

1625 North Market Blvd., Suite S-200
Sacramento, CA 95834
(916) 574-7830, (916) 574-8625 Fax
www.bbs.ca.gov

To: Board Members
From: Laurie Williams
Human Resources Liaison
Date: November 13, 2015
Telephone: (916) 574-7850
Subject: Personnel Update

New Employees

- **Management Services Technician (MST) – Licensing**
Carl Peralta accepted this MST position effective October 7, 2015. This position performs the duties of a Licensed Marriage and Family Therapist (LMFT) Evaluator. Mr. Peralta transferred from his current Office Technician (Typing) position with the Board that functioned as the Licensed Educational Psychologists (LEP) Evaluator, Licensing Support Technician as well as the Licensing File Coordinator.
- **Seasonal Clerk – Administration**
The Board has made a conditional offer of employment to Kimberly Covington to fill this vacancy. A formal offer is pending fingerprint clearance. Ms. Covington will be new to state service; she is currently employed as an office manager for a janitorial service company. The position will function as a back-up receptionist and will assist in preparing documents for the Cashiering Unit.

Departures

Heather Ito worked as a seasonal clerk and a back-up receptionist at the Board. Ms. Ito accepted a permanent full-time position with the California Earthquake Authority. Her last day at the Board was August 27, 2015.

Alicia Day, a Cashier in the Administration Unit, left the Board on September 30, 2015. Ms. Day accepted a position with California Department of Corrections and Rehabilitation.

Marilyn Schilling retired from the Board effective November 13, 2015. Ms. Schilling worked as the Board's receptionist for 16 years.

Vacancies

Board staff has initiated the recruitment process for the following positions:

- Office Technician (OT) (Full-time) – Licensing (fill behind C. Peralta)
The Request for Personnel Action (RPA) to fill this vacancy has been approved by the Office of Human Resources (OHR). The hiring manager is currently reviewing the applications to choose the most qualified candidates to interview. Interviews will be scheduled in the upcoming weeks. This position functions as the LEP Evaluator, Licensing Support Technician as well as the Licensing File Coordinator. This position also provides back-up to the intern evaluators by printing and mailing materials.
- MST – Licensing (new position)
The RPA will be submitted in the coming weeks to the OHR for review and approval. The Board submitted a Budget Change Proposal (BCP) for Fiscal Year 2015/16 and received approval to fill this position as a 2-year limited-term position to assist with the Exam Restructure.
- OT – Cashiering (new vacancy)
The RPA was approved to fill this vacancy by the OHR. The hiring manager completed interviews and has submitted the name of the candidate to OHR to receive hiring-approval. The Board should receive a determination from OHR next week.
- OT – Cashiering (fill behind A. Day)
The RPA was approved to fill this vacancy by the OHR. The hiring manager completed interviews, and has submitted the name of the candidate to OHR to receive hiring-approval. The Board should receive a determination from OHR next week.
- OT – Administration (fill behind M. Schilling)
The RPA has been submitted to the OHR review and approval. This position functions as the Board's main receptionist. In addition, the position processes address changes and initial licenses.



2014/2015 YEAR END SUMMARY

The Board of Behavioral Sciences celebrates its 70th year providing regulatory oversight to Licensed Clinical Social Workers, Licensed Marriage and Family Therapists, Licensed Educational Psychologists, Licensed Professional Clinical Counselors, and Continuing Education Providers. Fifty six staff members and thirteen board members are dedicated to ensure the consumers of California receive mental health services from competent and safe practitioners. The following summary provides an overview of the Board of Behavioral Sciences activity in fiscal year 2014/21015.

Licensing and Registrant Statistics

The statistics below reflect the number of licensees and registrants with the Board of Behavioral Sciences (Board) as of June 2015.

| License Type | Current | Delinquent | Inactive | Total Number |
|---|---------------|--------------|--------------|----------------|
| Associate Clinical Social Worker (ASW) | 11,787 | 2315 | N/A | 14,102 |
| MFT Interns (IMF) | 16,103 | 2999 | N/A | 19,102 |
| Professional Clinical Counselor Interns (PCCI) | 1,036 | 106 | N/A | 1,142 |
| Licensed Clinical Social Workers (LCSW) | 18,910 | 1,408 | 2,410 | 22,728 |
| Licensed Educational Psychologists (LEP) | 1,334 | 362 | 442 | 2,138 |
| Licensed Marriage and Family Therapists (LMFT) | 31,409 | 2,424 | 4,290 | 38,123 |
| Licensed Professional Clinical Counselor (LPCC) | 1,236 | 14 | 21 | 1,271 |
| Registered Continuing Education Providers (PCE) | 2,478 | 371 | N/A | 2,849 |
| Total number of licensees | 84,293 | 9,999 | 7,163 | 101,455 |

Licensing Program

The Board's licensing staff evaluates all applications to ensure the candidate satisfies all statutory requirements for registration and licensure. Applicants are notified if their application is deficient and are allowed one year to remediate all deficiencies. In 2014/2015 overall, application volumes increased by 8% since 2013/2014.

As a result of the additional staff received in 2014/2015 for the Licensing Program, an increased number of examination applications were approved. Further, the additional staff has allowed the Board to return to reasonable processing times.

| Application Volume 2014/2015 | Received | Approved |
|---|-----------------|-----------------|
| Associate Clinical Social Workers (ASW) | 3997 | 2770 |
| MFT Interns (IMF) | 4161 | 3597 |
| Professional Clinical Counselor Interns (PCCI) | 651 | 562 |
| Licensed Clinical Social Workers (LCSW) | 1736 | 2273 |
| Licensed Educational Psychologists (LEP) | 106 | 128 |
| Licensed Marriage and Family Therapists (LMFT) | 2268 | 2907 |
| Licensed Professional Clinical Counselor (LPCC) | 140 | 126 |
| Registered Continuing Education Providers (PCE) | 169 | 124 |

Administration Program

The administration program includes the cashiering unit and office support staff. The cashiering unit staff receives and processes all incoming applications for registration, examination, and licensure. The support staff open and distribute all mail, issues all initial licenses, process address change requests, and remove renewal holds.

| Administration Workload | Total Number |
|--|---------------------|
| Applications Received | 27,173 |
| Renewals processed by board staff and DCA cashiering | 49,579 |
| Initial License Issued | 4,460 |

Over 49,000 renewal applications were received and processed in FY 2014/2015. DCA's Central Cashiering Unit processed approximately 70% of the renewal applications with the BBS cashiering unit processing 17%.

In November 2014 the Board implemented the online renewal feature using the BreZE data system. From November 2014 through June 30, 2015, 6,421 individuals (13%)

have used the online renewal feature. Applications for examination eligibility, initial licensure, and registration. In FY 2014/2015, application volumes increased by 32%.

Examination Program

Each year the Board develops and administers 7 examinations for licensure in California. Two versions of each examination are developed to ensure the integrity of the examination process. Working with the Office of Professional Examination Resources (OPES), the examination unit staff recruits subject matter experts to participate in the examination development workshops. Approximately 300 subject matter experts participate in these workshops throughout the year. The examination development workshops are two or three days in length. In fiscal year 2014/2015, the Board conducted 41 examination development workshops.

In 2014/2015 the Board, with the assistance of OPES, conducted a LEP Occupational Analysis. The Occupational Analysis, which is conducted every five to seven years, surveys California practitioners about their work and work setting. The results of the Occupational Analysis serves as the foundation for the licensure examination.

The examination unit also ensures a candidate’s examination eligibility is accurately transmitted to the testing vendor and resolves all discrepancies. Additionally, the examination unit receives all examination score reports, responds to exam candidate’s concerns, requests for a re-score of the examination, and requests for special testing accommodations. Further, the exam unit reviews each version of the examination for accuracy prior the version’s release.

Examination activity increased in FY 2014/2015 by 43%. On June 30, 2015, the Board administered the last examination for the LPCC grandparent pathway.

| Examination Activity | Examinations Administered |
|---------------------------------|----------------------------------|
| LCSW Standard Written | 2335 |
| LCSW Clinical Vignette | 1799 |
| LMFT Standard Written | 4117 |
| LMFT Clinical Vignette | 2993 |
| LPC GAP (LMFT) | 158 |
| LPC GAP (LCSW) | 2 |
| LPCC GP Law and Ethics | 15 |
| LPCC Traditional Law and Ethics | 84 |
| LEP Standard Written | 140 |
| Totals | 11,632 |

**figures include initial examination eligibility and re-examination applications*

Enforcement Program

The Board's enforcement staff receives and investigates all complaints of alleged licensee or registrant misconduct, criminal arrests and convictions. Investigations that confirm a violation of the Board's statutes and regulations are subject to disciplinary action. Disciplinary action ranges from the issuance of a citation and fine to revocation of the license or registration. All proposed decisions and stipulations require the Board Members' approval before the decision becomes effective.

In FY 2014/2015 the receipt of Subsequent Arrest Notifications increased by 53% since FY 2013/20104. Accusation and Statement of Issues filings increased by 37% and 71% respectively.

| Enforcement Program | Total Number |
|---|---------------------|
| Complaints Received | 1018 |
| Subsequent Arrest Notifications Received | 1091 |
| Cases assigned Inv. Analyst | 1876 |
| Cases referred to DOI | 50 |
| Cases Closed | 1854 |
| Applications denied | 53 |
| Cases referred to AG | 158 |
| Statement of Issues Filed | 36 |
| Accusations Filed | 98 |
| Final Orders Adopted (Decisions/Stipulations) | 81 |
| Final Citations | 24 |

PROBATION MONITORING PROGRAM

In fiscal year 2014/2015, 43 new probationers were added to the Board's probation program. Twenty (20) probationers successfully completed their probation. As of June 30, 2015, the Board has a total of 149 probationers.

The Probation Monitoring Program is an effective tool that allows the licensee or registrant to remain in practice with specific terms and conditions that are designed to ensure consumer protection. Once the probationer successfully completes his/her probation, the licensee or registrant is permitted to practice unrestricted.

Probationers that are non-compliant with the terms and conditions of their probation subject their license or registration to revocation. In 2014/2015 the Board filed 3 accusations to revoke probation for issues of non-compliance.

Probationers that demonstrate sustained compliance with their probation terms and conditions may petition the Board to modify their current terms or to end their probation early. In 2014/2015, sixteen (16) probationers requested modification or termination of their probation. The Board granted ten probationers their request and denied six.

Legislative Activity

In fiscal year 201/2015, the Board sponsored two bills, submitted language for technical amendments for the annual omnibus bill, identified ten bills impacting board licensees, and introduced or implemented three regulation packages. Legislative work encompasses developing draft language for Board sponsored bills or proposed regulations and analyzing all bills that may impact Board licensees.

The following laws were signed by the Governor in fiscal year 2014/2015. The effective date of each bill is noted.

SB 531: Board of Behavioral Sciences (Enforcement Bill)

This bill makes two separate amendments to the law governing the enforcement process:

- a. It modifies the Board's requirements for an individual to petition for a termination of probation or modification of penalty. Under the proposal, the Board may deny a petition without hearing if the petitioner is not in compliance with the terms of his or her probation.
- b. It clarifies that the Board has jurisdiction to investigate and take disciplinary action even if the status of a license or registration changes or if the license or registration expires.

SB 620: Board of Behavioral Sciences: Licensure Requirements

This bill streamlines the experience requirements for LMFT and LPCC applicants. It eliminates the complex assortment of minimum and maximum hours of differing types of experience required for licensure (also known as the "buckets" of experience) and instead requires 1,750 hours of the experience to be direct clinical counseling hours. The remaining required 1,250 hours may be non-clinical experience.

This bill also makes amendments to LCSW law to allow LCSW applicants to count some direct supervisor contact hours, as well as some hours spent attending workshops, trainings, conferences, and seminars, toward their required experience.

SB 800: Board Omnibus Bill

a. References to Approving Continuing Education Providers

Under the Board's new continuing education (CE) regulations, the Board no longer has the authority to approve and license CE providers. Instead, this authority is delegated to specified approval agencies. However, there are several provisions in law that reference the Board approving CE providers, which are no longer accurate.

As a result, several sections were amended to reference that CE providers specified by the Board in regulation are acceptable.

b. Penalties for Unlicensed Practice

BPC section 146 requires licensure to practice several professions (including marriage and family therapy and clinical social work, which are listed in the section). Section 146 then outlines the penalties for practicing these professions without a license.

LEPs and LPCCs are not included in the list in this section of professions requiring a license to practice. Therefore, an amendment has been made to add them.

c. Prohibited Work Settings for a Subsequent Registration Number

These amendments clarify that applicants issued a subsequent registration number are not allowed to work as an employee or a volunteer in a private practice.

d. Qualifications for an LCSW License

BPC section 4996.2 outlines the requirements for an LCSW applicant, including being at least 21 years old, having a master's degree from an appropriately accredited school, and having 2 years of post-master's degree experience. However, the section fails to state whether these requirements are for an applicant for LCSW licensure, or if they are for an applicant for registration. An amendment was made to clarify that the requirements listed in the section are intended for applicants for an LCSW license.

e. 90-Day Rule for Intern Applicants

Makes an amendment to clarify the 90-day rule for PCC interns. Currently, the law states that post-degree experience hours will be credited if the applicant applies within 90 days of the granting of the degree, and is registered as an intern by the Board. This statement is not technically correct, so it has been

amended to state that the applicant must apply within 90 days of the granting of the degree, and is thereafter granted the intern registration by the Board.

Makes an amendment, for PCC interns and MFT interns that those utilizing the 90 day rule to practice while awaiting their intern registration must not be working in a private practice until they are actually granted the intern registration.

The following regulation package was approved by the Office of Administrative Law (OAL). The effective date of the new/revised regulation is included.

- SB 1441 Uniform Standards Regulations. These regulations incorporate specific criteria for disciplining substance abusing licensees within the Board's Disciplinary Guidelines.

The following regulation packages were submitted to OAL in FY 2014/2015

- Implementation of SB 704 Examination Restructure

This proposal would revise Board regulations for consistency with statutory changes made by SB 704, which restructures the examination process for LMFT, LCSW, and LPCC applicants effective January 1, 2016.

- Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families

This proposal clarifies requirements for LPCCs to treat couples and families, and outlines a process by which LPCCs and PCC Interns would receive Board confirmation that they have met the requirements to treat couples and families.

- Standards of Practice for Telehealth

This proposal addresses the use of telehealth in the provision of psychotherapy, and clarifies questions, such as when a California license is needed, actions a licensee must take in order to protect the client in a telehealth setting, and that failure to follow telehealth requirements is considered unprofessional conduct.

Board Activity

Outreach Efforts

The Board increased its outreach activity by attending several professional association events and meetings. Board staff either participated in these events via telephone or in person. Board staff attended a total of 12 professional association events and 15 meetings.

2014/2015 Accomplishments

- Resumed publication of the Board newsletter.
- Request for examination staff was approved and included in the Governor's 2015/2016 budget.
- Introduced legislation to eliminate the various categories for supervised work experience and create two categories – clinical and non-clinical experience.
- Developed three examination restructure video tutorials to provide information to examination candidates. These tutorials were posted to the Board's website in October 2015.
- Licensees and registrants may renew their license/registration and update their address of record online through BreEZe.
- Collaborated with the DCA BreEZe team to design the changes to BreEZe necessary to fully implement the examination restructure.
- Twenty-six Strategic Plan objectives out of thirty have been completed.
- Conducted an Enforcement Subject Matter Expert training in July 2015.
- All staff attended customer service training.

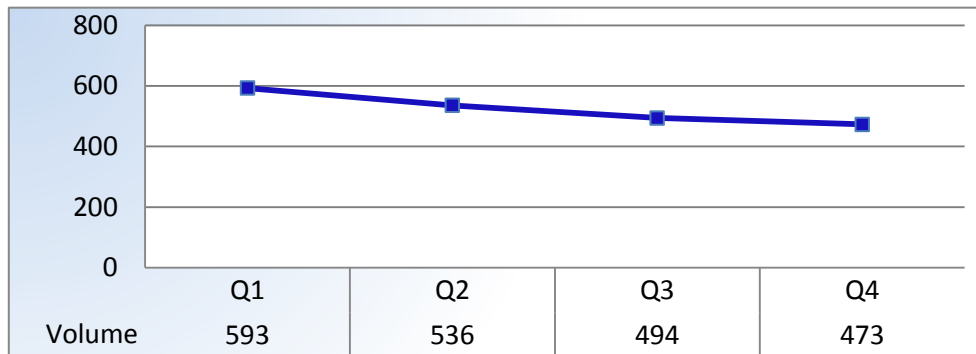
Performance Measures

Annual Report (2014 – 2015 Fiscal Year)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly and annual basis.

PM1 | Volume

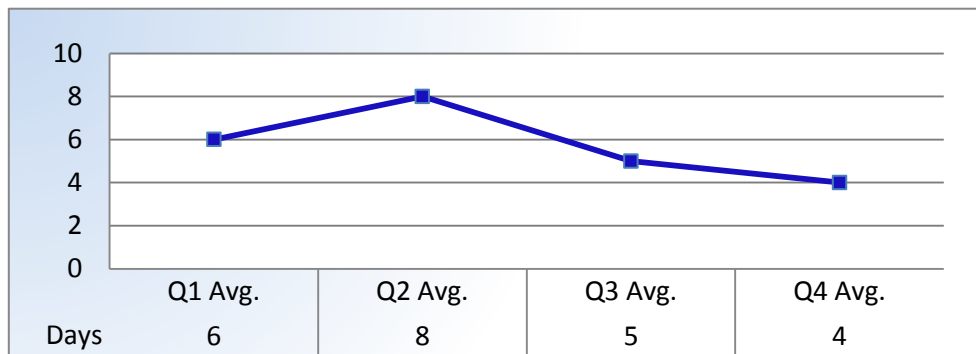
Number of complaints and convictions received.



Fiscal Year Total: 2,096

PM2 | Intake

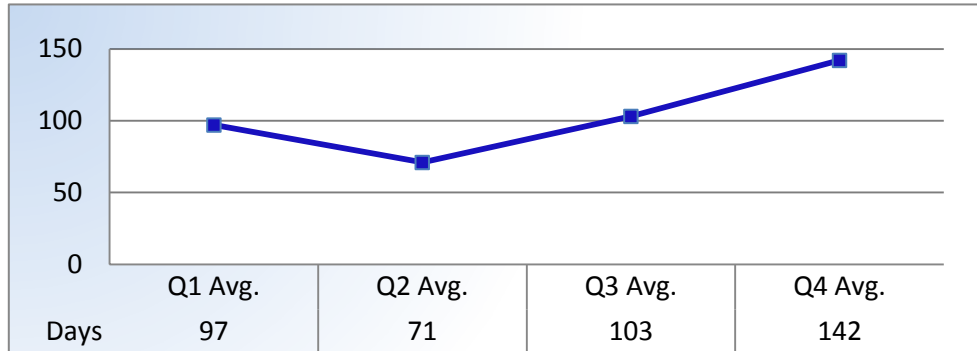
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 5 Days

PM3 | Intake & Investigation

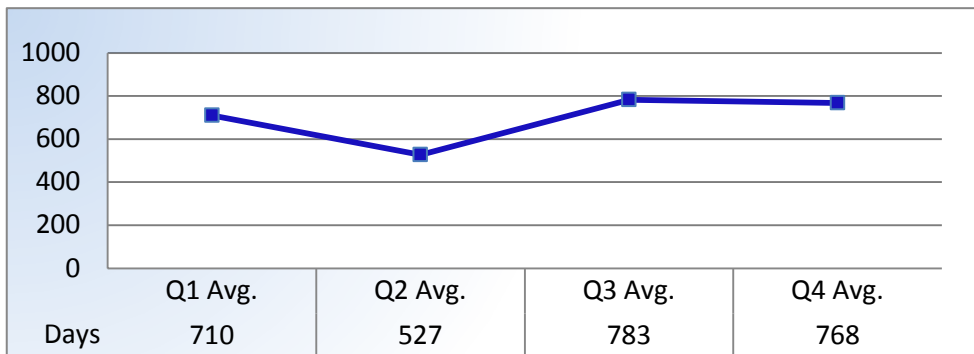
Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)



Target Average: 180 Days

PM4 | Formal Discipline

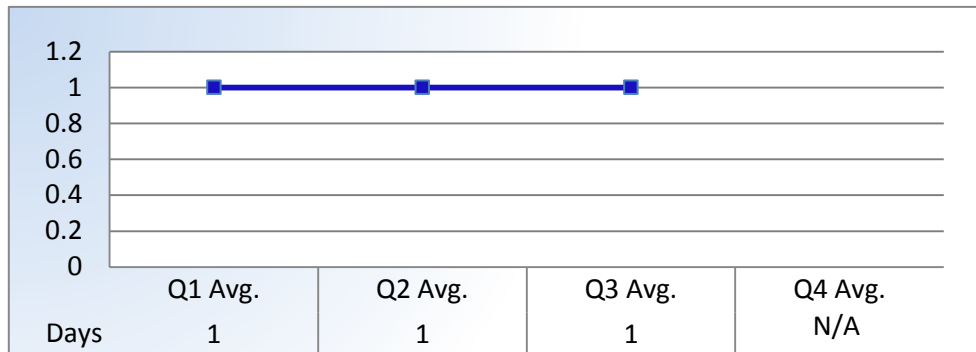
Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome)



Target Average: 540 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not have any probation violations reported this year.

Target Average: 7 Days

Blank Page