

BEHAVIORAL HEALTH PERSONNEL PROCEDURES

Purpose: This procedure outlines Northwest Educational Service District 189 (NWESD 189) processes for hiring clinical staff and ensuring that clinical staff meet or exceed minimum requirements for their positions and to demonstrate compliance with [WAC 388-877](#), [WAC 388-877A](#), [WAC 388-877B](#), [WAC 246-811-049](#), [WAC 388-06-0170](#), [WAC 388-877-100](#), [WAC 388-877-0500](#), [WAC 388-877-0510](#), [WAC 388-877-0530](#), and North Sound Mental Health Administrations (NSMHA) Policies [# 1007.00](#), [# 1516.00](#), [# 1516.10](#), [# 1516.20](#), and [# 1558.00](#).

Hiring Practices for Clinical Staff: Prior to making an offer of employment the NWESD 189 Payroll and Personnel Administrator will:

- 1) Conduct a background check, as described in NWESD 189 Policy #5005, in compliance with WAC 388-06-0170:
 - A) Those convicted of certain crimes are permanently prohibited from being licensed, contracted, or authorized to have unsupervised access to children or to individuals with developmental disability. Those felony convictions include:
 - i) child abuse and/or neglect;
 - ii) spousal abuse;
 - iii) crime(s) against a child (including child pornography);
 - iv) crime(s) involving violence (including rape, sexual assault, or homicide but not including other physical assault); and/or,
 - v) any federal or out-of-state conviction for an offense that under the laws of this state would disqualify you from having unsupervised access to children or individuals with developmental disabilities in any home or facility.
 - B) Any individual convicted of one (1) or more of the crimes listed in [WAC 388-06-0170 \(1\)\(a-e\)](#) will be prohibited from:
 - i) serving as a NWESD 189 contractor;
 - ii) being employed by the NWESD 189 or its contractors if he/she would have unsupervised access to children or to individuals with a developmental disability;
 - iii) volunteering or participating as an intern in a home or facility that offers care to children or to individuals with a developmental disability; and/or ,
 - iv) providing any type of care to children or to individuals with a developmental disability, if the care is funded by the state.
- 2) Review the excluded individuals/entities for each prospective employee or contractors in contact with individuals receiving services including found at the Office of Inspector General, U.S. Department of Health and Human Service website (<http://oig.hhs.gov>) ensuring the individual is not currently excluded and at least annually thereafter.

- 3) Ensure the prospective employee or contractor is not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in transactions involving certain federal funds.
- 4) Conduct a primary source verification of credentials. Specifically, the NWESD 189 ensures credentials are validated in the following manner for all employed or contracted staff who provide direct care to and/or clinical oversight of children and youth receiving NWESD 189 mental health services:
 - A) Applicants sign a statement attesting to the accuracy and completeness of all information and consenting to inspection of records and documents pertinent to the application.
 - B) Applications are screened to confirm that the minimum requirements for the job functions are met prior to interview/potential employment.
 - C) Information submitted on applications essential to the functions of the position (e.g., licensure, training and experience) is confirmed through primary source verification. Additional data is requested when relevant to the position functions (e.g., Drug Enforcement Administration [DEA] certificate for jobs requiring prescriptive authority) and is confirmed through primary source verification.
 - D) The applicant will be responsible for requesting certified copies of academic credentials and certificates of insurance, when requested.
 - E) Re-verification activities are performed at a minimum, every two (2) years, including primary source verification of information submitted on initial application, which is subject to change (e.g., expiration of a required license).
 - F) The competence of all employed and contracted staff members who provide direct care to and/or clinical oversight of children and youth receiving NWESD 189 mental health services is assessed, maintained, and improved on an ongoing basis through the development and implementation of a training plan that is pertinent to each position.
- 5) Provide for the appointment and privileging of employed staff or contractors who provide direct care to and/or clinical oversight children and youth receiving NWESD 189 mental health services and whose position function requires the exercise significant independent judgment and clinical responsibility. These appointment process steps are in addition to the previous steps:
 - A) Prior to appointment:
 - i) the applicant's current registration, licensure, and/or certification will be verified from the primary source and considered related to the functions of the position;
 - ii) successful completion of a course of study will be verified from the primary source and considered related to the functions of the position;

- iii) experience will be verified from the primary source and considered related to the functions of the position;
- iv) involvement in professional liability actions, if any, will be verified and good standing confirmed where relevant to the functions of the position; and,
- v) when information from a primary source is not available, a reliable secondary source may be used, providing the attempt to contact the primary source is documented.

B) Provisional appointment may occur:

- i) when information is available, but not yet received from the primary source, the applicant may be appointed for a provisional period; and,
- ii) during this provisional period, the applicant will complete an orientation designed to promote safe and effective performance of position responsibilities by his/her supervisor.

C) Primary source verification will:

- i) to be provided to the Payroll/Personnel Administrator and then will be placed in the employed staff or contractor's credential file, with any discrepancies considered grounds for termination;
- ii) result in the change from a provisional appointment to a probationary period, for a combined minimum ninety (90) day period from the date of appointment/hire during which a performance appraisal will be conducted; and,
- iii) be documented (verification/re-verification) in a separate file and held by the Payroll/Personnel Administrator.

D) Period Reviews will be provided by:

- i) the Quality Management Team will meet, at a minimum, every two (2) years to review verification/re-verification document files;
- ii) all mental health program staff will review and verify compliance with verification/re-verification as a component of the annual employee review process; and,
- iii) the NWESD 189 will comply with third party reviews/audits of verification/re-verification document files (e.g., NSMHA) in accordance with federal and state laws.

E) Individual changes in licensure, certification status, and/or adverse actions will be reported to the NSMHA Quality Manager or designee.

Minimum Requirements and Certification Processes for Requesting Mental Health Professional (MHP) Exceptions and Waivers

Definitions: The NWESD 189 Department of Behavioral Health and Prevention Services will make use of the following definitions and procedures:

Mental Health Professional (MHP). As defined by [WAC 388-877-0200](#) may be qualified as a:

- 1) Psychiatrist, psychologist, psychiatric nurse or social worker as defined in chapters 71.05 and 71.34 RCW.
- 2) Person with a masters degree or further advanced degree in counseling or one (1) of the social sciences from an accredited college or university. Such person shall have, in addition, at least two (2) 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) Person who meets the waiver criteria of [RCW 71.24.260](#), which was granted prior to 1986.
- 4) Person who had an approved waiver to perform the duties of a mental health profession that was requested by the regional support network and granted by the mental health division prior to July 1, 2001.
- 5) Person who has been granted a time-limited exception of the minimum requirements of a mental health professional by the mental health division consistent with [WAC 388-865-0265](#).

Child Mental Health Specialist (CMHS). For the purposes of the NWESD 189 Department of Behavioral Health and Prevention Services, mental health specialists include child mental health specialist, ethnic minority mental health specialist, and disability mental health specialist as defined in [WAC 388-865-0150](#):

- 1) A child mental health specialist is defined as a mental health professional with the following education and experience:
 - A) a minimum of one hundred (100) actual hours (not quarter or semester hours) of special training in child development and the treatment of children and youth with serious emotional disturbance and their families; and,
 - B) the equivalent of one (1) year of full-time experience in the treatment of seriously emotionally disturbed children and youth and their families under the supervision of a child mental health specialist.
- 2) An ethnic minority mental health specialist is defined as a mental health professional who has:
 - A) demonstrated cultural competence attained through major commitment, ongoing training, experience and/or specialization in serving ethnic minorities, including evidence of one (1) year of service specializing in serving the ethnic minority group under the supervision of an ethnic minority mental health specialist;
 - B) evidence of support from the ethnic minority community attesting to the person's commitment to that community; and/or,

- C) a minimum of one hundred (100) actual hours (not quarter or semester hours) of specialized training devoted to ethnic minority issues and treatment of ethnic minority consumers.
- 3) A disability mental health specialist is defined as a mental health professional with special expertise in working with an identified disability group. For purposes of this procedure only, **disabled** means an individual with a disability other than a mental illness, including a developmental disability, serious physical handicap, or sensory impairment.
- A) If the consumer is deaf, the specialist should be a mental health professional with:
- i) knowledge about the deaf culture and psychosocial problems faced by people who are deaf; and,
 - ii) the ability to communicate fluently in the preferred language system of the consumer.
- B) The specialist for consumers with developmental disabilities should be a mental health professional who:
- i) has at least one (1) year's experience working with people with developmental disabilities; or,
 - ii) qualifies as a developmental disabilities professional under in RCW 71.05.020.

Qualified Professionals. To the extent possible, the NWESD 189 will employ only licensed Mental Health Professionals with a Child Mental Health Specialist designation. However, under some circumstances, the NWESD 189 may request an exception or a waiver for otherwise qualified staff, if doing so is in the best interest of the children and youth served. Specifically, the NWESD 189 may request either a MHP time-limited exception or a MHP waiver.

The NWESD 189 may request a MHP time-limited exception for an individual with less than a master's degree level of training when there is a demonstrated need and it is established that the individual is qualified to perform the required functions based on a verification of required education and training including:

- 1) a bachelor of arts or sciences degree from an accredited college or university;
- 2) course work or training in making diagnoses, assessments, and developing treatment plans;
- 3) documentation of at least five (5) years of direct treatment to persons with mental illness under the supervision of an MHP; and,
- 4) a plan of action to become qualified as an MHP no later than two (2) years from the date of exception.

If the application or renewal is allowed, the exception waiver may not be transferred to another regional support network or be used for an individual other than the one (1) named.

The NWESD 189 may request a MHP waiver of post-graduate educational requirement when there is a demonstrated need and it is established that the individual is qualified to perform the required functions based on a verification of required education, training, and education including:

- 1) employment by an agency subject to licensure under [Chapter 71.24](#) of the *Community Mental Health Service Act*, in a capacity involving the treatment of mental illness, and,
- 2) has at least ten (10) years of full-time experience in the treatment of mental illness.

Time Limited Exception Procedures. The NWESD 189 will complete the *Exception Request Mental Health Professional Form* ([NSMHA Procedure # 1516.01](#)) and include the following information:

- 1) name, address, and phone number of entity (NSMHA) making request for the applicant;
- 2) name of applicant (person for whom exception is being requested);
- 3) provider entity with whom the applicant is employed (NWESD 189);
- 4) affirmation that the NWESD 189 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, including the specific degree, year, and institution;
 - B) course work or training in diagnoses, assessments, and developing treatment plans; and,
 - C) signed documentation of at least five (5) years of direct treatment of persons with a mental illness under the supervision of a mental health professional;
- 8) a plan of action that assures the applicant will become qualified no later than two (2) years from the date of the exception approval; and,
- 9) a signed and dated assurance that periodic evaluations of the applicant's job performance are conducted.

Waiver Procedures. The NWESD 189 will complete the *Waiver Request Mental Health Professional Form* (NSMHA Procedure #1516.02) and include the following information:

- 1) name, address & phone number of entity (NSMHA) making the request for the applicant;

- 2) name of applicant (person for whom waiver is being requested);
- 3) the specific section or subsection of the rules for which the waiver is being requested (WAC-388-865-0150);
- 4) the reason 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) a 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) a description of the qualifications of the waiver applicant, justification for the waiver, and the plan with 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; and,
- 7) a description of recommendations from the Quality Review Team or Ombuds staff and a description of how consumers would be notified of changes made as a result of the waiver.

Use of Volunteer Procedures. The following expectations are established relative to volunteers:

- 1) Each volunteer must meet the required qualifications for any position to which they are assigned.
- 2) Student practicum placements will only be permitted when supported through a written agreement between the NWESD 189 and the educational institution that includes:
 - A) the nature and scope of student activities at the treatment setting;
 - B) plan for supervision of student activities; and,
 - C) a confidentiality statement signed by the student and the student's academic supervisor.

Special Population Definition/Procedures. For the purposes of the NWESD 189 Behavioral Health Program, ethnic minority or racial/ethnic groups are defined as any of the following special population groups:

- 1) African American;
- 2) an American Indian or Alaskan native, which includes,
 - A) a person who is a member or considered to be a member in a federally recognized tribe,
 - B) a person determined eligible to be found Indian by the secretary of interior,

- C) an Eskimo, Aleut, or other Alaskan native,
 - D) a Canadian Indian, meaning a person of a treaty tribe, Metis community, or non-status Indian community from Canada, and/or.
 - E) an un-enrolled American Indian meaning a person considered American Indian by a federally or non-federally recognized Tribe or off reservation American Indian/Alaskan native community organization;
- 3) Asian/Pacific Islander; or,
- 4) Hispanic.

If, during the intake assessment the child or youth is identified as a member of a special population group, the clinician will request a special population consult with a mental health specialist. The consultation shall be conducted within thirty (30) calendar days of the intake assessment. The mental health specialist will determine the level of the child's or youth's identification with the special population, and documents cultural factors that shall be considered in planning the delivery of services to the consumer. These factors shall be subsequently addressed in the development of the treatment plan by the clinician and his/her treatment team colleagues. The mental health specialist may participate in the first one hundred eighty (180) day review, and at subsequent one hundred eighty (180) day reviews when/if indicated by the mental health specialist. Special population groups include children consumers and ethnic minority consumers,

When a child or youth is identified as being a member of a special population group, the child's or youth's assigned clinician shall request and arrange for a special population consultation. The consultation shall be provided by a mental health specialist who through proper credentialing by the contracted provider has demonstrated cultural competence in working with the indicated special population or populations. Findings from the special population consultation shall be addressed in the child's or youth's treatment plan.

If, during the intake assessment the child or youth is identified as a member of a special population group, the clinician will request a special population consult with a mental health specialist. The consultation shall be conducted within thirty (30) calendar days of the intake assessment. The mental health specialist will determine the level of the child's or youth's identification with the special population, and documents cultural factors that shall be considered in planning the delivery of services to the consumer. These factors shall be subsequently addressed in the development of the treatment plan by the clinician and his/her treatment team colleagues. The mental health specialist may participate in the first one hundred eighty (180) day review, and at subsequent one hundred eighty (180) day reviews when/if indicated by the mental health specialist. Special population groups include children consumers and ethnic minority consumers,

Additional Procedures for the Mental Health Program: The NWESD 189 will provide clinical supervision in the following manner:

- 1) All NWESD 189 outpatient mental health services are to be provided by or under the supervision of a mental health professional, as defined in [WAC 388-877-0200](#).
- 2) The NWESD 189 will identify at least one (1) person to be responsible for clinical supervision duties.
- 3) The Clinical Supervisor(s) will receive and document at least fifteen (15) hours of training in clinical supervision approved by the Department of Health (DOH).
- 4) The Clinical Supervisors will ensure that the NWESD 189 employs staff adequate in number to provide program specific certified services to serve the caseload and who provide treatment in accordance to regulations relevant to their specialty/specialties and regulation, certification, licensing, and trainee or volunteer status.
- 5) The Clinical Supervisor(s) will ensure mental health outpatient staff receives adequate training including training in violence prevention (annually), family systems theories, and techniques, and the use of evidence-based and promising practices. Within thirty (30) days of an employee's hire date, and annually thereafter, the Clinical Supervisor(s) will ensure staff training:
 - A) consistent with NWESD 189 program-specific certifications;
 - B) on cultural competency that assists staff in recognizing when cultural barriers interfere with clinical care that includes a review of populations specific to the NWESD 189 geographic service areas;
 - C) applicable available community resources; and,
 - D) on procedures for how to respond to individuals in crisis that includes a review of emergency procedure, program policies and procedures, and the rights of individuals receiving services and supports.
- 6) The Clinical Supervisors will ensure that an annual training plan is developed, implemented and documented for the mental health services program and for each staff member within the program.
- 7) The Clinical Supervisor(s) will ensure that each trainee and intern who receives training at NWESD 189 is assigned a supervisor who has been approved by the administrator or designee. The assigned supervisor must be credentialed by the DOH for his/her scope of practice, is responsible for all individuals assigned to the trainee or intern he/she supervises, and will review clinical documentation with the trainee or intern as a part of the supervision process.

Additional Procedures for the Substance Abuse Treatment Program: The NWESD 189 will provide clinical supervision in the following manner:

- 1) All NWESD 189 chemical dependency assessment and counseling services will be provided by a Department of Health (DOH) credentialed chemical dependency professional (CDP) or a DOH-credentialed CDP trainee under the supervision of an approved supervisor.
- 2) The NWESD 189 will identify at least one (1) person to be responsible for clinical supervision duties.
- 3) Approved supervisor(s) will ensure that the NWESD 189 employs staff members adequate in number to provide program specific certified services to serve the caseload and who provide treatment in accordance to regulations relevant to their specialty or specialties and regulation, certification, licensing, and trainee or volunteer status.
- 4) Approved supervisor (s) will meet the requirements of a CDP, maintain documented competency in clinical supervision and not committed, permitted, aided or abetted the commission of an illegal act or unprofessional conduct as under [RCW 18.130.180](#).
- 5) Approved supervisor(s) is(are) responsible for monitoring the continued competency of each CDP in assessment, treatment, continuing care, transfer and discharge, including a semi-annual review of a sample of the clinical records kept by the CDP.
- 6) Each CDP trainee has at least one (1) approved supervisor who meets the qualifications in [WAC 246-811-049](#).
- 7) Approved supervisors are expected to decrease the hours of individual contact by twenty percent (20%) for each full-time CDP supervised.
- 8) Approved supervisor(s) will ensure that each staff member providing individual care has a copy of an initial tuberculosis (TB) screen or test and any subsequent screenings/testing in their personnel file.
- 9) Approved supervisor(s) ensure that all staff members are provided annual training on the prevention and control of communicable disease, blood borne pathogens and TB, and document the training in personnel files.
- 10) Clinical supervisor(s) will ensure that each trainee and intern who receives training at NWESD 189 is assigned a supervisor who has been approved by the administrator or designee. The assigned supervisor must be credentialed by the DOH for the assigned scope of practice, is responsible for all individuals assigned to the trainee or intern under supervision, and must review clinical documentation with the trainee or intern as a part of the supervision process.
- 11) For screening and brief intervention services, the approved supervisor (s) will ensure each staff member completes forty (40) hours of training that covers chemical dependency and brief intervention techniques, motivational interviewing, and referral. The approved supervisor(s) will maintain a current list of resources for legal, employment, education, interpreter, and social

and health services. The approved supervisor will also ensure each individual's record contains the elements of [WAC 388-877B-0660\(4\)](#).

Staff training: The Director of the Department of Behavioral Health and Prevention Services will ensure that within thirty (30) days of initial employment, and annually thereafter, all clinical staff receive training:

- 1) Consistent with the NWESD 189's program-specific certifications.
- 2) On cultural competency that assists staff in recognizing when cultural barriers interfere with clinical care that includes a review of:
 - A) populations specific to the NWESD 189's geographic service area; and,
 - B) applicable available community resources.
- 3) On procedures for how to respond to individuals in crisis, including a review of:
 - A) emergency procedures;
 - B) program policies and procedures; and,
 - C) rights for individuals receiving services and supports.

Additional Procedures for the Mental Health Professionals: All staff members will be provided annual violence prevention training on the safety and violence prevention topics described in [RCW 49.19.030](#), including:

- 1) general safety procedures;
- 2) personal safety procedures;
- 3) the violence escalation cycle;
- 4) violence-predicting factors;
- 5) obtaining patient history from a patient with violent behavior;
- 6) verbal and physical techniques to de-escalate and minimize violent behavior;
- 7) strategies to avoid physical harm;
- 8) restraining techniques;
- 9) appropriate use of medications as chemical restraints;

- 10) documenting and reporting incidents;
- 11) the process whereby employees affected by a violent act may debrief;
- 12) any resources available to employees for coping with violence; and,
- 13) the NWESD 189 workplace violence prevention plan.

Additional Procedures for the Chemical Dependency Professionals: All staff members will be provided annual training on the prevention and control of communicable disease, blood borne pathogens and tuberculosis (TB). This training will be documented in the personnel files.

Personnel records. In addition to the provisions of NWESD 189 Policy 5260 and Procedure 5260P, the Payroll and Personnel Administrator will ensure that the employee records of all Behavioral Health Program Clinical Staff include:

- 1) Documentation of annual training, including successful completion of cultural competency training ([WAC 388-877-0500\(6\)\(b\)](#)).
- 2) A signed and dated commitment to maintain patient (individual) confidentiality in accordance with state and federal confidentiality requirements.
- 3) A record of an orientation to the NWESD 189 that includes:
 - A) an overview of the administrative, personnel, and clinical policies and procedures;
 - B) the duty to warn or to take reasonable precautions to provide protection from violent behavior when an individual has communicated an actual imminent threat of physical violence against a reasonably identifiable victim or victims (reasonable precautions includes notifying law enforcement, as required by law);
 - C) staff ethical standards and conduct, including reporting of unprofessional conduct to appropriate authorities;
 - D) the process for resolving client complaints and/or grievances; and,
 - E) the NWESD 189 facility evacuation plan.
- 4) A copy of the staff member's valid current credential issued by the Department of Health (DOH) for the appropriate scope of practice.
- 5) For employees, a copy of a current position description, signed and dated by the employee and supervisor which include the position title, minimum qualifications, and summary of duties and responsibilities.

- 6) For independent contractors, formal agreements or contracts that describe the nature and extent of patient care services may be substituted for position descriptions.
- 7) Performance evaluations conducted by the immediate supervisor or designee.

Staff members who have received services from the NWESD 189 must have personnel records that:

- 1) are separate from clinical records; and,
- 2) have no indication of current or previous service recipient status.

Presented to the Board: 01/28/15

Reference:

[RCW 18.130.180](#)
[RCW 49.19.030](#)
[RCW 71.05.020](#)
[WAC 388-865-0150](#)
[WAC 388-865-265](#)
[WAC 388-877](#)
[WAC 388-877A](#)
[WAC 388-877B](#)
[WAC 246-811-049](#)
[WAC 388-06-0170](#)
[WAC 388-877-0100](#)
[WAC 388-877-0200](#)
[WAC 388-877-0500](#)
[WAC 388-877-0510](#)
[WAC 388-877-0530](#)

Cross Reference:

NWESD 189 Policy # 5000
NWESD 189 Policy # 5005
NWESD 189 Policy # 5050
NWESD 189 Policy # 5201
NWESD 189 Policy # 5240
NWESD 189 Policy # 5260
[NSMHA Policy # 1007.00](#)
[NSMHA Policy # 1516.00](#)
[NSMHA Policy # 1516.10](#)
[NSMHA Policy # 1516.20](#)
[NSMHA Policy # 1558.00](#)