6641-S.E AMH KILD BLAC 119

**ESSB 6641** - H AMD TO HCW COMM AMD (H-5139.1/20) **2093**

By Representative Kilduff

**ADOPTED 03/05/2020**

On page 6, line 26 of the striking amendment, after "Washington" insert ". In considering workforce issues, the advisory committee must evaluate options for reducing or eliminating some or all of the certification-related fees, including the feasibility of requiring that the cost of regulation of persons certified under this chapter be borne by the professions that are identified as eligible to be an underlying credential for certification"

On page 7, after line 9 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 6.** A new section is added to chapter 71.09 RCW to read as follows:

To facilitate the equitable geographic distribution of conditional releases under this chapter, the department shall notify the secretary of health, or the secretary's designee, whenever a sex offender treatment provider in an underserved county has been contracted to provide treatment services to persons on conditional release under this chapter, in which case the secretary of health shall waive any fees for the initial issue, renewal, and reissuance of a credential for the provider under chapter 18.155 RCW. An underserved county is any county identified by the department as having an inadequate supply of qualified sex offender treatment providers to achieve equitable geographic distribution of conditional releases under this chapter.

**Sec. 7.** RCW 18.155.040 and 2004 c 38 s 5 are each amended to read as follows:

In addition to any other authority provided by law, the secretary shall have the following authority:

(1) To set administrative procedures, administrative requirements, and fees in accordance with RCW 43.70.250, ((~~and~~)) 43.70.280, and section 6 of this act;

(2) To establish forms necessary to administer this chapter;

(3) To issue a certificate or an affiliate certificate to any applicant who has met the education, training, and examination requirements for certification or an affiliate certification and deny a certificate to applicants who do not meet the minimum qualifications for certification or affiliate certification. Proceedings concerning the denial of certificates based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;

(4) To hire clerical, administrative, and investigative staff as needed to implement and administer this chapter and to hire individuals including those certified under this chapter to serve as examiners or consultants as necessary to implement and administer this chapter;

(5) To maintain the official department record of all applicants and certifications;

(6) To conduct a hearing on an appeal of a denial of a certificate on the applicant's failure to meet the minimum qualifications for certification. The hearing shall be conducted pursuant to chapter 34.05 RCW;

(7) To issue subpoenas, statements of charges, statements of intent to deny certificates, and orders and to delegate in writing to a designee the authority to issue subpoenas, statements of charges, and statements of intent to deny certificates;

(8) To determine the minimum education, work experience, and training requirements for certification or affiliate certification, including but not limited to approval of educational programs;

(9) To prepare and administer or approve the preparation and administration of examinations for certification;

(10) To establish by rule the procedure for appeal of an examination failure;

(11) To adopt rules implementing a continuing competency program;

(12) To adopt rules in accordance with chapter 34.05 RCW as necessary to implement this chapter."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

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|  | EFFECT:   Instructs the Sex Offender Treatment Provider Advisory Committee (Advisory Committee) to consider options for reducing or eliminating certification-related fees, including the feasibility of requiring the underlying professions that the applicants are credentialed as to bear the regulatory costs.  Requires the Department of Social and Health Services to notify the Department of Health whenever a sex offender treatment provider in an underserved county contracts to provide treatment services to a sexually violent predator on conditional release. Directs the Department of Health to waive credentialing fees for sex offender treatment providers practicing in such circumstances. Defines an "underserved county" as a county identified by the Department of Social and Health services as having an inadequate supply of qualified sex offender treatment providers to achieve an equitable geographic distribution of conditional releases. |

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