

Chapter 388-60 WAC

DOMESTIC VIOLENCE PERPETRATOR TREATMENT PROGRAM STANDARDS

WAC

DEFINITIONS

- 388-60-0015 What definitions apply to this chapter?
- 388-60-0025 What is the purpose of this chapter?
- 388-60-0035 Must domestic violence perpetrator treatment programs be certified?
- 388-60-0045 What must be the focus of a domestic violence perpetrator treatment program?
- 388-60-0055 What must be a treatment program's primary goal?

REQUIRED PROGRAM POLICIES AND PROCEDURES

- 388-60-0065 What steps must a treatment program take to address victim safety?
- 388-60-0075 What must a treatment program require of its participants?
- 388-60-0085 What requirements apply to group treatment sessions?
- 388-60-0095 May a participant be involved in more than one type of treatment while enrolled in a domestic violence perpetrator treatment program?
- 388-60-0105 What requirements does the department have for treatment programs regarding nondiscrimination?
- 388-60-0115 Does a program have the authority to screen referrals?
- 388-60-0125 What rights do participants in a treatment program have?

CONFIDENTIALITY

- 388-60-0135 What information about the participant must the treatment program keep confidential?
- 388-60-0145 What releases must a program require a participant to sign?
- 388-60-0155 Must a treatment program keep information provided by or about the victim confidential?
- 388-60-0165 What information must the treatment program collect and discuss with the client during the intake process or assessment interview?
- 388-60-0175 Who may complete the intake process or conduct the assessment interview?
- 388-60-0185 Must the program compile a written document based on information gathered in the intake/assessment process?
- 388-60-0195 Must the treatment program develop an individual treatment plan for each participant?
- 388-60-0205 What must a treatment program consider when developing an individual treatment plan for a participant?
- 388-60-0215 Must a program require a participant to sign a contract for services with the treatment program?
- 388-60-0225 What must the treatment program include in the contract for each participant's treatment?
- 388-60-0235 Must a treatment program follow an educational curriculum for each participant?
- 388-60-0245 What topics must the treatment program include in the educational curriculum?
- 388-60-0255 What is the minimum treatment period for program participants?
- 388-60-0265 What criteria must be satisfied for completion of treatment?
- 388-60-0275 What must the treatment program do when a participant satisfactorily completes treatment?
- 388-60-0285 Must a treatment program have policies regarding any reoffenses during treatment?
- 388-60-0295 Does a program need guidelines for discharging participants who do not complete treatment?
- 388-60-0305 Who must the program notify when the program discharges a participant because of failure to complete treatment?

TREATMENT STAFF QUALIFICATIONS

- 388-60-0315 What are the minimum qualifications for all direct treatment staff?
- 388-60-0325 Must a program notify the department when new direct treatment staff are added?
- 388-60-0335 Who is considered a trainee for domestic violence perpetrator treatment programs?
- 388-60-0345 May a trainee provide direct treatment services to participants?
- 388-60-0355 Do treatment programs need a supervisor?
- 388-60-0365 Who may provide supervision of direct treatment staff in a domestic violence perpetrator treatment program?
- 388-60-0375 Must a supervisor always be on the premises of the treatment program?
- 388-60-0385 Must the treatment program have staff supervision policies?
- 388-60-0395 What are the requirements for staff orientation?
- 388-60-0405 What are the continuing professional education requirements for all direct treatment program staff?
- 388-60-0415 Is a treatment program required to cooperate with local domestic violence victim programs?
- 388-60-0425 Does a treatment program need knowledge of the domestic violence laws and justice system practices?

CERTIFICATION PROCESS

- 388-60-0435 What is the process to apply for certification of a treatment program?
- 388-60-0445 What is the application fee for certification?
- 388-60-0455 What documentation must a program submit before the department may certify the program?
- 388-60-0465 What happens after a program turns in an application to the department?
- 388-60-0475 Will a certificate be issued if the treatment program meets the standards?
- 388-60-0485 What happens if a treatment program does not meet the standards?
- 388-60-0495 What records must the department keep regarding certified domestic violence perpetrator programs?

RECERTIFICATION

- 388-60-0505 How often must a domestic violence perpetrator treatment program reapply for certification?
- 388-60-0515 What must a program do to apply for recertification of their domestic violence perpetrator treatment program?
- 388-60-0525 What must the application packet for renewal of the certification of a domestic violence perpetrator program include?
- 388-60-0535 How does the department decide that a program should continue to be certified?
- 388-60-0545 Is there a formal process if a treatment program wishes to appeal a denial of certification or recertification?

ADVISORY COMMITTEE

- 388-60-0555 Does the department have an advisory committee for domestic violence perpetrator treatment?
- 388-60-0565 What is the role of the advisory committee?
- 388-60-0575 Who are the advisory committee members and how are they chosen?
- 388-60-0585 How long is the appointed term for an advisory committee member?
- 388-60-0595 May advisory committee members be replaced before their term expires?
- 388-60-0605 Are expenses for advisory committee members reimbursed?

COMPLAINTS AND THE INVESTIGATION OF COMPLAINTS

- 388-60-0615 Does the department investigate complaints about domestic violence perpetrator treatment programs?
- 388-60-0625 Who may request an investigation of a certified domestic violence perpetrator treatment program?
- 388-60-0635 Does the department notify a treatment program that the department has received a complaint?
- 388-60-0645 May DSHS begin an investigation of a treatment program without receiving a complaint?
- 388-60-0655 What is included in an investigation?
- 388-60-0665 Is there a time limit for the department to complete its investigation of a complaint?

RESULTS OF INVESTIGATIONS

- 388-60-0675 Does the department put the results of the investigation in writing?
- 388-60-0685 What action may the department take regarding a program's certification if a complaint is founded?
- 388-60-0695 Does DSHS notify a treatment program of its decision to take corrective action?
- 388-60-0705 What information must the department give a program if it takes action that affects the program's certification status?
- 388-60-0715 What happens if a treatment program refuses to remedy the problems outlined in the complaint findings?
- 388-60-0725 What if the director of a domestic violence perpetrator treatment program disagrees with the corrective action decision?

NOTIFICATION OF RESULTS OF AN INVESTIGATION

- 388-60-0735 Does the department notify the person that made the complaint of the results of the investigation?
- 388-60-0745 What must the treatment program do after notification that its certification has been suspended or revoked?
- 388-60-0755 What happens if the program has other licenses or certificates?

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 388-60-005 Scope. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-005, filed 12/24/96, effective 1/24/97. Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-005, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.
- 388-60-120 Treatment focus. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-120, filed 12/24/96, effective 1/24/97. Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-120, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.
- 388-60-130 Treatment modality. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-130, filed 12/24/96, effective 1/24/97. Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-130, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.
- 388-60-140 Program policies and procedures. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-140, filed 12/24/96, effective 1/24/97. Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-140, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.
- 388-60-150 Treatment staff qualifications. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-150, filed 12/24/96, effective 1/24/97. Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-150, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.
- 388-60-160 Orientation and continuing professional education requirements. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-160, filed 12/24/96, effective 1/24/97. Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-160, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed

3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-170 Cooperation with domestic violence victim programs. [Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-170, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-180 Knowledge of law and justice system practices. [Statutory Authority: 1992 HB 1884. WSR 93-10-024 (Order 3539), § 388-60-180, filed 4/28/93, effective 5/29/93.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-190 Program certification process. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-190, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-200 Certification maintenance. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-200, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-210 Advisory committee. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-210, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-220 Complaint. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-220, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-230 Investigation. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-230, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-240 Results of investigation. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-240, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-250 Notification of results. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-250, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

388-60-260 Appeal. [Statutory Authority: RCW 26.50.150. WSR 97-02-035, § 388-60-260, filed 12/24/96, effective 1/24/97.] Repealed by WSR 01-08-046, filed 3/30/01, effective 4/30/01. Statutory Authority: RCW 26.50.150.

DEFINITIONS

WAC 388-60-0015 What definitions apply to this chapter? The following definitions are important to understand these rules:

"Corrective action" means the denial or suspension or revocation of certification, or the issuance of a written warning.

"Department" or **"DSHS"** means the department of social and health services.

"Participant" or **"perpetrator"** means the client enrolled in the domestic violence perpetrator treatment program. This client may be court-ordered to attend treatment or someone who chooses to voluntarily attend treatment.

"Program" or **"treatment program"** means a domestic violence perpetrator treatment program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0015, filed 3/30/01, effective 4/30/01.]

PURPOSE

WAC 388-60-0025 What is the purpose of this chapter? (1) This chapter establishes minimum standards for programs that treat perpetrators of domestic violence.

(2) These standards apply to any program that:

(a) Advertises that it provides domestic violence perpetrator treatment; or

(b) Defines its services as meeting court orders that require enrollment in and/or completion of domestic violence perpetrator treatment.

(3) These programs provide treatment only to perpetrators of domestic violence, including clients who are self-referred or those who are court-ordered to attend treatment.

(4) An agency may administer other service programs in addition to domestic violence perpetrator treatment services; however, the domestic violence perpetrator treatment program must be considered a separate and distinct program from all other services the agency provides.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0025, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0035 Must domestic violence perpetrator treatment programs be certified? All programs providing domestic violence perpetrator treatment services must:

(1) Be certified by the department; and

(2) Comply with the standards outlined in this chapter.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0035, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0045 What must be the focus of a domestic violence perpetrator treatment program? (1) A domestic violence perpetrator treatment program must focus treatment primarily on ending the participant's physical, sexual, and psychological abuse.

(2) The program must hold the participant accountable for:

(a) The abuse that occurred; and

(b) Changing the participant's violent and abusive behaviors.

(3) The program must base all treatment on strategies and philosophies that do not blame the victim or imply that the victim shares any responsibility for the abuse which occurred.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0045, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0055 What must be a treatment program's primary goal? The primary goal of a domestic violence perpetrator treatment program must be to increase the victim's safety by:

(1) Facilitating change in the participant's abusive behavior; and

(2) Holding the participant accountable for changing the participant's patterns of behaviors, thinking, and beliefs.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0055, filed 3/30/01, effective 4/30/01.]

(3/30/01)

REQUIRED PROGRAM POLICIES AND PROCEDURES

WAC 388-60-0065 What steps must a treatment program take to address victim safety? (1) Each treatment program must have written policies and procedures that adequately assess the safety of the victims of the perpetrators enrolled in the treatment program.

(2) The treatment program must take the following steps to protect victims:

(a) Notify the victim of each program participant within fourteen days of the participant being accepted or denied entrance to the program that the participant has enrolled in or has been rejected for treatment services;

(b) Inform victims of specific outreach, advocacy, emergency and safety planning services offered by a domestic violence victim program in the victim's community;

(c) Encourage victims to make plans to protect themselves and their children;

(d) Give victims a brief description of the domestic violence perpetrator treatment program, including the fact that the victim is not expected to do anything to help the perpetrator complete any treatment program requirements; and

(e) Inform victims of the limitations of perpetrator treatment.

(3) The program must document in writing the program's efforts to notify the victim of the above requirements.

(4) The program cannot invite or require the victims of participants to attend perpetrator treatment program counseling sessions or education groups which the program requires participants to attend as a condition of their contracts.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0065, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0075 What must a treatment program require of its participants? (1) All participants must attend consecutive, weekly group treatment sessions. A program may develop policies which allow excused absences to be made up with the program director's approval.

Exception: Another type of intervention may be approved for certain documented clinical reasons, such as psychosis or other conditions that make the individual not amenable to treatment in a group setting.

(2) The program must assign each participant to a home group and the participant must be required to attend the same scheduled group each week. The program's director must authorize any exceptions to this requirement and document the reason for the exception.

(3) Each participant must sign all releases of information required by the treatment program, including those specified in WAC 388-60-0145.

(4) Each participant must sign a contract for services with the treatment program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0075, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0085 What requirements apply to group treatment sessions? (1) The group sessions must be single gender.

[Ch. 388-60 WAC p. 3]

(2) The group size is limited to a maximum of twelve participants, and a minimum of two participants.

(3) Group sessions must be at least ninety minutes in length.

(4) Group sessions must be closed to all persons other than participants, group facilitators, and others specifically invited by the group leaders. Others specifically invited by group leaders may include:

(a) Professionals in related fields;

(b) Persons offering interpretation services for the deaf and/or hearing impaired or language translation/interpretation; and

(c) Others bringing specific information critical to the group.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0085, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0095 May a participant be involved in more than one type of treatment while enrolled in a domestic violence perpetrator treatment program? (1) A program may allow a client to participate in other types of therapy during the same period the client is participating in the required weekly group treatment sessions.

(2) Any other type of therapy must support the goal of victim safety by facilitating change in the participant's abusive behavior without blaming the victim for the perpetrator's abuse.

(3) The program must determine that the participant is stable in the participant's other treatments before allowing the participant to participate in treatment for domestic violence.

(4) Other therapies including the following list may not be substituted for the required domestic violence perpetrator treatment sessions:

(a) Individual therapy;

(b) Marital or couples' therapy;

(c) Family therapy;

(d) Substance abuse evaluations or treatment; or

(e) Anger management.

(5) A program may recommend marital or couples' therapy only after:

(a) The participant has completed at least six months of domestic violence perpetrator treatment services; and

(b) The victim has reported that the participant has ceased engaging in violent and/or controlling behaviors. However, this therapy may not take the place of domestic violence perpetrator treatment session.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0095, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0105 What requirements does the department have for treatment programs regarding non-discrimination? (1) A domestic violence perpetrator treatment program may not discriminate against any participant based on:

(a) Race;

(b) Age;

(c) Gender;

(d) Disability;

(e) Religion;

(f) Marital status or living arrangements;

(g) Political affiliation;

(h) Educational attainment;

(i) Socio-economic status;

(j) Ethnicity;

(k) National origin; or

(l) Sexual orientation.

(2) Program materials, publications, and audio-visual materials must be culturally sensitive and nondiscriminatory.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0105, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0115 Does a program have the authority to screen referrals? (1) A treatment program has the authority to accept or reject any referral for its program.

(2) The program must base acceptance and rejection of a client on written criteria the program has developed to screen potential participants.

(3) A treatment program may impose any conditions on participants that the program deems appropriate for the success of treatment.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0115, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0125 What rights do participants in a treatment program have? (1) A treatment program must provide each participant with the highest quality of service.

(2) Treatment program staff must establish a climate where all relationships with colleagues and participants are respectful.

(3) Each participant enrolled in a program must have the assurance that the program staff will conduct themselves professionally, as specified in RCW 18.130.180.

(4) Staff, board members, and volunteers working for a treatment program must not engage in or tolerate sexual harassment or exploitation of an employee, a program participant, or a victim of any program participant.

(5) Each participant must have a written contract signed by the participant and the treatment program staff which specifies the participant's rights and responsibilities while enrolled in the program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0125, filed 3/30/01, effective 4/30/01.]

CONFIDENTIALITY

WAC 388-60-0135 What information about the participant must the treatment program keep confidential?

(1) Treatment programs must follow the confidentiality requirements contained in chapter 18.19 RCW for registered counselors and certified professionals.

(2) All program participants and guests must agree in writing not to disclose the identity of group participants or personal information about the participants.

(3) A treatment program must keep all communications between the participant and direct treatment staff confidential unless:

(a) The participant has signed a release of information; or

(b) The program is legally required to release the information.

(4) The treatment program may audio or video tape group sessions only when all participants grant written con-

sent that gives details about the specific uses for the tape. The program must obtain an additional consent statement from each participant to permit use of the tape for any purpose other than the purposes specified in the original consent.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0135, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0145 What releases must a program require a participant to sign? For a treatment program to conduct case monitoring and periodic safety checks, the program must require all participants to sign the following releases which must remain in effect for the duration of the client's treatment:

(1) A release allowing the treatment program to notify the victim and/or the victim's community and/or legal advocates that the perpetrator has been accepted or rejected for treatment;

(2) A release allowing the program to provide the victim with periodic reports about the perpetrator's participation in the program;

(3) A release allowing the current domestic violence perpetrator treatment program access to information held by all prior and concurrent treatment agencies, including domestic violence perpetrator treatment programs, mental health agencies, and drug and alcohol treatment programs;

(4) A release allowing the treatment program to provide relevant information regarding the participant to each of the following entities:

- (a) Lawyers, including prosecutors;
- (b) Courts;
- (c) Parole officers;
- (d) Probation officers;
- (e) Child protective services, child welfare services, and other DSHS programs;
- (f) Court-appointed guardians ad litem;
- (g) DSHS certifying authorities; and
- (h) Former treatment programs that the participant has attended.

(5) A release for the program to notify any person whose safety appears to be at risk due to the participant's potential for violence and lethality. This includes, but is not limited to:

- (a) The victim;
- (b) Any children;
- (c) Significant others;
- (d) The victim's community and legal advocates; or
- (e) Police.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0145, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0155 Must a treatment program keep information provided by or about the victim confidential?

(1) A treatment program must treat all information the victim provides to the program as confidential unless the victim gives written permission for the program to release the information.

(2) Information must be kept separate from any files for perpetrators.

(3) If a victim tells the treatment program that the participant has committed a new offense, the treatment program must encourage the victim to contact:

- (a) Appropriate law enforcement agency; and

(3/30/01)

(b) The local domestic violence victim's program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0155, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0165 What information must the treatment program collect and discuss with the client during the intake process or assessment interview? (1) Treatment programs must conduct an individual, complete clinical intake and assessment interview with each perpetrator who has been accepted into the treatment program. The program staff must meet face-to-face with the program participant to conduct this intake and interview.

(2) During the intake interview, program staff must obtain the following information, at a minimum:

- (a) Current and past violence history;
- (b) A complete diagnostic evaluation;
- (c) A substance abuse screening;
- (d) History of treatment from past domestic violence perpetrator treatment programs;
- (e) History of threats of homicide or suicide;
- (f) History of ideation of homicide or suicide;
- (g) History of stalking;
- (h) Data to develop a lethality risk assessment;
- (i) Possession of, access to, plans to obtain, or a history of use of weapons;
- (j) Degree of obsessiveness and dependency on the perpetrator's victim;
- (k) History of episodes of rage;
- (l) History of depression and other mental health problems;
- (m) History of having sexually abused the battered victim or others;
- (n) History of the perpetrator's domestic violence victimization and/or sexual abuse victimization;
- (o) Access to the battered victim;
- (p) Criminal history and law enforcement incident reports;
- (q) Reports of abuse of children, elderly persons, or animals;
- (r) Assessment of cultural issues;
- (s) Assessment of learning disabilities, literacy, and special language needs; and
- (t) Review of other diagnostic evaluations of the participant.

(3) If the program cannot obtain the above information, the program client file must include documentation of the program's reasonable efforts to obtain the information.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0165, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0175 Who may complete the intake process or conduct the assessment interview? (1) Only treatment staff who meet the minimum qualifications for direct treatment staff stated in chapter 388-60 WAC may complete the intake process or conduct the assessment interview.

(2) A trainee may not have sole responsibility for conducting an intake or assessment. If the staff conducting the intake/assessment is a trainee, the trainee must work in conjunction with additional staff in their program, and the

[Ch. 388-60 WAC p. 5]

trainee's program supervisor must review and sign off on the trainee's work.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0175, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0185 Must the program compile a written document based on information gathered in the intake/assessment process? The program must compile a written document, which includes the information required to be gathered in the intake/assessment process.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0185, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0195 Must the treatment program develop an individual treatment plan for each participant? (1) The treatment program must develop a written treatment plan for each participant who is accepted into the domestic perpetrator treatment program.

(2) The treatment program must base the participant's treatment on the clinical intake/assessment which the program completed for the client.

(3) The treatment plan must adequately and appropriately address the needs of the individual participant.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0195, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0205 What must a treatment program consider when developing an individual treatment plan for a participant? (1) A treatment program must:

(a) Assess whether a participant should be required to engage in drug and alcohol, mental health, or other treatment services while they are participating in the treatment program;

(b) Decide which treatment gets priority for the participant if more than one treatment service is recommended;

(c) Determine the sequence of other services if concurrent treatment is not clinically appropriate; and

(d) Make appropriate referrals to outside agencies.

(2) A treatment program must consider issues relating to a participant's prior victimization when designing each treatment plan.

The program must consider the appropriateness of domestic violence victim services in lieu of perpetrator treatment for a participant who presents an extensive history of prior victimization.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0205, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0215 Must a program require a participant to sign a contract for services with the treatment program? A treatment program must require each participant to sign a formal contract for services.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0215, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0225 What must the treatment program include in the contract for each participant's treatment? The contract between each participant and the treatment program must include the following elements:

(1) A statement regarding the treatment program's philosophy that:

(a) The victim may not be blamed for the participant's abuse;

(b) The perpetrator must stop all forms of abuse;

(c) An abuser is to be held accountable for the abusers actions; and

(d) The program's primary concern is for the safety of victims.

(2) A statement requiring the participant to:

(a) Cooperate with all program rules;

(b) Stop violent and threatening behaviors;

(c) Be nonabusive and noncontrolling in relationships;

(d) Develop and adhere to a responsibility plan;

(e) Comply with all court orders;

(f) Cooperate with the rules for group participation; and

(g) Sign all required releases of information.

(3) A policy on attendance and consequences for inadequate attendance;

(4) A requirement that the perpetrator must actively participate in treatment, including sharing personal experiences, values, and attitudes, as well as completing all group activities and assignments;

(5) A policy regarding other program expectations, such as completion of written exams, concurrent treatment requirements, and possession of weapons as described under chapters 388-861 and 388-875 WAC;

(6) Written criteria for completion of treatment;

(7) A statement that group members must honor the confidentiality of all participants;

(8) A statement that the treatment program has the duty to warn and protect victims, law enforcement, and third parties of any risk of serious harm the program determines the participant poses to them;

(9) Requirements that the participant must either:

(a) Provide the program with the participant's arrest records, criminal history, and any information regarding treatment services previously received; or

(b) Identify the existence of and location of all service records, and authorize release of all such records to the domestic violence treatment program.

(10) The program's policy regarding the use of drugs and alcohol, including a provision that the participant must attend treatment sessions free of drugs and alcohol; and

(11) Fees and methods of payment for treatment.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0225, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0235 Must a treatment program follow an educational curriculum for each participant? A treatment program must follow a specific educational curriculum for all participants in the program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0235, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0245 What topics must the treatment program include in the educational curriculum? The curriculum of the treatment program must include the following topics:

(1) Belief systems that allow and support violence against women;

(2) Belief systems that allow and/or support the use or threat of violence to establish power and control over an intimate partner;

(3) Definitions of abuse, battering, and domestic violence;

(4) Forms of abuse, including:

(a) Physical abuse;

(b) Emotional and sexual abuse;

(c) Economic manipulation or domination;

(d) Physical force against property or pets;

(e) Stalking;

(f) Terrorizing someone or threatening him or her; and

(g) Acts that put the safety of battered partners, children, pets, other family members, or friends at risk.

(5) The impact of abuse and battering on children and the incompatibility of domestic violence and abuse with responsible parenting;

(6) The fact that a participant is solely responsible for the participant's violent behavior, and must acknowledge this fact;

(7) The need to avoid blaming a victim for the participant's abusive behavior;

(8) Techniques to be nonabusive and noncontrolling;

(9) Negative legal and social consequences for someone who commits domestic violence;

(10) Why it is necessary to meet financial and legal obligations to family members;

(11) Opportunities for a participant to develop a responsibility plan:

(a) The treatment program may assist the participant in developing the plan.

(b) In the plan, the participant must make a commitment to giving up power and control over the victim.

(12) Education regarding individual cultural and family dynamics of domestic violence; and

(13) Washington state laws and practices regarding domestic violence, as described in chapters 10.31, 10.99, and 26.50 RCW.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0245, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0255 What is the minimum treatment period for program participants? (1) The minimum treatment period is the time required for the participant to fulfill all conditions of treatment set by the treatment program. Satisfactory completion of treatment is not based solely on a perpetrator participating in the treatment program for a certain period of time or attending a certain number of sessions.

(2) The program must require participants to attend treatment and satisfy all treatment program requirements for at least twelve consecutive months.

(3) The program must require the participant to attend:

(a) A minimum of twenty-six consecutive weekly same gender group sessions, followed by:

(b) Monthly sessions with the treatment provider until the twelve-month period is complete. These sessions must be conducted face-to-face with the participant by program staff who meet the minimum qualifications set forth in this chapter.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0255, filed 3/30/01, effective 4/30/01.]

(3/30/01)

WAC 388-60-0265 What criteria must be satisfied for completion of treatment? (1) A treatment program must have written criteria for satisfactory completion of treatment.

(2) A program must require a participant to meet all of the following conditions in order for the program to state that the participant has completed treatment:

(a) Attend treatment sessions for the minimum treatment period;

(b) Attend all other sessions required by the program;

(c) Cooperate with all group rules and program requirements throughout the duration of treatment services;

(d) Stop the use of all violent acts or threats of violence;

(e) Stop using abusive and controlling behavior;

(f) Adhere to the participant's responsibility plan;

(g) Comply with court orders; and

(h) Comply with other conditions of the contract for treatment services, such as chemical dependency treatment.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0265, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0275 What must the treatment program do when a participant satisfactorily completes treatment? (1) A treatment program must notify the following people when a participant satisfactorily completes treatment:

(a) The court having jurisdiction, if the participant has been court-mandated to attend treatment; and

(b) The victim, if feasible.

(2) The program must document in writing its efforts to contact the victim.

(3) The program may specify only that the perpetrator has completed treatment based on adequate compliance with the participant's contract with the treatment program and any court order.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0275, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0285 Must a treatment program have policies regarding any reoffenses during treatment? A treatment program must establish and implement written policies that include consequences if a perpetrator reoffends during treatment or does not comply with program requirements.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0285, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0295 Does a program need guidelines for discharging participants who do not complete treatment? (1) A treatment program must have guidelines for discharging participants who do not satisfactorily complete the program.

(a) Discharge decisions must be uniform and predictable.

(b) Discrimination may not occur against any participant.

(2) A program may terminate a participant from treatment prior to completion of the program if the participant has not complied with the requirements set forth in the participant's contract with the program.

(3) If a program discharges a participant who does not complete treatment, the treatment program must document in writing that the participant has not complied with:

[Ch. 388-60 WAC p. 7]

(a) The participant's contract with the treatment program;

(b) A court order;

(c) A probation agreement; or

(d) Group rules.

(4) If a program chooses not to discharge a participant who has reoffended, committed other acts of violence or abuse, or has not complied with any of subsection (3)(a) through (d) of this section, the program must note the reoffense and/or noncompliance in the client's progress notes, reports to the court, and reports to the victim (if feasible).

(5) The program must state in the client's record the program's rationale for not terminating the participant, and state what corrective action was taken.

(6) A program may discharge a participant if the treatment program cannot provide adequate treatment services to the participant because of the treatment program's current development.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0295, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0305 Who must the program notify when the program discharges a participant because of failure to complete treatment? A treatment program must notify the following parties in writing when the program discharges a participant from the program because of failure to complete treatment:

(1) The court having jurisdiction, if the participant has been court-mandated to attend treatment;

(2) The participant's probation officer, if any;

(3) The victim of the participant, if feasible; and

(4) The program must notify the above parties within three days of terminating the client.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0305, filed 3/30/01, effective 4/30/01.]

TREATMENT STAFF QUALIFICATIONS

WAC 388-60-0315 What are the minimum qualifications for all direct treatment staff? (1) All staff with direct treatment contact with participants must be:

(a) Registered as counselors or certified as mental health professionals as required under chapter 18.19 RCW; and

(b) Free of criminal convictions involving moral turpitude.

(2) Each staff person providing direct treatment services to a participant must have a bachelor's degree.

(a) The department will review requests for an exception to this requirement on a case-by-case basis.

(b) In order to qualify for an exception, the employee must possess year-for-year professional level experience equivalent to a bachelor's degree. The department determines this equivalency at the discretion of the DSHS program manager responsible for monitoring domestic violence perpetrator treatment programs.

(3) Prior to providing any direct treatment services to program participants, each direct treatment staff person must have completed:

(a) A minimum of thirty hours of training about domestic violence from an established domestic violence victim program; and

(b) A minimum of thirty hours of training from an established domestic violence perpetrator treatment services program.

(i) If located within Washington state, the domestic violence perpetrator treatment program must be certified and meet the standards as outlined in this chapter.

(ii) If located out-of-state, the domestic violence perpetrator treatment program must meet the standards outlined in this chapter as well as chapter 26.50 RCW.

(4) All employees must complete all sixty hours of required training before the employee may begin to provide any direct services to group participants. Any work experience accrued prior to completion of the sixty hours of training will not count toward any requirement for work experience.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0315, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0325 Must a program notify the department when new direct treatment staff are added?

(1) At the time that the program adds new direct treatment staff, the program must submit documentation to DSHS which proves that the staff meets the minimum qualifications for all treatment staff stated in WAC 388-60-0315.

(2) Direct treatment staff may not provide services to perpetrators until the treatment staff's qualifications have been reviewed and approved by the DSHS program manager responsible for certification of domestic violence perpetrator treatment programs.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0325, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0335 Who is considered a trainee for domestic violence perpetrator treatment programs?

A trainee is a direct treatment staff person who has not accrued at least two hundred fifty hours of experience providing services to domestic violence perpetrators and domestic violence victims.

(1) At least one hundred twenty-five hours of this requirement must have been provision of supervised, direct treatment services to domestic violence perpetrators.

(2) The remainder of this requirement must have been provision of domestic violence victim advocacy services.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0335, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0345 May a trainee provide direct treatment services to participants?

(1) A trainee may serve as a co-facilitator of groups, but may not have sole responsibility for the group at any time.

(2) A trainee may not have sole responsibility for conducting an intake or assessment, or for terminating a participant from treatment.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0345, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0355 Do treatment programs need a supervisor? Each treatment program must have at least one person providing supervision to paid and volunteer direct treatment staff.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0355, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0365 Who may provide supervision of direct treatment staff in a domestic violence perpetrator treatment program? (1) In addition to possessing the basic qualifications required for all direct treatment staff, a program's supervisor must meet **all** of the following requirements:

(a) Have a minimum of three years of experience providing direct treatment services to perpetrators of domestic violence;

(b) Have a minimum of one year of experience providing victim advocacy services to domestic violence victims (this may be concurrent with (a) of this subsection);

(c) Have a minimum of one year of experience in facilitating domestic violence perpetrator treatment groups;

(d) Has completed at least five hundred hours of supervised direct treatment contact with both perpetrators and domestic violence victims:

(i) At least three hundred hours of this requirement must have been the provision of supervised, direct treatment services to domestic violence perpetrators.

(ii) The remainder of this requirement must have been the provision of domestic violence victim advocacy services.

(2) Each staff person providing supervision to direct treatment staff within a program must have a master's degree.

(a) The department's program manager [manager] will review requests for an exception to this requirement on a case-by-case basis.

(b) In order to qualify for an exception, the employee must possess year-for-year professional level experience equivalent to a master's degree. The department determines this equivalency at the discretion of the DSHS program manager responsible for monitoring domestic violence perpetrator treatment programs.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0365, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0375 Must a supervisor always be on the premises of the treatment program? A supervisor may be located either on or offsite unless direct treatment services are being provided only by employees who are considered trainees, as defined in these rules. If no other direct treatment staff besides the supervisor possesses at least two hundred fifty hours of experience providing direct treatment services to perpetrators, the supervisor must be present at all times that direct treatment services are being provided.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0375, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0385 Must the treatment program have staff supervision policies? A treatment program must develop and follow policies, procedures, and supervision schedules that provide adequate supervision for all treatment staff.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0385, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0395 What are the requirements for staff orientation? (1) A treatment program must have an ori-

(3/30/01)

entation for any new staff, whether the staff are paid or volunteer.

(2) The purpose of the orientation must be to provide the staff with the program's philosophy, organization, curriculum, policies, procedures, and goals.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0395, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0405 What are the continuing professional education requirements for all direct treatment program staff? (1) All staff having direct treatment contact with participants must complete a minimum of twenty hours of continuing professional education each year after the program is certified, or each year after the staff person is added to the staff list. No more than five of those hours may be obtained by attending "in-house" training.

(2) Each staff person's continuing professional education must include four or more hours of training per year on issues of sexism, racism, and homophobia and their relationship to domestic violence.

(3) Continuing education training may be in the fields of alcohol/drug abuse, mental health, or other issues but all training must be related to the treatment of domestic violence perpetrators.

(4) The treatment staff may obtain continuing professional education through classes, seminars, workshops, video or audiotapes, or other self-study programs when approved in writing by the program supervisor. No more than five hours of video, audiotapes, or self-study program may be used toward the requirement of twenty hours of continuing education requirement. This includes correspondence courses.

(5) The staff must document all continuing education hours on DSHS approved forms.

(a) The form must be accompanied by completion certificates, course/workshop outline, and supervisor signature.

(b) The program must submit the form and documentation to the department at the time the program applies for recertification.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0405, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0415 Is a treatment program required to cooperate with local domestic violence victim programs? A treatment program must establish and maintain cooperative relationships with domestic violence victim services programs located in their community.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0415, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0425 Does a treatment program need knowledge of the domestic violence laws and justice system practices? A treatment program must show evidence of an understanding of the laws pertaining to domestic violence and the operation of the justice system. At a minimum, a program must be familiar with:

(1) State laws regulating the response to domestic violence by the criminal justice system;

(2) Relief available to victims of domestic violence offered by:

- (a) Washington domestic violence law and civil protection orders;
 - (b) Criminal no-contact orders; and
 - (c) Civil restraining orders.
- (3) Local law enforcement, prosecution, and court and probation policies regarding domestic violence cases.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0425, filed 3/30/01, effective 4/30/01.]

CERTIFICATION PROCESS

WAC 388-60-0435 What is the process to apply for certification of a treatment program? (1) Any program wishing to provide treatment to perpetrators of domestic violence must request certification by completing an application available from the department. To request an application by mail, write to:

Domestic Violence Perpetrator Treatment Program
Department of Social and Health Services (DSHS)
Children's Administration
P.O. Box 45710
Olympia, Washington 98504-5710.

(2) The program must submit the application, application fee, and all documentation needed to prove that the program meets the requirements set forth in these standards.

(3) A program may not provide direct treatment services to domestic violence perpetrators without being certified by the department.

(4) If approved, the department grants certification for a two year period.

(5) The department considers each geographical location of a program an individual program, and must certify each program separately.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0435, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0445 What is the application fee for certification? (1) Application fee for either initial certification or recertification of a domestic violence perpetrator treatment program is one hundred dollars.

(2) The department publishes the application fee for certification of domestic violence perpetrator treatment programs in the application packet.

(3) If there is any change in the fee, the update will be done in July of each year.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0445, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0455 What documentation must a program submit before the department may certify the program? The program's director must submit the following documentation with the program's application:

(1) A written statement signed by the director that the program complies with the standards contained in this chapter;

(2) Results of current criminal history background checks conducted by the Washington state patrol for all current direct treatment program staff;

[Ch. 388-60 WAC p. 10]

(3) A statement for each current paid or volunteer staff person whether or not the staff person has ever been a party to any civil proceedings involving domestic violence;

(4) Proof that each direct treatment staff is registered as a counselor or certified as a mental health professional with the department of health;

(5) Evidence that the program maintains cooperative relationships with agencies providing services related to domestic violence.

(a) This evidence must include, at a minimum:

(i) Three items of evidence that they have established and continue to maintain cooperative relationships with local domestic violence victim programs and other local agencies involved with domestic violence intervention.

(ii) Documentation that they have established a referral process between their program and the local domestic violence victim services programs.

(iii) Proof that they participate in a local domestic violence task force, intervention committee or workgroup if one exists in their community.

(b) The program may also submit evidence of the following:

(i) Participation in public awareness activities sponsored by the local domestic violence victim services agency.

(ii) Service agreements between the local domestic violence victim services agency(ies) and the treatment program.

(iii) Letters of support for the program from other agencies or parties involved in domestic violence intervention.

(6) Evidence that the program maintains cooperative relationships with agencies involved in domestic violence intervention.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0455, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0465 What happens after a program turns in an application to the department? (1) The department will review a certification application within thirty days after the application is received to decide if the domestic violence perpetrator program meets the program standards in this chapter.

(2) The department must notify the applicant whether or not the program meets these standards.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0465, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0475 Will a certificate be issued if the treatment program meets the standards? If a program meets the standards in this chapter, the department will issue the program a certificate of compliance.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0475, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0485 What happens if a treatment program does not meet the standards? (1) If a program does not meet the standards for certification or recertification, the department will provide the program with:

(a) A copy of the standards;

(b) A written notice containing the reasons for the determination of noncompliance; and

(c) The program standards relied upon for making the decision.

(2) Treatment programs have the right to a hearing if the program is denied certification under this chapter (chapter 388-02 WAC).

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0485, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0495 What records must the department keep regarding certified domestic violence perpetrator programs? The department must maintain the following information:

- (1) A current record of all certified domestic violence perpetrator programs.
- (2) A current record of programs that:
 - (a) Are in the process of applying for certification;
 - (b) Have been denied certification;
 - (c) Have been notified that the department is revoking or suspending certification;
 - (d) Have had their certification revoked; and
 - (e) Are being investigated.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0495, filed 3/30/01, effective 4/30/01.]

RECERTIFICATION

WAC 388-60-0505 How often must a domestic violence perpetrator treatment program reapply for certification? Each program certified under this chapter must reapply for certification every two years.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0505, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0515 What must a program do to apply for recertification of their domestic violence perpetrator treatment program? In order to be recertified, a program must submit a completed application packet to the department at least forty-five days prior to the expiration date of the previous certification period.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0515, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0525 What must the application packet for renewal of the certification of a domestic violence perpetrator program include? The packet must include the following:

- (1) A completed application form signed by the program director;
- (2) Payment of the application fee;
- (3) A listing of all direct treatment staff;
- (4) A statement of qualifications for any staff added since the last certification period;
- (5) Current results of criminal history background checks conducted by the Washington state patrol, and a statement regarding any involvement in civil proceedings involving domestic violence for each employee providing direct treatment services;
- (6) An update of continuing professional education hours for each direct treatment staff;

(3/30/01)

(7) Evidence that the program maintains cooperative relationships with agencies providing services related to domestic violence.

(a) This evidence must include, at a minimum:

(i) Three items of evidence that they have established and continue to maintain cooperative relationships with local domestic violence victim programs and other local agencies involved with domestic violence intervention.

(ii) Documentation that they have established a referral process between their program and the local domestic violence victim services programs.

(iii) Proof that they participate in a local domestic violence task force, intervention committee or workgroup if one exists in their community.

(b) The program may also submit evidence of the following:

(i) Participation in public awareness activities sponsored by the local domestic violence victim services agency.

(ii) Service agreements between the local domestic violence victim services agency(ies) and the treatment program.

(iii) Letters of support for the program from other agencies or parties involved in domestic violence intervention.

(8) Evidence that the program maintains cooperative relationships with agencies involved in domestic violence intervention; and

(9) All documentation needed to prove that the program continues to meet the standards for certification.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0525, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0535 How does the department decide that a program should continue to be certified? The department will continue to certify a program, or will review its certification, if:

(1) The department determines, based on the completed application, that the program continues to meet the standards and qualifications as outlined in this chapter; and

(2) The department determines that any complaint investigations from the previous certification period have been satisfactorily resolved.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0535, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0545 Is there a formal process if a treatment program wishes to appeal a denial of certification or recertification? If the department denies certification or recertification, the domestic violence perpetrator treatment program has a right to an administrative hearing under chapter 388-08 WAC.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0545, filed 3/30/01, effective 4/30/01.]

ADVISORY COMMITTEE

WAC 388-60-0555 Does the department have an advisory committee for domestic violence perpetrator treatment? The department will establish and appoint a volunteer group to serve as the Washington domestic violence perpetrator treatment program standards advisory committee.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0555, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0565 What is the role of the advisory committee? The role of the advisory committee is to:

- (1) Advise the department regarding recommended changes to the program standards; and
- (2) Provide technical assistance on program standards, implementation, and certification and recertification criteria.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0565, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0575 Who are the advisory committee members and how are they chosen? The advisory committee must include the following members:

- (1) Four persons representing the perspective of victims of domestic violence. They will be chosen with input from the Washington State Coalition Against Domestic Violence (WSCADV);
- (2) Four persons representing the perspective of state-certified domestic violence perpetrator treatment programs. They will be chosen with input from the Washington Association of Domestic Violence Intervention Professionals (WADVIP);
- (3) Four persons representing the perspective of adult misdemeanant probation and Washington state courts of limited jurisdiction. They will be chosen with input from the Misdemeanant Corrections Association and the Washington State District and Municipal Court Judges Association;
- (4) One person representing the department of corrections; and
- (5) One person representing the office of the administrator for the courts.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0575, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0585 How long is the appointed term for an advisory committee member? Advisory committee members are appointed for two-year terms.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0585, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0595 May advisory committee members be replaced before their term expires? The department may replace committee members if the member misses two consecutive committee meetings.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0595, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0605 Are expenses for advisory committee members reimbursed? (1) If funds are available, the department will reimburse advisory committee members for travel and meal expenses related to service on the committee.

(2) Advisory committee members may not receive any other compensation for service on the committee.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0605, filed 3/30/01, effective 4/30/01.]

COMPLAINTS AND THE INVESTIGATION OF COMPLAINTS

WAC 388-60-0615 Does the department investigate complaints about domestic violence perpetrator treatment programs? DSHS investigates complaints regarding domestic violence perpetrator treatment programs.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0615, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0625 Who may request an investigation of a certified domestic violence perpetrator treatment program? Any person may submit a written complaint to DSHS if the person has the following concerns about a certified program:

- (1) The program has acted in a way that places victims at risk; or
- (2) The program has failed to follow standards in this chapter.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0625, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0635 Does the department notify a treatment program that the department has received a complaint? Once it receives a complaint about a certified program, the department will:

- (1) Determine that the complaint includes sufficient information to be deemed valid;
- (2) Notify the program within fourteen days of the complaint being determined valid that the department has received a complaint about the program; and
- (3) Notify the program that an investigation has been initiated.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0635, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0645 May DSHS begin an investigation of a treatment program without receiving a complaint? DSHS may begin an investigation of a domestic violence perpetrator treatment program without a written complaint if the department believes that the program:

- (1) Has placed victims at risk; or
- (2) Failed to follow the standards outlined in this chapter.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0645, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0655 What is included in an investigation? The investigation of a complaint against a domestic violence perpetrator treatment program may include:

- (1) Contact with:
 - (a) The person making the complaint;
 - (b) Other persons involved in the complaint; or
 - (c) The treatment program.
- (2) A request for written documentation of evidence; and/or
- (3) An on-site visit to the program to interview program staff.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0655, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0665 Is there a time limit for the department to complete its investigation of a complaint? The department must complete its investigation within forty-five days of beginning the investigation, unless circumstances warrant a longer period of time.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0665, filed 3/30/01, effective 4/30/01.]

RESULTS OF INVESTIGATIONS

WAC 388-60-0675 Does the department put the results of the investigation in writing? (1) The department will prepare written results of the complaint investigation.

(2) If the department decides that the treatment program behaved in a way that placed victims at risk or failed to meet the standards outlined in this chapter, the written results must include a decision regarding the status of the program's certification.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0675, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0685 What action may the department take regarding a program's certification if a complaint is founded? If the department determines that a complaint against a domestic violence perpetrator treatment program is founded, the department may:

- (1) Revoke the treatment program's certification;
- (2) Suspend the treatment program's certification; or
- (3) Send a written warning to the treatment program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0685, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0695 Does DSHS notify a treatment program of its decision to take corrective action? DSHS must send the written results of its investigation to the program by certified mail, return receipt requested, within twenty days after completing the investigation.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0695, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0705 What information must the department give a program if it takes action that affects the program's certification status? (1) If DSHS revokes a program's certification, the department must provide the program with:

- (a) The specific reasons for the revocation;
- (b) The WAC standards the revocation is based on; and
- (c) The effective date of the revocation.

(2) If DSHS suspends a treatment program's certification, DSHS must provide the treatment program with:

- (a) The specific reasons for the corrective action;
- (b) The WAC standards that the suspension is based on;
- (c) The effective date of the suspension;
- (d) Any remedial steps which the program must complete to the satisfaction of the department before the department will reinstate the program's certification and lift the suspension; and

- (e) The deadline for completion of any remedial steps.
- (3) If DSHS issues a written warning to a program, DSHS must provide the treatment program with:

- (a) The specific reasons for the written warning;
- (b) The WAC standards that the written warning is based on; and
- (c) Any remedial steps which the program must complete to the satisfaction of the department.

(3/30/01)

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0705, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0715 What happens if a treatment program refuses to remedy the problems outlined in the complaint findings? If the treatment program refuses or fails to remedy the problems outlined in the written warning, DSHS may revoke or suspend the certification of the program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0715, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0725 What if the director of a domestic violence perpetrator treatment program disagrees with the corrective action decision? (1) When DSHS revokes or suspends a program's certification, issues a written warning, or imposes corrective action, the department will notify the program director in writing of the program's right to request a hearing.

(2) The program director may request an administrative hearing from the office of administrative hearings pursuant to chapter 388-02 WAC.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0725, filed 3/30/01, effective 4/30/01.]

NOTIFICATION OF RESULTS OF AN INVESTIGATION

WAC 388-60-0735 Does the department notify the person that made the complaint of the results of the investigation? DSHS will mail a copy of the written results of the investigation to the person who made the complaint against the domestic violence perpetrator treatment program.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0735, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0745 What must the treatment program do after notification that its certification has been suspended or revoked? If DSHS revokes or suspends a program's certification, the program must:

(1) Take immediate steps to notify and refer current clients to other certified domestic violence perpetrator treatment programs;

Note: This must be done prior to the effective date of revocation or suspension.

(2) Cease accepting perpetrators of domestic violence into its treatment program;

(3) Notify victims, current partners of the participants, and any relevant agencies about the client referral; and

(4) Notify, in writing, the presiding judge and chief probation officer of each judicial district from which the treatment program receives court referrals.

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0745, filed 3/30/01, effective 4/30/01.]

WAC 388-60-0755 What happens if the program has other licenses or certificates? If a program also holds a license or certification from the state of Washington for other treatment modalities, DSHS may notify the appropriate licensing or certifying authority that the program's certification has been suspended or revoked.

[Ch. 388-60 WAC p. 13]

[Statutory Authority: RCW 26.50.150. WSR 01-08-046, § 388-60-0755, filed 3/30/01, effective 4/30/01.]