



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 13-20-078 ; 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)

Chapter 246-811 WAC, Chemical Dependency Professionals (CDP) and CDP Trainees. The Department of Health is proposing to amend existing sections and add new sections to establish standards and procedures for alternative training programs to get certification as CDPs. The alternative training is for specified health care practitioners whose scope of practice includes treatment of chemical dependency.

Hearing location(s): Department of Health
Town Center 2, Room 158
111 Israel Rd. S.E.
Tumwater, WA 98501

Date: 04/28/16 Time: 9:30 a.m.

Submit written comments to:

Name: Brad Burnham
Address: Department of Health
P.O. Box 47850
Olympia, WA 98504-7850
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax (360) 236-4626 by (date) 04/28/2016

Assistance for persons with disabilities: Contact

Brad Burnham by 04/21/2016

TTY (800) 833-6388 or () 711

Date of intended adoption: 05/27/2016

(Note: This is NOT the effective date)

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

The proposal would establish an alternative method for specified health care practitioners whose scope of practice includes treatment of chemical dependency to become certified as a chemical dependency professional (CDP) including education, experience and national certification requirements. The proposal also sets requirements for the same group of specified health care practitioners to eventually become CDP supervisors.

Reasons supporting proposal:

The proposed rule will expand the pool of qualified CDPs available to provide chemical dependency counseling services to the increasing population seeking services as a result of the federal Affordable Care Act and Medicaid services expansion. The proposal also supports the state's efforts to integrate chemical dependency and mental health treatment services.

Statutory authority for adoption:
RCW 18.205.100, RCW 18.205.060

Statute being implemented:
RCW 18.205.100, RCW 18.205.060

Is rule necessary because of a:

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 22, 2016

TIME: 10:58 AM

WSR 16-07-123

DATE 03/22/2016

NAME (type or print)
John Wiesman, DrPH, MPH

SIGNATURE

_____, DrPH, MPH

TITLE
Secretary

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

No additional comments.

Name of proponent: (person or organization) Department of health

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Brad Burnham	111 Israel Road, Tumwater, WA 98501	360-236-4912
Implementation....Brad Burnham	111 Israel Road, Tumwater, WA 98501	360-236-4912
Enforcement.....Brad Burnham	111 Israel Road, 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: Brad Burnham

Address: Department of Health

111 Israel Road
Tumwater, WA 98501

phone 360-236-4796

fax 360-236-2901

e-mail brad.burnham@doh.wa.gov

No: Please explain:

WAC 246-811-010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly states otherwise.

(1) **Approved school** means any college or university accredited by a national or regional accrediting body (~~((recognized by the commission on recognition of postsecondary accreditation))~~), at the time the applicant completed the required education or other educational programs approved by the secretary.

(2) **Certified chemical dependency professional (CDP)** means an individual certified in chemical dependency counseling under chapter 18.205 RCW.

(3) **Certified chemical dependency professional trainee (CDPT)** means an individual working toward the education and experience requirements for certification as a chemical dependency professional, and who has been credentialed as a CDPT under chapter 18.205 RCW.

(4) **Chemical dependency counseling** means employing the core competencies of chemical dependency counseling to assist or attempt to assist an alcohol or drug addicted person to develop and maintain abstinence from alcohol and other mood-altering drugs.

(5) **Core competencies of chemical dependency counseling** means ~~((competency in))~~ competencies oriented to assist alcohol and drug addicted patients to achieve and maintain abstinence from mood-altering substances and develop independent support systems. Core competencies include the following nationally recognized areas:

- (a) Knowledge;
- (b) Skills;
- (c) Attitudes of professional practice, including assessment and diagnosis of chemical dependency;
- (d) Chemical dependency treatment planning and referral;
- (e) Patient and family education in the disease of chemical dependency;
- (f) Individual and group counseling with alcoholic and drug addicted individuals; and
- (g) Relapse prevention counseling, and case management.

~~((All oriented to assist alcohol and drug addicted patient to achieve and maintain abstinence from mood altering substances and develop independent support systems.~~

~~(+5+))~~ (6) **Direct supervision** means the supervisor is on the premises and available for immediate consultation.

~~((+6+))~~ (7) **Enrolled** means participating in an approved school and progressing toward the completion of the course work, or completion of the course work to be certified as a chemical dependency professional as described in WAC 246-811-030 (2)(a) through (w).

~~((+7+))~~ (8) **Individual formal meetings** means a meeting with an approved supervisor, involving one approved supervisor and no more than four supervisees.

~~((+8+))~~ (9) **Official transcript** means the transcript from an approved college or school, in an envelope readily identified as having been sealed by the school.

~~((+9+))~~ (10) **Related field** means health education, behavioral science, sociology, psychology, marriage and family therapy, mental health counseling, social work, psychiatry, nursing, divinity, criminal justice, and counseling education.

WAC 246-811-030 Educational requirements. (1) Except as provided for in WAC 246-811-077 and 246-811-078, the minimum education requirements for a chemical dependency professional credential are:

(a) An associate's degree in human services or related field from an approved school; or

(b) Successful completion of ninety quarter or sixty semester college credits in courses from an approved school.

(2) At least forty-five quarter or thirty semester credits must be in courses relating to the chemical dependency profession and shall include the following topics specific to alcohol and drug addicted individuals:

(a) Understanding addiction;

(b) Pharmacological actions of alcohol and other drugs;

(c) Substance abuse and addiction treatment methods;

(d) Understanding addiction placement, continuing care, and discharge criteria, including American Society of Addiction Medicine (ASAM) criteria;

(e) Cultural diversity including people with disabilities and its implication for treatment;

(f) Chemical dependency clinical evaluation (screening and referral to include comorbidity);

(g) HIV/AIDS brief risk intervention for the chemically dependent;

(h) Chemical dependency treatment planning;

(i) Referral and use of community resources;

(j) Service coordination (implementing the treatment plan, consulting, continuing assessment and treatment planning);

(k) Individual counseling;

(l) Group counseling;

(m) Chemical dependency counseling for families, couples and significant others;

(n) Client, family and community education;

(o) Developmental psychology;

(p) Psychopathology/abnormal psychology;

(q) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data;

(r) Chemical dependency confidentiality;

(s) Professional and ethical responsibilities;

(t) Relapse prevention;

(u) Adolescent chemical dependency assessment and treatment;

(v) Chemical dependency case management; and

(w) Chemical dependency rules and regulations.

~~((3) All applicants, including individuals who are licensed under chapter 18.225 RCW, Psychologists under chapter 18.83 RCW; and Advance nurse practitioner under chapter 18.79 RCW, must meet the requirements in subsection (2) of this section.))~~

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-045 Accumulation of experience. (1) The department (~~(of health)~~) will consider experience in the field of chemical dependency up to seven years prior to the date of application.

(2) Accumulation of the experience hours is not required to be consecutive.

(3) Experience that will count toward certification must meet the requirements outlined in WAC 246-811-046 through 246-811-049.

~~((3))~~ (4) Supervised experience is the practice as referred to in RCW 18.205.090 (1)(c) and is the experience received under an approved supervisor.

(5) A practicum or internship taken while acquiring the degree or semester/quarter hours is applicable.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-046 Number of experience hours required for certification as a chemical dependency professional. (~~(You will be required to)~~) Except as provided in WAC 246-811-070(1), an applicant must complete (one thousand to two thousand five hundred hours of supervised experience depending upon your) the following requirements based on their level of formal education.

(1) Two thousand five hundred hours of chemical dependency counseling (~~(as defined in RCW 18.205.020(3))~~), for individuals who (~~(possess)~~) have an associate degree; or

(2) Two thousand hours of chemical dependency counseling for individuals who (~~(possess)~~) have a baccalaureate degree in human services or a related field from an approved school; or

(3) One thousand five hundred hours of chemical dependency counseling for individuals who possess a master or doctoral degree in human services or a related field from an approved school; or

(4) One thousand hours of chemical dependency counseling for individuals who are (~~(licensed as advanced registered nurse practitioners under chapter 18.79 RCW, marriage and family therapists, mental health counselors, advanced social workers, and independent clinical social workers under chapter 18.225 RCW or licensed as a psychologist under chapter 18.83 RCW)~~) credentialed according to WAC 246-811-076. The experience must be supervised by an approved supervisor meeting the requirements under WAC 246-811-049(8).

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-047 Competency—Experience requirements. (1) It is the intent that an individual applying for a chemical dependency professional certificate has become competent in the core competencies of

chemical counseling(~~(, as defined in WAC 246-811-010(5),)~~) through the experience requirements in this section.

(2) Individuals must have the following experiences to gain the core competencies of chemical dependency counseling (~~(listed in (a) through (i) of this subsection.)~~):

(a) Two hundred hours of clinical evaluation(-), of which one hundred hours (of the two hundred) must be face-to-face patient contact hours(-);

(b) Six hundred hours of face-to-face counseling to include:

(i) Individual counseling;

(ii) Group counseling; and

(Counseling) (iii) Family, couples, and significant others(-);

(c) Fifty hours of discussion of professional and ethical responsibilities(-);

(d) Transdisciplinary foundations:

(i) Understanding addiction;

(ii) Treatment knowledge;

(iii) Application to practice; and

(iv) Professional readiness(-);

(e) Treatment planning(-);

(f) Referral(-);

(g) Service coordination(-);

(h) Client, family, and community education(-); and

(i) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data.

(3) Of the total experience hours required under WAC 246-811-046, eight hundred fifty hours of experience must be divided among subsection (2)(a) through (c) of this (subsection,) section. The remaining experience hours must be divided among subsection (2)(d) through (i) of this (subsection) section as determined by the supervisor.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-048 Supervision requirements. (1) All of the experience required for CDP certification must be under an approved supervisor as defined in WAC 246-811-049.

(2) A (~~chemical dependency professional trainee(-)~~) CDPT((-can)) or an individual credentialed according to WAC 246-811-076 may provide chemical dependency assessment, counseling, and case management to patients consistent with his or her education, training, and experience as documented by the approved supervisor.

(a) The first fifty hours of any face-to-face patient contact must be under direct ((observation)) supervision and within sight and hearing of an approved supervisor or a chemical dependency professional designated by the approved supervisor.

(b) An approved supervisor or the approved supervisor's designated certified chemical dependency professional must provide direct supervision when a ((CDPT)) supervisee is providing clinical services to patients until the approved supervisor documents in the employee file that the ((CDPT)) supervisee has obtained the necessary education, training, and experience.

(3) Approved supervisors must attest to the department ~~((of the supervised person's satisfactory progress in becoming proficient))~~ that the supervisee has demonstrated competency in the ~~((addition counseling competencies as))~~ areas listed in WAC 246-811-047(2) ~~((+ through (i)))~~ on forms provided by the department.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-049 Approved supervisors ((requirements)). (1) Except as provided in subsection (8) of this section, an approved supervisor is a certified ~~((chemical dependency professional (+))~~ CDP ~~((+))~~ or a person who meets or exceeds the requirements of a certified CDP in the state of Washington, and who would be eligible to take the examination required for certification.

(2) ~~((An approved supervisor has))~~ Except as provided in subsection (9) of this section, an approved supervisor must have at least four thousand hours of experience in a state approved chemical dependency treatment agency in addition to the supervised experience hours required to become a CDP.

(3) Except as provided in subsection (9) of this section, an approved supervisor may substitute twenty-eight clock hours of recognized supervisory training ~~((may be substituted))~~ for one thousand hours of experience.

(4) An approved supervisor is not a blood or legal relative, significant other, cohabitant of the supervisee, or someone who has acted as the supervisee's primary counselor.

(5) A chemical dependency professional trainee (CDPT) must receive documentation of his or her approved supervisor's qualifications before training begins.

(6) An approved supervisor or other certified CDP must review and sign all CDPT clinical documentation.

(7) An approved supervisor is responsible for all patients assigned to the CDPT they supervise.

(8) An approved supervisor may only provide supervision to an applicant completing the alternative training under WAC 246-811-077 if the approved supervisor holds a current Washington state credential as a CDP and meets all other requirements under this section.

(9) A CDP credentialed according to WAC 246-811-077 may meet the requirements to be an approved supervisor under subsections (2) and (3) of this section by:

(a) Completing fifteen hundred hours of experience in a state approved chemical dependency treatment agency. These hours are in addition to the supervised experience hours required to become a CDP;

(b) Completing twenty-eight clock hours of supervisory training provided by an industry-recognized local, state, national, or international organization or institution of higher learning as defined in WAC 246-811-200(5); and

(c) Completing thirty-six hours of education specific to:

(i) Counselor development;

(ii) Professional and ethical standards;

(iii) Program development and quality assurance;

(iv) Performance evaluation;

(v) Administration;

(vi) Treatment knowledge; and
(vii) Washington state law regarding substance use disorder treatment.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-060 Examination requirements for a chemical dependency certification professional. (1) ~~((All))~~ An applicant~~((s))~~ must take and pass the National Association of Alcoholism and Drug Abuse Counselor (NAADAC) National Certification Examination for Addiction Counselors or International Certification and Reciprocity Consortium (ICRC) Certified Addiction Counselor Level II or higher examination.

(2) The department will accept the passing score set by the testing company.

~~((3) The application and application fee must be submitted to the department at least ninety days prior to the scheduled examination date. All other supporting documents, including verification of education and experience, must be submitted at least sixty days prior to the examination date.))~~

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-070 National certification. (1) A person who is certified through the National Association of Alcoholism and Drug Abuse Counselors (NAADAC) or the International Certification and Reciprocity Consortium (ICRC) as an alcohol and drug counselor (ADC) or advanced alcohol and drug counselor (AADC), is considered to meet the experience requirements of WAC 246-811-046.

(2) A person who is certified through NAADAC or ICRC as an ADC or AADC is considered to have met the requirements of ~~((WAC 246-811-030 pertaining to the forty five quarter or thirty semester credits in courses covering the subject content described in))~~ WAC 246-811-030(2). Verification of the additional forty-five quarter or thirty semester credits as required in WAC 246-811-030(1) will be required upon application to the department.

(3) Verification of certification must be sent directly to the department from NAADAC or ICRC.

NEW SECTION

WAC 246-811-076 Eligibility for certification through alternative training. A practitioner listed in subsections (1) through (7) of this section who holds an active license in good standing may apply for certification as a chemical dependency professional using alternative training under WAC 246-811-077 or 246-811-078:

- (1) Advanced registered nurse practitioner under chapter 18.79 RCW;
- (2) Marriage and family therapists, mental health counselor, advanced social worker, or independent clinical social worker under chapter 18.225 RCW;
- (3) Psychologist under chapter 18.83 RCW;
- (4) Osteopathic physician under chapter 18.57 RCW;
- (5) Osteopathic physician assistant under chapter 18.57A RCW;
- (6) Physician under chapter 18.71 RCW; or
- (7) Physician assistant under chapter 18.71A RCW.

NEW SECTION

WAC 246-811-077 Educational requirements to apply for chemical dependency certification with alternative training. An applicant credentialed according to WAC 246-811-076 may meet the educational requirements for chemical dependency professional certification by demonstrating successful completion of fifteen quarter or ten semester college credits in courses from an approved school.

- (1) Course work on each of the following topics specific to alcohol and drug addicted individuals is required:
 - (a) Survey of addiction;
 - (b) Treatment of addiction;
 - (c) Pharmacology;
 - (d) Physiology of addiction;
 - (e) American Society of Addiction Management (ASAM) criteria;
 - (f) Individual group, including family addiction counseling; and
 - (g) Substance use disorder law and ethics.
- (2) Course work must be completed for credit.
- (3) An applicant shall verify course completion by submitting official transcripts to the department. If the course title does not clearly identify the content area, the applicant shall provide the course syllabi.
- (4) An applicant who meets the educational requirements of this section is considered to meet the educational requirements of WAC 246-811-030.

NEW SECTION

WAC 246-811-078 National certification acceptable for alternative training. (1) An applicant credentialed according to WAC 246-811-076 may submit a national certification listed in subsection (2) of this section in place of the following requirements for CDP certification:

- (a) The educational requirements in WAC 246-811-077 and 246-811-030; and
 - (b) The supervised experience requirements in WAC 246-811-046.
- (2) The department accepts the following national certifications from an applicant credentialed according to WAC 246-811-076:
- (a) American Society of Addiction Medicine (ASAM) or the American Board of Addiction Medicine (ABAM);

- (b) Addiction psychiatry from the American Board of Psychiatry and Neurology;
 - (c) Master addiction counselor (MAC) from the National Association of Alcoholism and Drug Abuse Counselors;
 - (d) Master addiction counselor (MAC) from the National Board of Certified Counselors;
 - (e) Certified addictions registered nurse or a certified addictions registered nurse - Advanced practice from the International Nurses Society on Addictions;
 - (f) Certified addiction specialist (CAS) from the American Academy of Health Care Providers in the Addictive Disorders;
 - (g) Certificate of Proficiency in the Treatment of Psychoactive Substance Abuse Disorders from the American Psychological Association;
 - (h) Advanced alcohol and drug counselor (AADC) from the International Certification and Reciprocity Consortium;
 - (i) American Osteopathic Board of Anesthesiology Certificate of Added Qualification in Addiction Medicine;
 - (j) American Osteopathic Board of Family Medicine Certificate of Added Qualification in Addiction Medicine;
 - (k) Osteopathic Board of Internal Medicine Certificate of Added Qualification in Addiction Medicine; and
 - (l) American Osteopathic Board of Neurology and Psychiatry Certificate of Added Qualification in Addiction Medicine.
- (3) The certifying body of a national certification submitted according to this section must send verification of the certification directly to the department.
- (4) A national certification submitted according to this section must be active and in good standing.
- (5) Nothing in this section exempts any applicant from the examination requirements of WAC 246-811-060.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

WAC 246-811-220 Continuing competency program requirements.

~~((1))~~ A chemical dependency professional, regardless of method of certification, must complete:

- (1) An enhancement plan(~~(7)~~) as described in WAC 246-811-200(7);
- (2) Twenty-eight hours of continuing education(~~(7)~~) as described in WAC 246-811-240; and
- (3) Twelve hours of other professional development activities as described in WAC 246-811-047 and 246-811-200(2).