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**SECOND SUBSTITUTE SENATE BILL 5903**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Darneille, Warnick, Das, Nguyen, and O'Ban)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to implementing policies related to children's  
2 mental health as reviewed and recommended by the children's mental  
3 health work group; amending RCW 28B.20.445, 28B.30.357, and  
4 43.216.745; adding a new section to chapter 28A.310 RCW; adding a new  
5 section to chapter 28A.415 RCW; adding a new section to chapter  
6 28A.300 RCW; adding a new section to chapter 28B.20 RCW; adding a new  
7 section to chapter 74.09 RCW; adding new sections to chapter 71.34  
8 RCW; creating new sections; repealing 2018 c 175 s 12 (uncodified);  
9 providing a contingent effective date; and providing expiration  
10 dates.

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

12 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
13 children's mental health work group established in chapter 96, Laws  
14 of 2016 reported recommendations related to increasing access to  
15 mental health services for children and youth and that many of those  
16 recommendations were adopted by the 2017 and 2018 legislatures. The  
17 legislature further finds that additional work is needed to improve  
18 mental health support for children and families and that the  
19 children's mental health work group was reestablished for this  
20 purpose in chapter 175, Laws of 2018.

1 (2) The legislature finds that there is a workforce shortage of  
2 behavioral health professionals and that increasing medicaid rates to  
3 a level that is equal to medicare rates will increase the number of  
4 providers who will serve children and families on medicaid. Further,  
5 the legislature finds that there is a need to increase the cultural  
6 and linguistic diversity among children's behavioral health  
7 professionals and that hiring practices, professional training, and  
8 high-quality translations of accreditation and licensing exams should  
9 be implemented to incentivize this diversity in the workforce.

10 (3) Therefore, the legislature intends to implement the  
11 recommendations adopted by the children's mental health work group in  
12 January 2019, in order to improve mental health care access for  
13 children and their families.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.310  
15 RCW to read as follows:

16 (1) Subject to the availability of amounts appropriated for this  
17 specific purpose, each educational service district must provide to  
18 the school districts in its region behavioral health coordination  
19 that, at a minimum, includes:

20 (a) Providing support for school district development and  
21 implementation of plans for recognition, initial screening, and  
22 response to emotional or behavioral distress in students as required  
23 under RCW 28A.320.127;

24 (b) Facilitating partnerships and coordination between school  
25 districts, public schools, and existing regional and local systems of  
26 behavioral health care services and supports in order to increase  
27 student and family access to these services and supports;

28 (c) Assisting school districts and public schools in building  
29 capacity to identify and support students in need of behavioral  
30 health care services and to link students and families with  
31 community-based behavioral health care services;

32 (d) Identifying, sharing, and integrating, to the extent  
33 practicable, behavioral and physical health care service delivery  
34 models;

35 (e) Providing medicaid billing related training, technical  
36 assistance, and coordination between school districts;

37 (f) Guidance in implementing best practices in response to, and  
38 to recover from, the suicide or attempted suicide of a student; and

1 (g) Providing technical assistance to schools and school  
2 districts in implementing or expanding social emotional learning  
3 programs.

4 (2) Funds appropriated pursuant to this section must be used  
5 solely for the purposes outlined in this section.

6 NEW SECTION. **Sec. 3.** (1) Subject to the availability of amounts  
7 appropriated for this specific purpose, beginning July 1, 2019, the  
8 health care authority shall collaborate with the University of  
9 Washington department of psychiatry and behavioral sciences, Seattle  
10 children's hospital, and the office of the superintendent of public  
11 instruction, to develop a plan to implement a two-year pilot program  
12 called the partnership access line for schools.

13 (2) The pilot program must be implemented by January 1, 2020, and  
14 shall support two educational service districts selected by the  
15 office of the superintendent of public instruction.

16 (3) Elements of the pilot program must include:

17 (a) Developing a general behavioral health support curriculum  
18 appropriate for the roles of school staff;

19 (b) Delivering behavioral health trainings for school counselors,  
20 social workers, psychologists, nurses, teachers, and administrators  
21 with content designed specifically for these roles;

22 (c) Providing school staff who have participated in training  
23 under this section access to telephone consultation with  
24 psychologists and psychiatrists to support school staff in managing  
25 children with challenging behaviors; and

26 (d) Providing timely crisis management appointments, delivered in  
27 person or through interactive audio and video technology, between  
28 partnership access line clinical staff and school staff when assessed  
29 as clinically appropriate by the partnership access line and when  
30 similar support is not immediately available in the local community.

31 (4) By December 1, 2022, the health care authority shall submit a  
32 report to the governor and the legislature describing the services  
33 delivered through the pilot program and recommending whether the  
34 pilot program should continue or be made permanent.

35 (5) This section expires December 30, 2022.

36 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.415  
37 RCW to read as follows:

1 (1) Beginning in the 2019-20 school year, school districts must  
2 use one of the professional learning days funded under RCW  
3 28A.150.415 to train school district staff in mental health first  
4 aid, suicide prevention, social-emotional learning, trauma-informed  
5 care, and antibullying strategies.

6 (2) Funds appropriated pursuant to this section must be used  
7 solely for the purposes outlined in this section.

8 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.300  
9 RCW to read as follows:

10 (1) Subject to the availability of amounts appropriated for this  
11 specific purpose, the office of the superintendent of public  
12 instruction shall identify and make available to school districts  
13 mental health literacy and healthy relationships instructional  
14 materials that are consistent with Washington's health and physical  
15 education K-12 learning standards.

16 (2) The office of the superintendent of public instruction shall  
17 include in health and physical education graduation requirements all  
18 social-emotional health, substance use and abuse, and healthy  
19 relationship standards adopted in rule by the superintendent.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.20  
21 RCW to read as follows:

22 Subject to availability of amounts appropriated for this specific  
23 purpose, the University of Washington shall establish certificate  
24 programs in evidence-based practices for behavioral health care  
25 professionals as follows:

26 (1)(a) The University of Washington school of social work, in  
27 collaboration with the University of Washington department of  
28 psychiatry and behavioral sciences, schools of social work programs  
29 across the state, and community behavioral health agencies, shall  
30 establish a certificate program in evidence-based practices that have  
31 been shown to be effective in treating adolescents and young adults  
32 with mental health disorders and suicidal behavior, including:

- 33 (i) Dialectical behavior therapy; and
- 34 (ii) Wraparound.

35 (b) The certificate program must be designed:

36 (i) For graduate students pursuing a master of social work  
37 degree; and

1 (ii) To offer stipends, scholarships, and loans to students and  
2 to employees of participating public behavioral health agencies that  
3 participate in order to retain a trained workforce.

4 (2)(a) The University of Washington department of psychology, in  
5 collaboration with the department of psychiatry and behavioral  
6 sciences, school of social work, and continuum college, shall  
7 establish a certificate program in evidence-based practices that have  
8 been shown to be effective in treating adolescents and young adults  
9 with mental health disorders, including:

10 (i) Evidence-based parenting interventions;

11 (ii) Evidence-based treatments for anxiety and mood disorders;

12 and

13 (iii) Trauma-focused cognitive behavior therapy.

14 (b) The certificate program must be designed for licensed  
15 behavioral health care professionals, and mental health professionals  
16 as defined in RCW 71.05.020, who wish to receive additional education  
17 in evidence-based practices.

18 (3) Participants in the certificate programs under this section  
19 are eligible to apply for the health professional loan repayment and  
20 scholarship program under chapter 28B.115 RCW.

21 **Sec. 7.** RCW 28B.20.445 and 2018 c 175 s 11 are each amended to  
22 read as follows:

23 Subject to the availability of amounts appropriated for this  
24 specific purpose, the child and adolescent psychiatry residency  
25 program at the University of Washington shall offer ~~((one))~~ two  
26 additional twenty-four month residency positions that ~~((is))~~ are  
27 approved by the accreditation council for graduate medical education  
28 to ~~((one))~~ two residents specializing in child and adolescent  
29 psychiatry. The ~~((residency))~~ positions must each include a minimum  
30 of ~~((twelve))~~ eighteen months of training in settings where  
31 children's mental health services are provided under the supervision  
32 of experienced psychiatric consultants and must be located west of  
33 the crest of the Cascade mountains.

34 **Sec. 8.** RCW 28B.30.357 and 2017 c 202 s 9 are each amended to  
35 read as follows:

36 Subject to the availability of amounts appropriated for this  
37 specific purpose, Washington State University shall offer ~~((one))~~ two  
38 twenty-four month residency positions that ~~((is))~~ are approved by the

1 accreditation council for graduate medical education to (~~one~~) two  
2 residents specializing in child and adolescent psychiatry. The  
3 (~~residency~~) positions must each include a minimum of (~~twelve~~)  
4 eighteen months of training in settings where children's mental  
5 health services are provided under the supervision of experienced  
6 psychiatric consultants and must be located east of the crest of the  
7 Cascade mountains.

8 NEW SECTION. Sec. 9. A new section is added to chapter 74.09  
9 RCW to read as follows:

10 (1) Subject to the availability of amounts appropriated for this  
11 specific purpose, the authority shall collaborate with the University  
12 of Washington and a professional association of licensed community  
13 behavioral health agencies to develop a statewide plan to implement  
14 evidence-based coordinated specialty care programs that provide early  
15 identification and intervention for psychosis in licensed and  
16 certified community behavioral health agencies. The authority must  
17 submit the statewide plan to the governor and the legislature by  
18 March 1, 2020. The statewide plan must include:

19 (a) Analysis of existing benefit packages, payment rates, and  
20 resource gaps, including needs for nonmedicaid resources;

21 (b) Development of a discrete benefit package and case rate for  
22 coordinated specialty care;

23 (c) Identification of costs for statewide start-up, training, and  
24 community outreach;

25 (d) Determination of the number of coordinated specialty care  
26 teams needed in each regional service area; and

27 (e) A timeline for statewide implementation.

28 (2) The authority shall ensure that:

29 (a) At least one coordinated specialty care team is starting up  
30 or in operation in each regional service area by October 1, 2020; and

31 (b) Each regional service area has an adequate number of  
32 coordinated specialty care teams based on incidence and population  
33 across the state by December 31, 2023.

34 (3) This section expires June 30, 2024.

35 NEW SECTION. Sec. 10. (1) Subject to amounts appropriated for  
36 this specific purpose, the office of the superintendent of public  
37 instruction and the University of Washington school mental health  
38 assessment, research, and training center shall jointly convene a

1 work group of educators and researchers to develop a statewide  
2 multitiered system of school supports that includes academic, social-  
3 emotional, and behavioral supports. The work group must include  
4 representatives of: Public K-12 schools; school districts;  
5 educational service districts; the office of the superintendent of  
6 public instruction; families of K-12 students; the department of  
7 children, youth, and families; and public universities. The office of  
8 the superintendent of public instruction and the University of  
9 Washington school mental health assessment, research, and training  
10 center must submit the findings and recommendations of the work group  
11 to the governor and the legislature by November 1, 2020.

12 (2) This section expires December 31, 2020.

13 **Sec. 11.** RCW 43.216.745 and 2017 c 202 s 5 are each amended to  
14 read as follows:

15 (1)~~(a)~~ Subject to the availability of amounts appropriated for  
16 this specific purpose, the department shall establish ~~((a—child~~  
17 ~~care))~~ an infant and early childhood mental health consultation  
18 program linking ~~((child—care))~~ early learning providers with  
19 evidence-based, trauma-informed, and best practice resources  
20 regarding caring for infants and young children who present  
21 behavioral concerns or symptoms of trauma. The department may  
22 contract with an entity with expertise in child development and early  
23 learning programs in order to operate the ~~((child—care))~~ consultation  
24 program.

25 ~~((2))~~ (b) In establishing and operating the program, the  
26 department or contracted entity shall: ~~((a))~~ (i) Assist ~~((child~~  
27 ~~care))~~ early learning providers in recognizing the signs and symptoms  
28 of trauma in children; ~~((b))~~ (ii) provide support and guidance to  
29 ~~((child—care))~~ early learning staff; ~~((c))~~ (iii) consult and  
30 coordinate with parents, other caregivers, and experts or  
31 practitioners involved with the care and well-being of the young  
32 children; and ~~((d))~~ (iv) provide referrals for children who need  
33 additional services.

34 (2)(a) Subject to the availability of amounts appropriated for  
35 this specific purpose, the department shall develop an infant and  
36 early childhood mental health consultation model for children ages  
37 birth through five and provide the model to the governor and the  
38 legislature by November 1, 2019.

1 (b) In the development of the model, the department must consult  
2 with public and private partners, including tribal representatives,  
3 to ensure the model meets community needs in a culturally responsive  
4 manner.

5 (c) The model must include:

6 (i) A workforce development plan that addresses initial training  
7 and ongoing professional development for infant and early childhood  
8 mental health consultants in accordance with nationally recognized  
9 competencies in the field;

10 (ii) Consultation standards that are informed by current evidence  
11 in the field, trauma-informed, and culturally responsive;

12 (iii) A program evaluation protocol for outcome measurement; and

13 (iv) A plan for a data tracking system for consultation  
14 activities.

15 (d) The department must phase in service delivery and begin  
16 implementation in at least two regions by July 1, 2020, followed by  
17 full statewide implementation by December 31, 2023.

18 NEW SECTION. Sec. 12. (1) Subject to the availability of  
19 amounts appropriated for this specific purpose, the department of  
20 children, youth, and families must implement a trauma-informed early  
21 care and education pilot in at least two regions. The pilot must  
22 begin by January 1, 2020, and conclude by December 1, 2021, and must:

23 (a) Implement a model for professional development in trauma-  
24 informed care for child care and early learning providers;

25 (b) Provide additional targeted social and emotional supports  
26 beyond what is typically provided in child care and early learning  
27 settings, including health and infant and early childhood mental  
28 health consultation;

29 (c) Establish communities of practice for family home child care  
30 providers to receive trauma-informed training and coaching,  
31 reflective supervision and consultation, and peer-to-peer mentoring  
32 and support;

33 (d) Establish enhanced trauma-informed early care and education  
34 sites that must receive increased subsidy rates and supports to  
35 enable the provision of a more intensive level of care that includes  
36 trauma-informed family engagement and smaller teacher-child ratios  
37 than what is required in the department of children, youth, and  
38 families' licensing rules;



1 (e) Implement trauma-informed practices in early achievers  
2 coaching and data collection; and

3 (f) Establish a system for tracking expulsions from child care  
4 and early learning settings.

5 (2) By December 1, 2021, the department of children, youth, and  
6 families must submit a report to the governor and the appropriate  
7 committees of the legislature describing the results of the pilot and  
8 recommending whether to continue the pilot or make it permanent.

9 (3) This section expires December 31, 2021.

10 NEW SECTION. **Sec. 13.** A new section is added to chapter 71.34  
11 RCW to read as follows:

12 Subject to the availability of amounts appropriated for this  
13 specific purpose, the health care authority must provide an online  
14 training for behavioral health providers regarding state law and best  
15 practices when providing behavioral health services to children,  
16 youth, and families. The training must be free for providers and must  
17 include information related to parent-initiated treatment, minor-  
18 initiated treatment, and other treatment services provided under this  
19 chapter.

20 NEW SECTION. **Sec. 14.** A new section is added to chapter 71.34  
21 RCW to read as follows:

22 (1) Subject to the availability of amounts appropriated for this  
23 specific purpose, the authority must conduct an annual survey of a  
24 sample group of parents, youth, and behavioral health providers to  
25 measure the impacts of implementing policies resulting from the  
26 enactment of chapter . . . (House Bill No. 1874), Laws of 2019  
27 (including any later amendments or substitutes) during the first  
28 three years of implementation. The first survey must be complete by  
29 July 1, 2020, followed by subsequent annual surveys completed by July  
30 1, 2021, and by July 1, 2022. The authority must report on the  
31 results of the surveys annually to the governor and the legislature  
32 beginning November 1, 2020. The final report is due November 1, 2022,  
33 and must include any recommendations for statutory changes identified  
34 as needed based on survey results.

35 (2) This section expires December 31, 2022.

36 NEW SECTION. **Sec. 15.** Section 14 of this act takes effect only  
37 if chapter . . . (House Bill No. 1874), Laws of 2019 (including any

1 later amendments or substitutes) is enacted by the effective date of  
2 this section.

3 NEW SECTION. **Sec. 16.** 2018 c 175 s 12 (uncodified) is repealed.

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