

SB 5054 - Preliminary Results of Initial Scope of Practice Analysis

Status as of 11/8/2019

Senate Bill 5054, codified as Chapter 351 Washington Laws 2019 requires the Department of Health (department) to establish a licensing reciprocity program for substance use disorder professionals, mental health counselors, marriage and family therapists, independent clinical social workers, advanced social workers, and psychologists.

The law requires the department to create a reciprocity program for out of state applicants who hold (or have held in the last 12 months) a credential in good standing from another state which has a scope of practice for the profession that is substantially equivalent to or greater than Washington's. In addition, the applicant must not have a disciplinary record or disqualifying criminal history. Applicants that meet these criteria are eligible under the reciprocity program for a probationary license that allows the license holder to practice within agency settings while working towards meeting full Washington licensure requirements.

The law also requires the department to maintain and publish a list of states with substantially equivalent scopes of practice, prioritizing first the five states that have historically produced the most applicants for a Washington credential.

As a first step to determining which states will be eligible for reciprocity, the department compared scopes of practice for the top five states producing applicants for each profession, as well as Washington's neighboring states. Below is a high level summary of the department's preliminary analysis regarding substantial equivalency in scopes of practice. The states shaded in green are the top five producing applicants for licensure in Washington. States shaded in blue are neighboring states that are not in the top five.

Substance Use Dependency Professionals (SUDPs)

Scope of practice for SUDPs in Washington is defined in RCW 18.205.020 as the provision of "substance use disorder counseling," which means "employing the core competencies of substance use disorder counseling to assist or attempt to assist individuals with substance use disorder in their recovery." The core competencies of substance use disorder counseling are defined as "competency in the nationally recognized knowledge, skills, and attitudes of professional practice, including assessment and diagnosis of substance use disorders, substance use disorder treatment planning and referral, patient and family education in the disease of substance use disorders, individual and group counseling, relapse prevention counseling, and case management, all oriented to assist individuals with substance use disorder in their recovery."

Summary of Scope of Practice Analysis Findings: SUDPs from Oregon, Idaho, California, Colorado, Arizona, Alaska, and Montana will be eligible to apply for a probationary license to work in an agency setting while meeting Washington's licensure requirements.

State	Substantially Equivalent or Greater Scope of Practice than Washington's?	Department's Determination Of Equivalent Or Greater Scope	Link to State Statute, Rule or Policy Regarding Scope of Practice
Oregon	Yes	Oregon's scope of practice is similar to Washington's, and could be considered broader. The language in the scope of practice includes therapy for families in addition to individuals. It also includes safety and risk assessments, documentation requirements, and the coordination of further services that may be needed.	Credential Application with full list of core competencies
Idaho	Yes	Idaho's scope of practice language is well defined and exceeds Washington's. The scope includes ability to diagnose, treat, and provide case management for individuals with substance use disorder along from their families. It also includes protocols for referrals, community education, trauma informed care, and continuity of care including discharge planning and relapse prevention.	Idaho Board of Alcohol/Drug Counselor Certification
California	Yes	California's scope of practice would be considered equivalent to Washington's. The language references Substance Abuse and Mental Health Services Administration's (SAMHSA) Technical Assistance Publication 21 (TAP 21) competency requirements and consultation with other professionals as required.	California Consortium of Addiction Programs and Professionals Application with core competencies
Colorado	Yes	Colorado's scope of practice is well defined and exceeds that of Washington. The scope language includes reference to service planning, on-going continuity of care, advocacy, referral, crisis intervention, recovery management, and culturally specific protocols. And, allows counseling to involve family members as part of the treatment plan.	Colorado Office of Behavioral Health
Arizona	Yes	Arizona's scope of practice is similar to Washington's and we consider it substantially equivalent.	ARC 32-3251

		The language references the use of general counseling theories, based on research, to treat clients with substance abuse and chemical dependency issues.	
Alaska	Yes	The scope of practice language for Alaska is well defined and broader than Washington's. The language within the scope suggests the use of tools to address Alaskan natives and other cultural needs along with referral and service coordination protocols.	Alaska Core Competencies
Montana	Yes	Montana's scope of practice is similar to Washington and is substantially equivalent. The language includes gambling as part of the counseling of addition.	Montana Code 37-35-102
Utah	No	Utah's scope of practice does not correlate with Washington's and is considered not substantially equivalent. The scope language restricts unsupervised assessments and the development of treatment modalities. And, all provider levels are required to practice under the supervision of a mental health therapist (mental health counselor in Washington).	Utah Department of Commerce requirements and scope matrix

Mental Health Counselors

Scope of practice for mental health counselors in Washington is defined in RCW 18.225.010(9) as the provision of "mental health counseling," which means the application of principles of human development, learning theory, psychotherapy, group dynamics, and etiology of mental illness and dysfunctional behavior to individuals, couples, families, groups, and organizations, for the purpose of treatment of mental disorders and promoting optimal mental health and functionality. Mental health counseling also includes, but is not limited to, the assessment, diagnosis, and treatment of mental and emotional disorders, as well as the application of a wellness model of mental health.

Findings: Mental health counselors from all the states reviewed will be eligible to apply for a probationary license to work in an agency setting while completing Washington licensure requirements.

State	Substantially Equivalent or Greater Scope of Practice than Washington's?	Department's Determination Of Equivalent Or Greater Scope	Link to State Statute, Rule or Policy Regarding Scope of Practice
Oregon	Yes	The language in Oregon's scope of practice is very similar to Washington's and is considered substantially equivalent.	675.705
California	Yes	The scope of practice of California is similar to Washington and considered substantially equivalent. The scope language also includes techniques to address personal growth, disabilities, and crisis and psychosocial interventions.	California Board of Behavioral Sciences Statutes and Rules (Page 110)
Texas	Yes	Texas's scope of practice is substantially equivalent to Washington's. The language includes the application of human development principles, care across the lifespan, and techniques to establish treatment goals and objectives.	503.003
Colorado	Yes	The scope of practice in Colorado is consistent with Washington's and broader. The scope language includes that application of interventional strategies to address crisis intervention, personal and career development, and testing toward diagnosis.	12-43-602.5 (Page 60)
Idaho	Yes	Idaho's scope of practice is similar to Washington and considered substantially equivalent. The language references human development principles across the lifespan to develop treatment modalities across the continuum of care.	54-3401(10)
Alaska	Yes	Alaska's scope of practice is consistent with Washington's and broader. The language includes the application of tests and other diagnostic tools to diagnose and develop treatment plans.	08.29.490
Montana	Yes	The scope of practice in Montana is well defined and broader than Washington's.	37-23-102

		The language allows the use of diagnostic tools and tests to assess, diagnose, develop treatment plans, and care objectives.	
Utah	Yes	The language in Utah's scope of practice is very similar to Washington's and is considered substantially equivalent	58-60-407

Marriage and Family Therapists

Scope of practice for marriage and family therapists in Washington is defined in RCW 18.225.010(8) as the diagnosis and treatment of mental and emotional disorders, whether cognitive, affective, or behavioral, within the context of relationships, including marriage and family systems. Marriage and family therapy involves the professional application of psychotherapeutic and family systems theories and techniques in the delivery of services to individuals, couples, and families for the purpose of treating such diagnosed nervous and mental disorders. The practice of marriage and family therapy means the rendering of professional marriage and family therapy services to individuals, couples, and families, singly or in groups, whether such services are offered directly to the general public or through organizations, either public or private, for a fee, monetary or otherwise.

Findings: Marriage and family therapists from all the states reviewed will be eligible to apply for a probationary license to work in an agency setting while completing Washington licensure requirements.

State	Substantially Equivalent or Greater Scope of Practice than Washington's?	Department's Determination Of Equivalent Or Greater Scope	Link to State Statute, Rule or Policy Regarding Scope of Practice
California	Yes	The scope of practice in California is substantially equivalent to Washington. The language of the scope also includes pre-marital counseling and methods to address psychosexual and psychosocial aspects of therapy.	4980.02 and 4980.03
Oregon	Yes	The language of Oregon's scope of practice is similar to Washington's and is substantially equivalent. The language includes the application of techniques to address interpersonal conflict, changing perceptions, and attitudes in relationships.	675.705
Colorado	Yes	Colorado's scope of practice is similar to Washington and is substantially equivalent. The language also addresses counseling for domestic violence, substance use disorder, and individual dysfunction in relationships.	12-43-503 (page 55)
Idaho	Yes	Idaho's scope of practice language is substantially equivalent to Washington's. In addition, Idaho's scope of practice allows licensees the ability to diagnose and treat addiction.	Idaho Marriage and Family Therapy Rules (see page 17)
Texas	Yes	The scope of practice in Texas is similar to Washington and is considered substantially equivalent.	801.42
Alaska	Yes	Alaska's scope of practice language is broader than Washington's because practice is based on standard diagnostic nomenclature for marital and family therapy. The language also includes development of treatment plans to address interpersonal and intrapersonal conflicts, changing perceptions, and attitudes in relationships.	08.63.900
Utah	Yes	Utah's scope of practice language is similar to that of Washington and is substantially equivalent. The language includes individualized (interpersonal and intrapersonal) treatment planning for pre-marital challenges and divorce and other behavior dysfunctions.	58-60-302
Montana	Yes	Montana's scope of practice is broader because it allows the use of testing to evaluate, diagnose, and develop treatment plans.	37-37-102

Independent Clinical Social Workers

The scope of practice for Independent Clinical Social Workers in Washington is defined in RCW 18.225.010(7) as the diagnosis and treatment of emotional and mental disorders based on knowledge of human development, the causation and treatment of psychopathology, psychotherapeutic treatment practices, and social work practice as defined in advanced social work. Treatment modalities include but are not limited to diagnosis and treatment of individuals, couples, families, groups, or organizations.

Findings: Independent Clinical Social Workers from all the states reviewed will be eligible to apply for a probationary license to work in an agency setting while completing Washington’s licensure requirements.

State	Substantially Equivalent or Greater Scope of Practice than Washington’s?	Department’s Determination Of Equivalent Or Greater Scope	Link to State Statute, Rule or Policy Regarding Scope of Practice
Oregon	Yes	Oregon’s scope of practice language is similar to that of Washington’s and incorporates family and marital therapeutic services as well as providing individual services.	ORS 675.510
California	Yes	California’s scope of practice exceeds that of Washington. The language includes addressing unconscious motivations in behavior, interpreting psychosocial aspects of care, assisting with modification of internal and external conditions impacting mental or behavior health.	4996.9 (See page 90)
Idaho	Yes	Idaho’s scope of practice language is substantially similar to Washington.	201.01 through 201.03
New York	Yes	New York’s scope of practice is well defined and is broader than Washington’s. The language defined key concepts of clinical competencies and require developmental treatment regimens to prevent addiction, react to disabilities and injuries, and adjust to social issues. It also allows the use of tests and other assessment tools to evaluate, diagnose, and develop treatment plans.	Section 7701
Texas	Yes	Texas’s scope of practice is broader than Washington’s. The language suggest the use of Diagnostic and Statistical Manual of Mental Disorders (DSM), the International Classification of Diseases (ICD), Current Procedural Terminology (CPT) Codes, and other diagnostic classification systems as the basis of assessment, diagnosis, treatment and other practice activities.	Texas Administrative Code, Rule 781.102
Illinois	Yes	Illinois’s scope of practice language is substantially equivalent to Washington’s.	225 ILCS 20/3
Alaska	Yes	Alaska’s scope of practice language is substantially equivalent to Washington’s. The language includes the use of human and referral services, assisting clients to achieve social adaptations, and supporting community efforts towards social, health, research, and ancillary services.	08.95.990
Utah	Yes	Utah’s scope of practice language is substantially equivalent to that of Washington.	58-60-202
Montana	Yes	Montana’s scope of practice is substantially equivalent of Washington’s. The language expands upon the concepts of social work practice to include social adjustments and clearer treatment modalities.	37-22-102

Psychologists

The scope of practice for psychologists in Washington is defined in RCW 18.83.010 as the observation, evaluation, interpretation, and modification of human behavior by the application of psychological principles, methods, and procedures for the purposes of preventing or eliminating symptomatic or maladaptive behavior and promoting mental and behavioral health. It includes, but is not limited to, providing the following services to individuals, families, groups, organizations, and the public, whether or not payment is received for services rendered:

- (a) Psychological measurement, assessment, and evaluation by means of psychological, neuropsychological, and psychoeducational testing;
- (b) Diagnosis and treatment of mental, emotional, and behavioral disorders, and psychological aspects of illness, injury, and disability; and
- (c) Counseling and guidance, psychotherapeutic techniques, remediation, health promotion, and consultation within the context of established psychological principles and theories.

Findings: Psychologists from all the states reviewed will be eligible to apply for a probationary license to work in an agency setting while completing Washington’s licensure requirements.

State	Substantially Equivalent or Greater Scope of Practice than Washington’s?	Department’s Determination Of Equivalent Or Greater Scope	Link to State Statute, Rule or Policy Regarding Scope of Practice
California	Yes	California’s scope of practice language is substantially equivalent to Washington’s. California’s scope includes specific assessments, diagnostic testing, and treatment modalities. It also allows hypnosis as a treatment modality.	Chapter 6.6, Article 1 Sec. 2902 (see page 103)
Oregon	Yes	Oregon’s scope of practice is substantially equivalent to Washington’s.	ORS 858-101-0001
Colorado	Yes	Colorado’s scope of practice language is substantially equivalent to Washington’s. The scope also allows the use of hypnosis as a treatment modality and encourages consultation with physicians regarding continuity of care if physical health concerns are presented.	12-43-303 (page 38)
Illinois	Yes	Illinois’s scope of practice language is substantially equivalent to Washington’s. It also allows the use of hypnosis and biofeedback as treatment modalities.	225 ILCS 15/2
Texas	Yes	The language in Texas’s scope of practice is substantially equivalent to Washington’s and goes further to mention specific areas of practice.	Sec. 501.003
Idaho	Yes	Idaho’s scope of practice is substantially equivalent to Washington’s.	54.2302
Alaska	Yes	Alaska’s scope of practice is substantially equivalent to Washington’s.	Sec. 08.86.230
Utah	Yes	Utah’s scope of practice is substantially equivalent to Washington’s. The language includes addressing interpersonal relationships, work and life adjustment, personal effectiveness, and allows hypnosis as a treatment modality.	58-61-102 (9)
Montana	Yes	Montana’s scope of practice is substantially equivalent to Washington’s. It includes addressing psychoeducational evaluations, interpersonal relationships, work and life adjustment, personal effectiveness, and allows hypnosis as a treatment modality.	MAC 37-17-102