



**Mental Health Counselors, Marriage and Family Therapists, and Social Workers Advisory Committee and Substance Use Disorder Certification Advisory Committee
Joint Meeting Minutes**

February 19, 2021

Virtual Meeting via Microsoft Teams

Substance Use Disorder Professional Advisory Committee

Members Present:

Kenneth Pimpleton, SUDP, Chair
Susan Cherry, SUDP, Vice Chair
Theresa Adkison, SUDP
Bergen Starke, SUDP, LMHC
Gayle Martinsen, STR Treatment Manager, HCA
Vacant, Physician/MHP
Vacant, Public Member

Members Absent:

Daniel Friesen, SUDP, Vice Chair

Assistant Attorney General Staff:

Chris Gerard, AAG

Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee

Members Present:

Michael Fitzpatrick, LMFT, Chair
Craig Apperson, LMHC, Vice Chair
Anjanette Jorstad, LASW
Beda Herbison, LICSW
Linda Sattem, Ph.D., Public Member
Paul David, PhD, LMHC, LMFT
Vacant, Public Member
Vacant Public Member

Members Absent:

None

Assistant Attorney General Staff:

Luke Eaton, AAG (not present)

DOH Staff:

Ted Dale, SUD Program Manager
Brandon Williams, Licensed Counselors Program Manager
James Chaney, Executive Director
Karen Gohlsen, Program Support
Joanne Miller, Credentialing
Melody Casiano, Policy Analyst
Jeff Orwig, Financial Analyst

Guest Presenters:

None

On February 19, 2021, the Substance Use Disorder Certification Advisory Committee and the Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee met online via Microsoft Teams. Notice of the meeting was published on the Substance Use Disorder, Mental Health Counselor, Marriage & Family Therapist, and Social Worker profession websites and was sent out through the GovDelivery listserv for each profession.

Open Session:

1. Opening of Public Meeting – Kenneth Pimpleton, SUDP, Chair and Michael Fitzpatrick, LMFT, Chair

- 1.1. Call to Order: The meeting was called to order at 9:05 a.m. Committee and agency staff members as well as public attendees introduced themselves and their area of practice.
- 1.2. Agenda: There were three corrections to the agenda (remove Chris Starets-Foote from the roster on the first page as she is no longer on the committee, correct “SB 5339” to “SB 5329” (item 4.3-v), and add an item called “future agenda items”. Motion to approve the revised February 19, 2021 agenda, seconded, vote 11-0 (Substance Use Disorder Professional Advisory Committee vote 4-0, Mental Health Counselors, Marriage & Family Counselors, and Social Workers Advisory Committee vote 7-0).
- 1.3. Minutes: Motion to approve the September 18, 2020 joint meeting minutes, seconded, vote 11-0 (Substance Use Disorder Professional Advisory Committee vote 4-0, Mental Health Counselors, Marriage & Family Counselors, and Social Workers Advisory Committee vote 7-0).

2. Program Manager Reports – Ted Dale, Program Manager and Brandon Williams, Program Manager

Mr. Dale is serving as the Program Manager for the Substance Use Disorder Professional Advisory Committee and Mr. Williams is serving as the Program Manager for the Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee.

- 2.1 Licensed Counselors Budget Report – Mr. Williams briefed the committees on the licensed counselors’ programs:

Marriage & Family Therapists – The program is overspent in the call center and credentialing due to the increased call volume and licensure needs during the pandemic, including out of state applicants trying to get licensed so that they may practice telehealth with WA residents. The fund balance as of January 2021 is -\$99,172.

Mental Health Counselors – The program is overspent in legal services and investigations due to a few lengthy cases. The fund balance as of January 2021 is \$463,870.

Social Workers – The program is seeing a higher expenditure in legal services and investigations. Most of the investigations are due to boundary violations. The fund balance as of January 2021 is \$1,415,192.

- 2.2. Licensed Counselors Recruitment Update – A recruitment notice will be distributed next week to fill the committee’s current vacancies (two public members and one LMFT).
- 2.3. SUD Budget Report – Mr. Dale briefed the committees on the SUD program. There has been a decrease in disciplinary costs due to fewer WRAMP program candidates as well as the efforts made to reach out to students has had an impact in reducing the number of cases. The fund balance as of January 2021 is -\$792,684.
- 2.4. SUD Recruitment Update – The committee currently has vacancies for a public member and a mental health practitioner or physician. A request has been made to the

secretary to remove committee member Daniel Friesen due to not being present at committee meetings (he has not been in communication with anyone and has not responded to phone calls or email). If the secretary approves the request, there will also be a vacancy for an SUDP.

3. Assistant Attorney General Report –Luke Eaton, AAG & Chris Gerard, AAG

- 3.1. AAG Gerard, who sits on the Substance Use Disorder Advisory Committee and AAG Eaton, who sits on the Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee, did not have anything new to report for either advisory committee. AAG Gerard did clarify that to remove an officer can be removed either by vote of the committee or by removal of secretary.

4. Legislation Update and Discussion – Ted Dale and Brandon Williams, Program Manager

Mr. Dale and Mr. Williams updated the committee regarding the implementation of past legislation from 2019 and 2020 and current legislation from the 2021 session that may be of interest to the committees.

- 4.1. [SB 5054](#) – This legislation opened the door to reciprocity to those states who are substantially equivalent through scope of practice. It has been fully implemented and WA state is currently accepting reciprocity applications from other states. Most states have been deemed equivalent; however, those practitioners still need to meet all the licensing requirements. For practitioners who fall short, there is an option to obtain a probationary license that would allow them to continue working while they work to meet the licensing requirements. In addition, Mr. Dale informed the committee that, as part of the rules created to implement the legislation, a professional would not need to provide proof of supervision if they have been practicing for at least five consecutive years and have a clean disciplinary record.
- 4.2. [ESHB 1768](#) – This legislation changed “Chemical Dependency Professional” to “Substance Use Disorder Professional”, reduced the requirements where if the licensee has been in recovery for over a year they are not put in a substance use monitoring program, and created a co-occurring specialist license enhancement to allow behavioral health professionals to also provide substance use disorder counseling with certain limitations. These limitations require specialists to work in an agency and can only provide services to a client with co-occurring disorder. In addition, if the client is identified at a 2.0 or higher on the ASAM scale, an attempt to refer has to be made to a more qualified provider. To get this enhancement, each applicant must take a standalone course and pass the SUDP license exam. The only course currently [available is through Eastern Washington University](#) but so far no one has signed up for the course.
- 4.3. [2SHB 1907](#) – This legislation allows peer counselors to apply to become agency affiliated counselors, thereby allowing agencies to be reimbursed by Medicare/Medicaid or private insurance for peer counseling activities. It also gives the same reduced requirements as the SUDPs (if the licensee has been in recovery for over a year, they are not put in a substance use monitoring program).

- 4.4. [ESHB 2411](#) – This legislation requires an additional “advanced” training for suicide prevention every six years for certain mental health professions as part of their continuing education requirements. It also requires additional professions to take the one-time training that is required to get licensure.
- 4.5. [ESHB 1551](#) – This legislation removed the requirement for professions to attest to having taken the AIDS/HIV training. Mr. Pimpleton clarified that there is still an education requirement on AIDS/HIV, it is only the four-hour course required for licensing that was removed.
- 4.6. [ESSB 6641](#) – This legislation, which went into effect on July 1, 2020, is intended to increase the availability of Sex Offender Treatment Providers (SOTP). It makes it easier for out-of-state professions to become certified; however, it limits certification to masters-level mental health professionals and psychologists. This provision will not affect those who are already certified SOTPs and have lesser credentials. In addition, the legislation calls for the creation of an advisory committee which has been through recruitment already and is due to meet soon. This legislation is also attempting to increase the availability of SOTPs by having DSHS determine which counties are underserved and have the SOTP licensure fees waived for the providers in those designated counties.
- 4.7. [SSB 6061](#) – This legislation requires health care professionals who provide services through telemedicine (excepting physicians and osteopathic physicians) to complete telemedicine training. The bill requires implementation by January 1, 2021 and DOH is currently working with the University of Washington to come up a training protocol.
- 4.8. [HB 1311](#) – This legislation adds an apprenticeship option to meet the educational component for certification as a SUDP and SUDPT. The bill is moving forward and if passed the department would work with L&I for its implementation. This legislation is looking to expand to other programs, so it is important it is set up right as an example for the future. A committee member indicated concerns from providers and educators who feel the legislation is moving too fast and could benefit from a pilot program. Eastern Washington University representative was concerned that there were too many programs already, but none were addressing the problem that the practicum students were not getting compensated.
- 4.9. [HB 1349](#) – This legislation creates a separate license for peer support specialists and outlines the training and supervision requirements. This bill also adds an advisory committee for peer specialists, creates approved supervisor requirements, and allows them to practice independently. Based on the comments it is believed that it won’t move forward and could end up as a sunrise review for further study.
- 4.10. [SHB 1007](#) – This legislation removes the limitation on distance supervision for both the Social Worker Advanced Associated license and the Social Worker Independent Clinical Associate license. This bill is moving forward with little to no pushback.
- 4.11. [HB 1063](#) – This legislation allows the Secretary of Health to grant additional renewals to Licensed Counselor Associates and SUDPTs during a declared state of emergency by the governor. This bill is moving on to the senate.
- 4.12. [SSB 5229](#) – This legislation adds a new section to chapter 43.70 RCW. The new section requires all professions under the Title 18 that are subject to CE requirements to

adopt rules requiring continuing education related to health equity. The rule making authorities shall develop the rules in consultation with communities who have lived experience of health inequities or racism. Committee member noticed that this legislation requires the department to implement training guidelines and inquired how that would look like. It was indicated that there most likely would be a workgroup formed and that the process could be like how the advanced suicide training is being worked on. Further discussions to follow on who would be providing the training.

- 4.13. [HB 1477](#) was brought up in the chat but being that it is not a bill for the department, we cannot advocate or give much input on it. It was advised that any comments towards the bill be directed to the legislature. The public also inquired about any future rulemaking to making the supervision hours requirement equivalent for both professions because it is currently higher for LMFTs over LMHCs which is causing students to apply for one credential over the other. They were informed that the department cannot change that because it is in statute not rule but they could reach out to their legislator. Another comment was given on where the department is at in finding a resolution for LMFTs coming from California because they are not considered equivalent due to California not using the national exam. Mr. Chaney indicated that this is not a rule issue, it is under law that anyone who wants to be licensed in Washington must meet all licensure requirements. However, these individuals could apply for the probationary license without taking the exam and work as long as they are working in an agency, they just would not be able to have a private practice. At this point it would require a legislative change to the requirement that all who apply for full licensure must meet all licensure requirements.

5. Public Comment – Ken Pimpleton, SUDP, Chair, and Mike Fitzpatrick, LMFT, Chair

- 5.1. A member of the public had asked if the committee would be involved in HB 1499 but was informed that it did not apply much to the program but rather impacts people at an individual level. AAG Gerard clarified that the pharmacy commission is taking lead on that bill, not the department.
- 5.2. A member of the public expressed concern regarding the lack of clarity on which supervision forms for applicants can be electronic and which can be mailed in. They would like it to be clarified on the application or FAQs on the process that if coming from the supervisor it can be submitted electronically but if submitted by the applicant then it must be mailed in. They also indicated if the department would consider having a webpage with a landing page that contains all the proclamations and policy changes because they are currently all over the place and hard to find.
- 5.3. A member of the public indicated NBCC had a data breach and inquired what if anything the department was doing anything to assist licensees regarding that.

6. Future Agenda Items – Ken Pimpleton, SUDP, Chair & Michael Fitzpatrick, LMFT, Chair

There were no items to add.

7. Joint Meeting Adjourned at 11:20 a.m.

8. Breakout Session

8.1. Substance Use Disorder Professionals Discussion

- i) Mr. Dale showed how to sign up for GovDelivery updates and provided an overview of the UDA report. Opened at 11:20 a.m. and adjourned at 11:30 a.m.

8.2. Licensed Counselors Discussion (Opened at 11:38 a.m.)

- i) Rules Discussion – At the previous meeting the committee went over the rules and identified areas they wanted to make changes to. Due to the current legislative session in place, it would make sense to wait until that is over since it is unknown what all bills might come out that can affect the professions. The CR 101 will be submitted in July once it is known what came out of the legislative session.

9. Adjournment at 12:30 p.m.

Submitted by:

Ted Dale, Program Manager
Substance Use Disorder Professional Advisory Committee

Approved by:

Kenneth Pimpleton, Chair
Substance Use Disorder Professional Advisory Committee

SIGNATURE

SIGNATURE

DATE

DATE

Submitted by:

Brandon Williams, Program Manager
Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee

Approved by:

Mike Fitzpatrick, Chair
Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee

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