

By Representative Green

SSB 6456 - H COMM AMD
By Committee on Health Care & Wellness

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 18.19.020 and 2001 c 251 s 18 are each amended to
4 read as follows:

5 (~~Unless the context clearly requires otherwise,~~) The
6 definitions in this section apply throughout this chapter unless
7 the context clearly requires otherwise.

8 (1) "Agency" means an agency or facility operated, licensed, or
9 certified by the state of Washington.

10 (2) "Agency affiliated counselor" means a person registered
11 under this chapter who is engaged in counseling and employed by an
12 agency.

13 (3) "Certified adviser" means a person certified under this
14 chapter who is engaged in private practice counseling to the extent
15 authorized in section 4 of this act.

16 (4) "Certified counselor" means a person certified under this
17 chapter who is engaged in private practice counseling to the extent
18 authorized in section 4 of this act.

19 (5) "Client" means an individual who receives or participates
20 in counseling or group counseling.

21 (~~(+2)~~) (6) "Counseling" means employing any therapeutic
22 techniques, including but not limited to social work, mental health
23 counseling, marriage and family therapy, and hypnotherapy, for a
24 fee that offer, assist or attempt to assist an individual or
25 individuals in the amelioration or adjustment of mental, emotional,
26 or behavioral problems, and includes therapeutic techniques to
27 achieve sensitivity and awareness of self and others and the
28 development of human potential. For the purposes of this chapter,
29 nothing may be construed to imply that the practice of hypnotherapy
30 is necessarily limited to counseling.

1 (~~(+3+)~~) (7) "Counselor" means an individual, practitioner,
2 therapist, or analyst who engages in the practice of counseling to
3 the public for a fee, including for the purposes of this chapter,
4 hypnotherapists.

5 (~~(+4+)~~) (8) "Department" means the department of health.

6 (~~(+5+)~~) (9) "Hypnotherapist" means a person registered under
7 this chapter who is practicing hypnosis as a modality.

8 (10) "Private practice counseling" means the practice of
9 counseling by a certified counselor or certified adviser as
10 specified in section 4 of this act.

11 (11) "Psychotherapy" means the practice of counseling using
12 diagnosis of mental disorders according to the fourth edition of
13 the diagnostic and statistical manual of mental disorders,
14 published in 1994, and the development of treatment plans for
15 counseling based on diagnosis of mental disorders in accordance
16 with established practice standards.

17 (12) "Secretary" means the secretary of the department or the
18 secretary's designee.

19 **Sec. 2.** RCW 18.19.030 and 2001 c 251 s 19 are each amended to
20 read as follows:

21 (~~(No)~~) A person may not, (~~(for a fee or)~~) as a part of his or
22 her position as an employee of a state agency, practice counseling
23 without being registered to practice as an agency affiliated
24 counselor by the department under this chapter unless exempt under
25 RCW 18.19.040.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.19
27 RCW to read as follows:

28 A person may not, for a fee or as a part of his or her position
29 as an employee of a state agency, practice hypnotherapy without
30 being registered to practice as a hypnotherapist by the department
31 under this chapter unless exempt under RCW 18.19.040.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.19
33 RCW to read as follows:

34 The scope of practice of certified counselors and certified
35 advisers consists exclusively of the following:

1 (1) Appropriate screening of the client's level of functional
2 impairment using the global assessment of functioning as described
3 in the fourth edition of the diagnostic and statistical manual of
4 mental disorders, published in 1994. Recognition of a mental or
5 physical disorder or a global assessment of functioning score of
6 sixty or less requires that the certified counselor refer the
7 client to a physician, osteopathic physician, or licensed mental
8 health practitioner, as defined by the secretary, for diagnosis and
9 treatment;

10 (2) Certified counselors and certified advisers may counsel and
11 guide a client in adjusting to life situations, developing new
12 skills, and making desired changes, in accordance with the theories
13 and techniques of a specific counseling method and established
14 practice standards, if the client has a global assessment of
15 functioning score greater than sixty;

16 (3) Certified counselors may counsel and guide a client in
17 adjusting to life situations, developing new skills, and making
18 desired changes if the client has a global assessment of
19 functioning score of sixty or less if:

20 (a) The client has been referred to the certified counselor by
21 a physician, osteopathic physician, or licensed mental health
22 practitioner, as defined by the secretary, and care is provided as
23 part of a plan of treatment developed by the referring practitioner
24 who is actively treating the client. The certified counselor must
25 adhere to any conditions related to the certified counselor's role
26 as specified in the plan of care; or

27 (b) The certified counselor referred the client to seek
28 diagnosis and treatment from a physician, osteopathic physician, or
29 licensed mental health practitioner, as defined by the secretary,
30 and the client refused, in writing, to seek treatment from the
31 other provider. The certified counselor may provide services to
32 the client consistent with a treatment plan developed by the
33 certified counselor and the consultant or supervisor with whom the
34 certified counselor has a written consultation or supervisory
35 agreement.

36 **Sec. 5.** RCW 18.19.040 and 2001 c 251 s 20 are each amended to
37 read as follows:

1 Nothing in this chapter may be construed to prohibit or
2 restrict:

3 (1) The practice of a profession by a person who is either
4 registered, certified, licensed, or similarly regulated under the
5 laws of this state and who is performing services within the
6 person's authorized scope of practice, including any attorney
7 admitted to practice law in this state when providing counseling
8 incidental to and in the course of providing legal counsel;

9 (2) The practice of counseling by an employee or trainee of any
10 federal agency, or the practice of counseling by a student of a
11 college or university, if the employee, trainee, or student is
12 practicing solely under the supervision of and accountable to the
13 agency, college, or university, through which he or she performs
14 such functions as part of his or her position for no additional fee
15 other than ordinary compensation;

16 (3) The practice of counseling by a person (~~((without a~~
17 ~~mandatory charge))~~ for no compensation;

18 (4) The practice of counseling by persons offering services for
19 public and private nonprofit organizations or charities not
20 primarily engaged in counseling for a fee when approved by the
21 organizations or agencies for whom they render their services;

22 (5) Evaluation, consultation, planning, policy-making,
23 research, or related services conducted by social scientists for
24 private corporations or public agencies;

25 (6) The practice of counseling by a person under the auspices
26 of a religious denomination, church, or organization, or the
27 practice of religion itself;

28 (7) The practice of counseling by peer counselors who use their
29 own experience to encourage and support people with similar
30 conditions or activities related to the training of peer
31 counselors; and

32 (8) Counselors (~~((whose residency is not))~~ who reside outside
33 Washington state from providing up to ten days per quarter of
34 training or workshops in the state, as long as they (~~((don't))~~ do
35 not hold themselves out to be registered or certified in Washington
36 state.

37 **Sec. 6.** RCW 18.19.050 and 2001 c 251 s 21 are each amended to
38 read as follows:

1 (1) In addition to any other authority provided by law, the
2 secretary has the following authority:

3 (a) To adopt rules, in accordance with chapter 34.05 RCW,
4 necessary to implement this chapter;

5 (b) To set all registration, certification, and renewal fees in
6 accordance with RCW 43.70.250 and to collect and deposit all such
7 fees in the health professions account established under RCW
8 43.70.320;

9 (c) To establish forms and procedures necessary to administer
10 this chapter;

11 (d) To hire clerical, administrative, and investigative staff
12 as needed to implement this chapter;

13 (e) To issue a registration or certification to any applicant
14 who has met the requirements for registration or certification; and

15 (f) To (~~develop a dictionary of recognized professions and~~
16 ~~occupations providing counseling services to the public included~~
17 ~~under this chapter~~)) establish education equivalency, examination,
18 supervisory, consultation, and continuing education requirements
19 for certified counselors and certified advisers.

20 (2) The uniform disciplinary act, chapter 18.130 RCW, governs
21 the issuance and denial of registrations and certifications and the
22 discipline of registrants under this chapter. The secretary shall
23 be the disciplining authority under this chapter. (~~The absence of~~
24 ~~educational or training requirements for counselors registered~~
25 ~~under this chapter or the counselor's use of nontraditional~~
26 ~~nonabusive therapeutic techniques shall not, in and of itself, give~~
27 ~~the secretary authority to unilaterally determine the training and~~
28 ~~competence or to define or restrict the scope of practice of such~~
29 ~~individuals.))~~

30 (3) The department shall publish and disseminate information
31 (~~in order~~)) to educate the public about the responsibilities of
32 counselors, the types of counselors, and the rights and
33 responsibilities of clients established under this chapter.
34 (~~Solely for the purposes of administering this education~~
35 ~~requirement,)) The secretary (~~shall~~)) may assess an additional fee
36 for each application and renewal (~~, equal to five percent of the~~
37 ~~fee. The revenue collected from the assessment fee may be~~
38 ~~appropriated by the legislature for the department's use in~~
39 ~~educating consumers pursuant to this section. The authority to~~~~

1 ~~charge the assessment fee shall terminate on June 30, 1994)) to~~
2 fund public education efforts under this section.

3 **Sec. 7.** RCW 18.19.060 and 2001 c 251 s 22 are each amended to
4 read as follows:

5 ~~((Persons registered under this chapter))~~ Certified counselors
6 and certified advisers shall provide clients at the commencement of
7 any program of treatment with accurate disclosure information
8 concerning their practice, in accordance with guidelines developed
9 by the department, that will inform clients of the purposes of and
10 resources available under this chapter, including the right of
11 clients to refuse treatment, the responsibility of clients for
12 choosing the provider and treatment modality which best suits their
13 needs, and the extent of confidentiality provided by this chapter,
14 the department, another agency, or other jurisdiction. The
15 disclosure statement must inform the client of the certified
16 counselor's or certified adviser's consultation arrangement or
17 supervisory agreement as defined in rules adopted by the secretary.
18 The disclosure information provided by the certified counselor or
19 certified adviser, the receipt of which shall be acknowledged in
20 writing by the certified counselor or certified adviser and the
21 client, shall include any relevant education and training, the
22 therapeutic orientation of the practice, the proposed course of
23 treatment where known, any financial requirements, referral
24 resources, and such other information as the department may require
25 by rule. The disclosure information shall also include a statement
26 that ~~((registration))~~ the certification of an individual under
27 this chapter does not include a recognition of any practice
28 standards, nor necessarily imply the effectiveness of any
29 treatment. Certified counselors and certified advisers must also
30 disclose that they are not credentialed to diagnose mental
31 disorders or to conduct psychotherapy as defined by the secretary
32 by rule. The client is not liable for any fees or charges for
33 services rendered prior to receipt of the disclosure statement.

34 **Sec. 8.** RCW 18.19.090 and 1991 c 3 s 24 are each amended to
35 read as follows:

36 ~~((The secretary shall issue a registration to any applicant who~~
37 ~~submits, on forms provided by the secretary, the applicant's name,~~

1 ~~address, occupational title, name and location of business, and~~
2 ~~other information as determined by the secretary, including~~
3 ~~information necessary to determine whether there are grounds for~~
4 ~~denial of registration or issuance of a conditional registration~~
5 ~~under this chapter or chapter 18.130 RCW. Applicants for~~
6 ~~registration shall register as counselors or may register as~~
7 ~~hypnotherapists if employing hypnosis as a modality. Applicants~~
8 ~~shall, in addition, provide in their titles a description of their~~
9 ~~therapeutic orientation, discipline, theory, or technique.)) (1)~~
10 Application for agency affiliated counselor, certified counselor,
11 certified adviser, or hypnotherapist must be made on forms approved
12 by the secretary. The secretary may require information necessary
13 to determine whether applicants meet the qualifications for the
14 credential and whether there are any grounds for denial of the
15 credential, or for issuance of a conditional credential, under this
16 chapter or chapter 18.130 RCW. The application for agency
17 affiliated counselor, certified counselor, or certified adviser
18 must include a description of the applicant's orientation,
19 discipline, theory, or technique. Each applicant shall pay a fee
20 determined by the secretary as provided in RCW 43.70.250, which
21 shall accompany the application.

22 (2) Applicants for agency affiliated counselor must provide
23 satisfactory documentation that they are employed by an agency or
24 have an offer of employment from an agency.

25 (3) At the time of application for initial certification,
26 applicants for certified counselor prior to July 1, 2010, are
27 required to:

28 (a) Have been registered for no less than five years at the
29 time of application for an initial certification;

30 (b) Have held a valid, active registration that is in good
31 standing and be in compliance with any disciplinary process and
32 orders at the time of application for an initial certification;

33 (c) Show evidence of having completed course work in risk
34 assessment, ethics, appropriate screening and referral, and
35 Washington state law and other subjects identified by the
36 secretary;

37 (d) Pass an examination in risk assessment, ethics, appropriate
38 screening and referral, and Washington state law, and other
39 subjects as determined by the secretary; and

1 (e) Have a written consultation agreement with a credential
2 holder who meets the qualifications established by the secretary.

3 (4) Unless eligible for certification under subsection (3) of
4 this section, applicants for certified counselor or certified
5 adviser are required to:

6 (a) (i) Have a bachelor's degree in a counseling-related field,
7 if applying for certified counselor; or

8 (ii) Have an associate degree in a counseling-related field and
9 a supervised internship, if applying for certified adviser;

10 (b) Pass an examination in risk assessment, ethics, appropriate
11 screening and referral, and Washington state law, and other
12 subjects as determined by the secretary; and

13 (c) Have a written supervisory agreement with a supervisor who
14 meets the qualifications established by the secretary.

15 (5) Each applicant shall include payment of the fee determined
16 by the secretary as provided in RCW 43.70.250.

17 NEW SECTION. Sec. 9. A new section is added to chapter 18.19
18 RCW to read as follows:

19 Agency affiliated counselors shall notify the department if
20 they are either no longer employed by the agency identified on
21 their application or are now employed with another agency, or both.
22 Agency affiliated counselors may not engage in the practice of
23 counseling unless they are currently affiliated with an agency.

24 Sec. 10. RCW 18.19.100 and 1996 c 191 s 5 are each amended to
25 read as follows:

26 The secretary shall establish administrative procedures,
27 administrative requirements, continuing education, and fees for
28 renewal of (~~registrations~~) credentials as provided in RCW
29 43.70.250 and 43.70.280. When establishing continuing education
30 requirements for agency affiliated counselors, the secretary shall
31 consult with the appropriate state agency director responsible for
32 licensing, certifying, or operating the relevant agency practice
33 setting.

34 Sec. 11. RCW 18.225.010 and 2001 c 251 s 1 are each amended to
35 read as follows:

1 (~~Unless the context clearly requires otherwise,~~) The
2 definitions in this section apply throughout this chapter unless
3 the context clearly requires otherwise.

4 (1) "Advanced social work" means the application of social work
5 theory and methods including emotional and biopsychosocial
6 assessment, psychotherapy under the supervision of a licensed
7 independent clinical social worker, case management, consultation,
8 advocacy, counseling, and community organization.

9 (2) "Applicant" means a person who completes the required
10 application, pays the required fee, is at least eighteen years of
11 age, and meets any background check requirements and uniform
12 disciplinary act requirements.

13 (3) "Associate" means a prelicensure candidate who has a
14 graduate degree in a mental health field under RCW 18.225.090 and
15 is gaining the supervision and supervised experience necessary to
16 become a licensed independent clinical social worker, a licensed
17 advanced social worker, a licensed mental health counselor, or a
18 licensed marriage and family therapist.

19 (4) "Committee" means the Washington state mental health
20 counselors, marriage and family therapists, and social workers
21 advisory committee.

22 (~~(4)~~) (5) "Department" means the department of health.

23 (~~(5)~~) (6) "Disciplining authority" means the department.

24 (~~(6)~~) (7) "Independent clinical social work" means the
25 diagnosis and treatment of emotional and mental disorders based on
26 knowledge of human development, the causation and treatment of
27 psychopathology, psychotherapeutic treatment practices, and social
28 work practice as defined in advanced social work. Treatment
29 modalities include but are not limited to diagnosis and treatment
30 of individuals, couples, families, groups, or organizations.

31 (~~(7)~~) (8) "Marriage and family therapy" means the diagnosis
32 and treatment of mental and emotional disorders, whether cognitive,
33 affective, or behavioral, within the context of relationships,
34 including marriage and family systems. Marriage and family therapy
35 involves the professional application of psychotherapeutic and
36 family systems theories and techniques in the delivery of services
37 to individuals, couples, and families for the purpose of treating
38 such diagnosed nervous and mental disorders. The practice of
39 marriage and family therapy means the rendering of professional

1 marriage and family therapy services to individuals, couples, and
2 families, singly or in groups, whether such services are offered
3 directly to the general public or through organizations, either
4 public or private, for a fee, monetary or otherwise.

5 ~~((+8+))~~ (9) "Mental health counseling" means the application of
6 principles of human development, learning theory, psychotherapy,
7 group dynamics, and etiology of mental illness and dysfunctional
8 behavior to individuals, couples, families, groups, and
9 organizations, for the purpose of treatment of mental disorders and
10 promoting optimal mental health and functionality. Mental health
11 counseling also includes, but is not limited to, the assessment,
12 diagnosis, and treatment of mental and emotional disorders, as well
13 as the application of a wellness model of mental health.

14 ~~((+9+))~~ (10) "Secretary" means the secretary of health or the
15 secretary's designee.

16 **Sec. 12.** RCW 18.225.020 and 2001 c 251 s 2 are each amended to
17 read as follows:

18 A person must not represent himself or herself as a licensed
19 advanced social worker, a licensed independent clinical social
20 worker, a licensed mental health counselor, ~~((or))~~ a licensed
21 marriage and family therapist, a licensed social work associate--
22 advanced, a licensed social work associate--independent clinical,
23 a licensed mental health counselor associate, or a licensed
24 marriage and family therapist associate, without being licensed by
25 the department.

26 NEW SECTION. **Sec. 13.** A new section is added to chapter
27 18.225 RCW to read as follows:

28 (1) The secretary shall issue an associate license to any
29 applicant who demonstrates to the satisfaction of the secretary
30 that the applicant meets the following requirements for the
31 applicant's practice area and submits a declaration that the
32 applicant is working toward full licensure in that category:

33 (a) Licensed social worker associate--advanced or licensed
34 social worker associate--independent clinical: Graduation from a
35 master's degree or doctoral degree educational program in social
36 work accredited by the council on social work education and

1 approved by the secretary based upon nationally recognized
2 standards.

3 (b) Licensed mental health counselor associate: Graduation
4 from a master's degree or doctoral degree educational program in
5 mental health counseling or a related discipline from a college or
6 university approved by the secretary based upon nationally
7 recognized standards.

8 (c) Licensed marriage and family therapist associate:
9 Graduation from a master's degree or doctoral degree educational
10 program in marriage and family therapy or graduation from an
11 educational program in an allied field equivalent to a master's
12 degree or doctoral degree in marriage and family therapy approved
13 by the secretary based upon nationally recognized standards.

14 (2) Associates may not provide independent social work, mental
15 health counseling, or marriage and family therapy for a fee,
16 monetary or otherwise. Associates must work under the supervision
17 of an approved supervisor.

18 (3) Associates shall provide each client or patient, during the
19 first professional contact, with a disclosure form according to RCW
20 18.225.100, disclosing that he or she is an associate under the
21 supervision of an approved supervisor.

22 (4) The department shall adopt by rule what constitutes
23 adequate proof of compliance with the requirements of this section.

24 (5) Applicants are subject to the denial of a license or
25 issuance of a conditional license for the reasons set forth in
26 chapter 18.130 RCW.

27 (6) An associate license may be renewed no more than four
28 times.

29 **Sec. 14.** RCW 18.225.150 and 2001 c 251 s 15 are each amended
30 to read as follows:

31 The secretary shall establish by rule the procedural
32 requirements and fees for renewal of a license or associate
33 license. Failure to renew shall invalidate the license or
34 associate license and all privileges granted by the license. If an
35 associate license has lapsed, the person shall submit an updated
36 declaration, in accordance with rules adopted by the department,
37 that the person is working toward full licensure. If a license has
38 lapsed for a period longer than three years, the person shall

1 demonstrate competence to the satisfaction of the secretary by
2 taking continuing education courses, or meeting other standards
3 determined by the secretary. If an associate license has lapsed,
4 the person shall submit an updated declaration, in accordance with
5 rules adopted by the department, that the person is working toward
6 full licensure.

7 **Sec. 15.** RCW 18.205.020 and 1998 c 243 s 2 are each amended to
8 read as follows:

9 (~~Unless the context clearly requires otherwise,~~) The
10 definitions in this section apply throughout this chapter unless
11 the context clearly requires otherwise.

12 (1) "Certification" means a voluntary process recognizing an
13 individual who qualifies by examination and meets established
14 educational prerequisites, and which protects the title of
15 practice.

16 (2) "Certified chemical dependency professional" means an
17 individual certified in chemical dependency counseling, under this
18 chapter.

19 (3) "Certified chemical dependency professional trainee" means
20 an individual working toward the education and experience
21 requirements for certification as a chemical dependency
22 professional.

23 (4) "Chemical dependency counseling" means employing the core
24 competencies of chemical dependency counseling to assist or attempt
25 to assist an alcohol or drug addicted person to develop and
26 maintain abstinence from alcohol and other mood-altering drugs.

27 (~~(4)~~) (5) "Committee" means the chemical dependency
28 certification advisory committee established under this chapter.

29 (~~(5)~~) (6) "Core competencies of chemical dependency
30 counseling" means competency in the nationally recognized
31 knowledge, skills, and attitudes of professional practice,
32 including assessment and diagnosis of chemical dependency, chemical
33 dependency treatment planning and referral, patient and family
34 education in the disease of chemical dependency, individual and
35 group counseling with alcoholic and drug addicted individuals,
36 relapse prevention counseling, and case management, all oriented to
37 assist alcoholic and drug addicted patients to achieve and maintain

1 abstinence from mood-altering substances and develop independent
2 support systems.

3 ~~((+6+))~~ (7) "Department" means the department of health.

4 ~~((+7+))~~ (8) "Health profession" means a profession providing
5 health services regulated under the laws of this state.

6 ~~((+8+))~~ (9) "Secretary" means the secretary of health or the
7 secretary's designee.

8 **Sec. 16.** RCW 18.205.030 and 2000 c 171 s 41 are each amended
9 to read as follows:

10 No person may represent oneself as a certified chemical
11 dependency professional or certified chemical dependency
12 professional trainee or use any title or description of services of
13 a certified chemical dependency professional or certified chemical
14 dependency professional trainee without applying for certification,
15 meeting the required qualifications, and being certified by the
16 department of health, unless otherwise exempted by this chapter.

17 **Sec. 17.** RCW 18.205.040 and 1998 c 243 s 4 are each amended to
18 read as follows:

19 Nothing in this chapter shall be construed to authorize the use
20 of the title "certified chemical dependency professional" or
21 "certified chemical dependency professional trainee" when treating
22 patients in settings other than programs approved under chapter
23 70.96A RCW.

24 NEW SECTION. **Sec. 18.** A new section is added to chapter
25 18.205 RCW to read as follows:

26 (1) The secretary shall issue a trainee certificate to any
27 applicant who demonstrates to the satisfaction of the secretary
28 that he or she is working toward the education and experience
29 requirements in RCW 18.205.090.

30 (2) A trainee certified under this section shall submit to the
31 secretary for approval a declaration, in accordance with rules
32 adopted by the department, that he or she is enrolled in an
33 approved education program and actively pursuing the experience
34 requirements in RCW 18.205.090. This declaration must be updated
35 with the trainee's annual renewal.

1 (3) A trainee certified under this section may practice only
2 under the supervision of a certified chemical dependency
3 professional. The first fifty hours of any face-to-face client
4 contact must be under direct observation. All remaining experience
5 must be under supervision in accordance with rules adopted by the
6 department.

7 (4) A certified chemical dependency professional trainee
8 provides chemical dependency assessments, counseling, and case
9 management with a state regulated agency and can provide clinical
10 services to patients consistent with his or her education,
11 training, and experience as approved by his or her supervisor.

12 (5) A trainee certification may only be renewed four times.

13 (6) Applicants are subject to denial of a certificate or
14 issuance of a conditional certificate for the reasons set forth in
15 chapter 18.130 RCW.

16 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.19
17 RCW to read as follows:

18 The Washington state certified counselors and hypnotherapist
19 advisory committee is established.

20 (1) The committee is comprised of seven members. Two committee
21 members must be certified counselors or certified advisers. Two
22 committee members must be hypnotherapists. Three committee members
23 must be consumers and represent the public at large and may not
24 hold any mental health care provider license, certification, or
25 registration.

26 (2) Two committee members must be appointed for a term of one
27 year, two committee members must be appointed for a term of two
28 years, and three committee members must be appointed for a term of
29 three years. Subsequent committee members must be appointed for
30 terms of three years. A person may not serve as a committee member
31 for more than two consecutive terms.

32 (3)(a) Each committee member must be a resident of the state of
33 Washington.

34 (b) A committee member may not hold an office in a professional
35 association for their profession.

36 (c) Advisory committee members may not be employed by the state
37 of Washington.

1 (d) Each professional committee member must have been actively
2 engaged in their profession for five years immediately preceding
3 appointment.

4 (e) The consumer committee members must represent the general
5 public and be unaffiliated directly or indirectly with the
6 professions credentialed under this chapter.

7 (4) The secretary shall appoint the committee members.

8 (5) Committee members are immune from suit in an action, civil
9 or criminal, based on the department's disciplinary proceedings or
10 other official acts performed in good faith.

11 (6) Committee members must be compensated in accordance with
12 RCW 43.03.240, including travel expenses in carrying out his or her
13 authorized duties in accordance with RCW 43.03.050 and 43.03.060.

14 (7) The committee shall elect a chair and vice-chair.

15 NEW SECTION. **Sec. 20.** To practice counseling, all registered
16 counselors must obtain another health profession credential by July
17 1, 2010. The registered counselor credential is abolished July 1,
18 2010.

19 NEW SECTION. **Sec. 21.** Sections 1, 2, 7 through 9, and 11
20 through 19 of this act take effect July 1, 2009.

21 NEW SECTION. **Sec. 22.** The department of health may not issue
22 any new registered counselor credentials after July 1, 2009.

23 NEW SECTION. **Sec. 23.** (1) The department of health shall
24 report to the legislature and the governor by December 15, 2011,
25 on:

26 (a) The number of registered counselors who become certified
27 counselors or certified advisers;

28 (b) The number, status, type, and outcome of disciplinary
29 actions involving certified counselors and certified advisers
30 beginning on the effective date of this section; and

31 (c) The state of education equivalency, examination,
32 supervisory, consultation, and continuing education requirements
33 established under this act.

1 (2) The department of health shall also report on cost savings
2 or expenditures to administer the provisions of this act and make
3 recommendations regarding future reports or evaluations.

4 NEW SECTION. **Sec. 24.** If specific funding for the purposes of
5 this act, referencing this act by bill or chapter number, is not
6 provided by June 30, 2008, in the omnibus appropriations act, this
7 act is null and void."

8 Correct the title.

EFFECT: Establishes the profession of certified adviser that is a profession that can only provide private practice counseling services to clients with a global assessment of functioning score over 60. Establishes credentialing standards for certified advisers that includes an associate degree and a supervised internship as well as specific course requirements and supervisory agreements that are the same as certified counselors.

Removes the ability of certified counselors to become credentialed with only an associate degree and requires that they at least have a bachelors degree.

Requires that certified counselors and advisers refer clients with a mental or physical disorder or a global assessment of functioning score of 60 or less to a physician, osteopathic physician, or mental health practitioner instead of recommending that clients with a mental or physical disorder seek diagnosis from an appropriate health care provider.

Limits certified counselors to counseling clients with a global assessment of functioning score of 60 or less only when: (1) referred by certain licensed professionals and to the extent provided in a plan of treatment designed by the referring professional or (2) the client refused the referral made by the counselor, in writing, and services are provided to the extent authorized in a plan of treatment developed by the counselor with his or her consultant or supervisor.

Removes the requirement that certified counselors and advisers disclose to clients that they cannot treat mental disorders and only requires the disclosure that they cannot diagnose mental disorders or conduct psychotherapy.

Removes the definition of mental disorder which had been defined in relation to a global assessment of functioning score of 60 or less.

Exempts peer counselor training activities from regulation.

Requires the Department of Health to report to the Legislature by December 15, 2011 regarding the number of registered counselors that became certified counselors or certified advisers, disciplinary activities related to these professions, and the state of certification requirements for the professions.