



**Substance Use Disorder Certification Advisory Committee
Meeting Minutes**

March 20, 2020

Virtual Meeting via GoToMeeting

Committee members present: Kathleen Armstrong, MEd, LMHC, SUDP, MHP, Chair
Kenneth Pimpleton, SUDP, Vice Chair
Deb Cummins, STR Treatment Manager, HCA

Committee members absent: Daniel Friesen, SUDP

Staff members present: Ted Dale, Program Manager
James Chaney, Executive Director
Karen Gohlsen, Program Support
Chris Gerard, Assistant Attorney General
Tiffany Drake, Credentialing Supervisor

Guest presenters: None

On March 20, 2020, the Substance Use Disorder Certification Advisory Committee met online via GoToMeeting. Notice of the meeting was published on the [Substance Use Disorder profession website](#) and was sent out through the GovDelivery listserv.

Open Session:

1. Opening of Public Meeting – Kathleen Armstrong, Chair

- 1.1. Call to Order - Ms. Armstrong called the meeting to order at 9:08 A.M. Committee and agency staff members as well as public attendees introduced themselves and their area of practice.
- 1.2. Agenda: motion to approve the June 19, 2020 agenda, seconded, vote 2-0.
- 1.3. Minutes: motion to approve the March 20, 2020 minutes, seconded, vote 2-0.

2. Management Report – Ted Dale, Program Manager

- 2.1. Budget Report – Mr. Dale briefed the committee on the budget and reported that the committee is on par with what was projected. A question was asked about the legal costs associated with complaints and Mr. Chaney responded that there are fewer complaints now than in the past and suggested the committee refer to the Uniform Disciplinary Act (UDA) Biennial Report, which is published every two years by DOH and includes disciplinary statistics for all professions.
- 2.2. Recruitment Update – Mr. Dale briefed the committee on the recruitment process to-date and introduced new committee members who are expected to be appointed to the vacant slots on the committee. Mr. Dale introduced the committee to Bergen Starke (program director), Susan Cherry (SUDP), and Teresa Adkisen (SUDP).

3. Assistant Attorney General Report – Chris Gerard, AAG

- 3.1. AAG Gerard reported that there were 23 disciplinary cases, which is normal compared to previous statistics. There was no other business to report.

4. Current Licensing Statistics – Tiffany Drake, Credentialing Supervisor

- 4.1. Ms. Drake briefed the committee on the current licensing statistics and reported that there will be changes to how data is currently collected to present a more accurate picture of application processing (removing weekends/holidays from the day counts)., Ms. Drake will present the new performance measures at the next meeting, which will replace the 14-day median measure with a 10-day median measure. Ms. Armstrong asked if more people are applying now than a year ago and Ms. Drake offered to provide that information for a future meeting. Ken asked why the applications received in September and January have the highest volume. Ms. Drake did not know and could only speculate as to the reason why.

5. Proposed Legislation & RCW Implementation – Ted Dale, Program Manager

- 5.1. CR-102: Draft Language to implement HB 1768 – Mr. Dale updated the committee on the rules language and announced that there will be a virtual hearing on April 21, 2020. Mr. Dale added that he will post the CR-102 on the profession's web page once it is filed with the Office of the Code Reviser. Mr. Dale briefly discussed the impact of the co-occurring specialist enhancement to an existing mental health credential (can offer SUD counseling up to level 2.1 ASAM). A public participant had a question about treatment referral when the ASAM level calls for it. Ted said that if no referral found, the provider should give treatment to the best of their ability at that level.

- 5.2. CR-102: Draft Language to implement SB 5054 – Mr. Dale summarized the bill, which allows those who have licenses from other states to get a probationary license to practice in Washington if the state they are licensed in has a substantially equivalent scope of practice to Washington. Mr. Dale added that the list of states considered substantially equivalent would be completed by July 1. He also clarified that anyone from another state who has over five years' experience will not be required to show supervised experience.

6. Boundary & Ethics Guidelines – Kathleen Armstrong, MEd, LMHC, SUDP, MHP, Chair

- 6.1. The committee is concerned that the number of disciplinary cases is partly due to ignorance over the boundary and ethical guidelines of their profession. Mr. Dale asked the committee to propose a course of action and suggested that they provide some type of guideline for best practices. Ms. Armstrong asked about creating enforceable standards and AAG Gerard responded that they would need incorporate those standards into the rules in order for them to be enforceable (guidelines and policy statements are not enforceable) and added that it makes for a clearer cut litigation process when those cases arise. Ms. Armstrong agreed and thought the committee should consider a rules review for that purpose. A member of the public asked whether that is necessary and asked if there are any ethical standards in place. Mr. Dale replied that there were uniform disciplinary guidelines for all professions, but there may be areas that are specific to SUD, they will not know until the committee opens the rules. Mr. Dale asked the committee to review the NAADAC rules to see what they can use.

7. Committee Elections – Ted Dale, Program Manager

- 7.1. Elections were tabled until there are additional members to participate.

8. Public Comment – Kathleen Armstrong, MEd, LMHC, SUDP, MHP, Chair

- 8.1. A member of the public was looking for clarification regarding temporary changes for continuing education and other issues arising due to COVID-19. Mr. Dale replied that he has been getting a lot of questions as well and he is concerned about misinformation being spread about practicing in Washington without a license. He added that there is a provision for an emergency voluntary health practitioner that allows for professionals who do not currently reside in Washington and have an active license in good standing to practice on a limited basis in the state. However, there is a process to gain that status and does not mean that anyone with an active license from another state can just start practicing in Washington. Mr. Dale also talked about telehealth and the fact that there are not any rules that expressly prohibit the practice, but there are rules for facilities and ASAM that require face-to-face meetings that cannot be waived.

The public attendee also brought up the issue of patient consent, which is required by SAMSHA. She has heard rumors that patient consent is being waived in certain cases. Mr. Chaney acknowledged the issue and said that DOH was requesting that the governor's office waive statutory language having to do with consent. He added that DOH is also looking at amending the rules in terms of electronic signatures, however, nothing is definitive at this point. The public attendee asked for DOH to think of the homeless population when formulating a solution.

8.2. Ms. Cummins offered some clarification and quoted a [statement by SAMSHA](#) regarding medical emergencies: “We emphasize that, under the medical emergency exception, providers make their own determinations whether a bona fide medical emergency exists for purposes of providing needed treatment to patients.” She went on to inform the committee that the direction from Health Care Authority (HCA) it is acceptable for practitioners to use alternative means to face-to-face meetings (phone, video conference, etc.). Ms. Cummins also informed the committee that HCA is holding weekly [webinars on telehealth](#). She also clarified the instructions for handling consent forms (have a witness to the consent and note the form that it is due to COVID-19).

9. Future Agenda Items - Kathleen Armstrong, MEd, LMHC, SUDP, MHP, Chair

- 9.1. SAMSHA consent waivers
- 9.2. Committee officer elections

10. Adjournment

- 10.1. The meeting adjourned at 10:11 A.M.

Submitted by:
Ted Dale, Program Manager
Substance Use Disorder Certification Advisory
Committee

Approved by:
Kathleen Armstrong, Chair
Substance Use Disorder Certification
Advisory Committee

on file

SIGNATURE

DATE

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DATE