

RCW 71.40.030 Office created—Rules. (1) By July 1, 2022, the department shall establish the state office of behavioral health consumer advocacy to provide behavioral health consumer advocacy services to patients, residents, and clients of behavioral health providers or facilities. Prior to the establishment and operation of the office, the department shall solicit recommendations from members of the behavioral health community for options to rename the office and the certified behavioral health consumer advocates in a way that shows respect for the community that the office and the advocates serve. Prior to the office beginning operations, the department must rename the office and the certified behavioral health consumer advocates from the options proposed by the community. The department shall contract with a private nonprofit organization to provide behavioral health consumer advocacy services, according to the standards established by the office. The department shall assure all program and staff support necessary to enable the contracting advocacy organization to effectively protect the interests of persons with behavioral health needs in accordance with this chapter. The department shall select the organization through a competitive bidding process and shall assure that the selected organization (a) has demonstrated financial stability and meets the qualifications for the duties identified in this chapter, and (b) does not have any conflicts of interest that would interfere with the duties identified in this chapter. The department shall encourage persons who have lived experience with behavioral health conditions or who are a family member of a person with behavioral health conditions to apply.

(2) Following the selection of the organization to carry out the ministerial functions of the office, the department shall not initiate the procurement of a new contract except upon a showing of cause. Prior to ending the contract and conducting a new competitive bidding process, the department shall provide an opportunity for comment by the contracting advocacy organization and to appeal the reselection to the department.

(3) The office shall adopt rules to carry out the purposes of this chapter, including:

(a) Establishing standards for the contracting advocacy organization to use when certifying behavioral health consumer advocates;

(b) Establishing procedures consistent with chapter 202, Laws of 2021 for appropriate access by behavioral health consumer advocates to behavioral health providers or facilities; and

(c) Establishing procedures consistent with RCW 71.40.140 to protect the confidentiality of the records of patients, residents, clients, providers, and complainants. [2021 c 202 § 3.]