

SENATE BILL REPORT

SB 5056

As of January 17, 2021

Title: An act relating to wilderness therapy programs.

Brief Description: Concerning wilderness therapy programs.

Sponsors: Senators Salomon, Hunt, Cleveland and Das.

Brief History:

Committee Activity: Health & Long Term Care: 1/18/21.

Brief Summary of Bill

- Requires the Department of Health to create a business license for wilderness therapy programs.
- Provides parameters for wilderness therapy programs.
- Requires rulemaking for wilderness therapy programs to be completed by December 31, 2022.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: Kevin Black (786-7747)

Background: Wilderness Therapy. Wilderness therapy is a program model that evolved from a broader field of wilderness experience programs aimed at the personal growth of participants, such as Outward Bound. Different wilderness therapy models have been employed, including a nomadic model involving extended wilderness stays, a base camp model with weekly returns to a base structure, and integrated programs that may incorporate wilderness periods in phases with treatment in other settings. Wilderness therapy may involve backpacking, camping, ocean-based sailing, adventure therapy, horticulture therapy, and more variations. Wilderness therapy programs emerged to prominence in the 1990s and have proliferated in the Northwest, but have a limited presence in Washington State.

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

Department of Health Licensing. The Department of Health (DOH) licenses and regulates "establishments," defined as places receiving or caring for persons with mental illness or substance use disorder. To become licensed to operate an establishment, a person must receive a certificate of need for the project, obtain approval of facility plans under the construction review process, obtain approval from the state director of fire protection, and successfully complete a DOH survey of the facility. Establishments must comply with DOH regulations regarding clinical facilities, patient care services, staffing, patient safety, clinical records, and pharmacy and medication services.

DOH may conduct inspections at any time to determine compliance with establishment standards. DOH may issue a statement of deficiencies if it finds the establishment is not in compliance with operating standards. Failure to correct the deficiencies may result in the denial, suspension, modification, or revocation of the establishment license.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): DOH must create a business license for wilderness therapy programs catering to persons who experience emotional and behavioral problems. Wilderness therapy must include behavioral health treatment delivered by licensed professionals, which may include professionals practicing as agency affiliated counselors. Wilderness therapy is defined as a form of behavioral health treatment provided in a nontraditional setting that employs supportive peer groups, skill building, and experiential learning challenges alongside more traditional therapy techniques.

A wilderness therapy program must:

- build self-confidence;
- deliver important lessons;
- provide medically necessary behavioral health therapy;
- help participants develop social connections;
- help move participants in the direction of repair to fractured family units; and
- use wilderness as a healing source for persons who may not be reached by traditional therapy techniques.

DOH must adopt rules for wilderness therapy programs by December 31, 2022. DOH must examine programs in other states, with an emphasis on wilderness therapy models grounded in evidence demonstrating their effectiveness. DOH must consider safety, cultural competency, and in the case of youth participants strategies which maximize the potential for family reintegration. DOH must consider program designs that facilitate coverage by insurance providers.

A licensed wilderness therapy program may not be used for the purpose of conversion therapy.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.