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**SENATE BILL 5848**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Cleveland, Keiser, Conway, Lovick, Muzzall, Nobles, Robinson, and C. Wilson

Read first time 01/13/22. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to licensure for music therapists; amending RCW  
2 18.120.020, 18.120.020, 18.130.040, and 18.130.040; adding a new  
3 chapter to Title 18 RCW; providing an effective date; and providing  
4 an expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature intends to:

7 (1) Recognize that music therapy affects public health, safety,  
8 and welfare and that the practice of music therapy should be subject  
9 to regulation;

10 (2) Assure the highest degree of professional conduct on the part  
11 of music therapists;

12 (3) Guarantee the availability of music therapy services provided  
13 by a qualified professional to persons in need of those services; and

14 (4) Protect the public from the practice of music therapy by  
15 unqualified individuals.

16 NEW SECTION. **Sec. 2.** The definitions in this section apply  
17 throughout this chapter unless the context clearly requires  
18 otherwise.

19 (1) "Advisory committee" means the music therapy advisory  
20 committee.

1 (2) "Board certified music therapist" means an individual who has  
2 completed the education and clinical training requirements  
3 established by the American music therapy association, and who holds  
4 current board certification from the certification board for music  
5 therapists.

6 (3) "Commission" means the Washington medical commission.

7 (4) "Department" means the department of health.

8 (5) "Music therapist" means a person licensed to practice music  
9 therapy pursuant to this chapter.

10 (6) (a) "Music therapy" means the clinical and evidence-based use  
11 of music interventions to accomplish individualized goals of music  
12 therapy clients by employing strategies and tools that include but  
13 are not limited to:

14 (i) Accepting referrals for music therapy services from health  
15 care or educational professionals, family members, or caregivers;

16 (ii) Conducting music therapy assessments of a client to  
17 determine appropriate music therapy services;

18 (iii) Developing and implementing individualized music therapy  
19 treatment plans that identify goals, objectives, and strategies of  
20 music therapy that are appropriate for clients;

21 (iv) Using music therapy techniques such as improvisation,  
22 performance, receptive music listening, song writing, lyric  
23 discussion, guided imagery with music, learning through music, and  
24 movement to music;

25 (v) During the provision of music therapy services to a client,  
26 collaborating, as applicable, with the client's treatment team,  
27 including physicians, psychologists, licensed clinical social  
28 workers, or other mental health professionals. During the provision  
29 of music therapy services to a client with a communication disorder,  
30 the licensed professional music therapist shall collaborate and  
31 discuss the music therapy treatment plan with the client's  
32 audiologist or speech-language pathologist. When providing  
33 educational or health care services, a music therapist may not  
34 replace the services provided by an audiologist or a speech-language  
35 pathologist;

36 (vi) Evaluating a client's response to music therapy techniques  
37 and the individualized music therapy treatment plan;

38 (vii) Any necessary modification of the client's individualized  
39 music therapy treatment plan;

1 (viii) Any necessary collaboration with other health care  
2 professionals treating a client;

3 (ix) Minimizing barriers that may restrict a client's ability to  
4 receive or fully benefit from music therapy services; and

5 (x) Developing a plan for determining when the provision of music  
6 therapy services is no longer needed.

7 (b) "Music therapy" does not include the screening, diagnosis, or  
8 assessment of any physical, mental, or communication disorder.

9 (7) "Secretary" means the secretary of health or his or her  
10 designee.

11 NEW SECTION. **Sec. 3.** (1) A music therapy advisory committee is  
12 created within the department. The committee consists of five members  
13 as follows: Three who practice as music therapists in Washington  
14 state, one member who is a licensed health care provider but not a  
15 music therapist, and one member who is a consumer.

16 (2) The secretary shall appoint all members of the advisory  
17 committee. All members must be familiar with the practice of music  
18 therapy and able to provide the department with expertise and  
19 assistance in carrying out the following duties pursuant to this  
20 chapter:

21 (a) Developing regulations;

22 (b) Establishing licensure fees;

23 (c) Developing and maintaining a publicly available record of  
24 music therapists; and

25 (d) Establishing standards of practice and professional  
26 responsibility for music therapists.

27 (3) Members shall serve a term of four years without  
28 compensation.

29 (4) Members may serve consecutive terms at the direction of the  
30 department. Any vacancy shall be filled in the same manner as regular  
31 appointments.

32 (5) The advisory committee shall meet at least once per year or  
33 as otherwise called by the department.

34 (6) The advisory committee shall provide analysis of disciplinary  
35 actions taken, appeals, denials, or revocations of licenses at least  
36 once per year to the commission and the department.

37 (7) The department shall seek the advice of the advisory  
38 committee for issues related to music therapy.

1        NEW SECTION.    **Sec. 4.**    The department shall issue a license to  
2 practice music therapy to an applicant who meets the following  
3 requirements:

4            (1) Is at least 18 years of age;

5            (2) Is in good standing in any other states where the applicant  
6 is licensed or certified to practice music therapy;

7            (3) Submits sufficient documentation as determined by the  
8 department in rule and includes the following requirements:

9            (a) A current certification with the certification board for  
10 music therapists; and

11           (b) Completion of the certification board for music therapists  
12 examination, any successor organization, or documentation of being  
13 transitioned into board certification;

14           (4) Provides a receipt of the paid licensure fee; and

15           (5) Meets any other qualifications as determined by the  
16 department in rule.

17        NEW SECTION.    **Sec. 5.**    Every license issued under this chapter  
18 must be renewed biennially. Each licensee is responsible for timely  
19 renewal of the licensee's license. To renew a license, a licensee  
20 must:

21           (1) Pay a renewal fee;

22           (2) Provide proof of the applicant's current status as a board  
23 certified music therapist; and

24           (3) Not be in violation of any requirements of this chapter.

25        NEW SECTION.    **Sec. 6.**    (1) Beginning January 1, 2024, a person  
26 may not practice music therapy or use any title or designation of  
27 "music therapist" that indicates that the person is authorized to  
28 practice music therapy unless the person is licensed under this act.

29           (2) Nothing in this chapter may be construed to prohibit or  
30 restrict the practices, services, or activities of the following:

31           (a) Any person licensed, certified, or regulated under the laws  
32 of Washington state in another profession or occupation or personnel  
33 supervised by a licensed professional in this state performing work,  
34 including the use of music, incidental to the practice of the  
35 licensed, certified, or regulated profession or occupation, if the  
36 person does not represent that the person is a music therapist;

37           (b) Any person whose training and national certification attests  
38 to the individual's preparation and ability to practice the certified

1 profession or occupation, if the person does not represent that the  
2 person is a music therapist; and

3 (c) Any use and practice of music therapy as an integral part of  
4 a program of study for students enrolled in a music therapy education  
5 program.

6 NEW SECTION. **Sec. 7.** (1) The department may issue a sanction  
7 for any of the following acts:

8 (a) Ineligibility for licensure, which includes but is not  
9 limited to:

10 (i) Falsification of information submitted for licensure; or  
11 (ii) Failure to maintain current certification as a board  
12 certified music therapist;

13 (b) Failure to pay fees when due;

14 (c) Failure to provide requested information in a timely manner;

15 (d) Conviction of a felony or any crime that reflects an  
16 inability to practice music therapy as it relates to:

17 (i) The health and safety of clients and patients; or

18 (ii) Filing claims with medicare, medicaid, or any third-party  
19 payors;

20 (e) Inability or failure to practice music therapy with  
21 reasonable skill and consistent with the welfare of clients and  
22 patients, which includes but is not limited to:

23 (i) Negligence in the practice of music therapy;

24 (ii) Intoxication or incapacity; or

25 (iii) Abuse or engagement in sexual contact with a client or  
26 patient; and

27 (f) Disciplinary action by another jurisdiction.

28 (2) The department shall conduct investigations into allegations  
29 of conduct described in subsection (1) of this section.

30 (3) The department may impose one or more of the following  
31 sanctions for a violation of this chapter:

32 (a) Suspension, revocation, or denial of a license;

33 (b) Refusal for license renewal;

34 (c) Probation term with conditions;

35 (d) Reprimand; or

36 (e) A fine in the amount of no less than \$100 and no more than  
37 \$1,000 for each violation.

1        NEW SECTION.    **Sec. 8.**    (1) The department shall establish and  
2 adopt rules governing the administration of this chapter in  
3 accordance with chapter 34.05 RCW.

4        (2) The uniform disciplinary act, chapter 18.130 RCW, governs  
5 unlicensed practice, the issuance and denial of a license, and the  
6 discipline of persons licensed under this chapter. The secretary is  
7 the disciplining authority under this chapter.

8        **Sec. 9.**    RCW 18.120.020 and 2019 c 308 s 17 are each amended to  
9 read as follows:

10        The definitions in this section apply throughout this chapter  
11 unless the context clearly requires otherwise.

12        (1) "Applicant group" includes any health professional group or  
13 organization, any individual, or any other interested party which  
14 proposes that any health professional group not presently regulated  
15 be regulated or which proposes to substantially increase the scope of  
16 practice of the profession.

17        (2) "Certificate" and "certification" mean a voluntary process by  
18 which a statutory regulatory entity grants recognition to an  
19 individual who (a) has met certain prerequisite qualifications  
20 specified by that regulatory entity, and (b) may assume or use  
21 "certified" in the title or designation to perform prescribed health  
22 professional tasks.

23        (3) "Grandfather clause" means a provision in a regulatory  
24 statute applicable to practitioners actively engaged in the regulated  
25 health profession prior to the effective date of the regulatory  
26 statute which exempts the practitioners from meeting the prerequisite  
27 qualifications set forth in the regulatory statute to perform  
28 prescribed occupational tasks.

29        (4) "Health professions" means and includes the following health  
30 and health-related licensed or regulated professions and occupations:  
31 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
32 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
33 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
34 dental anesthesia assistants under chapter 18.350 RCW; dispensing  
35 opticians under chapter 18.34 RCW; hearing instruments under chapter  
36 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and  
37 funeral directing under chapter 18.39 RCW; midwifery under chapter  
38 18.50 RCW; nursing home administration under chapter 18.52 RCW;  
39 optometry under chapters 18.53 and 18.54 RCW; ocularists under

1 chapter 18.55 RCW; osteopathic medicine and surgery under chapters  
2 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW;  
3 medicine under chapters 18.71 and 18.71A RCW; emergency medicine  
4 under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW;  
5 practical nurses under chapter 18.79 RCW; psychologists under chapter  
6 18.83 RCW; registered nurses under chapter 18.79 RCW; occupational  
7 therapists licensed under chapter 18.59 RCW; respiratory care  
8 practitioners licensed under chapter 18.89 RCW; veterinarians and  
9 veterinary technicians under chapter 18.92 RCW; massage therapists  
10 under chapter 18.108 RCW; acupuncturists or acupuncture and Eastern  
11 medicine practitioners licensed under chapter 18.06 RCW; persons  
12 registered under chapter 18.19 RCW; persons licensed as mental health  
13 counselors, marriage and family therapists, and social workers under  
14 chapter 18.225 RCW; dietitians and nutritionists certified by chapter  
15 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing  
16 assistants registered or certified under chapter 18.88A RCW;  
17 reflexologists certified under chapter 18.108 RCW; medical  
18 assistants-certified, medical assistants-hemodialysis technician,  
19 medical assistants-phlebotomist, forensic phlebotomist, and medical  
20 assistants-registered certified and registered under chapter 18.360  
21 RCW; ~~((and))~~ licensed behavior analysts, licensed assistant behavior  
22 analysts, and certified behavior technicians under chapter 18.380  
23 RCW; and music therapists certified under chapter 18.--- RCW (the new  
24 chapter created in section 13 of this act).

25 (5) "Inspection" means the periodic examination of practitioners  
26 by a state agency in order to ascertain whether the practitioners'  
27 occupation is being carried out in a fashion consistent with the  
28 public health, safety, and welfare.

29 (6) "Legislative committees of reference" means the standing  
30 legislative committees designated by the respective rules committees  
31 of the senate and house of representatives to consider proposed  
32 legislation to regulate health professions not previously regulated.

33 (7) "License," "licensing," and "licensure" mean permission to  
34 engage in a health profession which would otherwise be unlawful in  
35 the state in the absence of the permission. A license is granted to  
36 those individuals who meet prerequisite qualifications to perform  
37 prescribed health professional tasks and for the use of a particular  
38 title.

1 (8) "Practitioner" means an individual who (a) has achieved  
2 knowledge and skill by practice, and (b) is actively engaged in a  
3 specified health profession.

4 (9) "Professional license" means an individual, nontransferable  
5 authorization to carry on a health activity based on qualifications  
6 which include: (a) Graduation from an accredited or approved program,  
7 and (b) acceptable performance on a qualifying examination or series  
8 of examinations.

9 (10) "Public member" means an individual who is not, and never  
10 was, a member of the health profession being regulated or the spouse  
11 of a member, or an individual who does not have and never has had a  
12 material financial interest in either the rendering of the health  
13 professional service being regulated or an activity directly related  
14 to the profession being regulated.

15 (11) "Registration" means the formal notification which, prior to  
16 rendering services, a practitioner shall submit to a state agency  
17 setting forth the name and address of the practitioner; the location,  
18 nature and operation of the health activity to be practiced; and, if  
19 required by the regulatory entity, a description of the service to be  
20 provided.

21 (12) "Regulatory entity" means any board, commission, agency,  
22 division, or other unit or subunit of state government which  
23 regulates one or more professions, occupations, industries,  
24 businesses, or other endeavors in this state.

25 (13) "State agency" includes every state office, department,  
26 board, commission, regulatory entity, and agency of the state, and,  
27 where provided by law, programs and activities involving less than  
28 the full responsibility of a state agency.

29 **Sec. 10.** RCW 18.120.020 and 2020 c 80 s 22 are each amended to  
30 read as follows:

31 The definitions in this section apply throughout this chapter  
32 unless the context clearly requires otherwise.

33 (1) "Applicant group" includes any health professional group or  
34 organization, any individual, or any other interested party which  
35 proposes that any health professional group not presently regulated  
36 be regulated or which proposes to substantially increase the scope of  
37 practice of the profession.

38 (2) "Certificate" and "certification" mean a voluntary process by  
39 which a statutory regulatory entity grants recognition to an



1 individual who (a) has met certain prerequisite qualifications  
2 specified by that regulatory entity, and (b) may assume or use  
3 "certified" in the title or designation to perform prescribed health  
4 professional tasks.

5 (3) "Grandfather clause" means a provision in a regulatory  
6 statute applicable to practitioners actively engaged in the regulated  
7 health profession prior to the effective date of the regulatory  
8 statute which exempts the practitioners from meeting the prerequisite  
9 qualifications set forth in the regulatory statute to perform  
10 prescribed occupational tasks.

11 (4) "Health professions" means and includes the following health  
12 and health-related licensed or regulated professions and occupations:  
13 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
14 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
15 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
16 dental anesthesia assistants under chapter 18.350 RCW; dispensing  
17 opticians under chapter 18.34 RCW; hearing instruments under chapter  
18 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and  
19 funeral directing under chapter 18.39 RCW; midwifery under chapter  
20 18.50 RCW; nursing home administration under chapter 18.52 RCW;  
21 optometry under chapters 18.53 and 18.54 RCW; ocularists under  
22 chapter 18.55 RCW; osteopathic medicine and surgery under chapter  
23 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine  
24 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter  
25 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses  
26 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;  
27 registered nurses under chapter 18.79 RCW; occupational therapists  
28 licensed under chapter 18.59 RCW; respiratory care practitioners  
29 licensed under chapter 18.89 RCW; veterinarians and veterinary  
30 technicians under chapter 18.92 RCW; massage therapists under chapter  
31 18.108 RCW; acupuncturists or acupuncture and Eastern medicine  
32 practitioners licensed under chapter 18.06 RCW; persons registered  
33 under chapter 18.19 RCW; persons licensed as mental health  
34 counselors, marriage and family therapists, and social workers under  
35 chapter 18.225 RCW; dietitians and nutritionists certified by chapter  
36 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing  
37 assistants registered or certified under chapter 18.88A RCW;  
38 reflexologists certified under chapter 18.108 RCW; medical  
39 assistants-certified, medical assistants-hemodialysis technician,  
40 medical assistants-phlebotomist, forensic phlebotomist, and medical

1 assistants-registered certified and registered under chapter 18.360  
2 RCW; (~~and~~) licensed behavior analysts, licensed assistant behavior  
3 analysts, and certified behavior technicians under chapter 18.380  
4 RCW; and music therapists certified under chapter 18.--- RCW (the new  
5 chapter created in section 13 of this act).

6 (5) "Inspection" means the periodic examination of practitioners  
7 by a state agency in order to ascertain whether the practitioners'  
8 occupation is being carried out in a fashion consistent with the  
9 public health, safety, and welfare.

10 (6) "Legislative committees of reference" means the standing  
11 legislative committees designated by the respective rules committees  
12 of the senate and house of representatives to consider proposed  
13 legislation to regulate health professions not previously regulated.

14 (7) "License," "licensing," and "licensure" mean permission to  
15 engage in a health profession which would otherwise be unlawful in  
16 the state in the absence of the permission. A license is granted to  
17 those individuals who meet prerequisite qualifications to perform  
18 prescribed health professional tasks and for the use of a particular  
19 title.

20 (8) "Practitioner" means an individual who (a) has achieved  
21 knowledge and skill by practice, and (b) is actively engaged in a  
22 specified health profession.

23 (9) "Professional license" means an individual, nontransferable  
24 authorization to carry on a health activity based on qualifications  
25 which include: (a) Graduation from an accredited or approved program,  
26 and (b) acceptable performance on a qualifying examination or series  
27 of examinations.

28 (10) "Public member" means an individual who is not, and never  
29 was, a member of the health profession being regulated or the spouse  
30 of a member, or an individual who does not have and never has had a  
31 material financial interest in either the rendering of the health  
32 professional service being regulated or an activity directly related  
33 to the profession being regulated.

34 (11) "Registration" means the formal notification which, prior to  
35 rendering services, a practitioner shall submit to a state agency  
36 setting forth the name and address of the practitioner; the location,  
37 nature and operation of the health activity to be practiced; and, if  
38 required by the regulatory entity, a description of the service to be  
39 provided.

1 (12) "Regulatory entity" means any board, commission, agency,  
2 division, or other unit or subunit of state government which  
3 regulates one or more professions, occupations, industries,  
4 businesses, or other endeavors in this state.

5 (13) "State agency" includes every state office, department,  
6 board, commission, regulatory entity, and agency of the state, and,  
7 where provided by law, programs and activities involving less than  
8 the full responsibility of a state agency.

9 **Sec. 11.** RCW 18.130.040 and 2021 c 179 s 6 are each amended to  
10 read as follows:

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

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

18 (i) Dispensing opticians licensed and designated apprentices  
19 under chapter 18.34 RCW;

20 (ii) Midwives licensed under chapter 18.50 RCW;

21 (iii) Ocularists licensed under chapter 18.55 RCW;

22 (iv) Massage therapists and businesses licensed under chapter  
23 18.108 RCW;

24 (v) Dental hygienists licensed under chapter 18.29 RCW;

25 (vi) Acupuncturists or acupuncture and Eastern medicine  
26 practitioners licensed under chapter 18.06 RCW;

27 (vii) Radiologic technologists certified and X-ray technicians  
28 registered under chapter 18.84 RCW;

29 (viii) Respiratory care practitioners licensed under chapter  
30 18.89 RCW;

31 (ix) Hypnotherapists and agency affiliated counselors registered  
32 and advisors and counselors certified under chapter 18.19 RCW;

33 (x) Persons licensed as mental health counselors, mental health  
34 counselor associates, marriage and family therapists, marriage and  
35 family therapist associates, social workers, social work associates—  
36 advanced, and social work associates—independent clinical under  
37 chapter 18.225 RCW;

38 (xi) Persons registered as nursing pool operators under chapter  
39 18.52C RCW;

- 1 (xii) Nursing assistants registered or certified or medication  
2 assistants endorsed under chapter 18.88A RCW;
- 3 (xiii) Dietitians and nutritionists certified under chapter  
4 18.138 RCW;
- 5 (xiv) Substance use disorder professionals, substance use  
6 disorder professional trainees, or co-occurring disorder specialists  
7 certified under chapter 18.205 RCW;
- 8 (xv) Sex offender treatment providers and certified affiliate sex  
9 offender treatment providers certified under chapter 18.155 RCW;
- 10 (xvi) Persons licensed and certified under chapter 18.73 RCW or  
11 RCW 18.71.205;
- 12 (xvii) Orthotists and prosthetists licensed under chapter 18.200  
13 RCW;
- 14 (xviii) Surgical technologists registered under chapter 18.215  
15 RCW;
- 16 (xix) Recreational therapists under chapter 18.230 RCW;
- 17 (xx) Animal massage therapists certified under chapter 18.240  
18 RCW;
- 19 (xxi) Athletic trainers licensed under chapter 18.250 RCW;
- 20 (xxii) Home care aides certified under chapter 18.88B RCW;
- 21 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;
- 22 (xxiv) Reflexologists certified under chapter 18.108 RCW;
- 23 (xxv) Medical assistants-certified, medical assistants-  
24 hemodialysis technician, medical assistants-phlebotomist, forensic  
25 phlebotomist, and medical assistants-registered certified and  
26 registered under chapter 18.360 RCW; (~~and~~)
- 27 (xxvi) Behavior analysts, assistant behavior analysts, and  
28 behavior technicians under chapter 18.380 RCW; and
- 29 (xxvii) Music therapists certified under chapter 18.--- RCW (the  
30 new chapter created in section 13 of this act).
- 31 (b) The boards and commissions having authority under this  
32 chapter are as follows:
- 33 (i) The podiatric medical board as established in chapter 18.22  
34 RCW;
- 35 (ii) The chiropractic quality assurance commission as established  
36 in chapter 18.25 RCW;
- 37 (iii) The dental quality assurance commission as established in  
38 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,  
39 licenses and registrations issued under chapter 18.260 RCW, and  
40 certifications issued under chapter 18.350 RCW;

- 1 (iv) The board of hearing and speech as established in chapter  
2 18.35 RCW;
- 3 (v) The board of examiners for nursing home administrators as  
4 established in chapter 18.52 RCW;
- 5 (vi) The optometry board as established in chapter 18.54 RCW  
6 governing licenses issued under chapter 18.53 RCW;
- 7 (vii) The board of osteopathic medicine and surgery as  
8 established in chapter 18.57 RCW governing licenses issued under  
9 chapters 18.57 and 18.57A RCW;
- 10 (viii) The pharmacy quality assurance commission as established  
11 in chapter 18.64 RCW governing licenses issued under chapters 18.64  
12 and 18.64A RCW;
- 13 (ix) The Washington medical commission as established in chapter  
14 18.71 RCW governing licenses and registrations issued under chapters  
15 18.71 and 18.71A RCW;
- 16 (x) The board of physical therapy as established in chapter 18.74  
17 RCW;
- 18 (xi) The board of occupational therapy practice as established in  
19 chapter 18.59 RCW;
- 20 (xii) The nursing care quality assurance commission as  
21 established in chapter 18.79 RCW governing licenses and registrations  
22 issued under that chapter;
- 23 (xiii) The examining board of psychology and its disciplinary  
24 committee as established in chapter 18.83 RCW;
- 25 (xiv) The veterinary board of governors as established in chapter  
26 18.92 RCW;
- 27 (xv) The board of naturopathy established in chapter 18.36A RCW,  
28 governing licenses and certifications issued under that chapter; and
- 29 (xvi) The board of denturists established in chapter 18.30 RCW.
- 30 (3) In addition to the authority to discipline license holders,  
31 the disciplining authority has the authority to grant or deny  
32 licenses. The disciplining authority may also grant a license subject  
33 to conditions.
- 34 (4) All disciplining authorities shall adopt procedures to ensure  
35 substantially consistent application of this chapter, the uniform  
36 disciplinary act, among the disciplining authorities listed in  
37 subsection (2) of this section.

38 **Sec. 12.** RCW 18.130.040 and 2021 c 179 s 7 are each amended to  
39 read as follows:

1 (1) This chapter applies only to the secretary and the boards and  
2 commissions having jurisdiction in relation to the professions  
3 licensed under the chapters specified in this section. This chapter  
4 does not apply to any business or profession not licensed under the  
5 chapters specified in this section.

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

8 (i) Dispensing opticians licensed and designated apprentices  
9 under chapter 18.34 RCW;

10 (ii) Midwives licensed under chapter 18.50 RCW;

11 (iii) Ocularists licensed under chapter 18.55 RCW;

12 (iv) Massage therapists and businesses licensed under chapter  
13 18.108 RCW;

14 (v) Dental hygienists licensed under chapter 18.29 RCW;

15 (vi) Acupuncturists or acupuncture and Eastern medicine  
16 practitioners licensed under chapter 18.06 RCW;

17 (vii) Radiologic technologists certified and X-ray technicians  
18 registered under chapter 18.84 RCW;

19 (viii) Respiratory care practitioners licensed under chapter  
20 18.89 RCW;

21 (ix) Hypnotherapists and agency affiliated counselors registered  
22 and advisors and counselors certified under chapter 18.19 RCW;

23 (x) Persons licensed as mental health counselors, mental health  
24 counselor associates, marriage and family therapists, marriage and  
25 family therapist associates, social workers, social work associates—  
26 advanced, and social work associates—independent clinical under  
27 chapter 18.225 RCW;

28 (xi) Persons registered as nursing pool operators under chapter  
29 18.52C RCW;

30 (xii) Nursing assistants registered or certified or medication  
31 assistants endorsed under chapter 18.88A RCW;

32 (xiii) Dietitians and nutritionists certified under chapter  
33 18.138 RCW;

34 (xiv) Substance use disorder professionals, substance use  
35 disorder professional trainees, or co-occurring disorder specialists  
36 certified under chapter 18.205 RCW;

37 (xv) Sex offender treatment providers and certified affiliate sex  
38 offender treatment providers certified under chapter 18.155 RCW;

39 (xvi) Persons licensed and certified under chapter 18.73 RCW or  
40 RCW 18.71.205;

1 (xvii) Orthotists and prosthetists licensed under chapter 18.200  
2 RCW;

3 (xviii) Surgical technologists registered under chapter 18.215  
4 RCW;

5 (xix) Recreational therapists under chapter 18.230 RCW;

6 (xx) Animal massage therapists certified under chapter 18.240  
7 RCW;

8 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

9 (xxii) Home care aides certified under chapter 18.88B RCW;

10 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

11 (xxiv) Reflexologists certified under chapter 18.108 RCW;

12 (xxv) Medical assistants-certified, medical assistants-  
13 hemodialysis technician, medical assistants-phlebotomist, forensic  
14 phlebotomist, and medical assistants-registered certified and  
15 registered under chapter 18.360 RCW; (~~and~~)

16 (xxvi) Behavior analysts, assistant behavior analysts, and  
17 behavior technicians under chapter 18.380 RCW; and

18 (xxvii) Music therapists certified under chapter 18.--- RCW (the  
19 new chapter created in section 13 of this act).

20 (b) The boards and commissions having authority under this  
21 chapter 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,  
28 licenses and registrations issued under chapter 18.260 RCW, and  
29 certifications issued under chapter 18.350 RCW;

30 (iv) The board of hearing and speech as established in chapter  
31 18.35 RCW;

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

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

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

1 (viii) The pharmacy quality assurance commission as established  
2 in chapter 18.64 RCW governing licenses issued under chapters 18.64  
3 and 18.64A RCW;

4 (ix) The Washington medical commission as established in chapter  
5 18.71 RCW governing licenses and registrations issued under chapters  
6 18.71 and 18.71A RCW;

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

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

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

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

16 (xiv) The veterinary board of governors as established in chapter  
17 18.92 RCW;

18 (xv) The board of naturopathy established in chapter 18.36A RCW,  
19 governing licenses and certifications issued under that chapter; and

20 (xvi) The board of denturists established in chapter 18.30 RCW.

21 (3) In addition to the authority to discipline license holders,  
22 the disciplining authority has the authority to grant or deny  
23 licenses. The disciplining authority may also grant a license subject  
24 to conditions.

25 (4) All disciplining authorities shall adopt procedures to ensure  
26 substantially consistent application of this chapter, the uniform  
27 disciplinary act, among the disciplining authorities listed in  
28 subsection (2) of this section.

29 NEW SECTION. **Sec. 13.** Sections 1 through 8 of this act  
30 constitute a new chapter in Title 18 RCW.

31 NEW SECTION. **Sec. 14.** Section 9 and 11 of this act expire July  
32 1, 2022.

33 NEW SECTION. **Sec. 15.** Section 10 and 12 of this act take effect  
34 July 1, 2022.

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