

**WAC 139-07-030 Psychological examination.** (1) The psychological examination shall be administered by a qualified professional who is a psychiatrist licensed in the state of Washington pursuant to chapter 18.71 RCW or a psychologist licensed in the state of Washington pursuant to chapter 18.83 RCW.

(a) The examiner shall be trained and experienced in psychological testing, test interpretation, psychological examination techniques, and the administration of psychological examinations specific to law enforcement or corrections agencies;

(b) Agencies should confirm with the Washington state department of health that the examiner is in good standing;

(c) If the examiner has less than one year experience in psychological examination for public safety, then they shall be supervised by an examiner with at least two years' experience in psychological examination for public safety;

(d) The examiner shall be trained and knowledgeable in issues regarding discrimination, implicit and explicit bias, and police-community relations;

(e) The examiner shall be trained and knowledgeable in issues of posttraumatic stress and traumatic brain injury;

(f) The examination shall be based upon attributes considered most important for effective performance as an officer; such attributes may be identified from a job analysis and data provided by the hiring agency. Attributes should include self and emotional regulation, decision making and judgment, conflict management, stress tolerance, dominance vs. passivity, and other interpersonal and psychological characteristics that allow for insight to an individual's potential to adequately perform the essential duties of an officer and to determine what, if any, risk factors exist in the applicant's profile based on objective examination results; and

(g) The examination report, including all examination materials and documentation used to complete the examination report, shall be maintained in a manner consistent with applicable confidentiality, records retention, and public disclosure laws and rules.

(2) Psychological examination reports older than six months shall be considered invalid for the purpose of RCW 43.101.080(15) and 43.101.095(2).

(3) The examiner shall determine the psychological suitability of the applicant by an examination of whether they are free from job-relevant mental and emotional impairments including, but not limited to, psychopathology, personality disorders, and inappropriate behavior patterns.

(4) The sole purpose of the psychological examination under this chapter is compliance with RCW 43.101.080(15) and 43.101.095(2) and shall not be used for any other purpose.

(5) It is the responsibility of the hiring agency to receive and review the results of the psychological exam. The commission does not routinely review these exams but may do so pursuant to RCW 43.101.400.

(6) Prior to the examination, the applicant must consent in writing to the conditions of the evaluation. The informed consent should clearly state the hiring agency is the client so that the applicant knows that the entire examination would be shared with the agency.

(7) The examination shall include the following:

(a) A minimum of three written psychological tests that are objective, job-related, psychological instruments validated for use in evaluating law enforcement or correctional officers;

(i) For the purpose of this section, a validated test is defined as a test that has a substantial research base for interpretation with normal range populations in general and public safety applications in particular;

(ii) Validated tests used must be the most current versions and be consistent with current, objective, and relevant norms; and

(iii) It is the examiner's responsibility to determine what tests can and will be used to make a valid and reliable determination of applicant suitability based on available instruments that include current, objective, and relevant norms to the position in question;

(b) At least one comprehensive, face-to-face, clinical interview with the applicant conducted after a complete review of the psychological test results; if a complete review of the psychological test results is not completed prior to the interview, then a second interview shall be conducted;

(c) An interpretation of the psychological test results by the examiner;

(d) An opinion on psychological suitability by the examiner; and

(e) A list and summary of the information relied upon for the examination.

(8) Findings of the psychological examination shall be shared by the examiner with the hiring agency verbally with an opportunity to ask questions, as well as reported in writing.

(9) The examiner shall provide an opinion regarding the likelihood that an applicant can safely and effectively perform the essential functions of the position. Any risk factors should also be indicated as well. Areas of essential function to evaluate include, but are not limited to:

(a) Adaptability and flexibility;

(b) Avoidance or risk-tasking behaviors;

(c) Conscientiousness and dependability;

(d) Decision making and judgment;

(e) Emotional regulation and stress tolerance;

(f) Impulse control and attention to safety;

(g) Integrity and ethics;

(h) Social competence; and

(i) Teamwork.

(10) The written report shall include the following:

(a) The date of completion and a signature of the examiner;

(b) Name and date of birth of applicant, position applied for, and agency which made the conditional offer of employment;

(c) A list and summary of the information relied upon for the examination;

(d) All the components of the examination, as defined in this chapter;

(e) Factors which could affect the reliability and validity of the examination; and

(f) An opinion of the psychological suitability of the applicant to be an officer for the hiring agency.

(11) An applicant may be offered employment by more than one agency that is conditional on the results of a psychological examination.

(12) The applicant may be required to pay all or a portion of the cost of the examination under RCW 43.101.080(15) and 43.101.095(2).

(13) One psychological examination may be shared with more than one agency under the following circumstances:

(a) The agency which initiated the psychological examination and the examiner agreed to share the psychological examination report and recommendations with another agency;

(b) The applicant signed a release permitting another agency to have the psychological examination report;

(c) The psychological examination was completed within six months of the request; and

(d) The job analyses of both agencies are substantially similar.

[Statutory Authority: RCW 43.101.080 and 43.101.801. WSR 22-13-075, § 139-07-030, filed 6/9/22, effective 7/10/22. Statutory Authority: RCW 43.101.080. WSR 13-02-060, § 139-07-030, filed 12/27/12, effective 1/27/13; WSR 10-07-037, § 139-07-030, filed 3/10/10, effective 4/10/10.]