



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Health- Board of Psychology

**Subject of possible rule making:** WAC 246-924-358--Sexual Misconduct. The Examining Board of Psychology (board) is considering revising the rule to clarify that forcible or nonconsensual acts are within the definition of sexual misconduct by psychologists.

**Statutes authorizing the agency to adopt rules on this subject:** RCWs 18.83.050, 18.130.050 and Executive Order 06-03.

**Reasons why rules on this subject may be needed and what they might accomplish:** The board is considering updating the sexual misconduct rule to establish clearer standards of conduct for psychologists. The board's experience with investigating and enforcing the current rule has raised the need to clarify what acts constitute sexual misconduct by psychologists. Updating the sexual misconduct rule will establish clearer standards of conduct and help the board be consistent in its enforcement activities to more fully comply with RCW 18.130.062 and Executive Order 06-03.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Stakeholders will be notified of open public workshops and may submit written comments for consideration. Notifications will be sent thru the psychology listserv. Information will also be posted to the program's website.

Betty Moe, Program Manager, Health Professions and Facilities, Examining Board of Psychology, PO Box 47852, Olympia, WA 98504-7852 or by email: betty.moe@doh.wa.gov. Phone: (360) 236-4912 Fax: (360) 236-2901.

<b>DATE</b> 11/12/2014
<b>NAME (TYPE OR PRINT)</b> Timothy Cahn, Ph.D.
<b>SIGNATURE</b> 
<b>TITLE</b> Chair

<b>CODE REVISER USE ONLY</b>
<div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p style="text-align: center;">OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p><b>DATE: November 12, 2014</b> <b>TIME: 9:13 AM</b> <b>WSR 14-23-028</b></p> </div>