
**Health Care & Wellness
Committee**

HB 2674

Brief Description: Modifying credentialing standards for counselors.

Sponsors: Representatives Barlow, Morrell, Moeller, Conway, Simpson and Kenney; by request of Governor Gregoire.

Brief Summary of Bill

- Separates the profession of registered counselors into two professions that can perform counseling functions: agency-affiliated counselors and certified counselors.
- Establishes associate and trainee credentials for individuals pursuing a certificate as a chemical dependency professional or a license as a mental health counselor, social worker, or marriage and family therapist.

Hearing Date: 1/28/08

Staff: Chris Blake (786-7392).

Background:

The Department of Health (Department) regulates several different categories of behavioral health professionals. These include registered counselors, hypnotherapists, psychologists, chemical dependency professionals, mental health counselors, marriage and family therapists, and social workers. Registration as a counselor or hypnotherapist requires that an individual submit an application and a fee of \$40 and obtain a background check. Certification as a chemical dependency professional requires that an individual have at least an associate's degree, pass an examination, and meet specified experience requirements. Licensing as a psychologist, mental health counselor, marriage and family therapist, or social worker requires that an individual hold a graduate degree, pass an examination, and meet specified experience requirements.

In 2006 at the direction of the Governor, the Department conducted a review of the registered counselor profession to determine the appropriate level of regulation for the profession. The final

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

report included recommendations to eliminate the profession of registered counselors and create several pre-licensure credentials, an agency-affiliated counselor credential, and a private practice counselor credential. The report also made recommendations regarding scope of practice, disclosure statements, and public education campaigns. Two bills, HB 1494 and HB 1993, were introduced the following session which addressed many of the recommendations in the Department's report. Neither bill passed the Legislature.

The 2007-09 operating budget directed the Department to convene another work group to develop recommendations regarding the need to regulate registered counselors. The work group report was due by November 15, 2007. The report included several recommendations pertaining to the creation of new pre-licensure credentials, an agency-affiliated counselor credential, and a private practice counselor credential similar to the 2006 report. A survey of registered counselors that was conducted at the direction of the work group found that about 35 percent of registered counselors are using the credential to work toward obtaining the experience requirements of another type of license; 30 percent work in a state-regulated agency; and 28 percent practice in a private practice setting.

Summary of Bill:

The health profession of registered counselors is divided into seven new categories of fully-credentialed and pre-credential status health professions. To continue to practice counseling, all registered counselors must obtain another health profession credential by July 1, 2010 when the registered counselor credential is eliminated.

Agency-Affiliated and Certified Counselors

Practice Requirements

Agency-affiliated counselors are registered health professionals who engage in counseling and are employed by an agency or facility that operates under state regulations. Applicants for registration as an agency-affiliated counselor must provide documentation of their employment with an agency or an offer of employment with an agency.

Certified counselors are certified health professionals authorized to engage in private practice counseling. "Private practice counseling" includes screening a client's condition and recognizing mental or physical disorders that require the client to seek diagnosis and treatment from an appropriate health care provider. The term also includes counseling and guiding clients in adjusting life situations, developing new skills, and making desired changes through specific counseling methods and established practice standards.

Applicants to conduct private practice counseling as a certified counselor prior to July 1, 2009 must:

- be a currently registered counselor in good standing;
- have been a registered counselor for at least five years;
- have completed courses in risk assessment, ethics, screening and referral, Washington law, and other subjects identified by the Secretary of Health (Secretary) and pass an examination in these subjects; and
- have a written consultation agreement with an approved supervisor.

Applicants to conduct private practice counseling as a certified counselor after July 1, 2009 must:

- have a bachelors degree in a field related to counseling or an equivalent combination of education and supervised experience;
- pass an examination in risk assessment, ethics, screening and referral, Washington law, and other subjects identified by the Secretary; and
- have a written supervisory agreement with an approved supervisor.

In addition to the Secretary's present authority relating to registered counselors, he or she is authorized to establish requirements for certified counselors related to education equivalency, examinations, supervision, consultation, and continuing education.

Disclosure Statements

Agency-affiliated counselors and certified counselors must provide disclosure statements to clients similar to the disclosures currently provided by registered counselors with additional information requirements. The disclosures must also include referral resources, a statement regarding the supervisory arrangement of the agency-affiliated counselor or certified counselor, and a statement that they are not credentialed to diagnose or treat mental disorders or to conduct psychotherapy as defined by the Secretary. Clients are not responsible for any charges prior to the receipt of the disclosure statement.

Advisory Committee

The Washington State Certified Counselors, Agency-Affiliated Counselors, and Hypnotherapist Advisory Committee (Committee) is established. The Committee is comprised of two certified counselors, two agency-affiliated counselors, two hypnotherapists, and three members of the public. Members shall be appointed by the Secretary.

Associates and Trainees

Associate licenses are created for individuals pursuing a license as a social worker, mental health counselor, or marriage and family therapist. Associates must have a graduate degree and be working toward meeting the supervised experience requirements as required for a full license. Associates may not practice independently for a fee. Associates may only practice under approved supervision. An associate license may be renewed up to four times.

A chemical dependency professional trainee credential is created for individuals working toward the education and experience requirements for certification as a chemical dependency professional. To obtain a trainee credential, an individual must submit a declaration to the Secretary that he or she is enrolled in an approved education program and pursuing the experience requirements for full certification. Trainees must practice under levels of supervision determined by rule, except that the first 50 hours of client contact must be under direct supervision. A trainee credential may be renewed up to four times.

Other

One must be registered with the Department to practice hypnotherapy for a fee.

Appropriation: None.

Fiscal Note: Requested on January 17, 2008.

Effective Date: This bill takes effect 90 days after adjournment of session in which bill is passed except for sections 1, 2, 6 through 8, relating to the establishment of credentials for agency-affiliated counselor and certified counselor, and 10 through 18, relating to the establishment of

pre-licensure credentials for mental health counselors, marriage and family therapists, social workers, and chemical dependency professionals, which take effect July 1, 2009.