

WSR 24-10-010
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed April 18, 2024, 12:42 p.m.]

Subject of Possible Rule Making: Supervisor directory, supervision standards, and stipend program for mental health counselors, marriage and family therapists, and social workers.

The department of health (department) is considering amending, repealing, or creating new sections in chapter 246-809 WAC to implement recent legislation by establishing: (1) A directory to help mental health counselor, marriage and family therapist, and social worker associates find supervisors; (2) standards for supervision of associates; (3) a stipend program to offset some costs of supervision; and (4) other changes as appropriate.

This rule making will continue work begun under WSR 24-02-038, on December 27, 2023, and discussions with interested parties held since adoption of emergency rules filed under WSR 23-20-055, on September 28, 2023, and later extended under WSR 24-04-011, on January 26, 2024. These emergency rules will be continued until the permanent rule-making process is finished. Because the stipend program was substantially amended by recent legislation, the department is filing a new CR-101 to replace WSR 24-02-038 and give all interested parties adequate notice of the change.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.225.040, 18.225.180; and 2SHB 1724 (chapter 425, Laws of 2023); E2SHB 2247 (chapter 371, Laws of 2024).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2023 legislative session, the legislature passed 2SHB 1724 (chapter 425, Laws of 2023) to increase the behavioral health workforce by reducing barriers to licensure. Among other things, this bill required the department to establish a program to facilitate associate providers finding qualified supervisors, minimum supervision standards, and a stipend program to offset some costs of supervision. During the 2024 session, the legislature passed E2SHB 2247 (chapter 371, Laws of 2024) to continue the work started by 2SHB 1724, including making significant amendments to the stipend program.

Section 7 of 2SHB 1724, codified as RCW 18.225.180, requires the department to adopt rules establishing minimum qualifications for supervisors, minimum standards for supervision, and a stipend program. Section 16 of E2SHB 2247, which amends the stipend program established by 2SHB 1724, also requires rule making. Rule making is necessary to implement the bills and set new, enforceable standards. Additionally, establishing these programs through rule making will allow the department to consistently support professional standards and protect patient safety.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brandon Williams, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-913-4643, TTY 711, email brandon.williams@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts.

The department will use the licensed counselor GovDelivery list to inform interested parties of opportunities to provide input on proposed rule language.

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April 18, 2024
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