter((7)) unless the context clearly requires otherwise((+)).

1 (1) "Assistive listening device or system" means an amplification  
2 system that is specifically designed to improve the signal to noise  
3 ratio for the listener, reduce interference from noise in the  
4 background, and enhance hearing levels at a distance by picking up  
5 sound from as close to source as possible and sending it directly to  
6 the ear of the listener, excluding hearing instruments as defined in  
7 this chapter.

8 (2) "Licensed audiologist" means a person who is licensed by the  
9 department to engage in the practice of audiology and meets the  
10 qualifications in this chapter.

11 (3) "Audiology" means the application of principles, methods, and  
12 procedures related to hearing and the disorders of hearing and to  
13 related language and speech disorders, whether of organic or nonorganic  
14 origin, peripheral or central, that impede the normal process of human  
15 communication including, but not limited to, disorders of auditory  
16 sensitivity, acuity, function, processing, or vestibular function, the  
17 application of aural habilitation, rehabilitation, and appropriate  
18 devices including fitting and dispensing of hearing instruments, and  
19 cerumen management to treat such disorders.

20 (4) "Board" means the board of hearing and speech.

21 (5) "Department" means the department of health.

22 (6) "Establishment" means any permanent site housing a person  
23 engaging in the practice of fitting and dispensing of hearing  
24 instruments by a hearing instrument fitter/dispenser or audiologist;  
25 where the client can have personal contact and counsel during the  
26 firm's business hours; where business is conducted; and the address of  
27 which is given to the state for the purpose of bonding.

28 (7) "Facility" means any permanent site housing a person engaging  
29 in the practice of speech-language pathology and/or audiology,  
30 excluding the sale, lease, or rental of hearing instruments.

31 (8) "Fitting and dispensing of hearing instruments" means the sale,  
32 lease, or rental or attempted sale, lease, or rental of hearing  
33 instruments together with the selection and modification of hearing  
34 instruments and the administration of nondiagnostic tests as specified  
35 by RCW 18.35.110 and the use of procedures essential to the performance  
36 of these functions; and includes recommending specific hearing  
37 instrument systems, specific hearing instruments, or specific hearing  
38 instrument characteristics, the taking of impressions for ear molds for

1 these purposes, the use of nondiagnostic procedures and equipment to  
2 verify the appropriateness of the hearing instrument fitting, and  
3 hearing instrument orientation. The fitting and dispensing of hearing  
4 instruments as defined by this chapter may be equally provided by a  
5 licensed hearing instrument fitter/dispenser or licensed audiologist.

6 (9) "Good standing" means a licensed hearing instrument  
7 fitter/dispenser, licensed audiologist, or licensed speech-language  
8 pathologist or speech-language pathology assistant whose license has  
9 not been subject to sanctions pursuant to chapter 18.130 RCW or  
10 sanctions by other states, territories, or the District of Columbia in  
11 the last two years.

12 (10) "Hearing health care professional" means an audiologist or  
13 hearing instrument fitter/dispenser licensed under this chapter or a  
14 physician specializing in diseases of the ear licensed under chapter  
15 18.71 RCW.

16 (11) "Hearing instrument" means any wearable prosthetic instrument  
17 or device designed for or represented as aiding, improving,  
18 compensating for, or correcting defective human hearing and any parts,  
19 attachments, or accessories of such an instrument or device, excluding  
20 batteries and cords, ear molds, and assistive listening devices.

21 ((+11+)) (12) "Hearing instrument fitter/dispenser" means a person  
22 who is licensed to engage in the practice of fitting and dispensing of  
23 hearing instruments and meets the qualifications of this chapter.

24 ((+12+)) (13) "Interim permit holder" means a person who holds the  
25 permit created under RCW 18.35.060 and who practices under the  
26 supervision of a licensed hearing instrument fitter/dispenser, licensed  
27 speech-language pathologist, or licensed audiologist.

28 ((+13+)) (14) "Secretary" means the secretary of health.

29 ((+14+)) (15) "Licensed speech-language pathologist" means a person  
30 who is licensed by the department to engage in the practice of speech-  
31 language pathology and meets the qualifications of this chapter.

32 ((+15+)) (16) "Speech-language pathology" means the application of  
33 principles, methods, and procedures related to the development and  
34 disorders, whether of organic or nonorganic origin, that impede oral,  
35 pharyngeal, or laryngeal sensorimotor competencies and the normal  
36 process of human communication including, but not limited to, disorders  
37 and related disorders of speech, articulation, fluency, voice, verbal

1 and written language, auditory comprehension, cognition/communication,  
2 and the application of augmentative communication treatment and devices  
3 for treatment of such disorders.

4 (17) "Speech-language pathology assistant" means a person who is  
5 licensed by the department to provide speech-language pathology  
6 services under the direction and supervision of a licensed speech-  
7 language pathologist or speech-language pathologist certified as an  
8 educational staff associate by the superintendent of public  
9 instruction, and meets all of the requirements of this chapter.

10 (18) "Direct supervision" means the supervising speech-language  
11 pathologist is on-site and in view during the procedures or tasks. The  
12 board shall develop rules outlining the procedures or tasks allowable  
13 under direct supervision.

14 (19) "Indirect supervision" means the procedures or tasks are  
15 performed under the speech-language pathologist's overall direction and  
16 control, but the speech-language pathologist's presence is not required  
17 during the performance of the procedures or tasks. The board shall  
18 develop rules outlining the procedures or tasks allowable under  
19 indirect supervision.

20 **Sec. 3.** RCW 18.35.040 and 2007 c 271 s 1 are each amended to read  
21 as follows:

22 (1) An applicant for licensure as a hearing instrument  
23 fitter/dispenser must have the following minimum qualifications and  
24 shall pay a fee determined by the secretary as provided in RCW  
25 43.70.250. An applicant shall be issued a license under the provisions  
26 of this chapter if the applicant has not committed unprofessional  
27 conduct as specified by chapter 18.130 RCW, and:

28 (a)(i) Satisfactorily completes the hearing instrument  
29 fitter/dispenser examination required by this chapter; and

30 (ii) Satisfactorily completes a minimum of a two-year degree  
31 program in hearing instrument fitter/dispenser instruction. The  
32 program must be approved by the board; or

33 (b) Holds a current, unsuspended, unrevoked license from another  
34 jurisdiction if the standards for licensing in such other jurisdiction  
35 are substantially equivalent to those prevailing in this state as  
36 provided in (a) of this subsection; or

1 (c)(i) Holds a current, unsuspended, unrevoked license from another  
2 jurisdiction, has been actively practicing as a licensed hearing aid  
3 fitter/dispenser in another jurisdiction for at least forty-eight of  
4 the last sixty months, and submits proof of completion of advance  
5 certification from either the international hearing society or the  
6 national board for certification in hearing instrument sciences; and

7 (ii) Satisfactorily completes the hearing instrument  
8 fitter/dispenser examination required by this chapter or a  
9 substantially equivalent examination approved by the board.

10 The applicant must present proof of qualifications to the board in  
11 the manner and on forms prescribed by the secretary and proof of  
12 completion of a minimum of four clock hours of AIDS education and  
13 training pursuant to rules adopted by the board.

14 (2)(a) An applicant for licensure as a speech-language pathologist  
15 or audiologist must have the following minimum qualifications:

16 ((+a)) (i) Has not committed unprofessional conduct as specified  
17 by the uniform disciplinary act;

18 ((+b)) (ii) Has a master's degree or the equivalent, or a  
19 doctorate degree or the equivalent, from a program at a board-approved  
20 institution of higher learning, which includes completion of a  
21 supervised clinical practicum experience as defined by rules adopted by  
22 the board; and

23 ((+c)) (iii) Has completed postgraduate professional work  
24 experience approved by the board.

25 (b) All qualified applicants must satisfactorily complete the  
26 speech-language pathology or audiology examinations required by this  
27 chapter.

28 (c) The applicant must present proof of qualifications to the board  
29 in the manner and on forms prescribed by the secretary and proof of  
30 completion of a minimum of four clock hours of AIDS education and  
31 training pursuant to rules adopted by the board.

32 (3) An applicant for licensure as a speech-language pathology  
33 assistant shall pay a fee determined by the secretary as provided in  
34 RCW 43.70.250 and must have the following minimum qualifications:

35 (a) An associate of arts or sciences degree, or a certificate of  
36 proficiency, from a speech-language pathology assistant program from an  
37 institution of higher education that is approved by the board, as is  
38 evidenced by the following:

1 (i) Transcripts showing forty-five quarter hours or thirty semester  
2 hours of speech-language pathology coursework; and

3 (ii) Transcripts showing forty-five quarter hours or thirty  
4 semester hours of general education credit; or

5 (b) A bachelor of arts or bachelor of sciences degree, as evidenced  
6 by transcripts, from a speech, language, and hearing program from an  
7 institution of higher education that is approved by the board.

8 **Sec. 4.** RCW 18.35.095 and 2002 c 310 s 9 are each amended to read  
9 as follows:

10 (1) A hearing instrument fitter/dispenser licensed under this  
11 chapter and not actively practicing may be placed on inactive status by  
12 the department at the written request of the licensee. The board shall  
13 define by rule the conditions for inactive status licensure. In  
14 addition to the requirements of RCW 43.24.086, the licensing fee for a  
15 licensee on inactive status shall be directly related to the costs of  
16 administering an inactive license by the department. A hearing  
17 instrument fitter/dispenser on inactive status may be voluntarily  
18 placed on active status by notifying the department in writing, paying  
19 the remainder of the licensing fee for the licensing year, and  
20 complying with subsection (2) of this section.

21 (2) Hearing instrument fitter/dispenser inactive licensees applying  
22 for active licensure shall comply with the following: A licensee who  
23 has not fitted or dispensed hearing instruments for more than five  
24 years from the expiration of the licensee's full fee license shall  
25 retake the practical or the written, or both, hearing instrument  
26 fitter/dispenser examinations required under this chapter and other  
27 requirements as determined by the board. Persons who have inactive  
28 status in this state but who are actively licensed and in good standing  
29 in any other state shall not be required to take the hearing instrument  
30 fitter/dispenser practical examination, but must submit an affidavit  
31 attesting to their knowledge of the current Washington Administrative  
32 Code rules and Revised Code of Washington statutes pertaining to the  
33 fitting and dispensing of hearing instruments.

34 (3) A speech-language pathologist, speech-language pathology  
35 assistant, or audiologist licensed under this chapter and not actively  
36 practicing either speech-language pathology or audiology may be placed  
37 on inactive status by the department at the written request of the

1 license holder. The board shall define by rule the conditions for  
2 inactive status licensure. In addition to the requirements of RCW  
3 43.24.086, the fee for a license on inactive status shall be directly  
4 related to the cost of administering an inactive license by the  
5 department. A person on inactive status may be voluntarily placed on  
6 active status by notifying the department in writing, paying the  
7 remainder of the fee for the year, and complying with subsection (4) of  
8 this section.

9 (4) Speech-language pathologist, speech-language pathology  
10 assistant, or audiologist inactive license holders applying for active  
11 licensure shall comply with requirements set forth by the board, which  
12 may include completion of continuing competency requirements and taking  
13 an examination.

14 **Sec. 5.** RCW 18.35.150 and 2002 c 310 s 15 are each amended to read  
15 as follows:

16 (1) There is created hereby the board of hearing and speech to  
17 govern the three separate professions: Hearing instrument  
18 fitting/dispensing, audiology, and speech-language pathology. The  
19 board shall consist of (~~ten~~) eleven members to be appointed by the  
20 governor.

21 (2) Members of the board shall be residents of this state. Three  
22 members shall represent the public and shall have an interest in the  
23 rights of consumers of health services, and shall not be or have been  
24 a member of, or married to a member of, another licensing board, a  
25 licensee of a health occupation board, an employee of a health  
26 facility, nor derive his or her primary livelihood from the provision  
27 of health services at any level of responsibility. Two members shall  
28 be hearing instrument fitter/dispensers who are licensed under this  
29 chapter, have at least five years of experience in the practice of  
30 hearing instrument fitting and dispensing, and must be actively engaged  
31 in fitting and dispensing within two years of appointment. Two members  
32 of the board shall be audiologists licensed under this chapter who have  
33 at least five years of experience in the practice of audiology and must  
34 be actively engaged in practice within two years of appointment. Two  
35 members of the board shall be speech-language pathologists licensed  
36 under this chapter who have at least five years of experience in the  
37 practice of speech-language pathology and must be actively engaged in

1 practice within two years of appointment. One advisory nonvoting  
2 member shall be a speech-language pathology assistant licensed in  
3 Washington. One advisory nonvoting member shall be a medical physician  
4 licensed in the state of Washington.

5 (3) The term of office of a member is three years. Of the initial  
6 appointments, one hearing instrument fitter/dispenser, one speech-  
7 language pathologist, one audiologist, and one consumer shall be  
8 appointed for a term of two years, and one hearing instrument  
9 fitter/dispenser, one speech-language pathologist, one audiologist, and  
10 two consumers shall be appointed for a term of three years.  
11 Thereafter, all appointments shall be made for expired terms. No  
12 member shall be appointed to serve more than two consecutive terms. A  
13 member shall continue to serve until a successor has been appointed.  
14 The governor shall either reappoint the member or appoint a successor  
15 to assume the member's duties at the expiration of his or her  
16 predecessor's term. A vacancy in the office of a member shall be  
17 filled by appointment for the unexpired term.

18 (4) The chair shall rotate annually among the hearing instrument  
19 fitter/dispensers, speech-language pathologists, speech-language  
20 pathology assistant, audiologists, and public members serving on the  
21 board. In the absence of the chair, the board shall appoint an interim  
22 chair. In event of a tie vote, the issue shall be brought to a second  
23 vote and the chair shall refrain from voting.

24 (5) The board shall meet at least once each year, at a place, day  
25 and hour determined by the board, unless otherwise directed by a  
26 majority of board members. The board shall also meet at such other  
27 times and places as are requested by the department or by three members  
28 of the board. A quorum is a majority of the board. A hearing  
29 instrument fitter/dispenser, speech-language pathologist, and  
30 audiologist must be represented. Meetings of the board shall be open  
31 and public, except the board may hold executive sessions to the extent  
32 permitted by chapter 42.30 RCW.

33 (6) Members of the board shall be compensated in accordance with  
34 RCW 43.03.240 and shall be reimbursed for their travel expenses in  
35 accordance with RCW 43.03.050 and 43.03.060.

36 (7) The governor may remove a member of the board for cause at the  
37 recommendation of a majority of the board.



1       **Sec. 6.** RCW 18.35.205 and 2002 c 310 s 22 are each amended to read  
2 as follows:

3       The legislature finds that the public health, safety, and welfare  
4 would best be protected by uniform regulation of hearing instrument  
5 fitter/dispensers, speech-language pathologists, speech-language  
6 pathology assistants, audiologists, and interim permit holders  
7 throughout the state. Therefore, the provisions of this chapter  
8 relating to the licensing of hearing instrument fitter/dispensers,  
9 speech-language pathologists, speech-language pathology assistants, and  
10 audiologists and regulation of interim permit holders and their  
11 respective establishments or facilities is exclusive. No political  
12 subdivision of the state of Washington within whose jurisdiction a  
13 hearing instrument fitter/dispenser, audiologist, or speech-language  
14 pathologist establishment or facility is located may require any  
15 registrations, bonds, licenses, certificates, or interim permits of the  
16 establishment or facility or its employees or charge any fee for the  
17 same or similar purposes: PROVIDED, HOWEVER, That nothing herein shall  
18 limit or abridge the authority of any political subdivision to levy and  
19 collect a general and nondiscriminatory license fee levied on all  
20 businesses, or to levy a tax based upon the gross business conducted by  
21 any firm within the political subdivision.

22       **Sec. 7.** RCW 18.35.260 and 2002 c 310 s 26 are each amended to read  
23 as follows:

24       (1) A person who is not a licensed hearing instrument  
25 fitter/dispenser may not represent himself or herself as being so  
26 licensed and may not use in connection with his or her name the words  
27 "licensed hearing instrument fitter/dispenser," "hearing instrument  
28 specialist," or "hearing aid fitter/dispenser," or a variation,  
29 synonym, word, sign, number, insignia, coinage, or whatever expresses,  
30 employs, or implies these terms, names, or functions of a licensed  
31 hearing instrument fitter/dispenser.

32       (2) A person who is not a licensed speech-language pathologist may  
33 not represent himself or herself as being so licensed and may not use  
34 in connection with his or her name the words including "licensed  
35 speech-language pathologist" or a variation, synonym, word, sign,  
36 number, insignia, coinage, or whatever expresses, employs, or implies

1 these terms, names, or functions as a licensed speech-language  
2 pathologist.

3 (3) A person who is not a licensed speech-language pathology  
4 assistant may not represent himself or herself as being so licensed and  
5 may not use in connection with his or her name the words including  
6 "licensed speech-language pathology assistant" or a variation, synonym,  
7 word, sign, number, insignia, coinage, or whatever expresses, employs,  
8 or implies these terms, names, or functions as a licensed speech-  
9 language pathology assistant.

10 (4) A person who is not a licensed audiologist may not represent  
11 himself or herself as being so licensed and may not use in connection  
12 with his or her name the words "licensed audiologist" or a variation,  
13 synonym, letter, word, sign, number, insignia, coinage, or whatever  
14 expresses, employs, or implies these terms, names, or functions of a  
15 licensed audiologist.

16 ((+4)) (5) Nothing in this chapter prohibits a person credentialed  
17 in this state under another act from engaging in the practice for which  
18 he or she is credentialed.

19 **Sec. 8.** RCW 18.130.040 and 2009 c 2 s 16 (Initiative Measure No.  
20 1029) are each amended to read as follows:

21 (1) This chapter applies only to the secretary and the boards and  
22 commissions having jurisdiction in relation to the professions licensed  
23 under the chapters specified in this section. This chapter does not  
24 apply to any business or profession not licensed under the chapters  
25 specified in this section.

26 (2)(a) The secretary has authority under this chapter in relation  
27 to the following professions:

28 (i) Dispensing opticians licensed and designated apprentices under  
29 chapter 18.34 RCW;

30 (ii) Naturopaths licensed under chapter 18.36A RCW;

31 (iii) Midwives licensed under chapter 18.50 RCW;

32 (iv) Ocularists licensed under chapter 18.55 RCW;

33 (v) Massage operators and businesses licensed under chapter 18.108  
34 RCW;

35 (vi) Dental hygienists licensed under chapter 18.29 RCW;

36 (vii) Acupuncturists licensed under chapter 18.06 RCW;

1 (viii) Radiologic technologists certified and X-ray technicians  
2 registered under chapter 18.84 RCW;

3 (ix) Respiratory care practitioners licensed under chapter 18.89  
4 RCW;

5 (x) Persons registered under chapter 18.19 RCW;

6 (xi) Persons licensed as mental health counselors, marriage and  
7 family therapists, and social workers under chapter 18.225 RCW;

8 (xii) Persons registered as nursing pool operators under chapter  
9 18.52C RCW;

10 (xiii) Nursing assistants registered or certified under chapter  
11 18.88A RCW;

12 (xiv) Health care assistants certified under chapter 18.135 RCW;

13 (xv) Dietitians and nutritionists certified under chapter 18.138  
14 RCW;

15 (xvi) Chemical dependency professionals certified under chapter  
16 18.205 RCW;

17 (xvii) Sex offender treatment providers and certified affiliate sex  
18 offender treatment providers certified under chapter 18.155 RCW;

19 (xviii) Persons licensed and certified under chapter 18.73 RCW or  
20 RCW 18.71.205;

21 (xix) Denturists licensed under chapter 18.30 RCW;

22 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

23 (xxi) Surgical technologists registered under chapter 18.215 RCW;

24 (xxii) Recreational therapists;

25 (xxiii) Animal massage practitioners certified under chapter 18.240  
26 RCW;

27 (xxiv) Athletic trainers licensed under chapter 18.250 RCW; (~~and~~)

28 (xxv) Home care aides certified under chapter 18.88B RCW; and

29 (xxvi) Speech-language pathology assistants licensed under chapter  
30 18.35 RCW.

31 (b) The boards and commissions having authority under this chapter  
32 are as follows:

33 (i) The podiatric medical board as established in chapter 18.22  
34 RCW;

35 (ii) The chiropractic quality assurance commission as established  
36 in chapter 18.25 RCW;

37 (iii) The dental quality assurance commission as established in

1 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and  
2 licenses and registrations issued under chapter 18.260 RCW;

3 (iv) The board of hearing and speech as established in chapter  
4 18.35 RCW;

5 (v) The board of examiners for nursing home administrators as  
6 established in chapter 18.52 RCW;

7 (vi) The optometry board as established in chapter 18.54 RCW  
8 governing licenses issued under chapter 18.53 RCW;

9 (vii) The board of osteopathic medicine and surgery as established  
10 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
11 18.57A RCW;

12 (viii) The board of pharmacy as established in chapter 18.64 RCW  
13 governing licenses issued under chapters 18.64 and 18.64A RCW;

14 (ix) The medical quality assurance commission as established in  
15 chapter 18.71 RCW governing licenses and registrations issued under  
16 chapters 18.71 and 18.71A RCW;

17 (x) The board of physical therapy as established in chapter 18.74  
18 RCW;

19 (xi) The board of occupational therapy practice as established in  
20 chapter 18.59 RCW;

21 (xii) The nursing care quality assurance commission as established  
22 in chapter 18.79 RCW governing licenses and registrations issued under  
23 that chapter;

24 (xiii) The examining board of psychology and its disciplinary  
25 committee as established in chapter 18.83 RCW; and

26 (xiv) The veterinary board of governors as established in chapter  
27 18.92 RCW.

28 (3) In addition to the authority to discipline license holders, the  
29 disciplining authority has the authority to grant or deny licenses.  
30 The disciplining authority may also grant a license subject to  
31 conditions.

32 (4) All disciplining authorities shall adopt procedures to ensure  
33 substantially consistent application of this chapter, the Uniform  
34 Disciplinary Act, among the disciplining authorities listed in  
35 subsection (2) of this section.

36 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.35 RCW  
37 to read as follows:

1       Speech-language pathologists are responsible for patient care given  
2 by assistive personnel under their supervision. A speech-language  
3 pathologist may delegate to assistive personnel selected acts, tasks,  
4 or procedures that fall within the scope of speech-language pathology  
5 practice but do not exceed the education or training of the assistive  
6 personnel.

7       NEW SECTION. **Sec. 10.** A new section is added to chapter 18.35 RCW  
8 to read as follows:

9       A speech-language pathology assistant may only perform procedures  
10 or tasks delegated by the speech-language pathologist and must follow  
11 the individualized education program or treatment plan. Speech-  
12 language pathology assistants may not perform procedures or tasks that  
13 require diagnosis, evaluation, or clinical interpretation.

14       NEW SECTION. **Sec. 11.** An applicant for licensure as a speech-  
15 language pathology assistant may meet the requirements for a license to  
16 practice as a speech-language pathology assistant if, within one year  
17 of the effective date of this section, he or she submits a competency  
18 checklist to the board of hearing and speech, and is employed under the  
19 supervision of a speech-language pathologist for at least six hundred  
20 hours within the last three years as defined by the board by rule.

21       NEW SECTION. **Sec. 12.** The code reviser is directed to put the  
22 defined terms in RCW 18.35.010 in alphabetical order.

23       NEW SECTION. **Sec. 13.** In order to allow for adequate time to  
24 establish the program created in this act, the provisions of this act  
25 must be implemented beginning one year after the effective date of this  
26 section.

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