



## Frequently Asked Questions (FAQ)

### Rule Revisions for Behavioral Health Agency (BHA) Licensing and Certification Requirements – Chapter 246-341 WAC

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## What was the purpose of rule making related to chapter 246-341 WAC?

The purpose of rule making was to streamline [BHA licensing and certification requirements](#) and processes with the goal of decreasing regulatory burden and redundancy, while also increasing access to care by:

- Aligning mental health and substance use disorder standards to support agencies providing co-occurring services and create consistency in service delivery.
- Broadening certifications to allow agencies more flexibility to adjust their services to meet the needs of their community.
- Supporting the use of telehealth and mobile services.

## When do the revised rules go into effect?

The revised rules had a delayed implementation date to give agencies time to prepare and will be effective beginning May 1, 2023.

## What actions do agencies need to do to be compliant with the revised WAC?

Agencies will need to review their policies and procedures for potential revisions. At the minimum, agencies will need to:

- Update WAC references. New numbers for new sections as well as renumbering for existing sections.
- Add information on how your agency will meet the requirements for mental health advanced directives in accordance with Chapter 71.32 RCW. This originally only applied to inpatient/residential mental health facilities, however, the law now applies to all agencies.
- Check to see if any of the service requirements your agency is certified for have changed and need to be updated.

In addition, agencies are no longer required to keep a copy of the master business license with their policies and procedures. This was a duplicative requirement since the master business license is submitted as part of the licensure process.

The following resources may be helpful:

- [BHA Certification Crosswalk](#). Includes a list of where previous certifications are located in the revised rules along with associated changes to service standards.
- [Matrix, or Summary of Changes](#). Includes changes by WAC section.
- [Revised Policy and Procedure Review Tool](#)

## Why and how were mental health (MH) and substance use disorder (SUD) standards aligned?

Requirements for mental health and substance use disorder services were aligned to help make it easier for agencies to provide co-occurring services and assure that similar standards are applied to both services where appropriate.

Compliance requirements for providing certain services were added to some areas of the rule to help align requirements. For example, the current rule requires crisis substance use disorder (SUD) facilities to maintain a list of referral resources. The revised rule under WAC 246-341-0660 extends this requirement to mental health crisis services in order to support co-occurring services.

[See the BHA Certification Crosswalk](#) for more information.

### What does it mean to have “broader certifications” and what is the benefit?

The rule creates broader categories of certifications with specific types of behavioral health services included within each certification category. The goal of broader certifications is to further promote the integration of mental health and substance use disorder services and to group individual services with common core requirements.

The benefit of broadening certifications is that it allows agencies the flexibility to provide multiple types of services under a single certification. It also reduces the number of certifications and allows agencies the ability to easily modify their services under the broader certification category to meet the needs of their community while still allowing the department to maintain the same level of regulatory oversight of the services. See “How do agencies add certifications and services to an existing BHA license?”

### With new certification titles and structure being implemented, how do agencies reflect that on their license?

When it is time to renew your agency license, you will submit a renewal application which will align with your agency’s certifications and services with the current certification titles.

[See the BHA Certification Crosswalk](#) for more information on how certification titles have been modified.

### Where can I find information about the revisions?

[BHA Certification Crosswalk](#). Includes a list of where previous certifications are located in the revised rules along with associated changes to service standards.

[Matrix, or Summary of Changes](#). Includes changes by WAC section.

### How do agencies add certifications and services to an existing BHA license?

#### **Adding a certification:**

- Submit an amended [BHA licensing application](#) and policies and procedures for approval to DOH.

#### **Adding a service under an existing certification:**

- Within 30 days of initiating the service, submit an amended [BHA licensing application](#) and policies and procedures for the new service(s) to DOH.

## Where can I find level one SUD services and level two intensive outpatient service requirements?

Level one and level two SUD service requirements were incorporated into the new outpatient intervention, assessment, and treatment certification in section 246-341-0737. Under this certification agencies can provide assessments, counseling, and court-ordered services such as deferred prosecution in accordance with section 246-341-0740.

## What happened to SUD crisis services?

In the previous version, WAC 246-341-0110(v) and WAC 246-341-0748 applied to SUD crisis services specifically. In the revised WAC crisis support is under the Behavioral Health Support certification in [WAC 246-341-0110\(1\)\(b\)](#). The service standards for this can be found under [WAC 246-341-0715](#) – this is a new section that applies to both SUD and MH. This alignment is intended to make it easier for agencies to provide co-occurring services and assures that similar standards are applied to both SUD and MH.

In the revised WAC, section 246-341-0748 is repealed but the language is incorporated into [WAC 246-341-0715](#) with the exception of the requirement for SUD crisis staff to have 40 hours of SUD training. This was removed and replaced with a requirement that agencies develop and implement policies and procedures for training staff to identify and assist individuals in crisis before assigning the staff member unsupervised duties.

## Why were ASAM references removed or moved in the revised WAC?

There are still many references in the WAC to ASAM. If they were removed/struck it is because the other references to use ASAM criteria for diagnosis, treatment, level of care, etc. sufficiently cover the requirement.

## What is intensive behavioral health treatment certification? Is it required to provide intensive outpatient or inpatient SUD or mental health services?

Intensive behavioral health treatment certification was developed at the direction of the legislature and is a type of service for a specific population as defined and described in RCW [71.24.025](#) and [71.24.648](#).

This certification is not required for providing intensive inpatient or outpatient SUD or mental health services. Agencies providing intensive outpatient SUD or mental health services may provide these services under the behavioral health outpatient intervention, assessment, and treatment certification described in WAC 246-341-0737. Agencies providing intensive inpatient SUD or mental health services may provide these services under the behavioral health residential and inpatient intervention, assessment, and treatment certification described in WAC 246-341-1105.

## Why does the application ask for number of Mental Health (MH) service hours for Residential and Inpatient Mental Health Treatment instead of bed count?

This service replaced the previous certification for “outpatient services in a residential setting” which was charged by # of service hours rather than by bed count. The revised WAC kept the fee structure the

same so that agencies certified for outpatient services in a residential setting did not experience a fee increase as a result of the WAC changes.

**Who should I contact if I have questions about the revised WAC or believe there might be a typo or error?**

Contact the [Facilities Program Manager](#). Please include the specific section of WAC in question.

To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email [doh.information@doh.wa.gov](mailto:doh.information@doh.wa.gov).