

---

**SUBSTITUTE HOUSE BILL 1514**

---

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Green, Hinkle, Cody, and Morrell; by request of Department of Health)

READ FIRST TIME 02/11/09.

1            AN ACT Relating to adding and deleting counseling professions  
2 subject to the authority of the secretary of health under the uniform  
3 disciplinary act; amending RCW 18.130.040 and 18.130.040; providing  
4 effective dates; and declaring an emergency.

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

6            **Sec. 1.** RCW 18.130.040 and 2009 c 2 s 16 (Initiative Measure No.  
7 1029) are each amended to read as follows:

8            (1) This chapter applies only to the secretary and the boards and  
9 commissions having jurisdiction in relation to the professions licensed  
10 under the chapters specified in this section. This chapter does not  
11 apply to any business or profession not licensed under the chapters  
12 specified in this section.

13            (2)(a) The secretary has authority under this chapter in relation  
14 to the following professions:

- 15            (i) Dispensing opticians licensed and designated apprentices under  
16 chapter 18.34 RCW;
- 17            (ii) Naturopaths licensed under chapter 18.36A RCW;
- 18            (iii) Midwives licensed under chapter 18.50 RCW;
- 19            (iv) Ocularists licensed under chapter 18.55 RCW;

- 1 (v) Massage operators and businesses licensed under chapter 18.108  
2 RCW;
- 3 (vi) Dental hygienists licensed under chapter 18.29 RCW;
- 4 (vii) Acupuncturists licensed under chapter 18.06 RCW;
- 5 (viii) Radiologic technologists certified and X-ray technicians  
6 registered under chapter 18.84 RCW;
- 7 (ix) Respiratory care practitioners licensed under chapter 18.89  
8 RCW;
- 9 (x) (~~Persons registered under chapter 18.19 RCW~~) Counselors,  
10 hypnotherapists, and agency affiliated counselors registered and  
11 advisors and counselors certified under chapter 18.19 RCW;
- 12 (xi) Persons licensed as mental health counselors, mental health  
13 counselor associates, marriage and family therapists, (~~and~~) marriage  
14 and family therapist associates, social workers, social work  
15 associates--advanced, and social work associates--independent clinical  
16 under chapter 18.225 RCW;
- 17 (xii) Persons registered as nursing pool operators under chapter  
18 18.52C RCW;
- 19 (xiii) Nursing assistants registered or certified under chapter  
20 18.88A RCW;
- 21 (xiv) Health care assistants certified under chapter 18.135 RCW;
- 22 (xv) Dietitians and nutritionists certified under chapter 18.138  
23 RCW;
- 24 (xvi) Chemical dependency professionals and chemical dependency  
25 professional trainees certified under chapter 18.205 RCW;
- 26 (xvii) Sex offender treatment providers and certified affiliate sex  
27 offender treatment providers certified under chapter 18.155 RCW;
- 28 (xviii) Persons licensed and certified under chapter 18.73 RCW or  
29 RCW 18.71.205;
- 30 (xix) Denturists licensed under chapter 18.30 RCW;
- 31 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;
- 32 (xxi) Surgical technologists registered under chapter 18.215 RCW;
- 33 (xxii) Recreational therapists;
- 34 (xxiii) Animal massage practitioners certified under chapter 18.240  
35 RCW;
- 36 (xxiv) Athletic trainers licensed under chapter 18.250 RCW; and
- 37 (xxv) Home care aides certified under chapter 18.88B RCW.

1 (b) The boards and commissions having authority under this chapter  
2 are as follows:

3 (i) The podiatric medical board as established in chapter 18.22  
4 RCW;

5 (ii) The chiropractic quality assurance commission as established  
6 in chapter 18.25 RCW;

7 (iii) The dental quality assurance commission as established in  
8 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and  
9 licenses and registrations issued under chapter 18.260 RCW;

10 (iv) The board of hearing and speech as established in chapter  
11 18.35 RCW;

12 (v) The board of examiners for nursing home administrators as  
13 established in chapter 18.52 RCW;

14 (vi) The optometry board as established in chapter 18.54 RCW  
15 governing licenses issued under chapter 18.53 RCW;

16 (vii) The board of osteopathic medicine and surgery as established  
17 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
18 18.57A RCW;

19 (viii) The board of pharmacy as established in chapter 18.64 RCW  
20 governing licenses issued under chapters 18.64 and 18.64A RCW;

21 (ix) The medical quality assurance commission as established in  
22 chapter 18.71 RCW governing licenses and registrations issued under  
23 chapters 18.71 and 18.71A RCW;

24 (x) The board of physical therapy as established in chapter 18.74  
25 RCW;

26 (xi) The board of occupational therapy practice as established in  
27 chapter 18.59 RCW;

28 (xii) The nursing care quality assurance commission as established  
29 in chapter 18.79 RCW governing licenses and registrations issued under  
30 that chapter;

31 (xiii) The examining board of psychology and its disciplinary  
32 committee as established in chapter 18.83 RCW; and

33 (xiv) The veterinary board of governors as established in chapter  
34 18.92 RCW.

35 (3) In addition to the authority to discipline license holders, the  
36 disciplining authority has the authority to grant or deny licenses.  
37 The disciplining authority may also grant a license subject to  
38 conditions.

1 (4) All disciplining authorities shall adopt procedures to ensure  
2 substantially consistent application of this chapter, the Uniform  
3 Disciplinary Act, among the disciplining authorities listed in  
4 subsection (2) of this section.

5 **Sec. 2.** RCW 18.130.040 and 2009 c ... s 1 (section 1 of this act)  
6 (Initiative Measure No. 1029) are each amended to read as follows:

7 (1) This chapter applies only to the secretary and the boards and  
8 commissions having jurisdiction in relation to the professions licensed  
9 under the chapters specified in this section. This chapter does not  
10 apply to any business or profession not licensed under the chapters  
11 specified in this section.

12 (2)(a) The secretary has authority under this chapter in relation  
13 to the following professions:

14 (i) Dispensing opticians licensed and designated apprentices under  
15 chapter 18.34 RCW;

16 (ii) Naturopaths licensed under chapter 18.36A RCW;

17 (iii) Midwives licensed under chapter 18.50 RCW;

18 (iv) Ocularists licensed under chapter 18.55 RCW;

19 (v) Massage operators and businesses licensed under chapter 18.108  
20 RCW;

21 (vi) Dental hygienists licensed under chapter 18.29 RCW;

22 (vii) Acupuncturists licensed under chapter 18.06 RCW;

23 (viii) Radiologic technologists certified and X-ray technicians  
24 registered under chapter 18.84 RCW;

25 (ix) Respiratory care practitioners licensed under chapter 18.89  
26 RCW;

27 (x) (~~Counselors~~) Hypnotherapists(~~)~~ and agency affiliated  
28 counselors registered and advisors and counselors certified under  
29 chapter 18.19 RCW;

30 (xi) Persons licensed as mental health counselors, mental health  
31 counselor associates, marriage and family therapists, marriage and  
32 family therapist associates, social workers, social work associates--  
33 advanced, and social work associates--independent clinical under  
34 chapter 18.225 RCW;

35 (xii) Persons registered as nursing pool operators under chapter  
36 18.52C RCW;

1 (xiii) Nursing assistants registered or certified under chapter  
2 18.88A RCW;

3 (xiv) Health care assistants certified under chapter 18.135 RCW;

4 (xv) Dietitians and nutritionists certified under chapter 18.138  
5 RCW;

6 (xvi) Chemical dependency professionals and chemical dependency  
7 professional trainees certified under chapter 18.205 RCW;

8 (xvii) Sex offender treatment providers and certified affiliate sex  
9 offender treatment providers certified under chapter 18.155 RCW;

10 (xviii) Persons licensed and certified under chapter 18.73 RCW or  
11 RCW 18.71.205;

12 (xix) Denturists licensed under chapter 18.30 RCW;

13 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;

14 (xxi) Surgical technologists registered under chapter 18.215 RCW;

15 (xxii) Recreational therapists;

16 (xxiii) Animal massage practitioners certified under chapter 18.240  
17 RCW;

18 (xxiv) Athletic trainers licensed under chapter 18.250 RCW; and

19 (xxv) Home care aides certified under chapter 18.88B RCW.

20 (b) The boards and commissions having authority under this chapter  
21 are as follows:

22 (i) The podiatric medical board as established in chapter 18.22  
23 RCW;

24 (ii) The chiropractic quality assurance commission as established  
25 in chapter 18.25 RCW;

26 (iii) The dental quality assurance commission as established in  
27 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and  
28 licenses and registrations issued under chapter 18.260 RCW;

29 (iv) The board of hearing and speech as established in chapter  
30 18.35 RCW;

31 (v) The board of examiners for nursing home administrators as  
32 established in chapter 18.52 RCW;

33 (vi) The optometry board as established in chapter 18.54 RCW  
34 governing licenses issued under chapter 18.53 RCW;

35 (vii) The board of osteopathic medicine and surgery as established  
36 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
37 18.57A RCW;

1 (viii) The board of pharmacy as established in chapter 18.64 RCW  
2 governing licenses issued under chapters 18.64 and 18.64A RCW;

3 (ix) The medical quality assurance commission as established in  
4 chapter 18.71 RCW governing licenses and registrations issued under  
5 chapters 18.71 and 18.71A RCW;

6 (x) The board of physical therapy as established in chapter 18.74  
7 RCW;

8 (xi) The board of occupational therapy practice as established in  
9 chapter 18.59 RCW;

10 (xii) The nursing care quality assurance commission as established  
11 in chapter 18.79 RCW governing licenses and registrations issued under  
12 that chapter;

13 (xiii) The examining board of psychology and its disciplinary  
14 committee as established in chapter 18.83 RCW; and

15 (xiv) The veterinary board of governors as established in chapter  
16 18.92 RCW.

17 (3) In addition to the authority to discipline license holders, the  
18 disciplining authority has the authority to grant or deny licenses.  
19 The disciplining authority may also grant a license subject to  
20 conditions.

21 (4) All disciplining authorities shall adopt procedures to ensure  
22 substantially consistent application of this chapter, the Uniform  
23 Disciplinary Act, among the disciplining authorities listed in  
24 subsection (2) of this section.

25 NEW SECTION. **Sec. 3.** Section 1 of this act is necessary for the  
26 immediate preservation of the public peace, health, or safety, or  
27 support of the state government and its existing public institutions,  
28 and takes effect July 1, 2009.

29 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect July 1,  
30 2010.

--- END ---