

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1213

63rd Legislature
2013 Regular Session

Passed by the House February 18, 2013
Yeas 96 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 11, 2013
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1213** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1213

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Orwall, Pettigrew, Kagi, Morrell, and Ryu

Read first time 01/21/13. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to social worker licensing; amending RCW
2 18.225.010, 18.225.090, 18.225.145, and 43.70.442; and adding new
3 sections to chapter 18.225 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.225 RCW
6 to read as follows:

7 The legislature finds that licensed advanced social workers and
8 licensed independent clinical social workers represent different
9 specializations within the social work profession, with each license
10 signifying the highest degree of licensure as it pertains to each
11 specialty. The legislature further finds that practitioners in each
12 specialty exercise independent judgment and operate independently
13 within their area of practice.

14 Therefore, for purposes of job classification, licensed advanced
15 social workers and licensed independent clinical social workers
16 licensed under this chapter shall both be considered the top tier of
17 licensure for the profession.

1 **Sec. 2.** RCW 18.225.010 and 2008 c 135 s 11 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Advanced social work" means the application of social work
6 theory and methods, including:

7 (a) Emotional and biopsychosocial assessment((τ))i

8 (b) Psychotherapy under the supervision of a licensed independent
9 clinical social worker, psychiatrist, psychologist, psychiatric
10 advanced registered nurse practitioner, psychiatric nurse, or other
11 mental health professionals as may be defined by rules adopted by the
12 secretary;

13 (c) Case management((τ))i

14 (d) Consultation((τ))i

15 (e) Advocacy((τ))i

16 (f) Counseling((τ))i ((and)) or

17 (g) Community organization.

18 (2) "Applicant" means a person who completes the required
19 application, pays the required fee, is at least eighteen years of age,
20 and meets any background check requirements and uniform disciplinary
21 act requirements.

22 (3) "Associate" means a prelicensure candidate who has a graduate
23 degree in a mental health field under RCW 18.225.090 and is gaining the
24 supervision and supervised experience necessary to become a licensed
25 independent clinical social worker, a licensed advanced social worker,
26 a licensed mental health counselor, or a licensed marriage and family
27 therapist.

28 (4) "Committee" means the Washington state mental health
29 counselors, marriage and family therapists, and social workers advisory
30 committee.

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

32 (6) "Disciplining authority" means the department.

33 (7) "Independent clinical social work" means the diagnosis and
34 treatment of emotional and mental disorders based on knowledge of human
35 development, the causation and treatment of psychopathology,
36 psychotherapeutic treatment practices, and social work practice as
37 defined in advanced social work. Treatment modalities include but are

1 not limited to diagnosis and treatment of individuals, couples,
2 families, groups, or organizations.

3 (8) "Marriage and family therapy" means the diagnosis and treatment
4 of mental and emotional disorders, whether cognitive, affective, or
5 behavioral, within the context of relationships, including marriage and
6 family systems. Marriage and family therapy involves the professional
7 application of psychotherapeutic and family systems theories and
8 techniques in the delivery of services to individuals, couples, and
9 families for the purpose of treating such diagnosed nervous and mental
10 disorders. The practice of marriage and family therapy means the
11 rendering of professional marriage and family therapy services to
12 individuals, couples, and families, singly or in groups, whether such
13 services are offered directly to the general public or through
14 organizations, either public or private, for a fee, monetary or
15 otherwise.

16 (9) "Mental health counseling" means the application of principles
17 of human development, learning theory, psychotherapy, group dynamics,
18 and etiology of mental illness and dysfunctional behavior to
19 individuals, couples, families, groups, and organizations, for the
20 purpose of treatment of mental disorders and promoting optimal mental
21 health and functionality. Mental health counseling also includes, but
22 is not limited to, the assessment, diagnosis, and treatment of mental
23 and emotional disorders, as well as the application of a wellness model
24 of mental health.

25 (10) "Secretary" means the secretary of health or the secretary's
26 designee.

27 **Sec. 3.** RCW 18.225.090 and 2008 c 141 s 1 are each amended to read
28 as follows:

29 (1) The secretary shall issue a license to any applicant who
30 demonstrates to the satisfaction of the secretary that the applicant
31 meets the following education and experience requirements for the
32 applicant's practice area.

33 (a) Licensed social work classifications:

34 (i) Licensed advanced social worker:

35 (A) Graduation from a master's or doctorate social work educational
36 program accredited by the council on social work education and approved
37 by the secretary based upon nationally recognized standards;

1 (B) Successful completion of an approved examination;

2 (C) Successful completion of a supervised experience requirement.

3 The supervised experience requirement consists of a minimum of three
4 thousand two hundred hours with supervision by an approved supervisor
5 who has been licensed for at least two years. Of those supervised
6 hours:

7 (I) At least ninety hours must include direct supervision as
8 specified in this subsection by a licensed independent clinical social
9 worker, a licensed advanced social worker, or an equally qualified
10 licensed mental health professional. Of those hours of directly
11 supervised experience:

12 (1) At least fifty hours must include supervision by a licensed
13 advanced social worker or licensed independent clinical social worker;
14 the other forty hours may be supervised by an equally qualified
15 licensed mental health practitioner; and

16 (2) At least forty hours must be in one-to-one supervision and
17 fifty hours may be in one-to-one supervision or group supervision;

18 (II) Distance supervision is limited to forty supervision hours;
19 and

20 (III) Eight hundred hours must be in direct client contact; and

21 (D) Successful completion of continuing education requirements of
22 thirty-six hours, with six in professional ethics.

23 (ii) Licensed independent clinical social worker:

24 (A) Graduation from a master's or doctorate level social work
25 educational program accredited by the council on social work education
26 and approved by the secretary based upon nationally recognized
27 standards;

28 (B) Successful completion of an approved examination;

29 (C) Successful completion of a supervised experience requirement.

30 The supervised experience requirement consists of a minimum of four
31 thousand hours of experience, over a (~~three-year~~) period of not less
32 than three years, with supervision by an approved supervisor who has
33 been licensed for at least two years and, as specified in this
34 subsection, may be either a licensed independent clinical social worker
35 who has had at least one year of experience in supervising the clinical
36 social work of others or an equally qualified licensed mental health
37 practitioner. Of those supervised hours:

38 (I) At least one thousand hours must be direct client contact;

1 (II) Hours of direct supervision must include:

2 (1) At least one hundred thirty hours by a licensed mental health
3 practitioner;

4 (2) At least seventy hours of supervision with a licensed
5 independent clinical social worker meeting the qualifications under
6 this subsection (1)(a)(ii)(C); the other sixty hours may be supervised
7 by an equally qualified licensed mental health practitioner; and

8 (3) At least sixty hours must be in one-to-one supervision and
9 seventy hours may be in one-to-one supervision or group supervision;
10 and

11 (III) Distance supervision is limited to sixty supervision hours;

12 and

13 (D) Successful completion of continuing education requirements of
14 thirty-six hours, with six in professional ethics.

15 (b) Licensed mental health counselor:

16 (i) Graduation from a master's or doctoral level educational
17 program in mental health counseling or a related discipline from a
18 college or university approved by the secretary based upon nationally
19 recognized standards;

20 (ii) Successful completion of an approved examination;

21 (iii) Successful completion of a supervised experience requirement.

22 The experience requirement consists of a minimum of thirty-six months
23 full-time counseling or three thousand hours of postgraduate mental
24 health counseling under the supervision of a qualified licensed mental
25 health counselor or equally qualified licensed mental health
26 practitioner, in an approved setting. The three thousand hours of
27 required experience includes a minimum of one hundred hours spent in
28 immediate supervision with the qualified licensed mental health
29 counselor, and includes a minimum of one thousand two hundred hours of
30 direct counseling with individuals, couples, families, or groups; and

31 (iv) Successful completion of continuing education requirements of
32 thirty-six hours, with six in professional ethics.

33 (c) Licensed marriage and family therapist:

34 (i) Graduation from a master's degree or doctoral degree
35 educational program in marriage and family therapy or graduation from
36 an educational program in an allied field equivalent to a master's
37 degree or doctoral degree in marriage and family therapy approved by
38 the secretary based upon nationally recognized standards;

1 (ii) Successful passage of an approved examination;
2 (iii) Successful completion of a supervised experience requirement.
3 The experience requirement consists of a minimum of two calendar years
4 of full-time marriage and family therapy. Of the total supervision,
5 one hundred hours must be with a licensed marriage and family therapist
6 with at least five years' clinical experience; the other one hundred
7 hours may be with an equally qualified licensed mental health
8 practitioner. Total experience requirements include:

9 (A) A minimum of three thousand hours of experience, one thousand
10 hours of which must be direct client contact; at least five hundred
11 hours must be gained in diagnosing and treating couples and families;
12 plus

13 (B) At least two hundred hours of qualified supervision with a
14 supervisor. At least one hundred of the two hundred hours must be one-
15 on-one supervision, and the remaining hours may be in one-on-one or
16 group supervision.

17 Applicants who have completed a master's program accredited by the
18 commission on accreditation for marriage and family therapy education
19 of the American association for marriage and family therapy may be
20 credited with five hundred hours of direct client contact and one
21 hundred hours of formal meetings with an approved supervisor; and

22 (iv) Successful completion of continuing education requirements of
23 thirty-six hours, with six in professional ethics.

24 (2) The department shall establish by rule what constitutes
25 adequate proof of meeting the criteria. Only rules in effect on the
26 date of submission of a completed application of an associate for her
27 or his license shall apply. If the rules change after a completed
28 application is submitted but before a license is issued, the new rules
29 shall not be reason to deny the application.

30 (3) In addition, applicants shall be subject to the grounds for
31 denial of a license or issuance of a conditional license under chapter
32 18.130 RCW.

33 **Sec. 4.** RCW 18.225.145 and 2008 c 135 s 13 are each amended to
34 read as follows:

35 (1) The secretary shall issue an associate license to any applicant
36 who demonstrates to the satisfaction of the secretary that the

1 applicant meets the following requirements for the applicant's practice
2 area and submits a declaration that the applicant is working toward
3 full licensure in that category:

4 (a) Licensed social worker associate--advanced or licensed social
5 worker associate--independent clinical: Graduation from a master's
6 degree or doctoral degree educational program in social work accredited
7 by the council on social work education and approved by the secretary
8 based upon nationally recognized standards.

9 (b) Licensed mental health counselor associate: Graduation from a
10 master's degree or doctoral degree educational program in mental health
11 counseling or a related discipline from a college or university
12 approved by the secretary based upon nationally recognized standards.

13 (c) Licensed marriage and family therapist associate: Graduation
14 from a master's degree or doctoral degree educational program in
15 marriage and family therapy or graduation from an educational program
16 in an allied field equivalent to a master's degree or doctoral degree
17 in marriage and family therapy approved by the secretary based upon
18 nationally recognized standards.

19 (2) Associates may not provide independent social work, mental
20 health counseling, or marriage and family therapy for a fee, monetary
21 or otherwise. Associates must work under the supervision of an
22 approved supervisor.

23 (3) Associates shall provide each client or patient, during the
24 first professional contact, with a disclosure form according to RCW
25 18.225.100, disclosing that he or she is an associate under the
26 supervision of an approved supervisor.

27 (4) The department shall adopt by rule what constitutes adequate
28 proof of compliance with the requirements of this section.

29 (5) Applicants are subject to the denial of a license or issuance
30 of a conditional license for the reasons set forth in chapter 18.130
31 RCW.

32 (6) An associate license may be renewed no more than (~~four~~) six
33 times, provided that the applicant for renewal has successfully
34 completed eighteen hours of continuing education in the preceding year.
35 Beginning with the second renewal, at least six of the continuing
36 education hours in the preceding two years must be in professional
37 ethics.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.225 RCW
2 to read as follows:

3 To assess whether limitations on associate license renewals may be
4 limiting the number of people able to complete the licensing process
5 within statutory deadlines, the secretary shall report to the
6 appropriate committees of the legislature on October 1st of each year,
7 beginning in 2014 and ending in 2020, the number of associate licenses
8 that have been renewed four, five, or six times.

9 **Sec. 6.** RCW 43.70.442 and 2012 c 181 s 2 are each amended to read
10 as follows:

11 (1)(a) Beginning January 1, 2014, each of the following
12 professionals certified or licensed under Title 18 RCW shall, at least
13 once every six years, complete a training program in suicide
14 assessment, treatment, and management that is approved, in rule, by the
15 relevant disciplining authority:

16 (i) An adviser or counselor certified under chapter 18.19 RCW;

17 (ii) A chemical dependency professional licensed under chapter
18 18.205 RCW;

19 (iii) A marriage and family therapist licensed under chapter 18.225
20 RCW;

21 (iv) A mental health counselor licensed under chapter 18.225 RCW;

22 (v) An occupational therapy practitioner licensed under chapter
23 18.59 RCW;

24 (vi) A psychologist licensed under chapter 18.83 RCW; (~~and~~)

25 (vii) An advanced social worker or independent clinical social
26 worker licensed under chapter 18.225 RCW; and

27 (viii) A social worker associate--advanced or social worker
28 associate--independent clinical licensed under chapter 18.225 RCW.

29 (b) The requirements in (a) of this subsection apply to a person
30 holding a retired active license for one of the professions in (a) of
31 this subsection.

32 (2)(a)(~~(i)~~) Except as provided in (~~(a)(ii)~~) (b) of this
33 subsection, a professional listed in subsection (1)(a) of this section
34 must complete the first training required by this section during the
35 first full continuing education reporting period after June 7, 2012, or
36 the first full continuing education reporting period after initial
37 licensure or certification, whichever occurs later.

1 ~~((+ii))~~ (b) A professional listed in subsection (1)(a) of this
2 section applying for initial licensure on or after June 7, 2012, may
3 delay completion of the first training required by this section for six
4 years after initial licensure if he or she can demonstrate successful
5 completion of a six-hour training program in suicide assessment,
6 treatment, and management that:

7 ~~((+A))~~ (i) Was completed no more than six years prior to the
8 application for initial licensure; and

9 ~~((+B))~~ (ii) Is listed on the best practices registry of the
10 American foundation for suicide prevention and the suicide prevention
11 resource center.

12 (3) The hours spent completing a training program in suicide
13 assessment, treatment, and management under this section count toward
14 meeting any applicable continuing education or continuing competency
15 requirements for each profession.

16 (4)(a) A disciplining authority may, by rule, specify minimum
17 training and experience that is sufficient to exempt a professional
18 from the training requirements in subsection (1) of this section.

19 (b) The board of occupational therapy practice may exempt
20 occupational therapists from the training requirements of subsection
21 (1) of this section by specialty, if the specialty in question has only
22 brief or limited patient contact.

23 (5)(a) The secretary and the disciplining authorities shall work
24 collaboratively to develop a model list of training programs in suicide
25 assessment, treatment, and management.

26 (b) When developing the model list, the secretary and the
27 disciplining authorities shall:

28 (i) Consider suicide assessment, treatment, and management training
29 programs of at least six hours in length listed on the best practices
30 registry of the American foundation for suicide prevention and the
31 suicide prevention resource center; and

32 (ii) Consult with public and private institutions of higher
33 education, experts in suicide assessment, treatment, and management,
34 and affected professional associations.

35 (c) The secretary and the disciplining authorities shall report the
36 model list of training programs to the appropriate committees of the
37 legislature no later than December 15, 2013.

1 (6) Nothing in this section may be interpreted to expand or limit
2 the scope of practice of any profession regulated under chapter 18.130
3 RCW.

4 (7) The secretary and the disciplining authorities affected by this
5 section shall adopt any rules necessary to implement this section.

6 (8) For purposes of this section:

7 (a) "Disciplining authority" has the same meaning as in RCW
8 18.130.020.

9 (b) "Training program in suicide assessment, treatment, and
10 management" means an empirically supported training program approved by
11 the appropriate disciplining authority that contains the following
12 elements: Suicide assessment, including screening and referral,
13 suicide treatment, and suicide management. The disciplining authority
14 may approve a training program that excludes one of the elements if the
15 element is inappropriate for the profession in question based on the
16 profession's scope of practice. A training program that includes only
17 screening and referral elements shall be at least three hours in
18 length. All other training programs approved under this section shall
19 be at least six hours in length.

20 (9) A state or local government employee is exempt from the
21 requirements of this section if he or she receives a total of at least
22 six hours of training in suicide assessment, treatment, and management
23 from his or her employer every six years. For purposes of this
24 subsection, the training may be provided in one six-hour block or may
25 be spread among shorter training sessions at the employer's discretion.

26 (10) An employee of a community mental health agency licensed under
27 chapter 71.24 RCW or a chemical dependency program certified under
28 chapter 70.96A RCW is exempt from the requirements of this section if
29 he or she receives a total of at least six hours of training in suicide
30 assessment, treatment, and management from his or her employer every
31 six years. For purposes of this subsection, the training may be
32 provided in one six-hour block or may be spread among shorter training
33 sessions at the employer's discretion.

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