



# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

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STATE OF WASHINGTON  
FILED

DATE: March 18, 2020

TIME: 10:59 AM

WSR 20-07-128

Agency: Department of Health

Original Notice

Supplemental Notice to WSR

Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 19-20-055, 19-18-016 ; or

Expedited Rule Making--Proposed notice was filed as WSR ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Proposal is exempt under RCW .

**Title of rule and other identifying information:** (describe subject) Chapters 246-809, 246-810, and 246-811 WAC; WAC 246-924-990; new chapter 246-804 WAC. The Department of Health (department) is proposing amendments and the addition of new sections to existing behavioral health professions' rule chapters to implement the licensure requirements addressed in ESHB 1768, 2SHB 1907, and SB 5054 as passed by the 2019 Washington State Legislature. The department is proposing amendments to create probationary licenses and fees for behavioral health professionals as part of the new statutorily created licensure reciprocity program. The department is also proposing a new chapter of rules to establish licensure requirements and fees for a co-occurring disorder specialist enhancement to certain behavioral health professions as required by statute. The following professions would be affected: certain agency affiliated counselors, substance use disorder professionals; mental health counselors, advanced social workers, independent clinical social workers, marriage and family therapists. The proposal further creates fees for probationary licensure for psychologists.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
April 21, 2020	1:30 pm	<p>In response to the coronavirus disease 2019 (COVID-19) public health emergency, the Department of Health 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.</p> <p>To access the meeting online and register:  <a href="https://attendee.gotowebinar.com/register/6316801359827539469">https://attendee.gotowebinar.com/register/6316801359827539469</a></p> <p>After registering, you will receive a confirmation email containing information about joining the webinar.</p> <p>You may also dial-in using your phone:            Call in:            UNITED STATES +1 (213) 929-4212            Access Code: 728-095-994</p>	

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**Date of intended adoption:** 04/28/2020 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**  
Name: Pam Raney  
Address: PO Box 47850  
Olympia, WA 98504-7850  
Email: <https://fortress.wa.gov/doh/policyreview>  
Fax:  
Other:  
By (date) 04/21/2020

**Assistance for persons with disabilities:**  
Contact Nancy Delgado  
Phone: 360-236-4951  
Fax:  
TTY: 711  
Email: [nancy.delgado@doh.wa.gov](mailto:nancy.delgado@doh.wa.gov)  
Other:  
By (date) 04/14/2020

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposed rule is to implement the statutory changes. The proposal spans four WAC chapters and creates a new chapter to address the following policy areas of behavioral health licensure: adjustment of supervised experience requirements, development of a reciprocity program to include a probationary licensure process and fees for qualifying out-of-state applicants, establishment of application procedures and fees for qualifying behavioral health licensees to obtain a co-occurring disorder specialist enhancement, providing proof of supervised experience requirements for certain applicants who have practiced in another state or territory for the past five years, and setting the time limit for agency affiliated counselors applicants to complete licensure requirements while beginning employment at a state agency. The proposal also updates professional titles, definitions, and corrects references and citations as needed.

**Reasons supporting proposal:** The intent of the underlying statute and the proposed rules to implement them is the reduction of barriers to behavioral health licensure in Washington State. The proposed rule provides needed clarification of administrative procedures and provides enforceable standards for newly created license types (probationary licenses) to facilitate our newly created licensure reciprocity program, and license enhancement (co-occurring disorder specialists enhancement). Further barrier reductions include reduction in supervised experience requirements for certain behavioral health licensure applicants who meet certain requirements.

**Statutory authority for adoption:** ESHB 1768 (Chapter 444, Laws of 2019), 2SHB 1907 (Chapter 446, Laws of 2019), SB 5054 (Chapter 351, Laws of 2019); RCWs 18.19.050, 18.205.060, 18.225.040, 43.70.110 and 43.70.250.

**Statute being implemented:** ESHB 1768 (Chapter 444, Laws of 2019), 2SHB 1907 (Chapter 446, Laws of 2019), SB 5054 (Chapter 351, Laws of 2019)

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Name of proponent:** (person or organization) Department of Health  Private  Public  Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Jeff Wise	111 Israel Road SE, Tumwater, WA 98501	360-236-4987

Implementation:	James Chaney	111 Israel Road SE, Tumwater, WA 98501	360-236-2831
Enforcement:	James Chaney	111 Israel Road SE, Tumwater, WA 98501	360-236-2831
<b>Is a school district fiscal impact statement required under RCW 28A.305.135?</b>			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, insert statement here:			
The public may obtain a copy of the school district fiscal impact statement by contacting:			
Name:			
Address:			
Phone:			
Fax:			
TTY:			
Email:			
Other:			
<b>Is a cost-benefit analysis required under RCW 34.05.328?</b>			
<input checked="" type="checkbox"/> Yes: A preliminary cost-benefit analysis may be obtained by contacting:			
Name: Jeff Wise			
Address: PO Box 47850			
Olympia, WA 98504-7850			
Phone: 360-236-4987			
Fax:			
TTY: 711			
Email: jeff.wise@doh.wa.gov			
Other:			
<input type="checkbox"/> No: Please explain:			

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)  
(Internal government operations)

RCW 34.05.310 (4)(e)  
(Dictated by statute)

RCW 34.05.310 (4)(c)  
(Incorporation by reference)

RCW 34.05.310 (4)(f)  
(Set or adjust fees)

RCW 34.05.310 (4)(d)  
(Correct or clarify language)

RCW 34.05.310 (4)(g)  
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW .

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. This rule proposal does not impact small businesses; these rules pertain only to providers.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: 03/13/2020

Name: Jessica Todorovich for John Wiseman, DrPh, MPH

Title: Chief of Staff for Secretary of Health

Signature:



**Chapter 246-804 WAC**  
**BEHAVIORAL HEALTH CO-OCCURRING DISORDER SPECIALIST ENHANCEMENT**

NEW SECTION

**WAC 246-804-020 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly states otherwise:

(1) "ASAM criteria" means admission, continued service, and discharge criteria for the treatment of substance use disorders as published by the American Society of Addiction Medicine (ASAM).

(2) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department under chapter 18.205 RCW and this chapter that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105.

NEW SECTION

**WAC 246-804-030 Application process.** To receive a co-occurring disorder specialist enhancement, the applicant must submit to the department:

(1) A completed application;

(2) Verification of meeting the underlying licensure requirements in RCW 18.205.105(1);

(3) Verification of completing the training, exam, and experience requirements in RCW 18.205.105(5); and

(4) The fee according to WAC 246-804-990.

NEW SECTION

**WAC 246-804-040 ASAM continuum of care.** (1) Licensees treating patients under a co-occurring disorder specialist enhancement must follow ASAM criteria according to RCW 18.205.105 and this section.

(2) Clients must be assessed using ASAM criteria dimensions.

(3) If a client is assessed at a 2.1 or higher level of care according to ASAM criteria, the enhancement holder must make a reasonable effort to refer the client to the appropriate care setting as indicated by the enhancement holder's ASAM level of care decision.

(4) If an enhancement holder is unable to refer a client to the appropriate level of care based on ASAM criteria, then enhancement holder must substantiate the level of care or type of service chosen in the clinical record.

NEW SECTION

**WAC 246-804-990 Co-occurring disorder specialist—Fees and renewal cycle.** A co-occurring disorder specialist enhancement, once obtained, does not require renewal. The following nonrefundable fees for a co-occurring enhancement will be charged:

<b>Title of Fee</b>	<b>Fee</b>
<b>Original application</b>	
Application	\$100.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00

**WAC 246-809-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Associate" means a prelicensure candidate who is working towards full licensure in their profession, has a graduate degree in a mental health field under RCW 18.225.090 and is gaining the supervision and supervised experience necessary to become a licensed independent clinical social worker, a licensed advanced social worker, a licensed mental health counselor, or a licensed marriage and family therapist. Associates may not independently provide social work, mental health counseling, or marriage and family therapy for a fee, monetary or otherwise. Associates must work under the supervision of an approved supervisor.

(2) "Independent social work, mental health counseling, or marriage and family therapy" means the practice of these disciplines without being under the supervision of an approved supervisor.

(3) "Department" means the department of health.

(4) "Licensed counselor" means a licensed marriage and family therapist, licensed mental health counselor, licensed advanced social worker, or licensed independent clinical social worker regulated under chapter 18.225 RCW. Licensed counselor does not mean an associate-level credential.

(5) "Out-of-state" means any state or territory of the United States.

(6) "Probationary license" means a temporary license issued to out-of-state applicants qualifying for licensure reciprocity in Washington state under the restrictions and conditions of RCW 18.225.140 and this chapter.

(7) "Reciprocity" means licensure of out-of-state licensed counselors based on substantial equivalence between Washington state scope of practice and the scope of practice of the other state or territory, subject to a probationary licensure period to complete outstanding Washington state licensure requirements as determined necessary by the secretary to gain full licensure.

(8) "Secretary" means the secretary of the department of health.

NEW SECTION

**WAC 246-809-090 Co-occurring disorder enhancement specialist eligibility.** Licensed counselors licensed under chapter 18.225 RCW and this chapter are eligible to apply for a co-occurring disorder specialist enhancement to their existing license according to the conditions of RCW 18.205.105 and chapter 246-804 WAC.

NEW SECTION

**WAC 246-809-095 Probationary license.** (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state for an advanced social worker, independent clinical social worker, mental health counselor, or marriage and family therapist according to the conditions and restrictions of the reciprocity program established in RCW 18.225.140 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the particular behavioral health profession.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, the applicant must submit to the department a completed application to include:

(a) Verification of their out-of-state license; and

(b) The fee according to WAC 246-809-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew the probationary license, an applicant must submit to the department a completed application to include:

(a) Completion of suicide assessment, treatment, and management according to WAC 246-809-615(1);

(b) AIDS education according to WAC 246-809-080; and

(c) The fee according to WAC 246-809-990.

(5) Continuing education. With the exception of the requirements of subsection (4) this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Approved supervision. If the department determines a probationary licensee must complete supervised hours of experience as a condition for full licensure, the licensee must complete the stated hours under an approved supervisor according to the conditions of this chapter.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-110 Definitions.** The following terms apply to the licensure of marriage and family therapists and marriage and family therapist associates.

(1) "Approved educational program" means:

(a) Any college or university accredited by a national or regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation or its successor; or

(b) A program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE), at the time the applicant completed the required education.

(2) "Approved supervisor" means a licensed marriage and family therapist, or an equally qualified licensed mental health practitioner.

(3) "Equally qualified licensed mental health practitioner" means a licensed mental health counselor, licensed clinical social worker,



licensed psychologist, licensed physician practicing as a psychiatrist, or licensed psychiatric nurse practitioner, who has completed:

(a) Three hundred clock hours in graduate or postgraduate marriage and family education, or continuing education in marriage and family therapy or supervision by an approved marriage and family therapist supervisor in marriage and family therapy or any combination of these; and

(b) Five years of clinical practice that includes the equivalent of one year of clinical practice working with couples and families.

(4) "Group supervision" means face-to-face supervision with an approved supervisor, involving one supervisor and no more than six licensure candidates.

(5) "Licensure candidate" means an individual (~~that~~) who is accruing supervised clinical experience required for licensure.

(6) "One-on-one supervision" means face-to-face supervision with an approved supervisor, involving one supervisor and no more than two licensure candidates.

(7) "Peer" means a (~~co-worker~~) coworker who is not the licensure candidate's employer or supervisor.

(8) "Supervised experience requirement" means experience that is obtained under an approved supervisor who meets the requirements described in WAC 246-809-134.

(9) "Supervision of supervision" means supervision by an approved supervisor for the purpose of training and qualifying a license holder to act as an approved supervisor for purposes of chapter 18.225 RCW and WAC 246-809-134.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-130 Supervised postgraduate experience.** (1) The experience requirements for the marriage and family therapist applicant's practice area include successful completion of a supervised experience requirement. Applicants who have held an active marriage and family therapy license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in subsection (3) of this section.

(2) In accordance with RCW 18.225.090 and 18.225.095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for a marriage and family therapist license is submitted to the department, the department shall reduce the total required supervised hours from three thousand hours to two thousand seven hundred hours. The requirements in subsection (3) (a) through (e) of this section shall apply regardless of the reduction of total required hours.

(3) The experience requirement consists of a minimum of two calendar years of full-time marriage and family therapy. Total experience requirements include a minimum of three thousand hours to include the following:

~~((1) A minimum of three thousand hours of experience that includes))~~ (a) One thousand hours of direct client contact with at least

five hundred hours gained in diagnosing and treating couples and families;

~~((2))~~ (b) At least two hundred hours of qualified supervision with an approved supervisor.

~~((a))~~ (i) Of the two hundred hours, one hundred hours must be with a licensed marriage and family therapist with at least five years of clinical experience; the other one hundred hours may be with an equally qualified licensed mental health practitioner;

~~((b))~~ (ii) At least one hundred of the two hundred hours must be one-on-one supervision; and

~~((e))~~ (iii) The remaining hours may be in one-on-one or group supervision.

~~((3))~~ (c) Applicants who have completed a master's program accredited by the Commission on Accreditation for Marriage and Family Therapy Education of the American Association for Marriage and Family Therapy boards will be credited with five hundred hours of direct client contact and one hundred hours of qualified supervision with an approved supervisor;

~~((4))~~ (d) Licensed marriage and family therapist associate applicants are not required to have supervised postgraduate experience prior to becoming an associate; and

~~((5))~~ (e) Licensed marriage and family therapist associate applicants must declare they are working towards full licensure.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-230 Supervised postgraduate experience.** (1) The experience requirements for the mental health counselor applicant's practice area include successful completion of a supervised experience requirement. Applicants who have held an active mental health counselor license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in subsection (3) of this section.

(2) In accordance with RCW 18.225.090 and 18.225.095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for mental health counselor license is submitted to the department, the department shall reduce the minimum total required supervised hours from three thousand hours to two thousand seven hundred hours. The requirements in subsection (3)(b)(i) and (ii) of this section shall apply regardless of the reduction of total required hours.

(3) (a) The experience requirement consists of a minimum of thirty-six months full-time counseling or three thousand hours of postgraduate mental health counseling under the supervision of a qualified licensed mental health counselor or equally qualified licensed mental health practitioner in an approved setting.

(b) Of the three thousand hours:

~~((a))~~ (i) One hundred hours spent in immediate supervision with the qualified licensed mental health counselor or equally qualified licensed mental health practitioner; and

~~((b))~~ (ii) At least one thousand two hundred hours must be direct counseling with individuals, couples, families, or groups.

~~((2))~~ (4) Applicants who have completed a master's or doctoral program accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) will be credited with fifty hours of postgraduate supervision and five hundred hours of postgraduate experience.

~~((3))~~ (5) Applicants for licensed mental health counselor associate are not required to have supervised postgraduate experience prior to becoming an associate.

~~((4))~~ (6) Licensed mental health counselor associate applicants must declare they are working toward full licensure.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-330 Supervised postgraduate experience requirements.**

(1) Licensed advanced social worker.

(a) Applicants who have held an active advanced social worker license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in subsection (1)(c) of this section.

(b) In accordance with RCW 18.225.090 and 18.225.095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for an advanced social worker license is submitted to the department, the department shall reduce the total required supervised hours from three thousand two hundred hours to two thousand eight hundred eighty hours. The requirements in subsection (3)(c)(i) through (iii) of this section shall apply regardless of the reduction of total required hours.

(c) The supervised experience requirement consists of a minimum of three thousand two hundred hours with ninety hours of supervision by a licensed independent clinical social worker or a licensed advanced social worker who has been licensed or certified for at least two years. Of those hours:

~~((a))~~ (i) Eight hundred hours must be in direct client contact;

~~((b))~~ (ii) Ninety hours must be in direct supervision as follows:

~~((i))~~ (A) Fifty hours must include direct supervision by a licensed advanced social worker or licensed independent clinical social worker; these hours may be in one-to-one supervision or group supervision; and

~~((ii))~~ (B) Forty hours may be with an equally qualified licensed mental health practitioner as defined in WAC 246-809-310(3). These hours must be in one-to-one supervision(~~(-~~

~~(e))~~; and

(iii) Distance supervision is limited to forty supervision hours.

(2) Licensed independent clinical worker(~~(+)~~).

(a) Applicants who have held an active independent clinical social worker license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualify-

ing criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in (c) of this subsection.

(b) In accordance with RCW 18.225.090 and 18.225.095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for an independent clinical social worker license is submitted to the department, the department shall reduce the total required supervised hours from four thousand hours to three thousand six hundred hours. The requirements in subsection (2)(c)(i) and (ii) of this section shall apply regardless of the reduction of total required hours.

(c) The experience requirement consists of a minimum of four thousand hours of experience, over a period of not less than three years. Of those four thousand hours:

(i) One thousand hours must be direct client contact supervised by a licensed independent clinical social worker;

(~~(b)~~) (ii) One hundred thirty hours of direct supervision as follows:

(~~(i)~~) (A) Seventy hours must be with an independent clinical social worker;

(~~(ii)~~) (B) Sixty hours may be with an equally qualified licensed mental health practitioner as defined in WAC 246-809-310(3);

(~~(iii)~~) (C) Sixty hours of the one hundred thirty hours of direct supervision must be in one-to-one supervision. The remaining seventy hours may be in one-to-one supervision or group supervision; and

(~~(iv)~~) (D) Distance supervision is limited to sixty supervision hours.

(3) Licensed social worker associate-advanced and licensed social worker associate-independent clinical applicants are not required to have supervised postgraduate experience prior to becoming an associate.

(4) Licensed social worker associate-advanced and licensed social worker associate-independent clinical applicants must declare they are working toward full licensure.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-615 Training standards for suicide assessment, treatment, and management.** (1) A licensed counselor must complete training in suicide assessment, treatment, and management. The training must be provided by a single provider and must be at least six hours in length, which may be provided in one or more sessions.

(a) Until July 1, 2017, the training must be approved by an industry-recognized local, state, national, international organizations or institutions of higher learning listed in WAC 246-809-620 or an equivalent organization, educational institution or association which approves training based on observation and experience or best available practices;

(b) Beginning July 1, 2017, the training must be on the department's model list of training programs in suicide assessment, treatment and management. The model list is developed in accordance with rules adopted by the department that establish minimum standards for

training programs. The establishment of the model list does not affect the validity of training completed prior to July 1, 2017; and

(c) An associate applying for initial licensure may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training required in (a) or (b) of this subsection no more than six years prior to the application for initial licensure.

(2) A licensed marriage and family therapist, licensed mental health counselor, licensed social worker, or licensed social worker associate who is a state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her 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) A licensed marriage and family therapist, licensed mental health counselor, licensed social worker, or licensed social worker associate 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~~) licensed or certified behavioral health agency licensed under chapter 71.05 or 71.24 RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her 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.

AMENDATORY SECTION (Amending WSR 18-01-098, filed 12/18/17, effective 4/1/18)

**WAC 246-809-990 Licensed counselor, and associate—Fees and renewal cycle.** (1) Except for a probationary license as described in WAC 246-809-095, a license((s)) must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) Associate licenses are valid for one year and must be renewed every year on the date of issuance. The associate license may be renewed no more than six times.

(3) The following nonrefundable fees will be charged:

<b>Title</b>	<b>Fee</b>
<b>Licensed marriage and family therapist</b>	
<b>Original application</b>	
Application and initial license	\$290.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	
Renewal	180.00
Late renewal penalty	90.00
Expired license reissuance	85.00
UW online access fee (HEAL-WA)	16.00
<b>Retired active license renewal</b>	
Renewal	70.00

<b>Title</b>	<b>Fee</b>
Late renewal penalty	35.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed marriage and family therapy associate</b>	
<b>Original application</b>	
Application	65.00
UW online access fee (HEAL-WA)	16.00
<b>Renewal</b>	
Renewal	50.00
UW online access fee (HEAL-WA)	16.00
Late renewal penalty	50.00
Expired license reissuance	40.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed mental health counselor</b>	
<b>Original application</b>	
Application	95.00
Initial license	80.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	
Renewal	90.00
Late renewal penalty	50.00
Expired license reissuance	65.00
UW online access fee (HEAL-WA)	16.00
<b>Retired active license renewal</b>	
Renewal retired active	70.00
Late renewal penalty	35.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed mental health counselor associate</b>	
<b>Original application</b>	
Application	35.00
<b>Renewal</b>	
Renewal	25.00
Late renewal penalty	25.00
Expired license reissuance	40.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed advanced social worker and licensed independent clinical social worker</b>	
<b>Original application</b>	
Application	100.00
Initial license	100.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	

<b>Title</b>	<b>Fee</b>
Renewal	100.00
Late renewal penalty	50.00
Expired license reissuance	72.50
UW online access fee (HEAL-WA)	16.00
<b>Retired active license renewal</b>	
Renewal retired active	65.00
Late renewal penalty	30.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed advanced social worker associate and licensed independent clinical social worker associate</b>	
<b>Original application</b>	
Application	35.00
UW online access fee (HEAL-WA)*	16.00
<b>Renewal</b>	
Renewal	25.00
Late renewal penalty	25.00
UW online access fee (HEAL-WA)*	16.00
Expired license reissuance	40.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00

\* Surcharge applies to independent clinical social worker associate only.

(4) For a probationary license as described under WAC 246-809-095, the following nonrefundable fees will be charged:

<b><u>Title</u></b>	<b><u>Fee</u></b>
<b><u>Licensed marriage and family therapist</u></b>	
<b><u>Original application</u></b>	
<u>Application and initial license</u>	<u>\$290.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>180.00</u>
<u>Late renewal penalty</u>	<u>90.00</u>
<u>Expired license reissuance</u>	<u>85.00</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>
<b><u>Licensed mental health counselor</u></b>	
<b><u>Original application</u></b>	
<u>Application and initial license</u>	<u>175.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>90.00</u>
<u>Late renewal penalty</u>	<u>50.00</u>
<u>Expired license reissuance</u>	<u>65.00</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>
<b><u>Licensed advanced social worker and licensed independent clinical social worker</u></b>	

<u>Title</u>	<u>Fee</u>
<b><u>Original application</u></b>	
<u>Application and initial license</u>	<u>200.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>100.00</u>
<u>Late renewal penalty</u>	<u>50.00</u>
<u>Expired license reissuance</u>	<u>72.50</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>



AMENDATORY SECTION (Amending WSR 09-15-041, filed 7/8/09, effective 7/8/09)

**WAC 246-810-015 Agency affiliated counselor: Scope of practice and credentialing requirements.** (1) An agency affiliated counselor may only provide counseling services as part of his or her employment as an agency affiliated counselor for a recognized agency.

(2) An applicant for an agency affiliated counselor must be employed by, or have an offer of employment from, an agency or facility identified in WAC 246-810-016.

(3)(a) Applicants must submit an application to the department within the first thirty days of employment at an agency in order to continue working while the application is processed.

(b) Applicants must complete any outstanding deficiencies within ninety days of the date the department issues a deficiency letter. If the applicant does not satisfy the outstanding licensure requirements within ninety days, the applicant must stop working.

NEW SECTION

**WAC 246-810-019 Co-occurring disorder enhancement specialist eligibility.** Agency affiliated counselors licensed under chapter 18.19 RCW and this chapter who meet the conditions of RCW 18.205.105 (1)(e) are eligible to apply for a co-occurring disorder specialist enhancement to their existing credential according to the conditions of RCW 18.205.160 and chapter 246-804 WAC.

AMENDATORY SECTION (Amending WSR 09-15-041, filed 7/8/09, effective 7/8/09)

**WAC 246-810-026 Qualifications to be a certified counselor supervisor, certified adviser supervisor, or a certified counselor consultant.** The following qualifications are required to be a certified counselor supervisor, certified adviser supervisor, or a certified counselor consultant.

(1) The supervisor or consultant must have held a Washington state credential in counseling-related fields for a minimum of five years. All credentials held by the supervisor or consultant must be in good standing. At least one credential must be active.

(2) For purposes of this section, counseling-related fields means a credential issued under chapter 18.130 RCW for:

- (a) Certified counselor;
- (b) Hypnotherapist;
- (c) Mental health counselor;
- (d) Marriage and family therapist;
- (e) Independent clinical social work;
- (f) Advanced social work;
- (g) Psychologist;
- (h) ~~((Chemical dependency))~~ Substance use disorder professional;
- (i) Sex offender treatment provider;

- (j) Sex offender treatment provider affiliate;
- (k) Medical physician;
- (l) Osteopathic physician;
- (m) Advanced registered nurse practitioner;
- (n) Naturopathic physician; and
- (o) Until July 1, 2010, registered counselor.

Additional credentials may be accepted by the secretary as counseling-related.

(3) The supervisor or consultant may not be a blood or legal relative or cohabitant of the credential holder, or someone who has acted as the credential holder's counselor within the past two years. A supervisor or consultant may not have a reciprocal supervisory or consultant arrangement with another credential holder.

(4) Prior to the commencement of any supervision or consultation, the supervisor or consultant must provide the certified counselor or certified adviser with a declaration on a form provided by the department.

(5) The supervisor must have completed education and training in:

(a) Supervision or management of individuals who provide counseling or mental health services;

(b) Risk assessment;

(c) Screening using the global assessment of functioning scale;

(d) Professional ethics; and

(e) Washington state law.

(6) The consultant must have completed education and training in:

(a) Risk assessment;

(b) Screening using the global assessment of functioning scale;

(c) Professional ethics; and

(d) Washington state law.

AMENDATORY SECTION (Amending WSR 17-07-025, filed 3/7/17, effective 4/7/17)

**WAC 246-810-0298 Suicide assessment training standards.** (1) Approved qualifying training in suicide assessment, including screening and referral must:

(a) Until July 1, 2017, be approved by the American Foundation for Suicide Prevention, the Suicide Prevention Resource Center, entities listed in WAC 246-810-0293, or an equivalent organization, educational institution or association which approves training based on observation and experiment or best available practices. The training must be empirically supported training and meet other requirements in RCW 43.70.442;

(b) Beginning July 1, 2017, must 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; and

(c) Be provided by a single provider and be at least three hours in length, which may be provided in one or more sessions.

(2) A certified counselor or certified adviser who is an employee of a state or local government employer is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment including screening and referral from his or her employer every six years. For purposes of this

subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.

(3) A certified counselor or certified adviser 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~~) licensed or certified behavioral health agency under chapter 71.05 or 71.24 RCW is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment, including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.

(4) A certified counselor or certified adviser that obtained training under the exemptions listed in subsections (2) and (3) of this section may obtain CE credit subject to documentation as defined in WAC 246-810-0297.

AMENDATORY SECTION (Amending WSR 97-17-113, filed 8/20/97, effective 9/20/97)

**WAC 246-810-061 Health care institutions.** The chief administrator or executive officer or their designee of any hospital, nursing home, (~~chemical dependency treatment programs as defined in chapter 70.96A RCW, drug treatment agency as defined in chapter 69.54 RCW, and public and private mental health treatment agencies as defined in RCW 71.05.020 (6) and (7), and 71.24.025(3)~~) licensed or certified behavioral health agency as defined in RCW 71.24.025, and residential treatment facility licensed under chapter 71.12 RCW, shall report to the department when any counselor's services are terminated or are restricted based upon a determination that the counselor has committed an act which may constitute unprofessional conduct or that the counselor may be unable to practice with reasonable skill or safety to clients by reason of a mental or physical condition. Reports are to be made in accordance with WAC 246-810-060.

Chapter 246-811 WAC

~~((CHEMICAL DEPENDENCY))~~ SUBSTANCE USE DISORDER PROFESSIONALS AND  
~~((CHEMICAL DEPENDENCY))~~ SUBSTANCE USE DISORDER PROFESSIONALS TRAINEES

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly states otherwise.

(1) "Agency" means a community behavioral health agency or facility operated, licensed, or certified by the state of Washington, a federally recognized Indian tribe located with the state, a county, a federally qualified health center, or a hospital.

(2) "Approved school" means any college or university accredited by a national or regional accrediting body, at the time the applicant completed the required education or other educational programs approved by the secretary.

~~((2) **Certified chemical dependency professional (CDP)** means an individual certified in chemical dependency counseling under chapter 18.205 RCW.~~

~~(3) **Certified chemical dependency professional trainee (CDPT)** means an individual working toward the education and experience requirements for certification as a chemical dependency professional, and who has been credentialed as a CDPT under chapter 18.205 RCW.~~

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

~~(5))~~ (3) "Counseling" means employing any therapeutic techniques including, but not limited to, social work, mental health counseling, marriage and family therapy, and hypnotherapy, for a fee, that offer, assist, or attempt to assist an individual or individuals in the amelioration or adjustment of mental, emotional, or behavioral problems, and includes therapeutic techniques to achieve sensitivity and awareness of self and others and the development of human potential.

(4) "Core competencies of ((~~chemical dependency~~) **substance use disorder** counseling" means competencies oriented to assist ((~~alcohol and drug addicted patients to achieve and maintain abstinence from mood-altering substances and develop independent support systems~~)) in individuals with substance use disorder in their recovery. Core competencies include the following nationally recognized areas:

- (a) Knowledge;
- (b) Skills;
- (c) Attitudes of professional practice, including assessment and diagnosis of ((~~chemical dependency~~) substance use disorder;
- (d) ((~~Chemical dependency~~) Substance use disorder treatment planning and referral;
- (e) Patient and family education in ((~~the disease of chemical dependency~~) substance use disorder;
- (f) Individual and group counseling ((~~with alcoholic and drug addicted individuals; and~~));
- (g) Relapse prevention counseling((~~r~~)); and

(h) Case management.

~~((6))~~ (5) "Direct supervision" means the supervisor is on the premises and available for immediate consultation.

~~((7))~~ (6) "Enrolled" means participating in an approved school and progressing toward the completion of the course work, or completion of the course work to be certified as a ~~((chemical dependency))~~ substance use disorder professional as described in WAC 246-811-030 (2) (a) through (w).

~~((8))~~ (7) "Individual formal meetings" means a meeting with an approved supervisor, involving one approved supervisor and no more than four supervisees.

~~((9))~~ (8) "Official transcript" means the transcript from an approved college or school, in an envelope readily identified as having been sealed by the school.

~~((10))~~ (9) "Out-of-state" means any state or territory of the United States.

(10) "Probationary license" means a temporary license issued to out-of-state applicants qualifying for licensure reciprocity in Washington state under the restrictions and conditions of RCW 18.205.140 and this chapter.

(11) "Reciprocity" means licensure of out-of-state licensed counselors based on substantial equivalence between Washington state scope of practice and the scope of practice of the other state or territory, subject to a probationary licensure period to complete outstanding Washington state licensure requirements as determined necessary by the secretary to gain full licensure.

(12) "Recovery" means a process of change through which individuals improve their health and wellness, live self-directed lives, and strive to reach their full potential. Recovery often involves achieving remission from active substance use disorder.

(13) "Related field" means health education, behavioral science, sociology, psychology, marriage and family therapy, mental health counseling, social work, psychiatry, nursing, divinity, criminal justice, and counseling education.

(14) "Substance use disorder counseling" means employing the core competencies of substance use disorder counseling to assist or attempt to assist individuals with substance use disorder in their recovery.

(15) "Substance use disorder professional" or "SUDP" means an individual certified in substance use disorder counseling under chapter 18.205 RCW and this chapter.

(16) "Substance use disorder professional trainee" or "SUDPT" means an individual holding a credential as an SUDPT and working toward the education and experience requirements for certification as a substance use disorder professional under chapter 18.205 RCW and this chapter.

AMENDATORY SECTION (Amending WSR 17-24-084, filed 12/5/17, effective 1/5/18)

**WAC 246-811-020 Sexual misconduct.** (1) The definitions and prohibitions on sexual misconduct described in chapter 246-16 WAC apply to ~~((chemical dependency professionals and a chemical dependency))~~ substance use disorder professionals and a substance use disorder professional trainee except WAC 246-16-100 (4) and (5).

(2) A (~~chemical dependency~~) substance use disorder professional or a (~~chemical dependency~~) substance use disorder professional trainee shall never engage, or attempt to engage, in the activities listed in WAC 246-16-100 (1) and (2) with a former patient, former client or former key party.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-030 Educational requirements.** (1) Except as provided for in WAC 246-811-077 and 246-811-078, the minimum education requirements for a (~~chemical dependency~~) substance use disorder professional credential are:

(a) An associate's degree in human services or related field from an approved school; or

(b) Successful completion of ninety quarter or sixty semester college credits in courses from an approved school.

(2) At least forty-five quarter or thirty semester credits must be in courses relating to the (~~chemical dependency~~) substance use disorder profession and shall include the following topics specific to (~~alcohol and drug addicted~~) individuals with substance use disorder in their recovery:

(a) Understanding addiction;

(b) Pharmacological actions of alcohol and other drugs;

(c) Substance abuse and addiction treatment methods;

(d) Understanding addiction placement, continuing care, and discharge criteria, including American Society of Addiction Medicine (ASAM) criteria;

(e) Cultural diversity including people with disabilities and its implication for treatment;

(f) (~~Chemical dependency~~) Substance use disorder clinical evaluation (screening and referral to include comorbidity);

(g) HIV/AIDS brief risk intervention for the chemically dependent;

(h) (~~Chemical dependency~~) Substance use disorder treatment planning;

(i) Referral and use of community resources;

(j) Service coordination (implementing the treatment plan, consulting, continuing assessment and treatment planning);

(k) Individual counseling;

(l) Group counseling;

(m) (~~Chemical dependency~~) Substance use disorder counseling for families, couples and significant others;

(n) Client, family and community education;

(o) Developmental psychology;

(p) Psychopathology/abnormal psychology;

(q) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data;

(r) (~~Chemical dependency~~) Substance use disorder confidentiality;

(s) Professional and ethical responsibilities;

(t) Relapse prevention;

- (u) Adolescent (~~(chemical dependency)~~) substance use disorder assessment and treatment;
- (v) (~~(Chemical dependency)~~) Substance use disorder case management; and
- (w) (~~(Chemical dependency)~~) Substance use disorder rules and regulations.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-035 Certification of a (~~(chemical dependency)~~) substance use disorder professional trainee (~~((CDPT))~~).** (1) The department of health will issue a (~~(CDPT)~~) substance use disorder professional trainee certificate to an individual who:

- (a) Submits an application on forms the department provides;
- (b) Includes written documentation to meet the eligibility criteria;
- (c) Declares that he or she is enrolled in an approved school and gaining the experience required to receive a (~~(CDP)~~) substance use disorder professional credential;
- (d) Submit evidence of completion of four clock hours of AIDS education. The requirement of WAC 246-811-030 (2)(g) will satisfy this requirement.

(2) A (~~(CDPT)~~) substance use disorder professional trainee must submit a signed declaration with their annual renewal that states they are enrolled in an approved education program, or have completed the educational requirements, and are obtaining the experience requirements for a (~~(CDP)~~) substance use disorder professional credential.

(3) A (~~(CDPT)~~) substance use disorder professional trainee certificate can only be renewed four times.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-045 Accumulation of experience.** (1) The department will consider experience in the field of (~~(chemical dependency)~~) substance use disorder counseling up to seven years prior to the date of application.

(2) Accumulation of the experience hours is not required to be consecutive.

(3) Experience that will count toward certification must meet the requirements outlined in WAC 246-811-046 through 246-811-049.

(4) Supervised experience is the practice as referred to in RCW 18.205.090 (1)(c) and is the experience received under an approved supervisor.

(5) A practicum or internship taken while acquiring the degree or semester/quarter hours is applicable.

(6) Applicants who have held an active substance use disorder credential for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying

criminal history, are deemed to have met the supervised experience requirements of this chapter for Washington state licensure.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-046 Number of experience hours required for certification as a ~~((chemical dependency))~~ substance use disorder professional.** Except as provided in WAC 246-811-070(1), an applicant must complete the following requirements based on their level of formal education.

(1) Two thousand five hundred hours of ~~((chemical dependency))~~ substance use disorder counseling, for individuals who have an associate degree; or

(2) Two thousand hours of ~~((chemical dependency))~~ substance use disorder counseling for individuals who have a baccalaureate degree in human services or a related field from an approved school; or

(3) One thousand five hundred hours of ~~((chemical dependency))~~ substance use disorder counseling for individuals who possess a master or doctoral degree in human services or a related field from an approved school; or

(4) One thousand hours of ~~((chemical dependency))~~ substance use disorder counseling for individuals who are credentialed according to WAC 246-811-076. The experience must be supervised by an approved supervisor meeting the requirements under WAC 246-811-049(8).

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-047 Competency—Experience requirements.** (1) It is the intent that an individual applying for a ~~((chemical dependency))~~ substance use disorder professional certificate has become competent in the core competencies of chemical counseling through the experience requirements in this section.

(2) Individuals must have the following experiences to gain the core competencies of ~~((chemical dependency))~~ substance use disorder counseling:

(a) Two hundred hours of clinical evaluation, of which one hundred hours must be face-to-face patient contact hours;

(b) Six hundred hours of face-to-face counseling to include:

(i) Individual counseling;

(ii) Group counseling; and

(iii) Family, couples, and significant others;

(c) Fifty hours of discussion of professional and ethical responsibilities;

(d) Transdisciplinary foundations:

(i) Understanding addiction;

(ii) Treatment knowledge;

(iii) Application to practice; and

(iv) Professional readiness;



(e) Treatment planning;  
(f) Referral;  
(g) Service coordination;  
(h) Client, family, and community education; and  
(i) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data.

(3) Of the total experience hours required under WAC 246-811-046, eight hundred fifty hours of experience must be divided among subsection (2)(a) through (c) of this section. The remaining experience hours must be divided among subsection (2)(d) through (i) of this section as determined by the supervisor.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-048 Supervision requirements.** (1) All of the experience required for ((CDP)) substance use disorder professional certification must be under an approved supervisor as defined in WAC 246-811-049.

(2) ((ACDPT)) A substance use disorder professional or an individual credentialed according to WAC 246-811-076 may provide ((~~chemical dependency~~)) substance use disorder assessment, counseling, and case management to patients consistent with his or her education, training, and experience as documented by the approved supervisor.

(a) The first fifty hours of any face-to-face patient contact must be under direct supervision and within sight and hearing of an approved supervisor or a ((~~chemical dependency~~)) substance use disorder professional designated by the approved supervisor.

(b) An approved supervisor or the approved supervisor's designated certified ((~~chemical dependency~~)) substance use disorder professional must provide direct supervision when a supervisee is providing clinical services to patients until the approved supervisor documents in the employee file that the supervisee has obtained the necessary education, training, and experience.

(3) Approved supervisors must attest to the department that the supervisee has demonstrated competency in the areas listed in WAC 246-811-047(2) on forms provided by the department.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-049 Approved supervisors.** (1) ((~~Except as provided in subsection (8) of this section,~~)) An approved supervisor is a certified ((CDP)) substance use disorder professional or a person who meets or exceeds the requirements of a certified ((CDP)) substance use disorder professional in the state of Washington, and who would be eligible to take the examination required for certification.

(2) ((~~Except as provided in subsection (9) of this section,~~)) An approved supervisor must have at least ((~~four~~)) three thousand hours of experience in a state approved ((~~chemical dependency~~)) substance

use disorder treatment agency in addition to the supervised experience hours required to become a ((CDP)) substance use disorder professional.

~~(3) ((Except as provided in subsection (9) of this section,)) An approved supervisor may substitute twenty-eight clock hours of recognized supervisory training for one thousand hours of experience.~~

~~(4) An approved supervisor may substitute five hundred hours of experience with thirty-six hours of education specific to:~~

~~(a) Counselor development;~~

~~(b) Professional and ethical standards;~~

~~(c) Program development and quality assurance;~~

~~(d) Performance evaluation;~~

~~(e) Administration;~~

~~(f) Treatment knowledge; and~~

~~(g) Washington state law regarding substance use disorder treatment.~~

~~(5) An approved supervisor is not a blood or legal relative, significant other, cohabitant of the supervisee, or someone who has acted as the supervisee's primary counselor.~~

~~((5) A chemical dependency)) (6) A substance use disorder professional trainee ((CDPT)) (SUDPT) must receive documentation of his or her approved supervisor's qualifications before training begins.~~

~~((6)) (7) An approved supervisor or other certified ((CDP)) substance use disorder professional must review and sign all ((CDPT)) substance use disorder professional trainee clinical documentation.~~

~~((7)) (8) An approved supervisor is responsible for all patients assigned to the ((CDPT)) substance use disorder professional trainee they supervise.~~

~~((8) An approved supervisor may only provide supervision to an applicant completing the alternative training under WAC 246-811-077 if the approved supervisor holds a current Washington state credential as a CDP and meets all other requirements under this section.~~

~~(9) A CDP credentialed according to WAC 246-811-077 may meet the requirements to be an approved supervisor under subsections (2) and (3) of this section by:~~

~~(a) Completing fifteen hundred hours of experience in a state approved chemical dependency treatment agency. These hours are in addition to the supervised experience hours required to become a CDP;~~

~~(b) Completing twenty-eight clock hours of supervisory training provided by an industry-recognized local, state, national, or international organization or institution of higher learning as defined in WAC 246-811-200(5); and~~

~~(c) Completing thirty-six hours of education specific to:~~

~~(i) Counselor development;~~

~~(ii) Professional and ethical standards;~~

~~(iii) Program development and quality assurance;~~

~~(iv) Performance evaluation;~~

~~(v) Administration;~~

~~(vi) Treatment knowledge; and~~

~~(vii) Washington state law regarding substance use disorder treatment.))~~

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-060 Examination requirements for a ~~((chemical dependency certification))~~ substance use disorder professional certification.** (1) An applicant must take and pass the National Association of Alcoholism and Drug Abuse Counselor (NAADAC) National Certification Examination for Addiction Counselors or International Certification and Reciprocity Consortium (ICRC) Certified Addiction Counselor Level II or higher examination.

(2) The department will accept the passing score set by the testing company.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-075 AIDS prevention and information education requirements.** ~~((Chemical dependency))~~ Substance use disorder professional applicants and ~~((chemical dependency))~~ substance use disorder professional trainee applicants must complete four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-076 Eligibility for certification through alternative training.** A practitioner listed in subsections (1) through (7) of this section who holds an active license in good standing may apply for certification as a ~~((chemical dependency))~~ substance use disorder professional using alternative training under WAC 246-811-077 or 246-811-078:

(1) Advanced registered nurse practitioner under chapter 18.79 RCW;

(2) Marriage and family therapists, mental health counselor, advanced social worker, or independent clinical social worker under chapter 18.225 RCW;

(3) Psychologist under chapter 18.83 RCW;

(4) Osteopathic physician under chapter 18.57 RCW;

(5) Osteopathic physician assistant under chapter 18.57A RCW;

(6) Physician under chapter 18.71 RCW; or

(7) Physician assistant under chapter 18.71A RCW.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-077 Educational requirements to apply for ~~((chemical dependency))~~ substance use disorder professional certification with**

**alternative training.** An applicant credentialed according to WAC 246-811-076 may meet the educational requirements for (~~chemical dependency~~) substance use disorder professional certification by demonstrating successful completion of fifteen quarter or ten semester college credits in courses from an approved school.

(1) Course work on each of the following topics specific to (~~alcohol and drug addicted~~) individuals with substance use disorder is required:

- (a) Survey of addiction;
  - (b) Treatment of addiction;
  - (c) Pharmacology;
  - (d) Physiology of addiction;
  - (e) American Society of Addiction Management (ASAM) criteria;
  - (f) Individual group, including family addiction counseling; and
  - (g) Substance use disorder law and ethics.
- (2) Course work must be completed for credit.

(3) An applicant shall verify course completion by submitting official transcripts to the department. If the course title does not clearly identify the content area, the applicant shall provide the course syllabi.

(4) An applicant who meets the educational requirements of this section is considered to meet the educational requirements of WAC 246-811-030.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-078 National certification acceptable for alternative training.** (1) An applicant credentialed according to WAC 246-811-076 may submit a national certification listed in subsection (2) of this section in place of the following requirements for (~~CDP~~) substance use disorder professional certification:

(a) The educational requirements in WAC 246-811-077 and 246-811-030; and

(b) The supervised experience requirements in WAC 246-811-046.

(2) The department accepts the following national certifications from an applicant credentialed according to WAC 246-811-076:

(a) American Society of Addiction Medicine (ASAM) or the American Board of Addiction Medicine (ABAM);

(b) Addiction psychiatry from the American Board of Psychiatry and Neurology;

(c) Master addiction counselor (MAC) from the National Association of Alcoholism and Drug Abuse Counselors;

(d) Master addiction counselor (MAC) from the National Board of Certified Counselors;

(e) Certified addictions registered nurse or a certified addictions registered nurse - Advanced practice from the International Nurses Society on Addictions;

(f) Certified addiction specialist (CAS) from the American Academy of Health Care Providers in the Addictive Disorders;

(g) Certificate of Proficiency in the Treatment of Psychoactive Substance Abuse Disorders from the American Psychological Association;

(h) Advanced alcohol and drug counselor (AADC) from the International Certification and Reciprocity Consortium;

- (i) American Osteopathic Board of Anesthesiology Certificate of Added Qualification in Addiction Medicine;
  - (j) American Osteopathic Board of Family Medicine Certificate of Added Qualification in Addiction Medicine;
  - (k) American Osteopathic Board of Internal Medicine Certificate of Added Qualification in Addiction Medicine; and
  - (l) American Osteopathic Board of Neurology and Psychiatry Certificate of Added Qualification in Addiction Medicine.
- (3) The certifying body of a national certification submitted according to this section must send verification of the certification directly to the department.
- (4) A national certification submitted according to this section must be active and in good standing.
- (5) Nothing in this section exempts any applicant from the examination requirements of WAC 246-811-060.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-080 What happens if my certification expires? (1)**

If the ((~~chemical dependency professional (CDP) or chemical dependency certification trainee (CDPT)~~)) substance use disorder professional or substance use disorder professional trainee certification has expired for five years or less, the individual must meet the requirements of chapter 246-12 WAC, Part 2.

(2) If a ((~~CDP~~)) substance use disorder professional certification has lapsed for more than five years, the applicant must demonstrate continued competency and must pass an examination, if an examination was not successfully passed for the initial certification. In addition, the requirements of chapter 246-12 WAC, Part 2, must be met.

(3) If a ((~~CDPT~~)) substance use disorder professional trainee certification has lapsed for more than five years, the applicant must meet the requirements of chapter 246-12 WAC, Part 2.

**((~~CHEMICAL DEPENDENCY~~)) SUBSTANCE USE DISORDER PROFESSIONAL RETIRED ACTIVE CREDENTIAL**

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-081 Retired active ((~~chemical dependency~~)) substance use disorder professional ((~~CDP~~)) (SUDP) credential.** A certified ((~~CDP~~)) substance use disorder professional may obtain a retired active credential. Refer to the requirements of chapter 246-12 WAC, Part 5.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-090 A ((chemical dependency)) substance use disorder professional and a ((chemical dependency)) substance use disorder professional trainee must provide client disclosure information.** A ((chemical dependency)) substance use disorder professional and a ((chemical dependency)) substance use disorder professional trainee must provide disclosure information to each client prior to the delivery of certified services ((WAC 388-805-325)). Disclosure information may be printed in a format of the ((chemical dependency)) substance use disorder professional's choosing or in a general format used by a state approved treatment facility.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-100 Disclosure statement requirements.** (1) The following information must be printed on all disclosure statements provided to counseling clients in language that can be easily understood by the client:

- (a) Name of firm, agency, business, or ((chemical dependency)) substance use disorder professional's practice.
- (b) Employment address and telephone number.
- (c) Name, credential, and credential number.
- (d) Billing information, including:
  - (i) Client's cost per each counseling session;
  - (ii) Billing practices, including any advance payments and refunds.
- (e) A list of the acts of unprofessional conduct in RCW 18.130.180 including the name, address, and contact telephone number within the department of health.

(2) The ((CDP or CDPT)) substance use disorder professional or substance use disorder professional trainee and the client must sign and date a statement indicating that the client has been given a copy of the required disclosure information, and the client has read and understands the information provided.

**CONTINUING COMPETENCY REQUIREMENTS FOR ((CHEMICAL DEPENDENCY)) SUBSTANCE USE DISORDER PROFESSIONALS**

**WAC 246-811-200 Continuing competency definitions.** (1) "Agency sponsored training" is training provided by an agency that is not limited to people working within that agency and is a professional development activity as defined in subsection (7) of this section.

(2) "Continuing competency enhancement plan" is a plan showing the goals an individual will develop to continue proficiency as a certified (~~chemical dependency~~) substance use disorder professional. This plan will be based on core competencies of (~~chemical dependency~~) substance use disorder counseling listed in WAC 246-811-047 (2)(a) through (i) and on forms provided by the department.

(3) "Continuing education" means a program or course (including distance learning), seminar workshop, or professional conference approved by an industry-recognized organization or institution of higher learning listed in subsection (5) of this section.

(4) "Distance learning" is industry-recognized education obtained to enhance proficiency in one or more of the professional development activities as defined in subsection (7) of this section, through sources such as internet course work, satellite downlink resources, telecourses, or correspondence courses.

(5) "Industry-recognized" is any local, state, national, or international organization or institution of higher learning including, but not limited to, the following:

(a) National Association of Alcoholism and Drug Abuse Counselors (NAADAC);

(b) National Association of Addiction Treatment Providers (NAATP);

(c) International Certification and Reciprocity Consortium (ICRC);

(d) Northwest Indian alcohol/drug specialist certification board;

(e) Institutions of higher learning that are accredited by a national or regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation; and

(f) Division of behavioral health and recovery (DBHR), (~~department of social and health services~~) health care authority.

(6) "In-service training" is training provided by an agency that is limited to people working within that agency and is a professional development activity as defined in subsection (7) of this section.

(7) "Professional development activities" means addiction competencies as outlined in WAC 246-811-047, including: Clinical evaluation, individual counseling, group counseling, counseling family, couples, and significant others, professional and ethical responsibilities, understanding addiction, treatment knowledge, application to practice, professional readiness, treatment planning, referral, service coordination, client, family, and community education, screening, intake, assessment, clinical reports, clinical progress notes, discharge summaries, and other client related data.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-210 Purpose of a continuing competency program.** To enhance the professional competency of the ((~~chemical dependency~~)) substance use disorder professional. A successful continuing competency program focuses on all aspects of professional practice to ensure that the practitioner is competent to provide safe and quality care to patients. The purpose of the professional development activities is to broaden the experience that a ((CDP)) substance use disorder professional may undertake to maintain competency.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-220 Continuing competency program requirements.** A ((~~chemical dependency~~)) substance use disorder professional, regardless of method of certification, must complete:

- (1) An enhancement plan as described in WAC 246-811-200(7);
- (2) Twenty-eight hours of continuing education as described in WAC 246-811-240; and
- (3) Twelve hours of other professional development activities as described in WAC 246-811-047 and 246-811-200(2).

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-230 Continuing competency reporting period.** A ((~~chemical dependency~~)) substance use disorder professional must complete the continuing competency program requirements every two years. A ((CDP)) substance use disorder professional must develop and implement the plan upon initial certification, and every two years thereafter.

AMENDATORY SECTION (Amending WSR 14-09-102, filed 4/22/14, effective 4/22/14)

**WAC 246-811-240 Number of continuing education hours required.**

- (1) A certified ((~~chemical dependency~~)) substance use disorder professional must complete twenty-eight hours of continuing education (CE) every two years.
  - (a) At least fourteen hours must be completed in one or more of the topic areas as described in WAC 246-811-030 (2)(a) through (w).
  - (b) At least four hours must be in professional ethics and law.
  - (c) The additional ten hours shall be in areas relating to the various phases of their professional career.



(d) The training in suicide assessment listed in subsection (2) of this section shall count towards meeting the CE requirements.

(2) Beginning January 1, 2014, at least once every six years a certified (~~(chemical dependency)~~) substance use disorder professional must complete at least three hours of training in suicide assessment, including screening and referral, as specified in WAC 246-811-280.

(a) Except as provided in (b) of this subsection, the first training must be completed during the first full CE reporting period after January 1, 2014, or the first full CE period after initial certification, whichever occurs later.

(b) An individual applying for initial certification as a (~~chemical dependency~~) substance use disorder professional on or after January 1, 2014, may delay completion of the first required training for six years after initial certification if he or she can demonstrate completion of a three-hour training in suicide assessment, including screening and referral that:

(i) Was completed no more than six years prior to the application for initial certification; and

(ii) Meets the qualifications listed in WAC 246-811-280(1).

(3) Nothing in this section is intended to expand or limit the existing scope of practice of a certified (~~(chemical dependency)~~) substance use disorder professional or certified (~~(chemical dependency)~~) substance use disorder professional trainee credentialed under chapter 18.205 RCW.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-260 Completion of the twelve hours of other professional development activities.** (1) A (~~(chemical dependency)~~) substance use disorder professional (~~(CDP)~~) (SUDP) may obtain hours through the following:

(a) Practicum;

(b) Peer-review including serving on a formal peer review panel or committee, or individual review of a sole provider, where the purpose of the review is to determine whether appropriate treatment was rendered;

(c) Public presentation including preparing and presenting lectures or education that contribute to the professional competence of a (~~(CDP. The CDP)~~) substance use disorder professional. The substance use disorder professional may accumulate the same number of hours obtained for continuing education purposes by attendees as required in WAC 246-12-220. The hours for presenting a specific topic lecture or education may only be used for continuing education credit once during each reporting period;

(d) Publication of writings;

(e) Other activities as determined by the (~~(CDP's)~~) substance use disorder professional's supervisor;

(f) Continuing education; these continuing education hours are in addition to the twenty-eight hours of continuing education as listed in WAC 246-811-240.

(2) All documentation must include the dates the continuing competency activity that took place, and if appropriate, the title of the course, the location of the course, and the name of the instructor.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-270 Acceptable audit documentation for continuing education, professional development activities, and the enhancement plan.** (1) Acceptable documentation must be specific to the program completed and include:

(a) Transcripts, letters from course instructors, or certificate of completion;

(b) Written report by the ((~~CDP~~)) substance use disorder professional explaining how they achieved the competencies in WAC 246-811-047; or

(c) Signed agreement between parties involved.

(2) A ((~~chemical dependency~~)) substance use disorder professional must comply with the requirements of chapter 246-12 WAC, Part 7.

AMENDATORY SECTION (Amending WSR 17-13-083, filed 6/16/17, effective 7/17/17)

**WAC 246-811-280 Suicide assessment training standards.** (1) A ((~~CDP~~)) substance use disorder professional must complete a training in suicide assessment, including screening and referral. The training must be provided by a single provider and must be at least three hours in length, which may be provided in one or more sessions.

(a) Until July 1, 2017, the training must be approved by the American Foundation for Suicide Prevention; the Suicide Prevention Resource Center; an industry-recognized organization or an institution of higher learning listed in WAC 246-811-200; or an association which approves training programs based on observation and experiment or best available practices.

(b) Beginning July 1, 2017, the training must be on the department's model list for training programs in suicide assessment, treatment and management. The model list is developed in accordance with rules adopted by the department that establish minimum standards for training programs. The establishment of the model list does not affect the validity of training completed prior to July 1, 2017.

(2) A certified ((~~chemical dependency~~)) substance use disorder professional who is a state or local government employee is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment, including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.

(3) A certified ((~~chemical dependency~~)) substance use disorder professional who is an employee of a community mental health agency licensed under chapter 71.24 RCW or a ((~~chemical dependency~~)) substance use disorder program certified under chapter 70.96A RCW is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment, including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one

three-hour block or may be spread among shorter training sessions at the employer's discretion.

NEW SECTION

**WAC 246-811-300 Probationary license.** (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state for substance use disorder professional according to the conditions and restrictions of the reciprocity program established RCW 18.205.140 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the particular behavioral health profession.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, the applicant must submit to the department a completed application to include:

(a) Verification of their out-of-state license; and

(b) The fee according to WAC 246-811-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew a probationary license, the applicant must submit to the department a completed application to include:

(a) Completion of suicide assessment, treatment, and management according to WAC 246-811-280(1);

(b) AIDS education according to WAC 246-811-075; and

(c) The fee according to WAC 246-811-990.

(5) Continuing education. With the exception of the requirements in subsection (4) of this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Approved supervision. If the department determines a probationary licensee must complete supervised hours of experience as a condition for full licensure, the licensee must complete the stated hours under an approved supervisor according to the conditions of this chapter.

AMENDATORY SECTION (Amending WSR 18-09-077, filed 4/17/18, effective 8/1/18)

**WAC 246-811-990 (~~Chemical dependency professional and chemical dependency~~) Substance use disorder professional and substance use disorder professional trainee—Fees and renewal cycle.** (1) A (~~chemical dependency~~) substance use disorder professional (~~(CDP)~~) (SUDP) certificate must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) A (~~chemical dependency~~) substance use disorder professional trainee (~~(CDPT)~~) certificate must be renewed every year to correspond with issuance date.

(3) The following nonrefundable fees will be charged for a certified (~~chemical dependency~~) substance use disorder professional:

<b>Title of Fee</b>	<b>Fee</b>
Application	\$260.00
Initial certification	295.00
Active renewal	300.00
Active late renewal penalty	150.00
Retired active renewal	115.00
Retired active late renewal penalty	60.00
Expired certification reissuance	115.00
Duplicate certification	10.00
Verification of certificate	25.00

(4) The following nonrefundable fees will be charged for a certified (~~chemical dependency~~) substance use disorder professional trainee:

<b>Title of Fee</b>	<b>Fee</b>
Application and initial certification	\$110.00
Renewal	90.00
Late renewal penalty	50.00
Expired certification reissuance	50.00
Duplicate certification	10.00
Verification of certificate	25.00

(5) Probationary licensure. To receive an initial or renewal of a probationary license as described in WAC 246-811-300 (3) and (4), the following nonrefundable fees will be charged:

<b><u>Title of Fee</u></b>	<b><u>Fee</u></b>
<u>Application and initial certification</u>	<u>\$555.00</u>
<u>Active renewal</u>	<u>300.00</u>
<u>Active late renewal penalty</u>	<u>150.00</u>
<u>Expired certification reissuance</u>	<u>115.00</u>
<u>Duplicate certification</u>	<u>10.00</u>
<u>Verification of certificate</u>	<u>25.00</u>

AMENDATORY SECTION (Amending WSR 15-19-149, filed 9/22/15, effective 1/1/16)

**WAC 246-924-990 Psychology fees and renewal cycle.** (1) Except for a probationary license as described in WAC 246-924-493, licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

<b>Title of Fee</b>	<b>Fee</b>
<b>Original application</b>	
Application	\$190.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	
Renewal	210.00
UW online access fee (HEAL-WA)	16.00
Late renewal penalty	105.00
Expired license reissuance	155.00
<b>Retired active license renewal</b>	
Renewal	105.00
Late renewal penalty	55.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	<del>((30.00))</del> 10.00
<b>Verification of license</b>	<del>((30.00))</del> 25.00
<b>Amendment of certificate of qualification</b>	35.00

(3) For a probationary license as described under WAC 246-924-493, the following nonrefundable fees will be charged:

<b><u>Title of Fee</u></b>	<b><u>Fee</u></b>
<b><u>Original application</u></b>	
<u>Application</u>	<u>\$190.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>210.00</u>
<u>Late renewal penalty</u>	<u>105.00</u>
<u>Expired license reissuance</u>	<u>155.00</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>