

**RCW 9.94A.820 Sex offender treatment in the community.** (1) Sex offender examinations and treatment ordered as a special condition of community custody under this chapter shall be conducted only by certified sex offender treatment providers or certified affiliate sex offender treatment providers under chapter 18.155 RCW unless the court or the department finds that: (a) The offender has already moved to another state or plans to move to another state for reasons other than circumventing the certification requirements; (b) the treatment provider is employed by the department; or (c) (i) no certified sex offender treatment providers or certified affiliate sex offender treatment providers are available to provide treatment within a reasonable geographic distance of the offender's home, as determined in rules adopted by the secretary; and (ii) the evaluation and treatment plan comply with the rules adopted by the department of health. A treatment provider selected by an offender under (c) of this subsection, who is not certified by the department of health shall consult with a certified sex offender treatment provider during the offender's period of treatment to ensure compliance with the rules adopted by the department of health. The frequency and content of the consultation shall be based on the recommendation of the certified sex offender treatment provider.

(2) A sex offender's failure to participate in treatment required as a condition of community custody is a violation that will not be excused on the basis that no treatment provider was located within a reasonable geographic distance of the offender's home. [2008 c 231 § 38; 2004 c 38 § 10; 2000 c 28 § 36.]

~~Intent—Application—Application of repealers—Effective date—~~  
**2008 c 231:** See notes following RCW 9.94A.701.

~~Severability—~~**2008 c 231:** See note following RCW 9.94A.500.

~~Effective date—~~**2004 c 38:** See note following RCW 18.155.075.

~~Technical correction bill—~~**2000 c 28:** See note following RCW 9.94A.015.