

(Effective May 1, 2023)

WAC 246-341-0737 Behavioral health outpatient intervention, assessment and treatment services—Certification standards. (1) Agencies certified for intervention, assessment and treatment services provide individualized intervention, assessment and treatment for mental health, substance use, or co-occurring disorders. Intervention, assessment and treatment services under this certification include services such as:

- (a) Assessments;
- (b) Counseling and therapy;
- (c) Psychiatric medication management in accordance with the service standards in WAC 246-341-0739; and
- (d) Outpatient involuntary court-ordered services in accordance with subsection (4) of this section and the service standards for the service being provided.

(2) Agencies providing only assessment, psychiatric medication management, or alcohol and drug information school services are not required to meet the individual service plan or discharge requirements in WAC 246-341-0640.

(3) Agencies providing intervention, assessment and treatment services may choose to provide involuntary or court-ordered outpatient services to individuals for:

- (a) Outpatient less restrictive alternative or conditional release under chapter 71.05 or 71.34 RCW in accordance with the service standards in WAC 246-341-0805;
- (b) Counseling, assessment and education under chapter 46.61 RCW, including:

- (i) Alcohol and drug information school in accordance with the service standards in WAC 246-341-0746;

- (ii) Substance use disorder counseling in accordance with the service standards in WAC 246-341-0815; and

- (iii) Driving under the influence (DUI) substance use assessment in accordance with the service standards in WAC 246-341-0820; or

- (c) Deferred prosecution under RCW 10.05.150 in accordance with the service standards in WAC 246-341-0740.

(4) Agencies choosing to provide outpatient involuntary or court-ordered services must report noncompliance, in all levels of care, for an individual ordered into substance use disorder treatment by a court of law or other appropriate jurisdictions in accordance with RCW 71.05.445 and chapter 182-538D WAC for individuals receiving court-ordered services under chapter 71.05 RCW, RCW 10.05.090 for individuals under deferred prosecution, or RCW 46.61.5056 for individuals receiving court-ordered treatment for driving under the influence (DUI). Additionally, agencies providing services to individuals under a court-order for deferred prosecution under RCW 10.05.090 or treatment under RCW 46.61.5056 must:

- (a) Report and recommend action for emergency noncompliance to the court or other appropriate jurisdiction(s) within three working days from obtaining information on:

- (i) An individual's failure to maintain abstinence from alcohol and other nonprescribed drugs as verified by individual's self-report, identified third-party report confirmed by the agency, or blood alcohol content or other laboratory test;

- (ii) An individual's report of subsequent alcohol or drug related arrests; or

(iii) An individual's leaving the program against program advice or an individual discharged for rule violation;

(b) Report and recommend action for nonemergency, noncompliance to the court, or other appropriate jurisdiction(s) within 10 working days from the end of each reporting period, upon obtaining information on:

(i) An individual's unexcused absences or failure to report, including failure to attend mandatory self-help groups; or

(ii) An individual's failure to make acceptable progress in any part of the treatment plan;

(c) Transmit information on noncompliance or other significant changes as soon as possible, but no longer than 10 working days from the date of the noncompliance, when the court does not wish to receive monthly reports;

(d) Report compliance status of persons convicted under chapter 46.61 RCW to the department of licensing.

[Statutory Authority: RCW 71.24.037, 71.05.560, 71.34.380, 18.205.160, 43.70.080(5), 41.05.750, 43.70.250, and 74.09.520 and chapters 71.05, 71.12, 71.24 and 71.34 RCW. WSR 22-24-091, § 246-341-0737, filed 12/6/22, effective 5/1/23.]