



# 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 15-13-125 ; 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 246-809-210 Definitions specific to licensed mental health counselors and licensed mental health counselor associates. Amending the definition of "approved education program."

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

Date: 11/08/16

Time: 1:00 pm

**Submit written comments to:**

Name: Brad Burnham  
Address: Department of Health  
PO Box 47852  
Olympia, WA 98504-7852  
e-mail: <https://fortress.wa.gov/doh/policyreview>  
fax 360-236-2901 by (date) 11/08/2016

**Assistance for persons with disabilities:** Contact

Brad Burnham by 11/01/2016

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 11/15/2016

(Note: This is NOT the effective date)

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

The proposal would amend the definition of an "approved educational program" for licensed mental health counselors and licensed mental health counselor associates in WAC 246-809-210 to accept as approved those programs accredited by an accrediting body recognized by the United States Department of Education. The Council for Higher Education Accreditation (CHEA) will remain as another option for recognizing accrediting bodies in Washington State.

**Reasons supporting proposal:**

The current rule only permits education programs to be accredited by accrediting bodies recognized by the CHEA. Allowing accrediting bodies to be recognized by the U.S. Department of Education provides an acceptable level of flexibility in accreditation while maintaining the accrediting bodies' integrity.

**Statutory authority for adoption:**

RCW 18.225.040 and 18.225.090

**Statute being implemented:**

Chapter 18.225 RCW

**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: September 29, 2016**

**TIME: 10:26 AM**

**WSR 16-20-048**

**DATE** 09/28/2016

**NAME** (type or print)

John Wiesman Dr.PH, MPH

**SIGNATURE**

, DrPH, MPH

**TITLE**

Secretary, Department of Health

(COMPLETE REVERSE SIDE)

**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..... Brad Burnham	111 Israel Road SE, Tumwater, WA 98501	360-236-4912
Implementation... Brad Burnham	111 Israel Road SE, Tumwater, WA 98501	360-236-4912
Enforcement..... Brad Burnham	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: Brad Burnham

Address: PO Box 47852

Olympia, WA 98504-7852

phone 360-236-4912

fax 360-236-2901

e-mail [brad.burnham@doh.wa.gov](mailto:brad.burnham@doh.wa.gov)

No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(iv) exempts rules that only correct typographical errors, make address or name changes or clarify the language of a rule without changing its effect.

**WAC 246-809-210 Definitions.** The following definitions apply to the licensure of mental health counselors and mental health counselor associates.

(1) "Approved educational program" means any college or university accredited by an accreditation body recognized by the Council for Higher Education Accreditation (CHEA) or (~~its successor, at the time the applicant completed the required~~) United States Department of Education.

(2) "Approved setting" includes facilities, agencies or private practice where an applicant works with individuals, families, couples or groups under the supervision of an approved supervisor.

(3) "Approved supervisor" means a qualified licensed mental health counselor or equally qualified licensed mental health practitioner who has been licensed without restrictions for at least two years.

(4) "Equally qualified licensed mental health practitioner" means a licensed marriage and family therapist, licensed clinical social worker, licensed psychologist, licensed physician practicing as a psychiatrist, or licensed psychiatric nurse practitioner.

(5) "Group supervision" means face-to-face supervision with an approved supervisor, involving one supervisor and no more than six licensure candidates.

(6) "Immediate supervision" means a meeting with an approved supervisor, involving one supervisor and no more than two licensure candidates.

(7) "Licensure candidate" means an individual that is accruing supervised clinical experience required for licensure.

(8) "Supervision of supervision" means supervision by an approved supervisor for the purpose of training and qualifying a licensee to act as an approved supervisor for purposes of chapter 18.225 RCW and WAC 246-809-234.

(9) "Peer" means a co-worker who is not the licensure candidate's employer or supervisor.