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North Sound Mental Health Administration

Section 1500 – Clinical: Minimum Requirements and Certification Processes for Requesting Mental Health Professional (MHP) Exceptions & Waivers

Authorizing Source: WAC388-865-0265 & WAC 388-865-0120

Cancels:

See Also:

Responsible Staff: Quality Manager

Approved by: Executive Director
Signature:

Date: 3/31/08

POLICY #1516.00

SUBJECT: MINIMUM REQUIREMENTS AND CERTIFICATION PROCESSES FOR REQUESTING MENTAL HEALTH PROFESSIONAL (MHP) EXCEPTIONS & WAIVERS

PURPOSE

To delineate the requirements for an individual to hold the status of an MHP and to describe the mechanisms put forth by the Washington State Department of Social and Health Services (DSHS) Mental Health Division (MHD) under which clinicians may apply for, and North Sound Mental Health Administration (NSMHA) may request exceptions or waivers for these requirements.

NOTE: The individual who meets all MHD criteria except the Master's degree credential, and is working toward attaining a Master's degree should apply for the time-limited (2 year) exception. The individual who meets all MHD criteria except the Master's degree credential, but has no intention to pursue a master's degree in the near future, or has a Master's degree but cannot document their experience, should apply for the waiver. The waiver is only in effect for the duration of the license of the agency which employs the applicant. Because the provider agency must reapply for a license every year, the waiver is only valid as long as the agency is licensed. All waivers are time-limited and must be reapplied for annually.

DEFINITION OF AN MHP

Under WAC 388-865-0150, a "Mental Health Professional" is:

1. A psychiatrist, psychologist, psychiatric nurse or social worker as defined in chapter 71.05 and 71.34 RCW;
2. A person with a Masters degree or further advanced degree in counseling or one of the social sciences from an accredited college or university. Such person shall have, in addition, at least two years of experience in direct treatment of persons with mental illness or emotional disturbance, such experience gained under the supervision of a mental health professional;
3. A person who meets the waiver criteria of RCW 71.24.260, which was granted prior to 1986;
4. A person who had an approved waiver to perform the duties of a mental health professional that was requested by the regional support network and granted by the mental health division prior to July 1, 2001; or
5. A person who has been granted a time-limited exception or waiver of the minimum requirements of a mental health professional by the Mental Health Division consistent with WAC 388-865-0265.

ROLE AND RESPONSIBILITIES OF AN MHP

Under WAC 388-865, only an MHP can:

1. Be eligible for designation as a mental health specialist for children, geriatrics, ethnic minorities and/or disabled persons;
2. Review and sign off on assessments, treatment plans and revisions of plans; and
3. Perform clinical supervision.

MHP TIME-LIMITED EXCEPTION POLICY: Under WAC 388-865-0265, an individual who does not meet the Master’s degree requirement for an MHP as defined in this exhibit, but is otherwise qualified and is currently enrolled in or intends to enroll in a graduate program wherein graduation from that program will result in the candidate holding at least a master’s degree within two years from the date of exception approval, may become an MHP under a time-limited (up to two years) exception process conducted by NSMHA.

MHP TIME-LIMITED EXCEPTION PROCEDURE

Responsibility for review and forwarding of all requests for MHP exception shall be the responsibility of the NSMHA Quality Manager or their designee. NSMHA will conduct a review process for persons who apply in writing for an MHP exception. After the NSMHA review, the request for an exception is sent to MHD for their approval. All exceptions must have MHD approval before the individual acts as an MHP

APPLYING FOR A TIME-LIMITED EXCEPTION

Applicants must complete the attached “EXCEPTION REQUEST MENTAL HEALTH PROFESSIONAL” form (Attachment #1516.01), and include the following information:

1. Name, address & phone number of entity (NSMHA) making request for the applicant
2. Name of applicant (person for whom exception is being requested)
3. Provider agency with whom the above applicant is employed
4. Affirmation that the above agency is contracted with NSMHA
5. Description of functions the applicant will be performing
6. Statement of need for the exception
7. Attachments of documentation to verify the following qualifications:
 - a. Bachelor of Arts or Sciences degree from an accredited college or university (Must reflect degree, year & institution)
 - b. Course work or training in diagnoses, assessments, & development of treatment plans
 - c. Documentation of at least five years of direct treatment of persons with a mental illness under the supervision of a mental health professional
8. A plan of action to assure that the applicant will become qualified no later than two years from the date of the exception approval
9. Signed and dated assurance that periodic evaluations of the applicant’s job performance are conducted

In addition to the above information provided by the applicant, NSMHA Quality Manager or designee will augment the application with the following before submitting it to MHD:

1. Statement, based on verification of required education and training, that the applicant is qualified, based on the applicant’s meeting the requirements listed above in items 7a – c
2. Statement that periodic supervisory evaluations of the individual’s job performance are conducted
3. A plan of action to assure the individual will become qualified no later than two years from the date of exception

4. Dated signature reflecting NSMHA approval

MHP WAIVER POLICY: Under WAC 388-865-0120, a person who does not meet the master's degree criteria to be an MHP as defined in this exhibit, but is otherwise qualified, can become an MHP under a waiver process approved by MHD and conducted by the NSMHA.

MHP WAIVER PROCEDURE

Responsibility for review and forwarding of all requests for MHP waivers shall be the responsibility of the NSMHA Quality Manager or their designee. NSMHA will conduct a review process for persons who apply in writing for an MHP waiver. After the NSMHA review, a request for the waiver is sent to MHD for their approval. All waivers must have MHD approval before the individual acts as an MHP.

APPLYING FOR A WAIVER

Applicants must complete the attached "WAIVER REQUEST MENTAL HEALTH PROFESSIONAL" form (Attachment #1516.02), and include the following information:

1. Name, address & phone number of entity (NSMHA) making request for the applicant
2. Name of applicant (person for whom waiver is being requested)
3. The specific section or subsection of these rules for which the waiver is being requested: (WAC-388-865-0150)
4. Reason why the waiver is necessary, or method that will be used to meet the desired outcome of the section or subsection in a more effective and efficient manner
5. Description of how the results/outcome of this improved method will be tested to ensure that the intent of the section or subsection is met
6. Description of the qualifications of the waiver applicant, justification for the waiver and the plan and timetable to achieve compliance with the minimum standard; and to implement, test, and report results of improved ways to meet the intent of the section or subsection
7. Description of recommendations from the Quality Review Team or Ombuds staff and a description of how consumers will be notified of changes made as a result of the waiver. Please write in N/A if this section does not apply.

In addition to the above information provided by the applicant, NSMHA Quality Manager or designee will augment the application with the following before submitting it to MHD:

1. Statement of support
2. Dated signature reflecting NSMHA approval

DOCUMENTATION

1. Personnel files of all persons functioning as MHPs shall contain either documentation that the WAC standards are met or a copy of the approved exception or waiver.
2. Employees who do not meet WAC standards for MHP cannot function as MHPs unless & until the waiver or exception is submitted and approved by MHD. The provider shall place appropriate documentation in each MHP personnel file to show that standards have been met.
3. An annual review will be conducted as part of the NSMHA monitoring of performance standards.

ATTACHMENTS

1516.01 – EXCEPTION REQUEST MENTAL HEALTH PROFESSIONAL

1516.02 – WAIVER REQUEST MENTAL HEALTH PROFESSIONAL