

CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE HOUSE BILL 2674

Chapter 135, Laws of 2008

60th Legislature
2008 Regular Session

COUNSELOR CREDENTIALING STANDARDS

EFFECTIVE DATE: 06/12/08 - Except sections 1, 2, 7 through 9, and 11 through 19, which take effect 07/01/09.

Passed by the House March 8, 2008
Yeas 90 Nays 3

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 6, 2008
Yeas 44 Nays 3

BRAD OWEN

President of the Senate

Approved March 25, 2008, 1:13 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2674** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 25, 2008

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 2674

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By House Appropriations (originally sponsored by Representatives Barlow, Morrell, Moeller, Conway, Simpson, and Kenney; by request of Governor Gregoire)

READ FIRST TIME 02/12/08.

1 AN ACT Relating to modifying credentialing standards for
2 counselors; amending RCW 18.19.020, 18.19.030, 18.19.040, 18.19.050,
3 18.19.060, 18.19.090, 18.19.100, 18.225.010, 18.225.020, 18.225.150,
4 18.205.020, 18.205.030, and 18.205.040; adding new sections to chapter
5 18.19 RCW; adding a new section to chapter 18.225 RCW; adding a new
6 section to chapter 18.205 RCW; creating new sections; and providing an
7 effective date.

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

9 **Sec. 1.** RCW 18.19.020 and 2001 c 251 s 18 are each amended to read
10 as follows:

11 (~~Unless the context clearly requires otherwise,~~) The definitions
12 in this section apply throughout this chapter unless the context
13 clearly requires otherwise.

14 (1) "Agency" means an agency or facility operated, licensed, or
15 certified by the state of Washington.

16 (2) "Agency affiliated counselor" means a person registered under
17 this chapter who is engaged in counseling and employed by an agency.

18 (3) "Certified adviser" means a person certified under this chapter

1 who is engaged in private practice counseling to the extent authorized
2 in section 4 of this act.

3 (4) "Certified counselor" means a person certified under this
4 chapter who is engaged in private practice counseling to the extent
5 authorized in section 4 of this act.

6 (5) "Client" means an individual who receives or participates in
7 counseling or group counseling.

8 ~~((+2))~~ (6) "Counseling" means employing any therapeutic
9 techniques, including but not limited to social work, mental health
10 counseling, marriage and family therapy, and hypnotherapy, for a fee
11 that offer, assist or attempt to assist an individual or individuals in
12 the amelioration or adjustment of mental, emotional, or behavioral
13 problems, and includes therapeutic techniques to achieve sensitivity
14 and awareness of self and others and the development of human
15 potential. For the purposes of this chapter, nothing may be construed
16 to imply that the practice of hypnotherapy is necessarily limited to
17 counseling.

18 ~~((+3))~~ (7) "Counselor" means an individual, practitioner,
19 therapist, or analyst who engages in the practice of counseling to the
20 public for a fee, including for the purposes of this chapter,
21 hypnotherapists.

22 ~~((+4))~~ (8) "Department" means the department of health.

23 ~~((+5))~~ (9) "Hypnotherapist" means a person registered under this
24 chapter who is practicing hypnosis as a modality.

25 (10) "Private practice counseling" means the practice of counseling
26 by a certified counselor or certified adviser as specified in section
27 4 of this act.

28 (11) "Psychotherapy" means the practice of counseling using
29 diagnosis of mental disorders according to the fourth edition of the
30 diagnostic and statistical manual of mental disorders, published in
31 1994, and the development of treatment plans for counseling based on
32 diagnosis of mental disorders in accordance with established practice
33 standards.

34 (12) "Secretary" means the secretary of the department or the
35 secretary's designee.

36 **Sec. 2.** RCW 18.19.030 and 2001 c 251 s 19 are each amended to read
37 as follows:

1 ((No)) A person may not, (~~for a fee or~~) as a part of his or her
2 position as an employee of a state agency, practice counseling without
3 being registered to practice as an agency affiliated counselor by the
4 department under this chapter unless exempt under RCW 18.19.040.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.19 RCW
6 to read as follows:

7 A person may not, for a fee or as a part of his or her position as
8 an employee of a state agency, practice hypnotherapy without being
9 registered to practice as a hypnotherapist by the department under this
10 chapter unless exempt under RCW 18.19.040.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.19 RCW
12 to read as follows:

13 The scope of practice of certified counselors and certified
14 advisers consists exclusively of the following:

15 (1) Appropriate screening of the client's level of functional
16 impairment using the global assessment of functioning as described in
17 the fourth edition of the diagnostic and statistical manual of mental
18 disorders, published in 1994. Recognition of a mental or physical
19 disorder or a global assessment of functioning score of sixty or less
20 requires that the certified counselor or certified adviser refer the
21 client to a physician, osteopathic physician, psychiatric registered
22 nurse practitioner, or licensed mental health practitioner, as defined
23 by the secretary, for diagnosis and treatment;

24 (2) Certified counselors and certified advisers may counsel and
25 guide a client in adjusting to life situations, developing new skills,
26 and making desired changes, in accordance with the theories and
27 techniques of a specific counseling method and established practice
28 standards, if the client has a global assessment of functioning score
29 greater than sixty;

30 (3) Certified counselors may counsel and guide a client in
31 adjusting to life situations, developing new skills, and making desired
32 changes if the client has a global assessment of functioning score of
33 sixty or less if:

34 (a) The client has been referred to the certified counselor by a
35 physician, osteopathic physician, psychiatric registered nurse
36 practitioner, or licensed mental health practitioner, as defined by the

1 secretary, and care is provided as part of a plan of treatment
2 developed by the referring practitioner who is actively treating the
3 client. The certified counselor must adhere to any conditions related
4 to the certified counselor's role as specified in the plan of care; or

5 (b) The certified counselor referred the client to seek diagnosis
6 and treatment from a physician, osteopathic physician, psychiatric
7 registered nurse practitioner, or licensed mental health practitioner,
8 as defined by the secretary, and the client refused, in writing, to
9 seek treatment from the other provider. The certified counselor may
10 provide services to the client consistent with a treatment plan
11 developed by the certified counselor and the consultant or supervisor
12 with whom the certified counselor has a written consultation or
13 supervisory agreement. A certified counselor shall not be a sole
14 treatment provider for a client with a global assessment of functioning
15 score of less than fifty.

16 **Sec. 5.** RCW 18.19.040 and 2001 c 251 s 20 are each amended to read
17 as follows:

18 Nothing in this chapter may be construed to prohibit or restrict:

19 (1) The practice of a profession by a person who is either
20 registered, certified, licensed, or similarly regulated under the laws
21 of this state and who is performing services within the person's
22 authorized scope of practice, including any attorney admitted to
23 practice law in this state when providing counseling incidental to and
24 in the course of providing legal counsel;

25 (2) The practice of counseling by an employee or trainee of any
26 federal agency, or the practice of counseling by a student of a college
27 or university, if the employee, trainee, or student is practicing
28 solely under the supervision of and accountable to the agency, college,
29 or university, through which he or she performs such functions as part
30 of his or her position for no additional fee other than ordinary
31 compensation;

32 (3) The practice of counseling by a person (~~without a mandatory~~
33 ~~charge~~) for no compensation;

34 (4) The practice of counseling by persons offering services for
35 public and private nonprofit organizations or charities not primarily
36 engaged in counseling for a fee when approved by the organizations or
37 agencies for whom they render their services;

1 (5) Evaluation, consultation, planning, policy-making, research, or
2 related services conducted by social scientists for private
3 corporations or public agencies;

4 (6) The practice of counseling by a person under the auspices of a
5 religious denomination, church, or organization, or the practice of
6 religion itself;

7 (7) The practice of counseling by peer counselors who use their own
8 experience to encourage and support people with similar conditions or
9 activities related to the training of peer counselors; and

10 (8) Counselors (~~whose residency is not~~) who reside outside
11 Washington state from providing up to ten days per quarter of training
12 or workshops in the state, as long as they (~~don't~~) do not hold
13 themselves out to be registered or certified in Washington state.

14 **Sec. 6.** RCW 18.19.050 and 2001 c 251 s 21 are each amended to read
15 as follows:

16 (1) In addition to any other authority provided by law, the
17 secretary has the following authority:

18 (a) To adopt rules, in accordance with chapter 34.05 RCW, necessary
19 to implement this chapter;

20 (b) To set all registration, certification, and renewal fees in
21 accordance with RCW 43.70.250 and to collect and deposit all such fees
22 in the health professions account established under RCW 43.70.320;

23 (c) To establish forms and procedures necessary to administer this
24 chapter;

25 (d) To hire clerical, administrative, and investigative staff as
26 needed to implement this chapter;

27 (e) To issue a registration or certification to any applicant who
28 has met the requirements for registration or certification; and

29 (f) To (~~develop a dictionary of recognized professions and~~
30 ~~occupations providing counseling services to the public included under~~
31 ~~this chapter~~) establish education equivalency, examination,
32 supervisory, consultation, and continuing education requirements for
33 certified counselors and certified advisers.

34 (2) The uniform disciplinary act, chapter 18.130 RCW, governs the
35 issuance and denial of registrations and certifications and the
36 discipline of registrants under this chapter. The secretary shall be
37 the disciplining authority under this chapter. (~~The absence of~~

1 ~~educational or training requirements for counselors registered under~~
2 ~~this chapter or the counselor's use of nontraditional nonabusive~~
3 ~~therapeutic techniques shall not, in and of itself, give the secretary~~
4 ~~authority to unilaterally determine the training and competence or to~~
5 ~~define or restrict the scope of practice of such individuals.))~~

6 (3) The department shall publish and disseminate information ((~~in~~
7 ~~order~~)) to educate the public about the responsibilities of counselors,
8 the types of counselors, and the rights and responsibilities of clients
9 established under this chapter. ((~~Solely for the purposes of~~
10 ~~administering this education requirement,~~)) The secretary ((~~shall~~)) may
11 assess an additional fee for each application and renewal((~~, equal to~~
12 ~~five percent of the fee. The revenue collected from the assessment fee~~
13 ~~may be appropriated by the legislature for the department's use in~~
14 ~~educating consumers pursuant to this section. The authority to charge~~
15 ~~the assessment fee shall terminate on June 30, 1994~~)) to fund public
16 education efforts under this section.

17 **Sec. 7.** RCW 18.19.060 and 2001 c 251 s 22 are each amended to read
18 as follows:

19 ((~~Persons registered under this chapter~~)) Certified counselors and
20 certified advisers shall provide clients at the commencement of any
21 program of treatment with accurate disclosure information concerning
22 their practice, in accordance with guidelines developed by the
23 department, that will inform clients of the purposes of and resources
24 available under this chapter, including the right of clients to refuse
25 treatment, the responsibility of clients for choosing the provider and
26 treatment modality which best suits their needs, and the extent of
27 confidentiality provided by this chapter, the department, another
28 agency, or other jurisdiction. The disclosure statement must inform
29 the client of the certified counselor's or certified adviser's
30 consultation arrangement or supervisory agreement as defined in rules
31 adopted by the secretary. The disclosure information provided by the
32 certified counselor or certified adviser, the receipt of which shall be
33 acknowledged in writing by the certified counselor or certified adviser
34 and the client, shall include any relevant education and training, the
35 therapeutic orientation of the practice, the proposed course of
36 treatment where known, any financial requirements, referral resources,
37 and such other information as the department may require by rule. The

1 disclosure information shall also include a statement that
2 (~~registration~~) the certification of an individual under this chapter
3 does not include a recognition of any practice standards, nor
4 necessarily imply the effectiveness of any treatment. Certified
5 counselors and certified advisers must also disclose that they are not
6 credentialed to diagnose mental disorders or to conduct psychotherapy
7 as defined by the secretary by rule. The client is not liable for any
8 fees or charges for services rendered prior to receipt of the
9 disclosure statement.

10 **Sec. 8.** RCW 18.19.090 and 1991 c 3 s 24 are each amended to read
11 as follows:

12 (~~The secretary shall issue a registration to any applicant who~~
13 ~~submits, on forms provided by the secretary, the applicant's name,~~
14 ~~address, occupational title, name and location of business, and other~~
15 ~~information as determined by the secretary, including information~~
16 ~~necessary to determine whether there are grounds for denial of~~
17 ~~registration or issuance of a conditional registration under this~~
18 ~~chapter or chapter 18.130 RCW. Applicants for registration shall~~
19 ~~register as counselors or may register as hypnotherapists if employing~~
20 ~~hypnosis as a modality. Applicants shall, in addition, provide in~~
21 ~~their titles a description of their therapeutic orientation,~~
22 ~~discipline, theory, or technique.)) (1) Application for agency
23 affiliated counselor, certified counselor, certified adviser, or
24 hypnotherapist must be made on forms approved by the secretary. The
25 secretary may require information necessary to determine whether
26 applicants meet the qualifications for the credential and whether there
27 are any grounds for denial of the credential, or for issuance of a
28 conditional credential, under this chapter or chapter 18.130 RCW. The
29 application for agency affiliated counselor, certified counselor, or
30 certified adviser must include a description of the applicant's
31 orientation, discipline, theory, or technique. Each applicant shall
32 pay a fee determined by the secretary as provided in RCW 43.70.250,
33 which shall accompany the application.~~

34 (2) Applicants for agency affiliated counselor must provide
35 satisfactory documentation that they are employed by an agency or have
36 an offer of employment from an agency.

1 (3) At the time of application for initial certification,
2 applicants for certified counselor prior to July 1, 2010, are required
3 to:

4 (a) Have been registered for no less than five years at the time of
5 application for an initial certification;

6 (b) Have held a valid, active registration that is in good standing
7 and be in compliance with any disciplinary process and orders at the
8 time of application for an initial certification;

9 (c) Show evidence of having completed course work in risk
10 assessment, ethics, appropriate screening and referral, and Washington
11 state law and other subjects identified by the secretary;

12 (d) Pass an examination in risk assessment, ethics, appropriate
13 screening and referral, and Washington state law, and other subjects as
14 determined by the secretary; and

15 (e) Have a written consultation agreement with a credential holder
16 who meets the qualifications established by the secretary.

17 (4) Unless eligible for certification under subsection (3) of this
18 section, applicants for certified counselor or certified adviser are
19 required to:

20 (a)(i) Have a bachelor's degree in a counseling-related field, if
21 applying for certified counselor; or

22 (ii) Have an associate degree in a counseling-related field and a
23 supervised internship, if applying for certified adviser;

24 (b) Pass an examination in risk assessment, ethics, appropriate
25 screening and referral, and Washington state law, and other subjects as
26 determined by the secretary; and

27 (c) Have a written supervisory agreement with a supervisor who
28 meets the qualifications established by the secretary.

29 (5) Each applicant shall include payment of the fee determined by
30 the secretary as provided in RCW 43.70.250.

31 NEW SECTION. Sec. 9. A new section is added to chapter 18.19 RCW
32 to read as follows:

33 Agency affiliated counselors shall notify the department if they
34 are either no longer employed by the agency identified on their
35 application or are now employed with another agency, or both. Agency
36 affiliated counselors may not engage in the practice of counseling
37 unless they are currently affiliated with an agency.

1 **Sec. 10.** RCW 18.19.100 and 1996 c 191 s 5 are each amended to read
2 as follows:

3 The secretary shall establish administrative procedures,
4 administrative requirements, continuing education, and fees for renewal
5 of (~~registrations~~) credentials as provided in RCW 43.70.250 and
6 43.70.280. When establishing continuing education requirements for
7 agency affiliated counselors, the secretary shall consult with the
8 appropriate state agency director responsible for licensing,
9 certifying, or operating the relevant agency practice setting.

10 **Sec. 11.** RCW 18.225.010 and 2001 c 251 s 1 are each amended to
11 read as follows:

12 (~~Unless the context clearly requires otherwise,~~) The definitions
13 in this section apply throughout this chapter unless the context
14 clearly requires otherwise.

15 (1) "Advanced social work" means the application of social work
16 theory and methods including emotional and biopsychosocial assessment,
17 psychotherapy under the supervision of a licensed independent clinical
18 social worker, case management, consultation, advocacy, counseling, and
19 community organization.

20 (2) "Applicant" means a person who completes the required
21 application, pays the required fee, is at least eighteen years of age,
22 and meets any background check requirements and uniform disciplinary
23 act requirements.

24 (3) "Associate" means a prelicensure candidate who has a graduate
25 degree in a mental health field under RCW 18.225.090 and is gaining the
26 supervision and supervised experience necessary to become a licensed
27 independent clinical social worker, a licensed advanced social worker,
28 a licensed mental health counselor, or a licensed marriage and family
29 therapist.

30 (4) "Committee" means the Washington state mental health
31 counselors, marriage and family therapists, and social workers advisory
32 committee.

33 (~~(4)~~) (5) "Department" means the department of health.

34 (~~(5)~~) (6) "Disciplining authority" means the department.

35 (~~(6)~~) (7) "Independent clinical social work" means the diagnosis
36 and treatment of emotional and mental disorders based on knowledge of
37 human development, the causation and treatment of psychopathology,

1 psychotherapeutic treatment practices, and social work practice as
2 defined in advanced social work. Treatment modalities include but are
3 not limited to diagnosis and treatment of individuals, couples,
4 families, groups, or organizations.

5 ~~((+7))~~ (8) "Marriage and family therapy" means the diagnosis and
6 treatment of mental and emotional disorders, whether cognitive,
7 affective, or behavioral, within the context of relationships,
8 including marriage and family systems. Marriage and family therapy
9 involves the professional application of psychotherapeutic and family
10 systems theories and techniques in the delivery of services to
11 individuals, couples, and families for the purpose of treating such
12 diagnosed nervous and mental disorders. The practice of marriage and
13 family therapy means the rendering of professional marriage and family
14 therapy services to individuals, couples, and families, singly or in
15 groups, whether such services are offered directly to the general
16 public or through organizations, either public or private, for a fee,
17 monetary or otherwise.

18 ~~((+8))~~ (9) "Mental health counseling" means the application of
19 principles of human development, learning theory, psychotherapy, group
20 dynamics, and etiology of mental illness and dysfunctional behavior to
21 individuals, couples, families, groups, and organizations, for the
22 purpose of treatment of mental disorders and promoting optimal mental
23 health and functionality. Mental health counseling also includes, but
24 is not limited to, the assessment, diagnosis, and treatment of mental
25 and emotional disorders, as well as the application of a wellness model
26 of mental health.

27 ~~((+9))~~ (10) "Secretary" means the secretary of health or the
28 secretary's designee.

29 **Sec. 12.** RCW 18.225.020 and 2001 c 251 s 2 are each amended to
30 read as follows:

31 A person must not represent himself or herself as a licensed
32 advanced social worker, a licensed independent clinical social worker,
33 a licensed mental health counselor, ~~((+))~~ a licensed marriage and
34 family therapist, a licensed social work associate--advanced, a
35 licensed social work associate--independent clinical, a licensed mental
36 health counselor associate, or a licensed marriage and family therapist
37 associate, without being licensed by the department.

1 NEW SECTION. **Sec. 13.** A new section is added to chapter 18.225

2 RCW to read as follows:

3 (1) The secretary shall issue an associate license to any applicant
4 who demonstrates to the satisfaction of the secretary that the
5 applicant meets the following requirements for the applicant's practice
6 area and submits a declaration that the applicant is working toward
7 full licensure in that category:

8 (a) Licensed social worker associate--advanced or licensed social
9 worker associate--independent clinical: Graduation from a master's
10 degree or doctoral degree educational program in social work accredited
11 by the council on social work education and approved by the secretary
12 based upon nationally recognized standards.

13 (b) Licensed mental health counselor associate: Graduation from a
14 master's degree or doctoral degree educational program in mental health
15 counseling or a related discipline from a college or university
16 approved by the secretary based upon nationally recognized standards.

17 (c) Licensed marriage and family therapist associate: Graduation
18 from a master's degree or doctoral degree educational program in
19 marriage and family therapy or graduation from an educational program
20 in an allied field equivalent to a master's degree or doctoral degree
21 in marriage and family therapy approved by the secretary based upon
22 nationally recognized standards.

23 (2) Associates may not provide independent social work, mental
24 health counseling, or marriage and family therapy for a fee, monetary
25 or otherwise. Associates must work under the supervision of an
26 approved supervisor.

27 (3) Associates shall provide each client or patient, during the
28 first professional contact, with a disclosure form according to RCW
29 18.225.100, disclosing that he or she is an associate under the
30 supervision of an approved supervisor.

31 (4) The department shall adopt by rule what constitutes adequate
32 proof of compliance with the requirements of this section.

33 (5) Applicants are subject to the denial of a license or issuance
34 of a conditional license for the reasons set forth in chapter 18.130
35 RCW.

36 (6) An associate license may be renewed no more than four times.

1 **Sec. 14.** RCW 18.225.150 and 2001 c 251 s 15 are each amended to
2 read as follows:

3 The secretary shall establish by rule the procedural requirements
4 and fees for renewal of a license or associate license. Failure to
5 renew shall invalidate the license or associate license and all
6 privileges granted by the license. If an associate license has lapsed,
7 the person shall submit an updated declaration, in accordance with
8 rules adopted by the department, that the person is working toward full
9 licensure. If a license has lapsed for a period longer than three
10 years, the person shall demonstrate competence to the satisfaction of
11 the secretary by taking continuing education courses, or meeting other
12 standards determined by the secretary. If an associate license has
13 lapsed, the person shall submit an updated declaration, in accordance
14 with rules adopted by the department, that the person is working toward
15 full licensure.

16 **Sec. 15.** RCW 18.205.020 and 1998 c 243 s 2 are each amended to
17 read as follows:

18 (~~Unless the context clearly requires otherwise,~~) The definitions
19 in this section apply throughout this chapter unless the context
20 clearly requires otherwise.

21 (1) "Certification" means a voluntary process recognizing an
22 individual who qualifies by examination and meets established
23 educational prerequisites, and which protects the title of practice.

24 (2) "Certified chemical dependency professional" means an
25 individual certified in chemical dependency counseling, under this
26 chapter.

27 (3) "Certified chemical dependency professional trainee" means an
28 individual working toward the education and experience requirements for
29 certification as a chemical dependency professional.

30 (4) "Chemical dependency counseling" means employing the core
31 competencies of chemical dependency counseling to assist or attempt to
32 assist an alcohol or drug addicted person to develop and maintain
33 abstinence from alcohol and other mood-altering drugs.

34 (~~(4)~~) (5) "Committee" means the chemical dependency certification
35 advisory committee established under this chapter.

36 (~~(5)~~) (6) "Core competencies of chemical dependency counseling"
37 means competency in the nationally recognized knowledge, skills, and

1 attitudes of professional practice, including assessment and diagnosis
2 of chemical dependency, chemical dependency treatment planning and
3 referral, patient and family education in the disease of chemical
4 dependency, individual and group counseling with alcoholic and drug
5 addicted individuals, relapse prevention counseling, and case
6 management, all oriented to assist alcoholic and drug addicted patients
7 to achieve and maintain abstinence from mood-altering substances and
8 develop independent support systems.

9 ((+6)) (7) "Department" means the department of health.

10 ((+7)) (8) "Health profession" means a profession providing health
11 services regulated under the laws of this state.

12 ((+8)) (9) "Secretary" means the secretary of health or the
13 secretary's designee.

14 **Sec. 16.** RCW 18.205.030 and 2000 c 171 s 41 are each amended to
15 read as follows:

16 No person may represent oneself as a certified chemical dependency
17 professional or certified chemical dependency professional trainee or
18 use any title or description of services of a certified chemical
19 dependency professional or certified chemical dependency professional
20 trainee without applying for certification, meeting the required
21 qualifications, and being certified by the department of health, unless
22 otherwise exempted by this chapter.

23 **Sec. 17.** RCW 18.205.040 and 1998 c 243 s 4 are each amended to
24 read as follows:

25 Nothing in this chapter shall be construed to authorize the use of
26 the title "certified chemical dependency professional" or "certified
27 chemical dependency professional trainee" when treating patients in
28 settings other than programs approved under chapter 70.96A RCW.

29 NEW SECTION. **Sec. 18.** A new section is added to chapter 18.205
30 RCW to read as follows:

31 (1) The secretary shall issue a trainee certificate to any
32 applicant who demonstrates to the satisfaction of the secretary that he
33 or she is working toward the education and experience requirements in
34 RCW 18.205.090.

1 (2) A trainee certified under this section shall submit to the
2 secretary for approval a declaration, in accordance with rules adopted
3 by the department, that he or she is enrolled in an approved education
4 program and actively pursuing the experience requirements in RCW
5 18.205.090. This declaration must be updated with the trainee's annual
6 renewal.

7 (3) A trainee certified under this section may practice only under
8 the supervision of a certified chemical dependency professional. The
9 first fifty hours of any face-to-face client contact must be under
10 direct observation. All remaining experience must be under supervision
11 in accordance with rules adopted by the department.

12 (4) A certified chemical dependency professional trainee provides
13 chemical dependency assessments, counseling, and case management with
14 a state regulated agency and can provide clinical services to patients
15 consistent with his or her education, training, and experience as
16 approved by his or her supervisor.

17 (5) A trainee certification may only be renewed four times.

18 (6) Applicants are subject to denial of a certificate or issuance
19 of a conditional certificate for the reasons set forth in chapter
20 18.130 RCW.

21 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.19 RCW
22 to read as follows:

23 The Washington state certified counselors and hypnotherapist
24 advisory committee is established.

25 (1) The committee is comprised of seven members. Two committee
26 members must be certified counselors or certified advisers. Two
27 committee members must be hypnotherapists. Three committee members
28 must be consumers and represent the public at large and may not hold
29 any mental health care provider license, certification, or
30 registration.

31 (2) Two committee members must be appointed for a term of one year,
32 two committee members must be appointed for a term of two years, and
33 three committee members must be appointed for a term of three years.
34 Subsequent committee members must be appointed for terms of three
35 years. A person may not serve as a committee member for more than two
36 consecutive terms.

1 (3)(a) Each committee member must be a resident of the state of
2 Washington.

3 (b) A committee member may not hold an office in a professional
4 association for their profession.

5 (c) Advisory committee members may not be employed by the state of
6 Washington.

7 (d) Each professional committee member must have been actively
8 engaged in their profession for five years immediately preceding
9 appointment.

10 (e) The consumer committee members must represent the general
11 public and be unaffiliated directly or indirectly with the professions
12 credentialed under this chapter.

13 (4) The secretary shall appoint the committee members.

14 (5) Committee members are immune from suit in an action, civil or
15 criminal, based on the department's disciplinary proceedings or other
16 official acts performed in good faith.

17 (6) Committee members must be compensated in accordance with RCW
18 43.03.240, including travel expenses in carrying out his or her
19 authorized duties in accordance with RCW 43.03.050 and 43.03.060.

20 (7) The committee shall elect a chair and vice-chair.

21 NEW SECTION. **Sec. 20.** To practice counseling, all registered
22 counselors must obtain another health profession credential by July 1,
23 2010. The registered counselor credential is abolished July 1, 2010.

24 NEW SECTION. **Sec. 21.** Sections 1, 2, 7 through 9, and 11 through
25 19 of this act take effect July 1, 2009.

26 NEW SECTION. **Sec. 22.** The department of health may not issue any
27 new registered counselor credentials after July 1, 2009.

28 NEW SECTION. **Sec. 23.** (1) The department of health shall report
29 to the legislature and the governor by December 15, 2011, on:

30 (a) The number of registered counselors who become certified
31 counselors or certified advisers;

32 (b) The number, status, type, and outcome of disciplinary actions
33 involving certified counselors and certified advisers beginning on the
34 effective date of this section; and

1 (c) The state of education equivalency, examination, supervisory,
2 consultation, and continuing education requirements established under
3 this act.

4 (2) The department of health shall also report on cost savings or
5 expenditures to administer the provisions of this act and make
6 recommendations regarding future reports or evaluations.

7 NEW SECTION. **Sec. 24.** If specific funding for the purposes of
8 this act, referencing this act by bill or chapter number, is not
9 provided by June 30, 2008, in the omnibus appropriations act, this act
10 is null and void.

Passed by the House March 8, 2008.

Passed by the Senate March 6, 2008.

Approved by the Governor March 25, 2008.

Filed in Office of Secretary of State March 25, 2008.