

WSR 21-04-081

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Psychology)

[Filed January 29, 2021, 4:09 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-17-082.

Title of Rule and Other Identifying Information: WAC 246-924-110 and 246-924-255, the examining board of psychology (board) is proposing amending WAC 246-924-255 and repealing WAC 246-924-110 to align the rules with statutory changes made by ESHB 2411 (chapter 229, Laws of 2020) requiring advanced suicide training and ESHB 1551 (chapter 76, Laws of 2020) repealing AIDS education and training.

Hearing Location(s): On March 11, 2021, at 12:00 p.m.

In response to the coronavirus disease 2019 (COVID-19), the board of psychology will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead. Microsoft Teams meeting mobile app [Date of Intended Adoption: March 11, 2021.](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MGUyMjBiZTYtMjlkMC00ZmJjLTk4NDUtMDQ1YTI5MGUyY2Zm%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%220id%22%3a%22eac245ae-6a20-47bd-a56d-a85560e605f8%22%7d; or call in (audio only) +1 253-372-2181,,837257343# United States, Tacoma, phone conference ID 837 257 343#.</p></div><div data-bbox=)

Submit Written Comments to: Stacey Saunders, Office of Health Professions, P.O. Box 47850, Olympia, WA 98504-7850, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, stacey.saunders@doh.wa.gov, by March 4, 2021.

Assistance for Persons with Disabilities: Contact Stacey Saunders, phone 360-236-2813, fax 360-236-2901, TTY 711, email stacey.saunders@doh.wa.gov, by March 4, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The board has existing rules that regulate practitioners licensed as psychologists, ESHB 2411 requires a new six-hour advanced training focused on suicide prevention for several mental health professions, including psychologists. ESHB 1551 repealed statutory authority requiring AIDS training requirements for practitioners. The board is proposing rule amendments to align chapter 246-924 WAC with these statutory changes.

To align chapter 246-924 WAC with ESHB 2411, the board is proposing amending WAC 246-924-255 to include statutory requirements for an additional advanced suicide prevention training. Proposed amendments will: Clarify that a licensed psychologist must take a six-hour suicide prevention training every six years; add that the requirement for a second training will begin July 1, 2021; add that qualifying trainings will be included on the department of health's model list; add that qualifying trainings must focus on either suicide management, care, and treatment or a treatment modality shown to be effective in working with people who are suicidal; clarify that if a psychologist has already completed their second training prior to July 1, 2021, the psychologist's next training must comply with the new statutory requirements; add that the requirement to complete the new, second training will not apply if the psychologist demonstrates that a quali-

fyng training is not reasonably available; and incorporating gender-neutral language.

To support ESHB 1551, the board is proposing repealing WAC 246-924-110, to remove AIDS training requirements from chapter 246-924 WAC.

Reasons Supporting Proposal: The primary intent of ESHB 2411 is to reduce suicide rates among Washingtonians by equipping health professionals and mental health professionals with advanced, evidence-based training on suicide management, treatment, and prevention. The board's proposed rules support the intent of the ESHB 2411 by incorporating new statutory requirements for new trainings into WAC 246-924-255.

The intent of ESHB 1551 is to modernize laws on certain communicable diseases to reflect current science and reduce HIV-related stigma. The board's proposed repeal of WAC 246-924-110 supports this intent by repealing requirements for AIDS education and training, consistent with statutory repeals made by the bill.

Statutory Authority for Adoption: RCW 18.83.050.

Statute Being Implemented: ESHB 2411 (chapter 229, Laws of 2020) and ESHB 1551 (chapter 76, Laws of 2020).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Examining board of psychology, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Stacey Saunders, 111 Israel Road S.E., Tumwater, WA 98504, 360-236-2813.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The agency did not complete a cost-benefit analysis under RCW 34.05.328. RCW 34.05.328 (5)(b)(v) exempts rules the content of which is explicitly and specifically dictated by statute.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

January 29, 2021
Rachaud Smith, PsyD, Chair
Examining Board of Psychology

OTS-2711.2

AMENDATORY SECTION (Amending WSR 17-06-056, filed 2/28/17, effective 3/31/17)

WAC 246-924-255 Suicide intervention training standards. (1) Each licensed psychologist must, at least once every six years, complete training in suicide assessment, treatment, and management.

(2) An approved training in suicide assessment, treatment, and management must:

(a) Cover training in suicide assessment, including screening and referral, suicide treatment, and suicide management;

(b) Be provided by a single provider and must be at least six hours in length, which may be provided in one or more sessions; and

(c) Be on the department's model list developed in accordance with RCW 43.70.442. Nothing in this section invalidates trainings completed according to this chapter before July 1, 2017.

~~((2))~~ (3) A licensed psychologist who is a state or local government employee is exempt from the requirements of subsection (2) of this section if ~~((he or she))~~ the psychologist receives a total of at least six hours of training in suicide assessment, treatment, and management from ~~((his or her))~~ their employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

~~((3))~~ (4) A licensed psychologist who is an employee of a community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 70.96A RCW is exempt from the requirements of subsection (2) of this section if ~~((he or she))~~ the psychologist receives a total of at least six hours of training in suicide assessment, treatment, and management from ~~((his or her))~~ an employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

~~((4))~~ (5) A licensed psychologist who obtained training under subsection ~~((2))~~ (3) or ~~((3))~~ (4) of this section may obtain continuing education credit for that training subject to documentation as defined in WAC 246-924-300.

(6) Beginning July 1, 2021, a licensed psychologist's second training must be a qualifying advanced training or training in treatment modalities shown to be effective in working with people who are suicidal, developed under RCW 43.70.442 and listed on the department's model list.

(7) If a licensed psychologist has already completed the psychologist's second training prior to July 1, 2021, the psychologist's next training must comply with subsection (6) of this section.

(8) The requirements listed in subsection (6) of this section do not apply if the licensee demonstrates that the training required is not reasonably available.

[Statutory Authority: RCW 18.83.090 and 43.70.442. WSR 17-06-056, § 246-924-255, filed 2/28/17, effective 3/31/17. Statutory Authority: RCW 43.70.442(7), 18.83.090, 2012 c 181, and 2013 c 78. WSR 14-01-071, § 246-924-255, filed 12/16/13, effective 1/1/14.]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-924-110 AIDS education and training.