
HOUSE BILL 2654

State of Washington 59th Legislature 2006 Regular Session

By Representatives Darneille, Strow, O'Brien, Lantz, Rodne, Simpson, Clibborn, McDonald, Conway, Miloscia, B. Sullivan and Ericks

Read first time 01/11/2006. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to sex offender treatment providers; and amending
2 RCW 18.155.030, 18.155.070, and 18.155.075.

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

4 **Sec. 1.** RCW 18.155.030 and 2004 c 38 s 4 are each amended to read
5 as follows:

6 (1) No person shall represent himself or herself as a certified sex
7 offender treatment provider or certified affiliate sex offender
8 treatment provider without first applying for and receiving a
9 certificate pursuant to this chapter.

10 (2) Only a certified sex offender treatment provider, or certified
11 affiliate sex offender treatment provider who has completed at least
12 fifty percent of the required hours under the supervision of a
13 certified sex offender treatment provider, may perform or provide the
14 following services:

15 (a) Evaluations conducted for the purposes of and pursuant to RCW
16 9.94A.670 and 13.40.160;

17 (b) Treatment of convicted level I, II, or III sex offenders who
18 are sentenced and ordered into treatment pursuant to chapter 9.94A RCW

1 and adjudicated level I, II, or III juvenile sex offenders who are
2 ordered into treatment pursuant to chapter 13.40 RCW;

3 ~~(c) ((Except as provided under subsection (3) of this section,))~~
4 Treatment of sexually violent predators who are conditionally released
5 to a less restrictive alternative pursuant to chapter 71.09 RCW.

6 (3) A certified sex offender treatment provider, or certified
7 affiliate sex offender treatment provider who has completed at least
8 fifty percent of the required hours under the supervision of a
9 certified sex offender treatment provider, may not perform or provide
10 treatment of convicted sex offenders under subsection (2)(b) of this
11 section or sexually violent predators under subsection (2)(c) of this
12 section if the treatment provider has been:

13 (a) Convicted of a sex offense, as defined in RCW 9.94A.030;

14 (b) Convicted in any other jurisdiction of an offense that under
15 the laws of this state would be classified as a sex offense as defined
16 in RCW 9.94A.030; or

17 (c) Suspended or otherwise restricted from practicing any health
18 care profession by competent authority in any state, federal, or
19 foreign jurisdiction.

20 ~~((4) Certified sex offender treatment providers and certified~~
21 ~~affiliate sex offender treatment providers may perform or provide the~~
22 ~~following service: Treatment of convicted level I and level II sex~~
23 ~~offenders who are sentenced and ordered into treatment pursuant to~~
24 ~~chapter 9.94A RCW and adjudicated juvenile level I and level II sex~~
25 ~~offenders who are sentenced and ordered into treatment pursuant to~~
26 ~~chapter 13.40 RCW.))~~

27 **Sec. 2.** RCW 18.155.070 and 1990 c 3 s 807 are each amended to read
28 as follows:

29 The department shall issue a certificate to any applicant who meets
30 the following requirements:

31 (1) Successful completion of an educational program approved by the
32 secretary or successful completion of alternate training which meets
33 the criteria of the secretary;

34 (2) Successful completion of any experience requirement established
35 by the secretary;

36 (3) Successful completion of an examination administered or
37 approved by the secretary;

1 (4) Not having engaged in unprofessional conduct or being unable to
2 practice with reasonable skill and safety as a result of a physical or
3 mental impairment;

4 (5) Not convicted of a sex offense, as defined in RCW 9.94A.030 or
5 convicted in any other jurisdiction of an offense that under the laws
6 of this state would be classified as a sex offense as defined in RCW
7 9.94A.030; and

8 (6) Other requirements as may be established by the secretary that
9 impact the competence of the sex offender treatment provider.

10 **Sec. 3.** RCW 18.155.075 and 2004 c 38 s 6 are each amended to read
11 as follows:

12 The department shall issue an affiliate certificate to any
13 applicant who meets the following requirements:

14 (1) Successful completion of an educational program approved by the
15 secretary or successful completion of alternate training which meets
16 the criteria of the secretary;

17 (2) Successful completion of an examination administered or
18 approved by the secretary;

19 (3) Proof of supervision by a certified sex offender treatment
20 provider;

21 (4) Not having engaged in unprofessional conduct or being unable to
22 practice with reasonable skill and safety as a result of a physical or
23 mental impairment; ((and))

24 (5) Not convicted of a sex offense, as defined in RCW 9.94A.030 or
25 convicted in any other jurisdiction of an offense that under the laws
26 of this state would be classified as a sex offense as defined in RCW
27 9.94A.030; and

28 (6) Other requirements as may be established by the secretary that
29 impact the competence of the sex offender treatment provider.

--- END ---