

Report to the Legislature

Second Substitute House Bill 1724 Final Report

November 2024

RCW 43.70.903



Prepared by
Office of Health Professions
Health Systems & Quality
Assurance



To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email doh.information@doh.wa.gov.

Publication Number

600-111

For more information or additional copies of this report:

Health Systems & Quality Assurance (HSQA) Division

Office of Health Professions

111 Israel Rd SE

Tumwater, WA 98501

Report Authors

Brandon Williams

360-913-4643

Brandon.Williams@doh.wa.gov

Cori Tarzwell

360-742-1465

Cori.Tarzwell@doh.wa.gov

Umair Shah, MD, MPH

Secretary of Health

Contents

- Executive Summary.....1
- 2023 Initial Recommendations.....3
- Community Engagement & Research6
 - Association of Social Work Boards (ASWB) Exam Workgroup 6
 - Listening and Feedback Sessions 6
 - 2023 Community Engagement 7
 - 2024 Community Engagement 7
 - State Research 8
- Final Recommendations.....9
 - Recommendations for Statute Change..... 9
 - ASWB Exam Workgroup Recommendations 9
 - Recommendations for Rule Change 9
 - Recommendations for Resources 10
- Improvements and Next Steps.....10
 - Credentialing Process Improvement 10
 - Next Steps 10

Executive Summary

[Second Substitute House Bill \(2SHB\) 1724](#) (Section 5) directed the Department of Health (department), in consultation with the Workforce Training & Education Coordinating Board (Workforce Board) and the Examining Board of Psychology (EBOP), to review licensure requirements for specified behavioral health professions and make recommendations for changes to statutes and rules that work to:

- Remove barriers to entering or remaining in the workforce,
- Streamline and shorten the credentialing process, and
- Improve equity in behavioral health credentialing.

The law specifies the following professions for review:

- Licensed Advanced Social Workers and Licensed Independent Clinical Social Workers,
- Licensed Marriage and Family Therapists,
- Licensed Mental Health Counselors,
- Substance Use Disorder Professionals, and
- Psychologists.

In November 2023, the department provided the legislature with a progress report and initial recommendation for legislative and rule changes intended to reduce licensure barriers, improve credentialing timelines, and improve equity in licensing. All rule recommendations are progressing through the rulemaking process and will be finalized by permanent rulemaking by July 1, 2025, as required by 2SHB 1724. The legislative recommendations were adopted in [Engrossed Second Substitute House Bill \(E2SHB\) 2247 \(2024\)](#) and [Substitute House Bill \(SHB\) 1939 \(2024\)](#). These changes are also on track for on-time implementation.

This report provides updates on the ongoing implementation and recommends additional changes to statute and rule which would reduce barriers but were not included in the 2023 progress report. This report also outlines concurrent efforts in the department to improve and streamline internal processes and procedures to reduce timelines and improve customer satisfaction.

In 2023, the department performed a credentialing pilot project with the psychology program. This project combined program and credentialing staff into a single team under single leadership. Together, the team identified causes of delays, created and tested new approaches, and developed a robust performance metric reporting system. The average number of days between application submission and psychology license issuance dropped from 543 in the three-month period just before the pilot to 87 in the period after it started.

Due to the success of the pilot program, the department has expanded this model to all professions and is working to eliminate backlogs and reduce processing times. In spring 2022, the department also hired an outside contractor to perform an independent review of

credentialing processes and make recommendations for changes to improve credentialing timelines. The contractor, First Rule Group, produced a report for the department with recommendations for improvements and efficiencies. The department is now working with the Governor's Results Washington team to plan next steps and Results Washington will provide oversight, consultation, and technical assistance as the department continues its credentialing process improvement efforts.

Some improvements to credentialing processes will require changes to the information technology systems used to perform the work. The department is also in the process of rolling out a new licensing system to replace several outdated systems. The new Healthcare Enforcement and Licensing System (HELMS) will provide more robust licensing capabilities, better visibility for applicants and licensees, and an easier application submission process.

2023 Initial Recommendations

In 2023, the department convened interested parties and developed initial recommendations in consultation with the Workforce Board and EBOP. Based on public feedback and department research, the department recommended the following statutory and rule changes to reduce barriers to getting or maintaining a behavioral health credential in Washington. All of the department’s preliminary recommendations for statute change were adopted as part of [E2SHB 2247](#) in the 2024 legislative session, except for the recommendation to adopt the Social Work Interstate Licensure Compact which was adopted as a separate bill ([SHB 1939](#)). The tables below summarize the department’s progress towards implementation.

Statutory Changes	
<i>Recommendation</i>	<i>Status</i>
Establish an associate-level credential for psychology.	Rulemaking in progress and on track. EBOP hosting draft rulemaking workshops.
Remove limitations on the number of renewals authorized for associate and trainee level credentials for marriage and family therapists, mental health counselors, social workers, and substance use disorder professionals.	Work completed. As of June 30, 2024, the department no longer limits the number of renewals associates and trainees can apply for.
Remove limitations on marriage and family therapist associate supervision requiring the supervisor to have more than 5 years’ experience.	Rulemaking in progress and on track.
Allow applicants for associate licenses to practice under direct supervision while their application is pending for marriage and family therapists, mental health counselors, and social workers.	Rulemaking in progress and on track.
Adopt the Social Work Interstate Licensing Compact.	The requisite number of states have adopted the compact for it to come into effect. The department stands ready to implement but must wait for the compact to establish its data system, form committees, and establish the compact rules. The compact estimates it will take 12-24 months to complete this process. Then the department may complete any Washington-specific rules, including fees, and begin issuing compact licenses. Based on

	compact timelines, the department anticipates beginning to issue compact licenses in late 2026 or early 2027.
Modify requirements for psychology licensure without exam to create different standards for different lengths of practice, accounting for years of experience in out-of-state licensure.	Rulemaking in progress and on track.
Remove restrictions on substance use disorder professional trainees that limit them to practicing in a behavioral health agency licensed to provide substance use disorder services.	Work completed through passage of E2SHB 2247.
Allow agency affiliate counselors to practice in Federally Qualified Health Centers	E2SHB 2247 has a delayed effective date for this change. Rulemaking is in progress, but this change will not be effective until January 1, 2028.
Remove continuing education requirements in statute, except for health equity and suicide prevention, and allow continuing education requirements to be maintained in WAC for marriage and family therapists, mental health counselors, and social workers.	Change completed through passage of E2SHB 2247. Updates on the rulemaking progress are below in the rule changes table.
Rule Changes¹	
<i>Recommendation</i>	<i>Status</i>
Reduce continuing education requirements and remove in-person attendance requirements for all behavioral health professions except psychology.	Permanent rulemaking in progress and on track. This rule does not apply to psychology.
Amend rules for marriage and family therapists to align the definition of “equally qualified licensed mental health practitioner” with other similarly qualified professionals.	Permanent rulemaking in progress and on track.

¹ All rules changes were completed through emergency rulemaking as per statute by July 1, 2024.

Allow professional experience to substitute for practicum requirements for marriage and family therapists and mental health counselors.	Permanent rulemaking in progress and on track.
Lower requirements for licensure by endorsement to one year of licensure in a substantially equivalent state for marriage and family therapists, mental health counselors, social workers, and substance use disorder professionals.	Permanent rulemaking is in progress and on track. This rule does not apply to psychology.
Remove requirement that supervisors be on-site, allowing for more remote supervision for substance use disorder professionals	Permanent rulemaking in progress and on track.
Modify coursework review requirements for substance use disorder professional applicants so a detailed review is only required if the applicant did not complete a substance use disorder counseling program with a degree.	Permanent rulemaking in progress and on track.
Eliminate the seven-year cap on supervised experience hours earned for substance use disorder professionals	Permanent rulemaking in progress and on track.
Reduce the years of practice requirement to become an approved supervisor for substance use disorder professionals to one year.	Permanent rulemaking in progress and on track.
Increase the number of courses that can be completed outside the doctoral program for psychologists.	Permanent rulemaking in progress and on track.
Reduce the number of residency hours required for psychologists.	Permanent rulemaking in progress and on track.
Create an easier pathway to licensure for applicants coming from non-American Psychological Association accredited academic programs.	Permanent rulemaking in progress and on track.

Community Engagement & Research

To better understand the barriers and needs of licensees and the community, the department established a process for this work involving listening sessions, research, workgroups, and feedback sessions. Since 2SHB 1724 passed in May of 2023, the department has held eight listening sessions, performed independent research, collaborated with the University of Washington to analyze regulations in other states and international jurisdictions, convened multiple workgroups, and hosted four feedback sessions.

Association of Social Work Boards (ASWB) Exam Workgroup

In addition to the work with the Workforce Board and EBOP, the department also convened a work group to address a specific issue raised by licensees during the 2023 listening sessions on 2SHB 1724.

One of the comments the department received most often was regarding bias in the ASWB exam, which is currently required for all social workers to become licensed in Washington. In 2022, the ASWB released [exam pass rate data stratified by demographics](#) for the first time. It showed significant disparities in pass rates along racial, ethnic, age, and language demographics. Public comments indicated that continuing to require this exam was exacerbating inequities in the behavioral health work force and creating barriers to licensure. The department researched the issue, including what other states, jurisdictions, and professions were considering or doing in response to ASWB exam bias, and worked with interested parties to develop recommendations for reducing the impact of exam bias while continuing to ensure patient safety.

This workgroup included department staff, equity consultants, the National Association of Social Workers – WA Chapter, the National Association of Black Social Workers – WA Chapter, University of Washington School of Social Work, Workforce Training and Education Board, Department of Children Youth and Families,² and social workers. The work group produced two recommendations for addressing bias in the ASWB exam, which are detailed below in the final recommendations for statute change.

Listening and Feedback Sessions

The department held four community listening sessions on 2SHB 1724 in June of 2023, and four additional sessions in April and May of 2024 to learn about the barriers to licensure and determine which barriers need immediate action.

² The Department of Children, Youth, and Families is working on launching a clinical licensure program to help prospective social workers who work for DCYF achieve full licensure.

2023 Community Engagement

The department held four community listening sessions in June 2023 to learn about the barriers to becoming licensed or maintaining a license and determine which barriers needed action most urgently. There were over 400 license holders, employers, community organizations, and others who attended the listening sessions or provided written comments. Department staff analyzed the comments, identified themes, and researched potential solutions. Staff reviewed laws in other states and jurisdictions, reviewed scientific studies and aggregate literature reviews, consulted with regulators in other jurisdictions, and performed equity reviews to arrive at the recommendations in this report.

The department discussed the potential solutions with the Workforce Board and EBOP to determine the best path forward for addressing each barrier. Once the department, in consultation with the Workforce Board and EBOP, drafted recommendations, it shared them with interested parties. The department then held two feedback sessions in late August to gather feedback on the proposed recommendations. The department also invited written feedback and shared a survey to gather data on each recommendation. The department received nearly 400 responses in feedback through these opportunities. In general, the responses were supportive of the recommendations and respondents said they believed the recommendations would improve behavioral health licensing in Washington.

2024 Community Engagement

The department repeated this process in 2024, holding four additional community listening sessions on 2SHB 1724 in April and May of 2024. Over 150 license holders, employers, community organizations, and others attended the listening sessions and provided written comments. The department also invited written feedback and shared a survey to gather responses on each recommendation. Department staff again analyzed the comments, identified themes, and researched potential solutions. Additionally, staff reviewed laws in other states and jurisdictions, reviewed scientific studies and aggregate literature reviews, consulted with regulators in other jurisdictions, and performed equity reviews to arrive at the recommendations in this report.

Once the department, in consultation with the Workforce Board and EBOP, drafted recommendations, they were shared with interested parties. The department then held two additional feedback sessions in late August 2024. In total, the department received over 350 responses. The reactions consist of feedback from behavioral health professionals, employers, educators, the public, and professional associations. After analyzing the feedback provided, the department recommends moving forward with a few additional statute and rule changes, as well as two resource requests that support improved licensing, which are outlined below in the recommendations section.

State Research

In addition to community engagement work to identify barriers and potential solutions, the department also reviewed regulations in other states and international jurisdictions. Staff worked to identify:

- areas where Washington regulations far exceeded regulations required in other states,
- innovative practices in other jurisdictions, and
- policies or practices used in other jurisdictions to improve equity in licensing.

Teams of program experts reviewed laws in other states and compared them to Washington laws, identifying potential solutions to the barriers expressed by licensees and community members. The department also worked with Masters in Public Policy (MPP) students at the University of Washington (UW) to expand the states and jurisdictions for review. Staff then compiled the findings of both efforts and discussed each item with the Workforce Board and EBOP to develop recommendations. Reviewed state included: Arizona, California, Colorado, Idaho, Massachusetts, Minnesota, Oregon, South Carolina, and Texas. These states were reviewed based on proximity to Washington, relative comparability to Washington, or due to recommendations from licensees and community engagement indicating the state had innovative practices to consider.

In general, Washington's regulations were similar to other states, with the exception of psychology. Compared to similar states, regulations to become a licensed psychologist are more stringent in Washington. EBOP is working on several rules projects and other process improvements to make Washington regulations less burdensome and more competitive with other states.

However, one key area where other states outpaced Washington regulation was relating to licensing fees. Department research found, and comments received during community engagement work showed that other states can keep licensing fees significantly lower. Most states accomplished this via subsidies from the state general fund. The department was not able to identify a regulatory change to address this concern for the specified professions, as state law broadly requires all costs of overseeing a profession to be borne exclusively by the members of that profession.

The department also performed additional state research specific to the ASWB exam and the workgroup to develop exam alternatives. Staff reviewed alternatives to the ASWB exam in: California, Illinois, Michigan, Minnesota, Rhode Island, Texas, Utah, Canada, Mexico, Ireland, Australia, United Kingdom, Sweden, Finland, Norway, and Japan. Staff also reviewed several other international jurisdictions but found that in many international jurisdictions, social work is an unregulated profession so those are not included in this report. The department also reviewed work done by the Washington and Oregon Bar Associations, which license legal professionals. The legal profession has also been recently grappling with exam bias and has proposed several innovative solutions that the work group considered.

Final Recommendations

Recommendations for Statute Change

In consultation with the Workforce Board and EBOP, the department recommends the following changes to statute:

- Allow those approved to participate in an apprenticeship program approved by Department of Labor and Industries (LNI) to practice while their Substance Use Disorder Professional Trainee (SUDPT) credential is in pending status.
- Reduce the number of required qualified supervision hours for Licensed Marriage and Family Therapist Associates (LMFTAs) from 200 to 100 hours to align with other similar professions and amend the supervisory language from “qualified supervision” to “direct supervision.”

ASWB Exam Workgroup Recommendations

- For the Licensed Advanced Social Work (LASW) credential, the workgroup recommends modifying the requirements in RCW 18.225.090 to remove the exam as a licensure requirement.
- For the Licensed Independent Clinical Social Work (LICSW) credential, the workgroup recommends modifying the requirements in RCW 18.225.090 to allow for an alternate pathway to licensure instead of the exam.

The department recommends this be accomplished through enhanced supervision and with details developed through the rulemaking process with significant public engagement. Ideally, the clinical supervisor would attest to the applicant’s ability to practice safely, and the enhanced supervision requirement would be met within the 3,000 hours of supervised experience. Enhanced supervision and supervisor attestation would replace the exam only. Applicants would still be required to complete the education, training, and supervised experience requirements. The workgroup recommends maintaining the ASWB exam pathway as an option so Washington licensees can continue to access compacts and reciprocity.

Recommendations for Rule Change

The department, in consultation with the Workforce Board and EBOP, recommends the following proposed changes to rules:

- For social workers, modify the definition of supervision to allow dyadic supervision to count towards one-on-one supervision requirements.

- For licensed independent clinical social worker (LICSW) associates, remove the requirement that only an LICSW may supervise 1,000 hours of direct client contact. Allow any equally qualified mental health practitioners to provide this supervision.

Recommendations for Resources

In the listening sessions, the department received feedback on the need for clarity on rules and regulations. Participants requested the department provide resources to update licensees as the regulations change often. The EBOP shared that they provide free training to their licensees for continuing education (CE) credit on Washington state laws and rules, and ethical practice. The department believes providing such training for the other specified professions would help but there are no existing funds to create and maintain these trainings. The department would need funding to develop and maintain such trainings for social workers, marriage and family therapists, mental health counselors, and substance use disorder professionals.

Improvements and Next Steps

Credentialing Process Improvement

In conjunction with the efforts described above, the department has also overhauled the profession credentialing process and engaged in multiple efforts to streamline the licensing process, decrease timelines, and improve customer satisfaction. Credentialing teams are presented with a scorecard weekly. Scorecards update each profession on all pending applications, new applications, and applications ready for final review. The scorecard also includes metrics and trends showing the team's performance.

Additional data tools are being used to predict timeframes and individual metrics to support staff success. The department continues to strive for progress by improving online and written materials. The department is developing enhanced credentialing orientations and ongoing trainings for credentialing staff. For the first time in many years, the department can demonstrate that profession credentialing is outputting an equal number of credentials to the number of applications received in 2024. These efforts have resulted in reduced backlogs and improved processing times. The department will continue to strive for internal improvements and efficiencies that will improve the licensing process and decrease timelines.

Next Steps

Department staff have started permanent rulemaking, which will be completed on or before July 1, 2025, for the rule change recommendations. Legislative action is necessary for statutory and funding changes.

