



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

**September 18, 2020**

Virtual Meeting via Microsoft Teams

**Substance Use Disorder Professional Advisory Committee**

**Members Present:**

Kenneth Pimpleton, SUDP, Chair  
Kathleen Armstrong, MEd, LMHC, SUDP, MHP  
Deb Cummins, STR Treatment Manager, HCA

**Members Absent:**

Daniel Friesen, SUDP, Vice Chair

**Assistant Attorney General Staff:**

Chris Gerard, AAG

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

**Members Present:**

Michael Fitzpatrick, LMFT, Chair  
Craig Apperson, LMHC, Vice Chair  
Anjanette Jorstad, LASW  
Beda Herbison, LICSW  
Chris Starets-Foote, Psy.D., LMFT  
Linda Sattem, Ph.D., Public Member

**Members Absent:**

Paul David, PhD, LMHC, LMFT

**Assistant Attorney General Staff:**

Luke Eaton, AAG (not present)

**DOH Staff:**

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

**Guest Presenters:**

Trevor Covington, M.S., C.E.M., Mental & Behavioral Health Response Coordinator  
Beth Tubbs, Petitioner  
Jeanne Foss Swaine, Petitioner

On September 18, 2020, the Substance Use Disorder Certification Advisory Committee and the Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee met online via Microsoft Teams. Notice of the meeting was published on the Substance Use Disorder, Mental Health Counselor, Marriage & Family Therapist, and Social Worker profession websites and was sent out through the GovDelivery listserv for each profession.

## Open Session:

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

- 1.1. Call to Order: The meeting was called to order at 9:02 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 September 18, 2020 agenda, seconded, vote 9-0 (Substance Use Disorder Professional Advisory Committee vote 2-0, Mental Health Counselors, Marriage & Family Counselors, and Social Workers Advisory Committee vote 7-0)
- 1.3. Minutes: Motion to approve the June 19, 2020 joint meeting minutes, seconded, vote 9-0 (Substance Use Disorder Professional Advisory Committee vote 2-0, Mental Health Counselors, Marriage & Family Counselors, and Social Workers Advisory Committee vote 7-0).

### 2. Management Report – Ted Dale, Program Manager and Brandon Williams, Program Manager

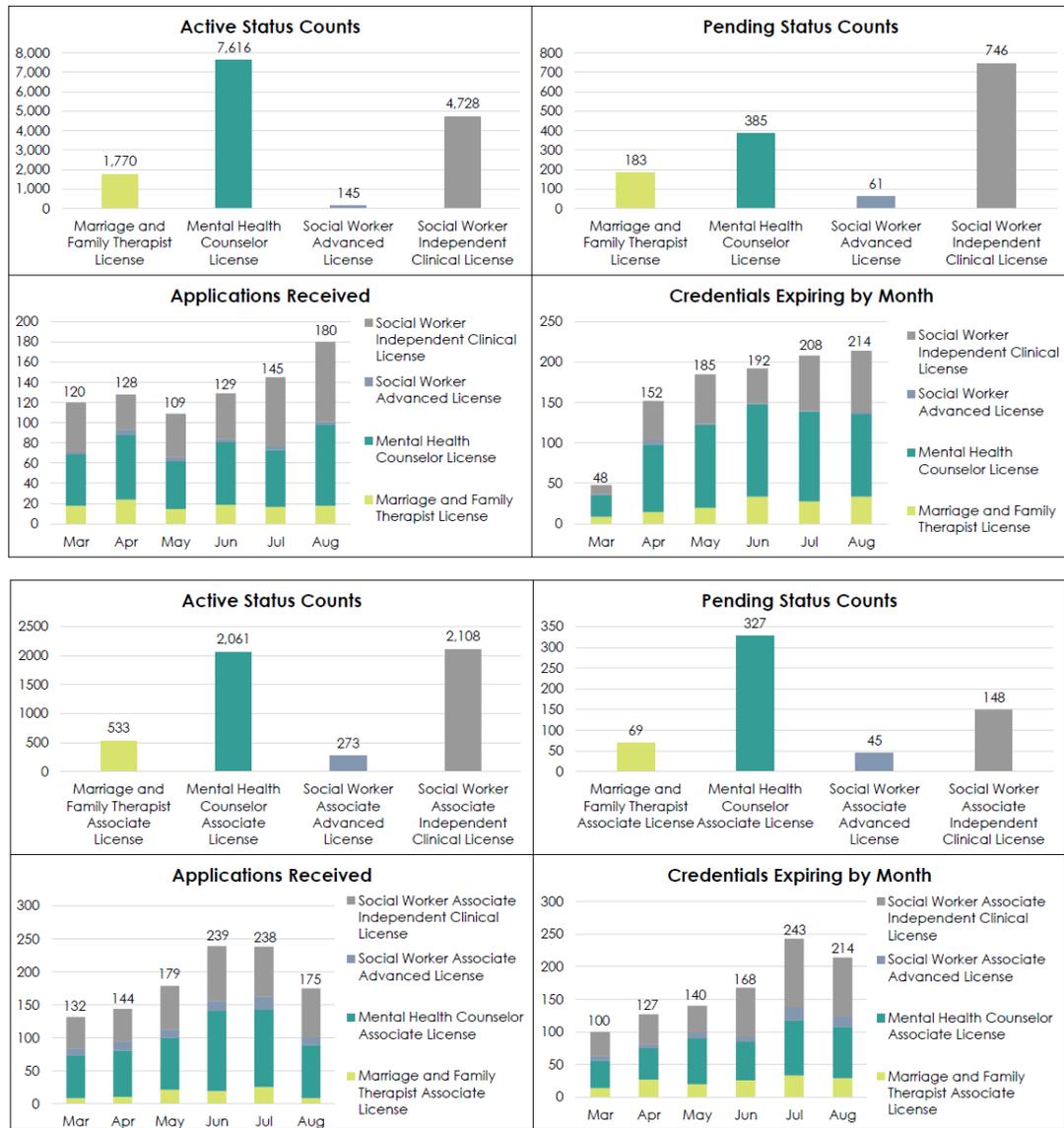
*Mr. Dale is serving as the Program Manager for the Substance Use Disorder Professional Advisory Committee and Mr. Williams is serving as the Program Manager for the Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee*

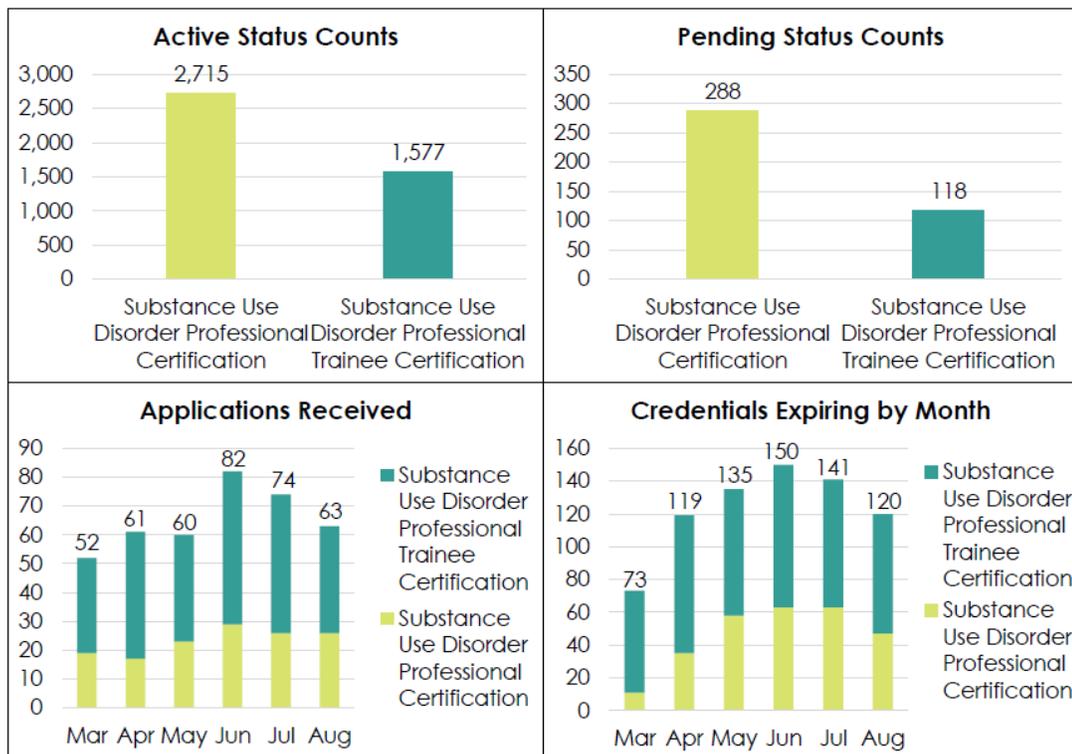
- 2.1. Budget Report – Mr. Dale briefed the committees on the Substance Use Disorder programs
  - i) The fund balance is still running a deficit, but it has decreased since the previous update from \$1.2 million to \$1.09 million. Mr. Orwig (financial analyst) added that there have been adjustments to the next biennium budget that will affect the profession negatively due to the costs associated with Healthcare Enforcement and Licensing Modernization Solution (HELMS) project and a cost allocation review that was done for all professions. There was speculation that the current decreases in cost for discipline might be due to the 2019 legislation that reduced Washington Recovery and Monitoring Program (WRAMP) candidates and the department's effort to go out to schools offering the program to better inform new licensees coming into the profession.
- 2.2. Budget Report – Mr. Williams briefed the committees on the licensed counselors' programs:
  - i) Marriage & Family Therapists – The fund balance is running a deficit of \$177,414 mainly due to an overspending on credentialing.
  - ii) Mental Health Counselors – There has been an increase in the cost for investigations, and Mr. Apperson was wondering if this cost was due to more complex cases or if the number of cases had increased. Mr. Chaney informed him that he can find that information in the [Uniformed Disciplinary Act \(UDA\) report](#) when it is available in December.

iii) Social Workers – The fund balance is in the black, but there was overspending in two areas; support from the Office of the Attorney General and the Office of Customer Service. The latter was due to an increase in licensees renewing their expired credentials.

### 3. Current Licensing Statistics – Joanne Miller, Credentialing Supervisor

3.1. Ms. Miller briefed the committee on the current statistics for each program.



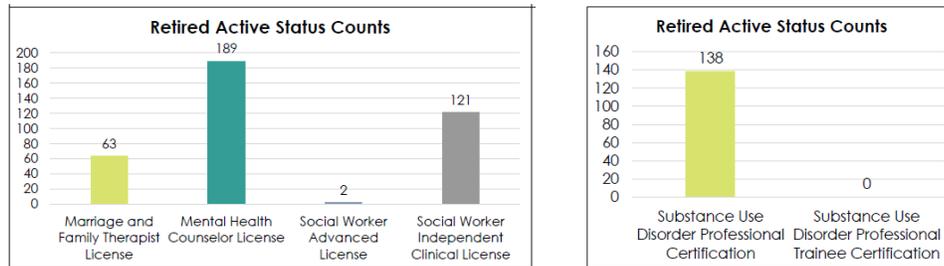


Regarding the licensed counselors’ programs, she noted the high pending status counts (applications waiting for additional information before processing), which are primarily due to the pandemic. She also speculated that the higher volume of applications is due in part to a new rule (created as part of the implementation of SB 5054), which allows licensees to waive proof of supervision hours if they have had an active license in the past five years. Processing times increased in July and that trend is expected to continue for the next few months. Mr. Chaney noted that employee furloughs imposed by the state of Washington have slowed processing down and asked licensees to respond promptly to inquiries from credentialing staff to help move along the process. It was also mentioned that transitioning to remote work and problems with the licensure database also contributed to a slower turnaround in processing applications.

Regarding the substance use disorder program license statistics, Ms. Miller indicated staff are working to reduce the backlog of pending applications, given the same reasons she alluded to for the licensed counselors. To speed up the process, Mr. Pimpleton wondered if they could allow people to take the examination prior to completing their education supervision requirements. Ms. Miller indicated that the department would be able to approve an individual to take their examination only if their education and experience were completed. The individual would need to check with NAADAC to see if they would allow for the examination to be taken earlier on.

It was requested that DOH provide statistics at the next meeting regarding those who are obtaining their SUDP credentialing through the alternative track and dual credential.

As requested in the prior meeting, statistics for the current number of active-retired licensees were presented and there were no comments regarding those statistics.



#### 4. Assistant Attorney General Report –Luke Eaton, AAG

- 4.1. AAG Gerard, who sits on the Substance Use Disorder Advisory Committee was also representing AAG Eaton (unable to attend), who sits on the Mental Health Counselors, Marriage & Family Therapists, and Social Workers Advisory Committee. Neither had anything new to report for either advisory committee.

#### 5. COVID-19 Update – Trevor Covington, Guest Presenter

- 5.1. Mr. Covington was invited by the committee to inform them on the department’s activities for the COVID-19 response and anticipated behavioral health impacts. Expected impacts include:
  - i) An estimated three million Washingtonians will experience clinically significant behavioral health symptoms within the next three to six months.
  - ii) There will be a significant increase in substance abuse, violence, and aggression.
- 5.2. As a follow up to the presentation, Mr. Covington took questions from the committee:
  - i) *How can licensed mental health professionals get involved in the effort?* Mr. Covington suggested increasing personal and public awareness, lending their services to the Red Cross and virtual family assistance centers, or registering with the local medical reserve corps. In addition, the Washington State Psychological Association is exploring ideas to connect those wishing to offer pro bono mental health services to those in need. Mr. Covington recommended contacting mental health and disaster aid organizations as well as other non-profit organizations to find out if there are volunteer opportunities. Mr. Apperson added that from personal experience the Red Cross requires its volunteers to take the psychological first aid training which is available online for free and offers valid continuing education credits.
  - ii) *How is the work being distinguished between the Department of Health and the Health Care Authority (HCA)?* Mr. Covington indicated that HCA is focused on responding to a new set of needs created by the pandemic (the shift to telehealth, new billing protocols, keeping facilities open, securing PPE for providers, and implementing [Washington Listens](#)). On the other hand, DOH is focused more on response coordination, education, forecasting, and data analysis.

- 5.3. A link was provided to the public for the information presented by Mr. Covington (the DOH website includes many resources on the COVID-19 page under [monthly forecasts](#)). It was also announced that HCA is still providing Zoom licenses to non-profit providers.

## 6. 2019 Legislation Update – Ted Dale and Brandon Williams, Program Manager

Mr. Dale updated the committee regarding the past 2019 legislation and Mr. Williams updated the committee regarding the current 2020 legislation.

- 6.1. [SB 5054](#) – This legislation opened the door to reciprocity to those states who are substantially equivalent through scope of practice. It has been fully implemented and WA state is currently accepting reciprocity applications from other states. Most states have been deemed equivalent; however, those practitioners still need to meet all the licensing requirements. For practitioners who fall short, there is an option to obtain a probationary license that would allow them to continue working while they work to meet the licensing requirements. In addition, Mr. Dale informed the committee that, as part of the rules created to implement the legislation, a professional would not need to provide proof of supervision if they have been practicing for at least five consecutive years and have a clean disciplinary record.
- 6.2. [ESHB 1768](#) – This legislation changed “Chemical Dependency Professional” to “Substance Use Disorder Professional”, reduced the requirements where if the licensee has been in recovery for over a year they are not put in a substance use monitoring program, and created a co-occurring specialist license enhancement to allow behavioral health professionals to also provide substance use disorder counseling with certain limitations. These limitations require specialists to work in an agency and can only provide services to a client with co-occurring disorder. In addition, if the client is identified at a 2.0 or higher on the ASAM scale, an attempt to refer has to be made to a more qualified provider. To get this enhancement, each applicant must take a standalone course and pass the SUDP license exam. The only course currently [available is through Eastern Washington University](#).
- 6.3. [2SHB 1907](#) – This legislation allows peer counselors to apply to become agency affiliated counselors, thereby allowing agencies to be reimbursed by Medicare/Medicaid or private insurance for peer counseling activities. It also gives the same reduced requirements as the SUDPs (if the licensee has been in recovery for over a year, they are not put in a substance use monitoring program).
- 6.4. [ESHB 2411](#) – This legislation requires an additional “advanced” training for suicide prevention every six years for certain mental health professions as part of their continuing education requirements. It also requires additional professions to take the one-time training that is required to get licensure.
- 6.5. [ESHB 1551](#) – This legislation removed the requirement for professions to attest to having taken the AIDS/HIV training. Mr. Pimpleton inquired if this meant that the training did not have to be taken or if it was still required but the applicant simply did not have to attest to it. Mr. Chaney clarified that neither is a requirement because this training is already covered in regular coursework.

- 6.6. [ESSB 6641](#) – This legislation, which went into effect on July 1, 2020, is intended to increase the availability of Sex Offender Treatment Providers (SOTP). It makes it easier for out-of-state professions to become certified; however, it limits certification to masters-level mental health professionals and psychologists. This provision will not affect those who are already certified SOTPs and have lesser credentials. In addition, the legislation calls for the creation of an advisory committee for the profession which is currently in the recruitment phase. This legislation is also attempting to increase the availability of SOTPs by having DSHS determine which counties are underserved and have the SOTP licensure fees waived for the providers in those designated counties.
- 6.7. [SSB 6061](#) – This legislation requires health care professionals who provide services through telemedicine (excepting physicians and osteopathic physicians) to complete telemedicine training. The bill requires implementation by January 1, 2021 and DOH is currently working with the University of Washington to come up a training protocol.

## **7. Update on Volk Decision– Craig Apperson, LMHC, Vice Chair**

Mr. Apperson presented an overview on the Washington Supreme Court decision in [Volk v. DeMeerleer](#) and the impact on mental health providers. The ruling affects the responsibility of a practitioner’s duty to warn third parties when a patient explicitly or implicitly expresses a plan to harm another person, and their duty to protect the general public from patients when a patient expresses non-specific plans to harm others.

## **8. 2021 Meeting Dates – Ted Dale and Brandon Williams, Program Managers**

- 8.1. The committees selected dates for meetings in 2021:
  - i) Joint Meetings: February 19, 2021 and September 10, 2021
  - ii) SUDP: May 7, 2021 and December 3, 2021
  - iii) Licensed Counselors: June 4, 2021 and December 10, 2021

## **9. Public Comment – Ken Pimpleton, SUDP, Chair, and Mike Fitzpatrick, LMFT, Chair**

- 9.1. Guest presenters Beth Tubbs and Jeanne Foss Swaine briefed the committee on a petition to mandate a multicultural competency continuing education requirement for license renewal every two years. Mr. Chaney indicated that the same petition was presented at the previous Examining Board of Psychology meeting and they agreed to back the request and make it a part of the requirements for the psychology profession. AAG Gerard indicated that the committee can make the recommendation to adopt this new CE requirement and the DOH secretary would be the one to start the process for rule making.

Both committees decided they did want to move forward with recommending to the secretary to amend the rules to require this CE training.

- 9.2. A member of the public asked for a change to the curriculum for obtaining the co-occurring disorder specialist license to be information that adds value and knowledge to the licensee and is not just a repeat of coursework that many have already taken as part

of their master's degree. Mr. Chaney indicated that the department could not alter the curriculum through rulemaking as the coursework was determined by the legislature.

## **10. Joint Meeting Adjourned at 12:25 p.m.**

### **11. Breakout Session**

#### 11.1. Substance Use Disorder Professionals Discussion

- i) The SUDP members had nothing to discuss. Opened and adjourned at 12:25 p.m.

#### 11.2. Licensed Counselors Discussion (Opened at 12:30 p.m.)

- i) Rules Discussion – Inquiry made about the status of the portability issue. Mr. Chaney indicated this was an issue that was bigger than just the licensed counselors' professions. He recognized that SB 5054 did not address portability as desired, but through the implementation process the department was able to remove the barrier where licensees could not always obtain their supervisors signature. He suggested the committee come up with a list of the existing barriers and work on removing them instead of waiting for legislation to fix them. This could be accomplished by setting up a rules workshop to identify all the barriers and how to remove them. Members voted to have a two-day rules workshop on December 10-11, 2020.
- ii) Mr. Apperson inquired about the possibility of moving the committee into a board, but Mr. Chaney indicated that the department does not have the authority to make that change. He recommended to work with the associations to request a study and sunrise review to bring up this request but that it would have to be the public members to request it, the department could not lobby for the committee.

## **12. Adjournment at 1:09 p.m.**

**Submitted by:**

Ted Dale, Program Manager  
Substance Use Disorder Professional Advisory Committee

**Approved by:**

Kenneth Pimpleton, Chair  
Substance Use Disorder Professional Advisory Committee

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**Submitted by:**

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

**Approved by:**

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

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