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**SUBSTITUTE SENATE BILL 5306**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senate Government Operations, Tribal Relations & Elections  
(originally sponsored by Senators Chase, Swecker, and Roach)

READ FIRST TIME 02/15/11.

1       AN ACT Relating to permitting counselors who are employed by  
2       federally recognized Indian tribes to apply to the department of health  
3       for an agency affiliated counselors credential; and amending RCW  
4       18.19.020.

5       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6       **Sec. 1.** RCW 18.19.020 and 2010 1st sp.s. c 20 s 1 are each amended  
7       to read as follows:

8       The definitions in this section apply throughout this chapter  
9       unless the context clearly requires otherwise.

10       (1) "Agency" means (a) an agency or facility operated, licensed, or  
11       certified by the state of Washington (~~(or)~~); (b) a federally recognized  
12       Indian tribe located within the state; or (c) a county.

13       (2) "Agency affiliated counselor" means a person registered under  
14       this chapter who is engaged in counseling and employed by an agency.  
15       "Agency affiliated counselor" includes juvenile probation counselors  
16       who are employees of the juvenile court under RCW 13.04.035 and  
17       13.04.040 and juvenile court employees providing functional family  
18       therapy, aggression replacement training, or other evidence-based

1 programs approved by the juvenile rehabilitation administration of the  
2 department of social and health services.

3 (3) "Certified adviser" means a person certified under this chapter  
4 who is engaged in private practice counseling to the extent authorized  
5 in RCW 18.19.200.

6 (4) "Certified counselor" means a person certified under this  
7 chapter who is engaged in private practice counseling to the extent  
8 authorized in RCW 18.19.200.

9 (5) "Client" means an individual who receives or participates in  
10 counseling or group counseling.

11 (6) "Counseling" means employing any therapeutic techniques,  
12 including but not limited to social work, mental health counseling,  
13 marriage and family therapy, and hypnotherapy, for a fee that offer,  
14 assist or attempt to assist an individual or individuals in the  
15 amelioration or adjustment of mental, emotional, or behavioral  
16 problems, and includes therapeutic techniques to achieve sensitivity  
17 and awareness of self and others and the development of human  
18 potential. For the purposes of this chapter, nothing may be construed  
19 to imply that the practice of hypnotherapy is necessarily limited to  
20 counseling.

21 (7) "Counselor" means an individual, practitioner, therapist, or  
22 analyst who engages in the practice of counseling to the public for a  
23 fee, including for the purposes of this chapter, hypnotherapists.

24 (8) "Department" means the department of health.

25 (9) "Hypnotherapist" means a person registered under this chapter  
26 who is practicing hypnosis as a modality.

27 (10) "Private practice counseling" means the practice of counseling  
28 by a certified counselor or certified adviser as specified in RCW  
29 18.19.200.

30 (11) "Psychotherapy" means the practice of counseling using  
31 diagnosis of mental disorders according to the fourth edition of the  
32 diagnostic and statistical manual of mental disorders, published in  
33 1994, and the development of treatment plans for counseling based on  
34 diagnosis of mental disorders in accordance with established practice  
35 standards.

36 (12) "Secretary" means the secretary of the department or the

1 secretary's designee.

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