PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Health

Subject of possible rule making: Chapters 246-809, 246-810, and 246-811 WAC. The Department of Health (department) is considering amending and adding new sections to existing behavioral health professions’ rules to implement licensure requirements addressed in ESHB 1768 and 2SHB 1907. The department is also considering adopting a new chapter of rules to establish licensure requirements for a co-occurring disorder specialist enhancement to certain behavioral health professions as required by statute. The following behavior health professions may be affected: substance use disorder professionals, certain agency affiliated counselors, mental health counselors, advanced social workers, independent clinical social workers, marriage and family therapists, and psychologists.

Statutes authorizing the agency to adopt rules on this subject: ESHB 1768 (Chapter 444, Laws of 2019), 2SHB 1907 (Chapter 446, Laws of 2019), RCW 18.205.060, 18.225.040, 18.19.050, 43.70.110 and 43.70.250.

Reasons why rules on this subject may be needed and what they might accomplish: Rulemaking is necessary to implement requirements established during the 2019 legislative session in ESHB 1768 and 2SHB 1907. The statute and subsequent rulemaking is intended to increase the mental health professional workforce in Washington State. To implement new laws the department is considering: creating a co-occurring disorder specialist enhancement to certain behavioral health professionals as required by statute, including a fee for the enhancement; changing titles in chapter 246-811 WAC of chemical dependency professional to substance use disorder specialist and other technical corrections; adjusting requirements to become a clinical supervisor of applicants as well as clinical supervision requirements for the applicants to become licensed; and setting the time limit for agency affiliated counselor applicants to complete licensure requirements while beginning employment at a state agency.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments: Rule development will take place in open public meetings prior to a formal rule proposal and comment period. All rulemaking notices will be mailed via GovDelivery to various behavioral health professions lists. Notices for this rulemaking will be the same regardless of the GovDelivery list it will be sent to. To receive notices, interested persons may sign up for any or all of the lists mentioned here. Please go to:
https://public.govdelivery.com/accounts/WADOH/subscriber/new. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Health Professions." From there you may check the box next to one or more of the follow professions: Agency Affiliated Counselor, Board of Psychology, Certified Counselors/Certified Advisers, Licensed Counselors.

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<tr>
<th>Date: 9/26/2019</th>
<th>Signature:</th>
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<tbody>
<tr>
<td><strong>Name:</strong> John Wiesman, DrPH, MPH</td>
<td><strong>Title:</strong> Secretary of Health</td>
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PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Health- Board of Psychology

Subject of possible rule making: Chapter 246-924 WAC, the Examining Board of Psychology (board) is considering adding new sections to the chapter to implement the requirements of Senate Bill 5054 regarding probationary licensure and a reciprocity program between Washington and other US states or territories. The board will also consider amending WAC 246-924-043, 246-924-059, and 246-924-495 to address the reduction of supervised experience requirements for certain applicants already licensed as a substance use disorder specialist under chapter 18.205 RCW as required by Engrossed Substitute House Bill 1768. The board will consult with the Department of Health to determine training standards for a co-occurring disorder specialist enhancement as required by ES HB 1768. The board is also considering clarifying terms and conditions in WAC 246-924-010, 246-924-049, 246-924-095, and 246-924-480 regarding telemedicine, and licensure requirements for practicum, exams, and temporary permits.

Statutes authorizing the agency to adopt rules on this subject: Senate Bill 5054 (Chapter 351, Laws of 2019), Engrossed Substitute Senate Bill 1768 (Chapter 444, Laws of 2019), RCW 18.83.050

Reasons why rules on this subject may be needed and what they might accomplish: Rulemaking may be needed to establish the administrative requirements necessary to implement recently passed statutes. The statutes and subsequent rulemaking is intended to increase the mental health professional workforce in Washington State through a reciprocity program, by establishing a process to transition from a probationary license into a permanent or full license, and reduction of supervised experience hours for certain psychology applicants with prior work experience as a licensed substance use disorder professional. The board is also looking to clarify several rule sections for consistency, clarity, and precision.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: N/A

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

- [ ] Negotiated rule making
- [ ] Pilot rule making
- [ ] Agency study
- [x] Other (describe) Collaborative

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments: Rule development will take place in open public meetings prior to a formal rule proposal and comment period. All rulemaking notices will be mailed via GovDelivery to various behavioral health professions lists. To receive notices, interested persons may sign up by going to: https://public.govdelivery.com/accounts/WADOH/subscriber/new. After signing up, please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Health Professions," then check the box next to "Board of Psychology."
Agency: Department of Health

Subject of possible rule making: Chapter 246-809 WAC and Chapter 246-811 WAC. The Department of Health (department) is considering adding new sections to these chapters to implement the requirements of Senate Bill 5054 regarding probationary licensure and a reciprocity program between Washington and other US states and territories for the following mental health licenses: Substance Use Disorder Professional, Mental Health Counselor, Marriage and Family Therapist, Advanced Social Worker, and Independent Clinical Social Worker. The department may also fix internal references in both chapters as needed to harmonize with the newly added sections. Finally, the department will open WACs 246-809-990, and 246-811-990 to discuss a fee regarding probationary licensure for each of the licenses listed as well as WAC 246-924-990 for a psychology probationary license as authorized by the statute.

Statutes authorizing the agency to adopt rules on this subject: SB 5054 (Chapter 351, Laws of 2019); RCW 18.205.060, 18.225.040, 43.70.110 and 43.70.250

Reasons why rules on this subject may be needed and what they might accomplish: Rule making is necessary for the department to establish the administrative requirements and fees for the reciprocity programs and probationary licensure required in statute. The statute and subsequent rulemaking is intended to increase the mental health professional workforce in Washington State.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: N/A

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

- [ ] Negotiated rule making
- [ ] Pilot rule making
- [ ] Agency study
- [x] Other (describe) Collaborative

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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<tr>
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