

**HB 2633 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Lininger

**House Committee On Judiciary**

---

**Action Date:** 04/14/17

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 10-0-1-0

**Yeas:** 10 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Stark, Vial, Williamson

**Exc:** 1 - Sprenger

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Josh Nasbe, Counsel

---

**WHAT THE MEASURE DOES:**

Prohibits practicing as sex offender treatment provider without certification issued by Health Licensing Office. Creates additional certification level for secondary associate sex offender therapist as alternative to certification as clinical sex offender therapist or associate sex offender therapist. Applies certification requirement to all sex offender treatment, regardless of whether patient has been convicted of a sex crime. Creates exceptions to certification requirement for persons enrolled in related educational program; members of clergy; persons employed by governmental entity, community mental health program or licensed alcohol and drug treatment provider acting within the scope of employment; and, until January 1, 2021, specified providers who are certified under current law. Authorizes mental health professionals to provide sex offender treatment if treatment within professional's scope of practice. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Quality of sex offender treatment
- Scarcity of treatment providers in rural counties
- Regulation of treatment provided to individuals who have not been adjudicated for a crime
- Mental health practitioners, including psychiatrists and psychologists, operating within the scope of their license

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

Current law prohibits person who provides sex offender treatment from claiming to be, or using a title of, a sex offender therapist, unless the person holds a certificate issued by the Health Licensing Office. House Bill 2633-A prohibits the practice of sex offender treatment - as opposed to the mere use of the title - without possessing a certificate issued by the Health Licensing Office. The bill creates a number of exceptions and applies the certification scheme to treatment provided to any person, while also creating an additional level of certification for providers who are supervised by a certified clinical sex offender therapist.