

**WSR 24-21-002
EMERGENCY RULES****DEPARTMENT OF HEALTH**

[Filed October 2, 2024, 1:54 p.m., effective October 2, 2024, 1:54 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Substance use disorder professionals (SUDP) and trainees; reducing barriers to joining the workforce and streamlining the credentialing process.

The department of health (department) is amending the following SUDPs and SUDP trainees rule in WAC 246-811-010, 246-811-025, 246-811-030, 246-811-035, 246-811-045, 246-811-046, 246-811-048, 246-811-049, 246-811-060, 246-811-070, 246-811-220, 246-811-240, 246-811-260 and 246-811-990; and creating WAC 246-811-310.

The department is adopting these emergency rules to reduce barriers to entering and remaining in the behavioral health workforce, to streamline SUDP and trainee credentialing process, and to implement recent legislation. Legislation being implemented includes 2SHB 1724 (chapter 425, Laws of 2023), E2SHB 2247 (chapter 371, Laws of 2024), and 2SSB 6228 (chapter 366, Laws of 2024).

These emergency rules will streamline the credentialing process by: (1) Allowing certain educational programs to meet the coursework requirements of WAC 246-811-030 without further department review; (2) removing the limit on trainee credential renewals; (3) removing the requirement for trainees to work in behavioral health agencies; (4) removing the seven-year cap on earned trainee experience; (5) lowering the experience requirements for approved supervisors; (6) removing the requirement that supervisors be on site with trainees after the first 50 hours of supervised experience; (7) reducing the minimum continuing education requirements for SUDPs; (8) implementing out-of-state substantial equivalency applicant criteria to align with RCW 18.130.077; and (9) reducing certification and renewal fees to \$100 per year.

The department initially implemented these changes by emergency rule under WSR 24-12-078, filed on June 4, 2024, and is continuing those rules with one correction. In addition to continuing the original emergency rule amendments, the department is correcting WAC 246-811-260 to align with the lower continuing education requirement established in WAC 246-811-240 by the original emergency rules.

These emergency rules are being continued while permanent rule making is in progress under WSR 24-10-011, filed April 18, 2024.

Citation of Rules Affected by this Order: New WAC 246-811-310; and amending WAC 246-811-010, 246-811-025, 246-811-030, 246-811-035, 246-811-045, 246-811-046, 246-811-048, 246-811-049, 246-811-060, 246-811-070, 246-811-220, 246-811-240, 246-811-260, and 246-811-990.

Statutory Authority for Adoption: RCW 18.130.077, 18.130.800, and 18.205.060.

Other Authority: 2SHB 1724 (chapter 425, Laws of 2023), 2SSB 6228 (chapter 366, Laws of 2024), and E2SHB 2247 (chapter 371, Laws of 2024).

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: 2SHB 1724 specifically required the department to adopt emergency rules reducing barriers to the workforce

by July 1, 2024. Additionally, E2SHB 2247 and 2SSB 6228 included provisions that had to be implemented promptly.

2SHB 1724 required the department to remove barriers to obtaining credentials and requires the adoption of emergency rules by July 1, 2024, while permanent rules are in progress. As a result, the department adopted and is continuing emergency rule amendments based on feedback from SUDPs, trainees, and other members of the behavioral health workforce about the barriers they face.

E2SHB 2247 removed the requirement that trainees may work only in licensed behavioral health agencies and removed the limitations on trainee renewals. Because these changes were made based on the department's recommendations under 2SHB 1724, the department implemented amendments promptly, consistent with the required timeline for 2SHB 1724 when possible.

2SSB 6228 capped certification and renewal fees for SUDPs and trainees at \$100, effective starting July 1, 2024. To avoid a conflict between statute and the fee schedule in WAC 246-811-990, the department amended the rule section through emergency rule.

Without emergency rules, the department would be unable to meet the implementation deadlines required by legislation. Additionally, many barriers for SUDPs would persist. For example, some SUDP trainees would be unable to obtain a full credential due to (1) a lack of available renewals for their trainee credential; (2) having obtained experience more than seven years in the past, with no ability to earn recent hours due to a lack of available renewals; or (3) difficulty finding an approved supervisor. Additionally, mobile clinics with SUDPs would be unable to meet requirements for on-site supervision, limiting capacity to provide services during an ongoing opioid crisis.

Through continued emergency rules, credentialing processes will be streamlined by removing requirements that the department conduct coursework reviews for individuals who complete degree programs in substance use disorder counseling; reducing the number of continuing education requirements which must be reviewed; and lowering the amount of time an out-of-state applicant must be credentialed before meeting the experience, education, and examination requirements listed under current rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 14, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 14, Repealed 0.

Date Adopted: October 2, 2024.

Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-5423.3

AMENDATORY SECTION (Amending WSR 22-17-097, filed 8/18/22, effective 9/18/22)

WAC 246-811-010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly states otherwise.

(1) "Agency" means a community behavioral health agency or facility operated, licensed, or certified by the state of Washington, a federally recognized Indian tribe located with the state, a county, a federally qualified health center, or a hospital.

(2) "Apprentice" means an individual enrolled in an approved and registered apprenticeship program.

(3) "Approved and registered apprenticeship program" means a substance use disorder apprenticeship program approved by the secretary under chapter 18.205 RCW and registered by the department of labor and industries under chapter 49.04 RCW.

(4) "Approved school" means any college or university accredited by a state, national, or regional accrediting body, at the time the applicant completed the required education or other educational programs approved by the secretary.

(5) "Competent instructor" has the same meaning as provided in WAC 296-05-003.

(6) "Counseling" means employing any therapeutic techniques including, but not limited to, social work, mental health counseling, marriage and family therapy, and hypnotherapy, for a fee, that offer, assist, or attempt to assist an individual or individuals in the amelioration or adjustment of mental, emotional, or behavioral problems, and includes therapeutic techniques to achieve sensitivity and awareness of self and others and the development of human potential.

(7) "Core competencies of substance use disorder counseling" means competencies oriented to assist individuals with substance use disorder in their recovery. Core competencies include the following nationally recognized areas:

(a) Knowledge;

(b) Skills;

(c) Attitudes of professional practice, including assessment and diagnosis of substance use disorder;

(d) Substance use disorder treatment planning and referral;

(e) Patient and family education in substance use disorder;

(f) Individual and group counseling;

(g) Relapse prevention counseling; and

(h) Case management.

(8) "Department" means the department of health.

(9) "Direct (~~supervision~~) observation" means the supervisor is on the premises and (~~available for immediate consultation~~) within sight and hearing of the trainee.

(10) "Enrolled" means participating in an approved school or approved and registered apprenticeship program, whether a substance use disorder professional trainee is engaged in or has completed course work as described in WAC 246-811-030 (3)(a) through (w).

(11) "Individual formal meetings" means a meeting with an approved supervisor, involving one approved supervisor and no more than four supervisees.

(12) "Official transcript" means the transcript from an approved college or school, in an envelope readily identified as having been sealed by the school.

(13) "Out-of-state" means any state or territory of the United States.

(14) "Probationary license" means a temporary license issued to out-of-state applicants qualifying for licensure reciprocity in Washington state under the restrictions and conditions of RCW 18.205.140 and this chapter.

(15) "Reciprocity" means licensure of out-of-state licensed counselors based on substantial equivalence between Washington state scope of practice and the scope of practice of the other state or territory, subject to a probationary licensure period to complete outstanding Washington state licensure requirements as determined necessary by the secretary to gain full licensure.

(16) "Recovery" means a process of change through which individuals improve their health and wellness, live self-directed lives, and strive to reach their full potential. Recovery often involves achieving remission from active substance use disorder.

(17) "Related field" means health education, behavioral science, sociology, psychology, marriage and family therapy, mental health counseling, social work, psychiatry, nursing, divinity, criminal justice, and counseling education.

(18) "Related/supplemental instruction" or "RSI" has the same meaning as provided in WAC 296-05-003.

(19) "Substance use disorder counseling" means employing the core competencies of substance use disorder counseling to assist or attempt to assist individuals with substance use disorder in their recovery.

(20) "Substance use disorder professional" or "SUDP" means an individual certified in substance use disorder counseling under chapter 18.205 RCW and this chapter.

(21) "Substance use disorder professional trainee" or "SUDPT" means an individual credentialed as an SUDPT and working toward the education and experience requirements for certification as a substance use disorder professional under chapter 18.205 RCW and this chapter.

(22) "Substantially equivalent licensing standards" means out-of-state licensing standards evaluated by the department to be consistent with the education, experience, and exam requirements for substance use disorder professional certification under chapter 18.205 RCW and this chapter.

AMENDATORY SECTION (Amending WSR 22-17-097, filed 8/18/22, effective 9/18/22)

WAC 246-811-025 Certification of a substance use disorder professional. (1) An applicant for a substance use disorder professional certificate shall submit to the department:

(a) An application on forms provided by the department;

(b) Official transcripts or apprenticeship certificate of completion to verify meeting educational requirements under WAC 246-811-030;

(c) Verification of meeting supervised experience hour requirements under WAC 246-811-046 or 246-811-050 on forms provided by the department;

(d) Official verification of meeting examination requirements under WAC 246-811-060; and

(e) The fee required under WAC 246-811-990.

(2) An applicant for a substance use disorder professional certificate under the alternative training path shall submit to the department:

(a) An application on forms provided by the department;

(b) Verification of meeting eligibility requirements for the alternative training path under WAC 246-811-076;

(c) Official verification of meeting educational requirements under WAC 246-811-077;

(d) Verification of obtaining the 1,000 supervised experience hours required under WAC 246-811-046 on forms provided by the department;

(e) Official verification of meeting examination requirements under WAC 246-811-060; and

(f) The fee required under WAC 246-811-990.

(3) Out-of-state applicants meeting the requirements of WAC 246-811-310 shall submit to the department:

(a) An application on forms provided by the department;

(b) Verification of out-of-state credential; and

(c) The fee required under WAC 246-811-990.

AMENDATORY SECTION (Amending WSR 22-17-097, filed 8/18/22, effective 9/18/22)

WAC 246-811-030 Educational requirements. Except as provided for in WAC 246-811-077 and 246-811-078, to be eligible for certification as a substance use disorder professional an applicant shall meet the education requirements in this section.

(1) The minimum education requirements for a substance use disorder professional credential are:

(a) An associate's degree in human services or related field from an approved school;

(b) Successful completion of 90 quarter or 60 semester college credits in courses from an approved school; or

(c) Successful completion of an approved and registered apprenticeship program.

(2) The minimum amount of instruction required in topics related to the substance use disorder profession is at least:

(a) Forty-five quarter college credits;

(b) Thirty semester college credits; or

(c) Four hundred fifty hours of related/supplemental instruction provided by a competent instructor in an approved and registered apprenticeship program.

(3) Education and apprenticeship program course work that does not result in an addiction studies or substance use disorder counseling degree must include the following topics specific to individuals with substance use disorder in their recovery:

(a) Understanding addiction;

(b) Pharmacological actions of alcohol and other drugs;

(c) Substance abuse and addiction treatment methods;

(d) Understanding addiction placement, continuing care, and discharge criteria, including American Society of Addiction Medicine (ASAM) criteria;

(e) Cultural diversity including people with disabilities and its implication for treatment;

- (f) Substance use disorder clinical evaluation (screening and referral to include comorbidity);
- (g) HIV/AIDS brief risk intervention for individuals with a substance use disorder;
- (h) Substance use disorder treatment planning;
- (i) Referral and use of community resources;
- (j) Service coordination (implementing the treatment plan, consulting, continuing assessment and treatment planning);
- (k) Individual counseling;
- (l) Group counseling;
- (m) Substance use disorder counseling for families, couples and significant others;
- (n) Client, family and community education;
- (o) Developmental psychology;
- (p) Psychopathology/abnormal psychology;
- (q) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data;
- (r) Substance use disorder confidentiality;
- (s) Professional and ethical responsibilities;
- (t) Relapse prevention;
- (u) Adolescent substance use disorder assessment and treatment;
- (v) Substance use disorder case management; and
- (w) Substance use disorder rules and regulations.

(4) The department considers an associate degree or higher in addiction studies or substance use disorder counseling to meet the coursework requirements in subsection (3) of this section.

(5) An applicant who has been credentialed as a substance use or addiction counselor in another state with substantially equivalent standards under WAC 246-811-310 is considered to meet the education requirements of this section.

AMENDATORY SECTION (Amending WSR 22-17-097, filed 8/18/22, effective 9/18/22)

WAC 246-811-035 Certification of a substance use disorder professional trainee. (1) To apply for a substance use disorder professional trainee certificate an applicant shall:

(a) Submit an application on forms provided by the department, including any written documentation needed to provide proof of meeting the eligibility requirements as indicated on the application;

(b) Declare that they are enrolled in an approved school or approved and registered apprenticeship program and gaining the experience required to receive a substance use disorder professional credential; and

(c) Pay applicable fees in WAC 246-811-990.

(2) To apply for annual renewal, a substance use disorder professional trainee must submit to the department applicable fees in WAC 246-811-990 and a signed declaration with their annual renewal that states they:

(a) Are currently enrolled in an approved educational program or approved and registered apprenticeship program; or

(b) Have completed the educational requirements in WAC 246-811-030 and are obtaining the experience requirements for a sub-

stance use disorder professional credential in WAC 246-811-046 or 246-811-050.

~~((3) A substance use disorder professional trainee certificate can only be renewed four times, except as provided in RCW 18.205.095.))~~

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-045 Accumulation of experience. (1) ~~((The department will consider experience in the field of substance use disorder counseling up to seven years prior to the date of application.~~

~~(2))~~ Accumulation of ~~((the))~~ experience hours is not required to be consecutive.

~~((3))~~ (2) Experience that will count toward certification must meet the requirements outlined in WAC 246-811-046 through 246-811-049.

~~((4))~~ (3) Supervised experience is the practice as referred to in RCW 18.205.090 (1) (c) and is the experience received under an approved supervisor.

~~((5))~~ (4) A practicum or internship taken while acquiring the degree or semester/quarter hours is applicable.

~~((6))~~ (5) Applicants who have held an active substance use disorder credential for ~~((the past five consecutive years or more))~~ at least one year in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements of this chapter for Washington state licensure.

AMENDATORY SECTION (Amending WSR 22-17-097, filed 8/18/22, effective 9/18/22)

WAC 246-811-046 Number of experience hours required for certification as a substance use disorder professional. Except as provided in WAC 246-811-050 and 246-811-070(1), an applicant for substance use disorder professional certification shall complete the following experience requirements based on their level of formal education:

(1) Two thousand five hundred hours of substance use disorder counseling, for individuals who have an associate degree or qualifying coursework;

(2) Two thousand hours of substance use disorder counseling for individuals who have a baccalaureate degree in human services or a related field from an approved school;

(3) One thousand five hundred hours of substance use disorder counseling for individuals who possess a master or doctoral degree in human services or a related field from an approved school; or

(4) One thousand hours of substance use disorder counseling for individuals who are credentialed according to WAC 246-811-076. The experience must be supervised by an approved supervisor meeting the requirements under WAC 246-811-049(8).

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-048 Supervision requirements. (1) All of the experience required for substance use disorder professional certification must be under the direct supervision of an approved supervisor as defined in WAC 246-811-049.

(2) A substance use disorder professional or an individual credentialed according to WAC 246-811-076 may provide substance use disorder assessment, counseling, and case management to patients consistent with his or her education, training, and experience as documented by the approved supervisor.

(a) The first (~~fifty~~) 50 hours of any face-to-face patient contact must be under direct (~~supervision and~~) observation within sight and hearing of an approved supervisor or a substance use disorder professional designated by the approved supervisor.

(b) An approved supervisor or the approved supervisor's designated certified substance use disorder professional must provide (~~direct~~) supervision when a supervisee is providing clinical services to patients (~~until the approved supervisor documents in the employee file that the supervisee has obtained the necessary education, training, and experience~~) and be available for consultation.

(3) Approved supervisors must attest to the department that the supervisee has demonstrated competency in the areas listed in WAC 246-811-047(2) on forms provided by the department.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-049 Approved supervisors. (1) An approved supervisor is a certified substance use disorder professional (~~or~~) who meets the requirements of this section. Out-of-state experience must be earned under the supervision of a person who meets or exceeds the requirements of a certified substance use disorder professional in the state of Washington, and who would be eligible to take the examination required for certification.

(2) An approved supervisor must have at least (~~three thousand hours of experience in a state approved substance use disorder treatment agency in addition to the supervised experience hours required to become a substance use disorder professional.~~

~~(3) An approved supervisor may substitute twenty-eight clock hours of recognized supervisory training for one thousand hours of experience.~~

~~(4) An approved supervisor may substitute five hundred hours of experience with thirty-six hours of education specific to:~~

~~(a) Counselor development;~~

~~(b) Professional and ethical standards;~~

~~(c) Program development and quality assurance;~~

~~(d) Performance evaluation;~~

~~(e) Administration;~~

~~(f) Treatment knowledge; and~~

~~(g) Washington state law regarding substance use disorder treatment)) one year of experience as a certified substance use disorder professional, not including time as a trainee. The substance use dis-~~

order certification shall not be subject to ongoing disciplinary action or restrictions.

~~((5))~~ (3) An approved supervisor is not a blood or legal relative, significant other, cohabitant of the supervisee, or someone who has acted as the supervisee's primary counselor.

~~((6))~~ (4) A substance use disorder professional trainee (SUDPT) must receive documentation of his or her approved supervisor's qualifications before training begins.

~~((7))~~ (5) An approved supervisor or other certified substance use disorder professional must review and sign all substance use disorder professional trainee clinical documentation.

~~((8))~~ (6) An approved supervisor is responsible for all patients assigned to the substance use disorder professional trainee they supervise.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-060 Examination requirements for a substance use disorder professional certification. (1) An applicant must take and pass the National Association of Alcoholism and Drug Abuse Counselor (NAADAC) National Certification Examination for Addiction Counselors or International Certification and Reciprocity Consortium (ICRC) Certified Addiction Counselor Level II or higher examination.

(2) The department will accept the passing score set by the testing company.

(3) An applicant who has been credentialed as a substance use or addiction counselor in another state with substantially equivalent standards under WAC 246-811-310 is considered to meet the examination requirements of this section.

AMENDATORY SECTION (Amending WSR 24-03-139, filed 1/23/24, effective 2/23/24)

WAC 246-811-070 National certification. (1) A person who is certified through the National Association of Alcoholism and Drug Abuse Counselors (NAADAC) or the International Certification and Reciprocity Consortium (ICRC) as an alcohol and drug counselor (ADC) or advanced alcohol and drug counselor (AADC), is considered to meet the experience requirements of WAC 246-811-046.

(2) A person who is certified through NAADAC or ICRC as an ADC or AADC is considered to have met the education requirements of WAC 246-811-030 ~~((2))~~.

(3) Verification of certification must be sent directly to the department from NAADAC or ICRC.

AMENDATORY SECTION (Amending WSR 23-23-034, filed 11/3/23, effective 1/1/24)

WAC 246-811-220 Continuing competency program requirements. A substance use disorder professional, regardless of method of certification, must complete:

- (1) An enhancement plan as described in WAC 246-811-200(7);
- (2) ~~((Twenty-eight))~~ Twelve hours of continuing education as described in WAC 246-811-240; and
- (3) ~~((Twelve))~~ Up to four hours of other professional development activities as described in WAC 246-811-200(7) and 246-811-260.

AMENDATORY SECTION (Amending WSR 23-23-034, filed 11/3/23, effective 1/1/24)

WAC 246-811-240 Number of continuing education hours required.

- (1) A certified substance use disorder professional must complete ~~((28))~~ 12 hours of continuing education (CE) every two years.
 - (a) At least ~~((14))~~ eight hours must be completed in one or more of the topic areas as described in WAC 246-811-030 (3)(a) through (w).
 - (b) At least four hours must be in professional ethics and law.
 - (c) ~~((The additional 10 hours shall be in areas relating to the various phases of their professional career.~~
 - ~~((d))~~ The training in suicide assessment listed in subsection (2) of this section shall count towards meeting the CE requirements.
 - ~~((e))~~ (d) The health equity training listed in WAC 246-811-290 shall count towards meeting the CE requirements.
- (2) Once every six years a certified substance use disorder professional must complete at least three hours of training in suicide assessment, including screening and referral, as specified in WAC 246-811-280.
 - (a) Except as provided in (b) of this subsection, the first training must be completed during the first full CE reporting period after initial certification.
 - (b) An individual applying for initial certification as a substance use disorder professional may delay completion of the first required training for six years after initial certification if they can demonstrate completion of a three-hour training in suicide assessment, including screening and referral that:
 - (i) Was completed no more than six years prior to the application for initial certification; and
 - (ii) Meets the qualifications listed in WAC 246-811-280(1).
- (3) After January 1, 2024, substance use disorder professionals are required to complete two hours of health equity training every four years as specified in WAC 246-811-290.
- (4) Nothing in this section is intended to expand or limit the existing scope of practice of a certified substance use disorder professional or certified substance use disorder professional trainee credentialed under chapter 18.205 RCW.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-260 (~~((Completion of the twelve hours of other))~~) **Acceptable professional development activities.** (1) A substance use disorder professional (SUDP) may obtain up to four hours per continuing education cycle through the following:

- (a) Practicum;
 - (b) Peer-review including serving on a formal peer review panel or committee, or individual review of a sole provider, where the purpose of the review is to determine whether appropriate treatment was rendered;
 - (c) Public presentation including preparing and presenting lectures or education that contribute to the professional competence of a substance use disorder professional. The substance use disorder professional may accumulate the same number of hours obtained for continuing education purposes by attendees as required in WAC 246-12-220. The hours for presenting a specific topic lecture or education may only be used for continuing education credit once during each reporting period;
 - (d) Publication of writings;
 - (e) Other activities as determined by the substance use disorder professional's supervisor;
 - (f) Continuing education; these continuing education hours are in addition to the (~~twenty-eight~~) 12 hours of continuing education as listed in WAC 246-811-240.
- (2) All documentation must include the dates the continuing competency activity that took place, and if appropriate, the title of the course, the location of the course, and the name of the instructor.

NEW SECTION

WAC 246-811-310 **Out-of-state substantial equivalency.** (1) An applicant who has been credentialed as a substance use or addiction counselor in another state with substantially equivalent licensing standards, as determined by the department under RCW 18.130.077, is considered to meet:

- (a) The education requirements of WAC 246-811-030;
 - (b) The examination requirements of WAC 246-811-060; and
 - (c) The experience requirements of WAC 246-811-045 through 246-811-047.
- (2) An applicant for substance use disorder professional under subsection (1) of this section is eligible for out-of-state substantial equivalency if they:
- (a) Have held their credential in another state for at least two years immediately preceding their application, with no interruption in licensure lasting longer than 90 days;
 - (b) Have not been subject to disciplinary action for unprofessional conduct or impairment in any state, federal, or foreign jurisdiction;
 - (c) Are not subject to denial of license; and
 - (d) Are not under investigation or subject to charges in any state, federal, or foreign jurisdiction during the pendency of their application.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-990 Substance use disorder professional and substance use disorder professional trainee—Fees and renewal cycle. (1) A substance use disorder professional (SUDP) certificate must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) A substance use disorder professional trainee certificate must be renewed every year to correspond with issuance date.

(3) Except as provided for under subsection (6) of this section, the following nonrefundable fees will be charged for a certified substance use disorder professional:

Title of Fee	Fee
Application	\$260.00
Initial certification	295.00
Active renewal	300.00
Active late renewal penalty	150.00
Retired active renewal	115.00
Retired active late renewal penalty	60.00
Expired certification reissuance	115.00
Duplicate certification	10.00
Verification of certificate	25.00

(4) Except as provided for under subsection (6) of this section, the following nonrefundable fees will be charged for a certified substance use disorder professional trainee:

Title of Fee	Fee
Application and initial certification	\$110.00
Renewal	90.00
Late renewal penalty	50.00
Expired certification reissuance	50.00
Duplicate certification	10.00
Verification of certificate	25.00

(5) Probationary licensure. Except as provided for under subsection (6) of this section, to receive an initial or renewal of a probationary license as described in WAC 246-811-300 (3) and (4), the following nonrefundable fees will be charged:

Title of Fee	Fee
Application and initial certification	\$555.00
Active renewal	300.00
Active late renewal penalty	150.00
Expired certification reissuance	115.00
Duplicate certification	10.00
Verification of certificate	25.00

(6) Subject to appropriations under RCW 43.70.250, application and renewal fees for all substance use disorder professionals and trainees shall not exceed \$100 between July 1, 2024, and June 30, 2029. If funds are not appropriated for this purpose, fees shall be charged under subsections (3) through (5) of this section.