

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5054**

Chapter 351, Laws of 2019

(partial veto)

66th Legislature  
2019 Regular Session

BEHAVIORAL HEALTH LICENSE AND CERTIFICATION RECIPROCITY

EFFECTIVE DATE: July 28, 2019

Passed by the Senate April 23, 2019  
Yeas 46 Nays 0

CYRUS HABIB

**President of the Senate**

Passed by the House April 12, 2019  
Yeas 95 Nays 1

FRANK CHOPP

**Speaker of the House of Representatives**

Approved May 9, 2019 3:25 PM with the  
exception of sections 4, 5, and 6,  
which are vetoed.

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of  
the Senate of the State of  
Washington, do hereby certify that  
the attached is **SENATE BILL 5054** as  
passed by the Senate and the House  
of Representatives on the dates  
hereon set forth.

BRAD HENDRICKSON

**Secretary**

FILED

May 13, 2019

**Secretary of State  
State of Washington**

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**SENATE BILL 5054**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

**State of Washington                      66th Legislature                      2019 Regular Session**

**By** Senators O'Ban, Brown, Conway, Wilson, L., Zeiger, Short, Van De Wege, and Wagoner

Prefiled 12/24/18. Read first time 01/14/19. Referred to Committee on Health & Long Term Care.

1            AN ACT Relating to increasing the behavioral health workforce by  
2 establishing a reciprocity program to increase the portability of  
3 behavioral health licenses and certifications; amending RCW  
4 18.83.170, 18.205.140, and 18.225.140; adding a new section to  
5 chapter 18.83 RCW; adding a new section to chapter 18.205 RCW; adding  
6 a new section to chapter 18.225 RCW; and providing expiration dates.

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

8            **Sec. 1.** RCW 18.83.170 and 2004 c 262 s 12 are each amended to  
9 read as follows:

10            (1) Upon compliance with administrative procedures,  
11 administrative requirements, and fees determined under RCW 43.70.250  
12 and 43.70.280, the board may grant a license, without oral  
13 examination, to any applicant who has not previously failed any  
14 examination held by the board of psychology of the state of  
15 Washington and furnishes evidence satisfactory to the board that the  
16 applicant:

17            ~~((1))~~ (a) Holds a doctoral degree with primary emphasis on  
18 psychology from an accredited college or university; and

19            ~~((2)-(a))~~ (b)(i) Is licensed or certified to practice psychology  
20 in another state or country in which the requirements for such  
21 licensing or certification are, in the judgment of the board,

1 essentially equivalent to those required by this chapter and the  
2 rules and regulations of the board. Such individuals must have been  
3 licensed or certified in another state for a period of at least two  
4 years; or

5 ~~((b))~~ (ii) Is a diplomate in good standing of the American  
6 Board of Examiners in Professional Psychology; or

7 ~~((e))~~ (iii) Is a member of a professional organization and  
8 holds a certificate deemed by the board to meet standards equivalent  
9 to this chapter.

10 (2)(a)(i) The department shall establish a reciprocity program  
11 for applicants for licensure as a psychologist in Washington.

12 (ii) The reciprocity program applies to applicants for a license  
13 as a psychologist who:

14 (A) Hold or have held within the past twelve months a credential  
15 in good standing from another state or territory of the United States  
16 which has a scope of practice that is substantially equivalent to or  
17 greater than the scope of practice for licensed psychologists as  
18 established under this chapter; and

19 (B) Have no disciplinary record or disqualifying criminal  
20 history.

21 (b) The department shall issue a probationary license to an  
22 applicant who meets the requirements of (a)(ii) of this subsection.  
23 The department must determine what deficiencies, if any, exist  
24 between the education and experience requirements of the other  
25 state's credential and, after consideration of the experience and  
26 capabilities of the applicant, determine whether it is appropriate to  
27 require the applicant to complete additional education or experience  
28 requirements to maintain the probationary license and, within a  
29 reasonable time period, transition to a full license. A person who  
30 holds a probationary license may only practice as a psychologist in a  
31 licensed or certified service provider, as defined in RCW 71.24.025.  
32 The department may place a reasonable time limit on a probationary  
33 license and may, if appropriate, require the applicant to pass a  
34 jurisprudential examination.

35 (c) The department must maintain and publish a list of  
36 credentials in other states and territories that the department has  
37 determined to have a scope of practice that is substantially  
38 equivalent to or greater than the scope of practice for licensed  
39 psychologists as established under this chapter. The department shall  
40 prioritize identifying and publishing the department's determination

1 for the five states or territories that have historically had the  
2 most applicants for reciprocity under subsection (1) of this section  
3 with a scope of practice that is substantially equivalent to or  
4 greater than the scope of practice for licensed psychologists as  
5 established under this chapter.

6 **Sec. 2.** RCW 18.205.140 and 1998 c 243 s 14 are each amended to  
7 read as follows:

8 (1) An applicant holding a credential in another state may be  
9 certified to practice in this state without examination if the  
10 secretary determines that the other state's credentialing standards  
11 are substantially equivalent to the standards in this state.

12 (2)(a)(i) The department shall establish a reciprocity program  
13 for applicants for certification as a chemical dependency  
14 professional in Washington.

15 (ii) The reciprocity program applies to applicants for  
16 certification as a chemical dependency professional who:

17 (A) Hold or have held within the past twelve months a credential  
18 in good standing from another state or territory of the United States  
19 which has a scope of practice that is substantially equivalent to or  
20 greater than the scope of practice for certified chemical dependency  
21 professionals as established under this chapter; and

22 (B) Have no disciplinary record or disqualifying criminal  
23 history.

24 (b) The department shall issue a probationary certificate to an  
25 applicant who meets the requirements of (a)(ii) of this subsection.  
26 The department must determine what deficiencies, if any, exist  
27 between the education and experience requirements of the other  
28 state's credential and, after consideration of the experience and  
29 capabilities of the applicant, determine whether it is appropriate to  
30 require the applicant to complete additional education or experience  
31 requirements to maintain the probationary certificate and, within a  
32 reasonable time period, transition to a full certificate. A person  
33 who holds a probationary certificate may only practice as a chemical  
34 dependency professional in a licensed or certified service provider,  
35 as defined in RCW 71.24.025. The department may place a reasonable  
36 time limit on a probationary certificate and may, if appropriate,  
37 require the applicant to pass a jurisprudential examination.

38 (c) The department must maintain and publish a list of  
39 credentials in other states and territories that the department has

1 determined to have a scope of practice that is substantially  
2 equivalent to or greater than the scope of practice for certified  
3 chemical dependency professionals as established under this chapter.  
4 The department shall prioritize identifying and publishing the  
5 department's determination for the five states or territories that  
6 have historically had the most applicants for reciprocity under  
7 subsection (1) of this section with a scope of practice that is  
8 substantially equivalent to or greater than the scope of practice for  
9 certified chemical dependency professionals as established under this  
10 chapter.

11 **Sec. 3.** RCW 18.225.140 and 2001 c 251 s 14 are each amended to  
12 read as follows:

13 (1) An applicant holding a credential in another state may be  
14 licensed to practice in this state without examination if the  
15 secretary determines that the other state's credentialing standards  
16 are substantially equivalent to the licensing standards in this  
17 state.

18 (2)(a)(i) The department shall establish a reciprocity program  
19 for applicants for licensure as an advanced social worker, an  
20 independent clinical social worker, a mental health counselor, or a  
21 marriage and family therapist in Washington.

22 (ii) The reciprocity program applies to applicants for a license  
23 as an advanced social worker, an independent clinical social worker,  
24 a mental health counselor, or a marriage and family therapist who:

25 (A) Hold or have held within the past twelve months a credential  
26 in good standing from another state or territory of the United States  
27 which has a scope of practice that is substantially equivalent to or  
28 greater than the scope of practice for the corresponding license as  
29 established under this chapter; and

30 (B) Have no disciplinary record or disqualifying criminal  
31 history.

32 (b) The department shall issue a probationary license to an  
33 applicant who meets the requirements of (a)(ii) of this subsection.  
34 The department must determine what deficiencies, if any, exist  
35 between the education and experience requirements of the other  
36 state's credential and, after consideration of the experience and  
37 capabilities of the applicant, determine whether it is appropriate to  
38 require the applicant to complete additional education or experience  
39 requirements to maintain the probationary license and, within a

1 reasonable time period, transition to a full license. A person who  
2 holds a probationary license may only practice in the relevant  
3 profession in a licensed or certified service provider, as defined in  
4 RCW 71.24.025. The department may place a reasonable time limit on a  
5 probationary license and may, if appropriate, require the applicant  
6 to pass a jurisprudential examination.

7 (c) The department must maintain and publish a list of  
8 credentials in other states and territories that the department has  
9 determined to have a scope of practice that is substantially  
10 equivalent to or greater than the scope of practice for licensed  
11 advanced social workers, independent clinical social workers, mental  
12 health counselors, or marriage and family therapists as established  
13 under this chapter. The department shall prioritize identifying and  
14 publishing the department's determination for the five states or  
15 territories that have historically had the most applicants for  
16 reciprocity under subsection (1) of this section with a scope of  
17 practice that is substantially equivalent to or greater than the  
18 scope of practice for licensed advanced social workers, independent  
19 clinical social workers, mental health counselors, and marriage and  
20 family therapists under this chapter.

21 ***\*NEW SECTION. Sec. 4. A new section is added to chapter 18.83***  
22 ***RCW to read as follows:***

23 ***(1) The department must explore options for adoption of an***  
24 ***interstate compact or compacts supporting license portability for***  
25 ***professionals licensed under this chapter and report recommendations***  
26 ***to the governor and legislature by November 1, 2020.***

27 ***(2) This section expires June 30, 2022.***

***\*Sec. 4 was vetoed. See message at end of chapter.***

28 ***\*NEW SECTION. Sec. 5. A new section is added to chapter 18.205***  
29 ***RCW to read as follows:***

30 ***(1) The department must explore options for adoption of an***  
31 ***interstate compact or compacts supporting license portability for***  
32 ***professionals certified under this chapter and report recommendations***  
33 ***to the governor and legislature by November 1, 2020.***

34 ***(2) This section expires June 30, 2022.***

***\*Sec. 5 was vetoed. See message at end of chapter.***

1           **\*NEW SECTION. Sec. 6. A new section is added to chapter 18.225**  
2 **RCW to read as follows:**

3           **(1) The department must explore options for adoption of an**  
4 **interstate compact or compacts supporting license portability for**  
5 **professionals licensed under this chapter and report recommendations**  
6 **to the governor and legislature by November 1, 2020.**

7           **(2) This section expires June 30, 2022.**

**\*Sec. 6 was vetoed. See message at end of chapter.**

Passed by the Senate April 23, 2019.

Passed by the House April 12, 2019.

Approved by the Governor May 9, 2019, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 13, 2019.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 4, 5, and 6, Senate Bill No. 5054 entitled:

"AN ACT Relating to increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications."

Senate Bill 5054 will help out-of-state applicants to more easily and quickly become integrated into Washington State's behavioral health workforce. Sections 4, 5 and 6 direct the Department of Health to conduct a study to explore options for adoption of an interstate compact or compacts supporting license portability for certain professionals. I agree with the intended purpose of the bill; however, the final budget did not provide funding for the Department to perform this study and the cost of this work cannot be absorbed.

For these reasons I have vetoed Sections 4, 5, and 6 of Senate Bill No. 5054.

With the exception of Sections 4, 5, and 6, Senate Bill No. 5054 is approved."

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