



STATE OF WASHINGTON

SEX OFFENDER POLICY BOARD

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SEX OFFENDER POLICY BOARD

SB 5163 Workgroup Meeting

August 26, 2021 1:00 – 2:30 pm

Zoom Meeting

Attendees: Jedd Pelander, DCYF; Shoshana Kehoe-Ehlers, OPD; Brandon Williams, DOH SOTP Program; Jonathan Sherry, SCC; Dr. Zainab Ghazal, SCC; Dr. Elena Lopez, BHA HQ; Priscilla Hannon, Treatment Provider; Joshua Choate, Attorney General's Office; Alex Mayo, WA Voices; Megan Schoor, OFM; Manny Santos, DOC; Devon Gibbs, King County Department of Public Defense; Jennifer Williams, DOC; Corey McNally, DOC; MaryCatherine Kenny, MS, EdS, SCC; Jay Williamson, SOTP; Dr. James Olsen, SOTP; Madeline Swanson, DOC

Meeting Notes

Welcome & Call to Order

- **Megan** welcomed everyone to the meeting. Meeting participants were asked mute their microphones when not speaking and asked to use the chat function and “Raise your hand” function through Zoom whenever they would like. Members were reminded that the meeting was being recorded and the recording is available upon request.
- **Megan** invited people to introduce themselves.

Review Meeting Objectives

- **Joshua** summarized the objectives for the meeting, including the need to discuss what should be included in the final report as far as topics covered.

MOTION #21-5-2: MOTION TO APPROVE THE August 12, 2021 MEETING MINUTES.

MOVED: Joshua Choate

SECONDED: Alex Mayo

ABSTAINED: Devon Gibbs

PASSED: Unanimously

SOTP Contracting Process with DSHS' Special Commitment Center (SCC)

- **Dr. Ghazal** shared and reviewed the following:

- **Typical steps that an SOTP must take to contract with DSHS:** If it's a new contract, there is an interview session with Chief of Clinical Services and Resident Treatment, the head of the clinical department on the island. After the interview process, SOTPs reconnect with SCC to determine their interest in the position. If the SOTP accepts the position, then Dr. Ghazal would start the contracting process with DSHS and submit a budget request to the appointing authority. The signed contract then gets forwarded to the potential contractor (SOTP), and then they receive many documents to read and review. Once they return the signed contract documents to SCC, then signed by SCC, the contract is executed. The SCC can then assign residents to the SOTP to provide services.
- **List of definitions specific to special terms**
- **Purpose of contracts**
 - Provide SOTP services who are on LRA for the SCC.
- **Contractor Qualification and Requirements**
 - Must be a Certified SOTP or an Affiliate, licensed and in good standing that is current throughout the contract period. License not allowed to lapse while in contract with SCC.
 - Subject to online and fingerprint background check.
 - Previous SCC employment – there are limitations for providers who may have worked at SCC. If you were involved in contract negotiations or the admin of contract, not allowed to then leave SCC and immediately go into a contract with SCC. There's a one-year waiting period required. If you are involved in funding, then there's a two-year restriction assigned to that before you can have a contract with SCC. This is the same or similar policy with which all state government employees must comply.
 - Proof of tuberculosis screening and a signed NDA agreement
 - SOTPs must complete training related to Sexually Violent Predators (SVPs) as determined necessary by the Contract Manager. It is not clear how often contracted SOTPs take this type of training. Contracts are managed by a team of staff at the SCC.
 - SOTPs must comply with the professional standards and ethics in [WAC 246-930-301](#) through WAC 246-930-340.
 - **Jennifer Williams** mentioned that the DOC used to hold SVP trainings in groups for all SOTPs.
 - **Dr. Ghazal** asked, Is the training similar to chaperone training or is it general SVP training?
 - **Jennifer** said they were trying to do it annually to try and bring SOTPs in. It was a day-long conference where multiple topics were covered. DOC stopped doing it, prior to 2013. New SOTPs were able to work with other SOTPs who had been working with the population, and it helped them network and establish relationships. CCOs would also come in to discuss their role.

- Use of SOTP affiliates is allowed up to a certain extent. The Contractor can permit Affiliates to observe and participate in services directly supervised by Contractor, but the Contractor must be physically present, except when an Affiliate provides replacement coverage for the Contractor. The Affiliate can provide no more than 14 days of coverage during a contract term unless it is preapproved by the Chief of Resident Treatment. The Chief of Resident Treatment reviews treatment plans regularly.
 - **Statement of Work**
 - A pre-placement SOTP review is sometimes conducted as well.
 - **Jennifer** asked, has any contracted SOTP at SCC ever utilized an Affiliate?
 - **Devon** shared that some SOTPs allow Affiliates at their offices run their groups or co-facilitation of groups.
 - **Dr. Ghazal** stated that the difference between an Affiliate and an SOTP is that an Affiliate would be someone under SOTP supervision.
 - **Jennifer** asked about the language that says an Affiliate working at the SCC must be a certified treatment provider or certified affiliate. But someone must be an Affiliate to become a certified treatment provider, correct? Dr. Ghazal said yes. If they are a certified affiliate, can they carry an LRA caseload?
 - **Dr. Lopez** clarified that the WAC for licensure for affiliates – if they have 1,000 hours of supervised evaluation and treatment experience under the supervision of a qualified supervisor or CSOTP, all that needs to occur is that they must submit documentation to department that states they have completed the necessary hours to be able to treat Level 3 offenders. Technically they would be able to potentially treat them, but that has not been the case historically unless it is in the instance where the Affiliate provides coverage. They must have the 1,000 hours of experience under a qualified supervisor to treat at that level.
 - **Jennifer** asked, In order to be a Certified Affiliate, you have to complete the minimum 1,000 hours?
 - **Dr. Lopez** said yes, and the documentation must be submitted to the department indicating the minimum completion.
 - **Alex Mayo** shared that it seems like there are different types of affiliates beyond the Certified Affiliate mentioned in the SCC contract template.

- **Brandon Williams** stated that Affiliates on behalf of DOH are typically thought to be obtaining their experience hours. “Certified Affiliate” and “Affiliate” are used interchangeably within DOH.
 - “Certified sex offender treatment provider” means an individual who is a licensed psychologist, licensed marriage and family therapist, licensed social worker, licensed mental health counselor, or psychiatrist as defined in RCW 71.05.020, who is certified to examine and treat sex offenders pursuant to chapters 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09 RCW.
 - (3) "Certified affiliate sex offender treatment provider" means an individual who is a licensed psychologist, licensed marriage and family therapist, licensed social worker, licensed mental health counselor, or psychiatrist as defined in RCW 71.05.020, who is certified as an affiliate to examine and treat sex offenders pursuant to chapters 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09 RCW under the supervision of a qualified supervisor.
- Pre-approved review of additional records and community treatment plan reviews are also included in the statement of work. There could be more work done around the minimum contents of community treatment plans.
 - **Dr. Lopez** mentioned there is some continuity of care when it comes to community treatment plan reviews and creating individualized plans, but there are always improvements that could be made.
- A contractor also performs evaluations monthly, which advise the monthly reports that are court-ordered.
- ATSA Guidelines are considered best practices that SOTPs should follow. No treatment approaches other than those in the ATSA Practice Guidelines are reimbursed under contract.
- SOTPs must provide at least one individual counseling session per week, up to a maximum of two sessions. The sessions should be up to one hour long, unless otherwise pre-approved by the Chief of Resident Treatment. SOTPs also provide at least one group counseling session each week, up to a maximum of two group counseling sessions. Group sessions should be no more than three hours in length, unless otherwise pre-approved.
- SOTPs must participate in monthly meetings and progress reviews, complete functional assessment reports that are reviewed regularly.
- **Dr. Lopez** mentioned that ancillary treatments must be preapproved by the Chief of Resident Treatment. SOTPs can propose why it is needed and how long it would take. Family therapy may be included, but it is case-dependent.

- **Dr. Ghazal** wondered if time limits set forth for SOTPs. Are they sufficient, or should the limits be decreased or increased?

SOTP Listening Session

- **What's it like to be an SOTP who works (worked) with LRA clients?**
 - **Dr. O'Connell** worked with a few LRA clients in the late 1990s. As President of WATSA in the 2000s, he testified with the idea of getting partial indemnification to make the profession less frightening, and that made a difference. His time felt like important work and was a rewarding experience. He shared a letter with **Megan** that he encouraged the subcommittee to review. She shared the letter with subcommittee members in advance of the meeting.
 - **Jay Williamson** shared that there is a lot of time spent working with difficult cases. It is important to help them try to understand and stay connected with people. It is an ongoing process, and each person is different. He appreciates all of the feedback from other SOTPs, and the hard work that people put in to working with LRA clients.
- **What knowledge, skills, and abilities are needed to be a high-quality SOTP?**
 - **Dr. O'Connell** stated there is a higher percentage of clients with high psychopathy. Recommended attending conferences and training that offer help and information on working with these clients. Seek out additional reading resources. Having additional consultation experience working with psychopathic individuals is invaluable.
 - "The Wisdom of Psychopaths," "Character Disturbance," and "Inside the Criminal Mind" were recommended resources.
 - **Dr. Olson** agreed with **Dr. O'Connell** that seeking out training, books, conferences are profoundly important to being a great SOTP. It's also important to be a good clinician that can tailor services to the individual, not just focus on a one-size-fits-all approach.
 - **Megan asked**, are those trainings easy to find?
 - **Dr. O'Connell** shared that ATSA conferences offer them regularly, and those trainings were very helpful.
- **How did the DSHS contracting experience go for you?**
 - **Priscilla Hannon** stated the challenge mostly lies with organizations and systems in place. There is often a feeling and experience of bullying.
 - **Dr. O'Connell** shared that there has been a gradual decline in the number of SOTPs in the recent years. One bill that passed last year now requires that you be fully licensed in one of the underlying health care professions in order to become an Affiliate SOTP, which may discourage new providers from entering the field.
 - **Dr. Olson** shared the importance of having a good partner within the organization and with partner agencies like DOC. You're working with them to help with the success of your work and the success of the client.

- **What barriers or challenges did you face along the way to becoming a licensed SOTP in Washington? What incentives or other suggestions would help increase the availability and quality of SOTPs in our state?**
 - **Dr. Olson** said there is a lot of hesitation to becoming an SOTP due to the licensing fees.
 - **Shoshana Kehoe-Ehlers** asked if the transition team feels balanced and supported.
 - **Dr. O'Connell** stated he never felt pressured, and that the real problem was getting people to show up for the team meetings. It's hard to make critical decisions when all representatives are stretched too thin and not able to attend.
 - **Gina Romero** agreed that cost can be a barrier to pursuing the SOTP license.
 - **Dr. Lopez** stated the financial component was difficult to balance especially during the pandemic. Until there was a change in legislation, it was also a barrier that a lot of previous work and experience from prior states did not count because the supervisor was not an SOTP in Washington.
 - **Joshua** asked, What is the group's opinion on the SCC's pay rates for Contracted SOTPs?
 - **Dr. O'Connell** shared that the SCC cut to pay was a major reason for his decision to no longer take LRA clients.
 - **Shoshana** suggested that exploring the pay rates for similar centers in other states may be useful.
 - **Dr. Olsen** shared that a brand new SOTP immediately out of graduate school who cannot practice independently typically start at \$155 per hour. Up to \$225/hour and \$275/hour for a forensic rate.
 - **Devon** shared that King County have a cap of \$200/hour for experts, which doesn't allow for increase in COLA or fair market demand.
 - **Joshua** asked, how many hours do SOTPs typically spend working with LRA clients?
 - **Dr. O'Connell** had around 3 LRA cases at the same time, and it took about 20 percent of his clinical time. They are high-demand cases.

Next Steps

- **Upcoming SB 5163 Workgroup Meetings:**
 - September 9th from 1 pm – 3 pm
 - September 23rd from 1 pm – 2:30 pm
 - October 7th from 1 pm – 2:30 pm

For the Good of the Order and Next Steps

- Need to make time for discussion and investigation of licensing fees and schedules through **Brandon**.
- **Megan** will explore the RCWs referenced in the SCC contract template, license / degree reciprocity, and SOTP compensation from other states.
- **Jennifer** will look at SVP trainings for SOTPs.

Adjournment at 2:40 pm

APPROVED AND ADOPTED BY THE SB 5163 Workgroup

_____/s/_____

Co-Chair Joshua Choate

__9/9/21__

Date

_____/s/_____

Co-Chair Shoshana Kehoe-Ehlers

__9/9/21__

Date