



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- Preproposal Statement of Inquiry was filed as WSR ; 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).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-809-730 Creating a retired active license status for licensed mental health counselors, licensed marriage and family therapists, licensed advanced social workers, and licensed independent clinical social workers.

Hearing location(s): Department of Health
Town Center 2
111 Israel Road SE, Room 145
Tumwater, WA 98501

Date: 04/30/2013

Time: 9:00 a.m.

Submit written comments to:

Name: Betty J. Moe
Address: Department of Health
111 Israel Road SE
PO Box 47852
Olympia, WA 98504-7852
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax (360) 236-2901 by (date) 04/30/2013

Assistance for persons with disabilities: Contact

Betty Moe by 04/23/2013

TTY (800) 833-6388 or () 711

Date of intended adoption: 05/03/2013

(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Substitute Senate Bill 6328 (Chapter 58, Laws of 2012) requires the Department of Health to create a retired active status for licensed mental health counselors, licensed marriage and family therapists, licensed advanced social workers, and licensed independent clinical social workers. The proposed rule creates the retired active status for these professions, which may improve access to care during emergent or intermittent circumstances, without compromising public safety. The retired active credential will have a reduced renewal fee.

Reasons supporting proposal:

The rule will allow mental health counselors, marriage and family therapists, and social workers to obtain a retired active credential in order to meet the legislative intent to provide for credentialing of qualified retired individuals which may help increase access to care in emergent or intermittent situations. Fees for this status will be addressed in a separate rules process. The retired active credential will have a reduced renewal fee.

Statutory authority for adoption:

RCW 18.130.250, chapter 18.225 RCW (2SSB 6328-2012)

Statute being implemented:

RCW18.130.250, chapter 18.225 RCW (2SSB 6328-2012)

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE 03/12/2013

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVSER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 12, 2013

TIME: 5:08 PM

WSR 13-07-023

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..... Betty Moe, Program Manager	111 Israel Road SE, Tumwater, WA 98501	360.236.4912
Implementation.... Betty Moe, Program Manager	111 Israel Road SE, Tumwater, WA 98501	360.236.4912
Enforcement..... Betty Moe, Program Manager	111 Israel Road SE, Tumwater, WA 98501	360.236.4912

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(iii)

exempts rules that adopt or incorporate by reference without material change federal statutes or regulations, Washington state law, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards.

NEW SECTION

WAC 246-809-730 Retired active credential. (1) To obtain a retired active license a licensed counselor must comply with chapter 246-12 WAC, Part 5.

(2) A licensed counselor with a retired active license may practice no more than ninety days each year in Washington, or practice only in emergency circumstances such as earthquakes, floods, time of declared war or other state emergency; and

(3) A licensed counselor with a retired active license must renew yearly on their birthday, and must report thirty-six hours of continuing education as required under WAC 246-809-630 every two years.