

- c) The applicant submits fingerprints.
- d) The applicant completes certain California-specific coursework in law and ethics, California cultures, and child abuse assessment and reporting. The applicant must also take or show evidence of having taken coursework in (or having applied experience in) suicide risk assessment and intervention.
- e) The applicant passes the Board's California law and ethics exam.

This Bill:

- 1) Requires all boards under DCA to issue a temporary license to practice a profession or vocation to an applicant after appropriate investigation, if they meet the following requirements (BPC §115.6(c)):
 - a) They are married to or in a domestic partnership or legal union with an active duty member of the U.S. Armed Forces who is assigned to active duty in this state.
 - b) They hold a current, active, and unrestricted license to practice the same profession in another state or territory of the U.S.
 - c) They submit an application to the board, including a signed affidavit attesting that they meet all the requirements for the temporary license. It must also include written verification from their original licensing jurisdiction stating their license is in good standing.
 - d) They have not committed any act that would have constituted grounds for denial, suspension, or revocation of the license under California law. They also must not have been disciplined by another licensing entity or be the subject of an unresolved complaint, review, or disciplinary proceeding by another licensing entity.
 - e) They must provide fingerprints upon request by a board.
- 2) Permits a DCA board to conduct an investigation of an applicant, including a criminal background check, for purposes of denying or revoking a temporary license. (BPC §115.6(b))
- 3) Requires a DCA board to issue the temporary license within 30 days following receipt of the required documentation if the results of the criminal background check do not show grounds for denial. (BPC §115.6(d))
- 4) Permits a temporary license to be immediately terminated on finding the holder failed to meet any of the requirements specified in item #1 above, or provided substantively inaccurate information that would affect their eligibility for temporary licensure. If terminated, the board must issue a termination notice requiring practice be ceased immediately. (BPC §115.6(e))

- 5) Requires that a temporary license expires 12 months after issuance, upon issuance of an expedited license, license by endorsement, or upon denial of the application for expedited licensure, whichever occurs first. (BPC §115.6(g))
- 6) Requires a board to draft and submit regulations to the department by June 15, 2022, if necessary, to implement their temporary license program. (BPC §115.6(h))
- 7) States that the temporary license program shall not apply to a board with a process in place for this type of applicant to receive expedited temporary authorization to practice while meeting state-specific requirements for at least a one-year period. (BPC §115.6(i))
- 8) Requires various state agencies, including DCA, to post a military licensure link on the home page of their websites that links to each of its licensing boards or programs. The link must contain specified information, including the process for expediting military applications and their average processing times, the availability of temporary licensure and its requirements, and military licensure data. (Military and Veterans Code (MVC) §95)
- 9) Requires DCA to report specified information about military licensure annually to the Legislature, including information about the number of military applicants, military licenses issued and denied and the reasons for the denials, the number of military licensees suspended or revoked, number of military fee waivers, and average military applicant processing times. (MVC §95)

Comments:

- 1) **Author's Intent.** The author states that 24 percent of military spouses are unemployed, compared with 9 percent unemployment nationally. These unemployed spouses on average search for work for 4 months. They also state that almost 35 percent of military spouses work in a profession that requires a license. The goal of this bill is to help ensure that military spouses can seamlessly become employed in some of the most commonly held jobs and continue to support their families.
- 2) **Current Board Process.** The Board does not currently have a temporary license status, nor does it have licensing reciprocity with any other states. It does have a "licensure by credential" pathway to licensure, which is a streamlined process for qualifying licensees in other states who have been licensed for at least two years (described below).

The Board is already required the Board to expedite the licensing process for an applicant who is married to or in a domestic partnership with an active member of the U.S. military who is assigned to active duty in California, if the applicant holds a current license in the same profession in another state.

3) Bypassing the Licensure Process. As written, this bill requires that to obtain a temporary license, the military spouse must hold a current license in the same profession in another state. It does not require the following:

- That the licensing requirements in the other state in which the person holds a license be substantially equivalent to the requirements in California; or
- That the applicant passes the required Board administered examinations.

Each of the Board's four license types is currently required to pass at least one Board-administered examination. Passage of a Board-administered examination ensures that a candidate for licensure has competencies unique to the mental health environment in California.

Each applicant's education and experience is examined by the Board licensing evaluator during the review of the application. Bypassing this review, and the requirement of the passage of an examination tailored to address the unique mental health environment in California, could jeopardize consumer protection.

4) Continuity of Care. This bill creates a temporary license that is valid for a 12-month period, or until the expedited license is issued or denied, whichever occurs first. If a denial occurs, the applicant would no longer be able to see their patients. A consumer who seeks mental health services often seeks treatment for an extended period of time. Having a practitioner whose temporary license expires suddenly could disrupt the continuity of care for patients.

5) Staffing and Breeze Impact. The Board does not currently have a temporary license status, and therefore one would need to be created within the Breeze system, which could result in a fiscal impact.

Adding a new license type would increase staff workload, and therefore may create a need for new staff.

The past yearly breakdown of the number of military spouses who met the criteria for their license to be expedited is shown below:

2016 - 11
2017 - 21
2018 - 20
2019 - 18
2020 - 20

6) License Portability and the Board of Behavioral Sciences. The Board recently successfully implemented license portability legislation for its LMFT, LCSW, and LPCC applicants. SB 679 (Chapter 380, Statutes of 2019) became effective on January 1, 2020 and established what the Board now calls "licensure by credential."

SB 679 was the result of a lengthy deliberation process by the Board's special license portability committee on the best way to balance ease of licensure across state lines with public protection and the need for practitioners to be prepared to practice safely and effectively in California's diverse environment. The bill we are considering today, AB 107, makes key omissions of requirements that were carefully considered and placed in SB 679:

- It does not require the military applicant to have held their current license for at least the past 2 years to obtain a temporary license.
- It does not specifically state that the out-of-state license must be at the highest level for independent clinical practice. (This is important because while a license may be in the same profession, some states license varying levels of mental health professionals.)
- It does not require any California-specific coursework prior to beginning practice under a temporary license (California law and ethics, California cultures, and child abuse assessment and reporting.)
- It does not contain a requirement for the applicant to take the California law and ethics exam prior to temporary licensure.

A military spouse would be able to complete the required California-specific coursework ahead of time prior to application. Once they apply under this pathway, their application would be expedited.

Given the care that the Board took with SB 679 to craft a fair process to reduce barriers for all out-of-state applicants for licensure, balanced with the need to ensure practitioners are prepared to practice in California's unique environment, the Board should discuss whether SB 679's "licensure by credential" pathway is sufficient to assist military spouse applicants, or if additional accommodations for them such as temporary licensure are necessary.

- 7) Effect on LEPs.** SB 679 did not establish a licensure by credential option for LEPs, because not many other states license them. The only other state staff found that issues an LEP license is Massachusetts. In checking with the California Association of School Psychologists (CASP), which is the professional association for LEPs, they also stated that Massachusetts is the only other state that they are aware of with a similar license.

Licensure as an LEP in Massachusetts requires a master's or doctoral degree in school psychology, (including 60 graduate credit hours and 1,200 practicum hours), two years of supervised experience as a school psychologist, and passage of the National School Psychology Examination. See **Attachment A** for the regulatory requirements for LEP licensure in Massachusetts.

8) Recent Legislation. Last year's AB 3045 (Gray) would have required the Board to issue a license to an honorably discharged military member or the spouse of an active duty military member licensed in another state if they met specified requirements. The Board took an "oppose unless amended" position on AB 3045, requesting that it be removed from the provisions of the bill. The Board was concerned that AB 3045 would undermine careful work it had just completed with the passage SB 649, which crafted a fair process to reduce barriers for all out-of-state applicants for licensure while balancing with the need to ensure practitioners are prepared to practice therapy in California's unique environment.

9) Related Legislation.

- SB 1226 (Chapter 657, Statutes of 2014) requires boards to expedite the initial licensure process for an applicant who supplies satisfactory evidence to the board that he or she has served as an active duty member of the Armed Forces of the United States and was honorably discharged.
- AB 186 (Chapter 640, Statutes of 2014) proposed requiring boards within DCA to issue a temporary license to an applicant who is a spouse of a military member stationed in California and who is already eligible for an expedited license.

The Board had taken an "oppose unless amended" position on this legislation, asking that it be removed from the requirements of this bill. Per the Board's request, this bill was ultimately amended to remove the Board from the temporary licensure requirements.

- AB 1057 (Chapter 693, Statutes of 2013), requires each board to inquire in every application for licensure if the individual applying for licensure is serving in, or has previously served in, the military.
- AB 1904 (Chapter 399, Statutes of 2012) requires the Board to expedite the licensing process for an applicant who is married to or in a domestic partnership with an active member of the U.S. military who is assigned to active duty in California, if the applicant holds a current license in the same profession in another state.

10) Support and Opposition.

Support:

- California Association for Health Services At Home
- San Diego Military Advisory Council
- United States Department of Defense

Oppose

- None at this time.

11)History.

03/25/21 Re-referred to Com. on M. & V.A.
03/24/21 Read second time and amended.
03/23/21 From committee: Amend, and do pass as amended and re-refer to Com. on M. & V.A. (Ayes 17. Noes 0.) (March 23).
03/01/21 Re-referred to Com. on B. & P.
02/25/21 From committee chair, with author's amendments: Amend, and re-refer to Com. on B. & P. Read second time and amended.
02/25/21 Referred to Coms. on B. & P. and M. & V.A.
01/11/21 Read first time.
12/17/20 From printer. May be heard in committee January 16.
12/16/20 Introduced. To print.

12)Attachments.

Attachment A: State of Massachusetts Regulations 262 CMR 5.00: Requirements for Licensure as an Educational Psychologist

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AMENDED IN ASSEMBLY MARCH 24, 2021
AMENDED IN ASSEMBLY FEBRUARY 25, 2021
california legislature—2021–22 regular session

ASSEMBLY BILL

No. 107

Introduced by Assembly Member Salas

December 16, 2020

An act to amend Sections 115.6 and 5132 ~~of, and to add Section 115.7 to,~~ of the Business and Professions Code, and to add Section 95 to the Military and Veterans Code, relating to licensure, and making an appropriation therefor.

legislative counsel's digest

AB 107, as amended, Salas. Licensure: veterans and military spouses.
(1) Under existing law, the Department of Consumer Affairs (department), under the control of the Director of Consumer Affairs, is comprised of various boards that license and regulate various professions and vocations. Existing law requires an applicant seeking a license from a board within the department to meet specified requirements and to pay certain licensing fees. Existing law requires a board within the department to issue, after appropriate investigation, certain types of temporary licenses to an applicant if the applicant meets specified requirements, including that the applicant supplies evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and the applicant submits an application to the board that includes a signed affidavit attesting to the fact that the applicant meets all of the requirements for a temporary

license and that the information submitted in the application is accurate, to the best of the applicant's knowledge. Under existing law, some of the funds within the jurisdiction of a board consist of revenue from fees that are continuously appropriated. Existing law authorizes a board to adopt regulations necessary to administer these provisions.

~~This bill would require boards not subject to the temporary licensing provisions described above to issue licenses to an applicant if the applicant meets specified requirements, including that the applicant supplies evidence satisfactory to the board that the applicant is an honorably discharged veteran of the Armed Forces of the United States or is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States, as provided. The bill would require an application for a license to include a signed affidavit attesting to the fact that the applicant meets all requirements for a license, in the same area and scope of practice as a license issued by another state, district, or territory of the United States. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill's expansion of the requirement to issue licenses would result in revenues from fees for certain licenses being deposited into continuously appropriated funds. By establishing a new source of revenue for those continuously appropriated funds, the bill would make an appropriation.~~

This bill would expand the requirement to issue temporary licenses *to practice a profession or vocation* to include licenses issued by ~~the Veterinary Medical Board, the Dental Board of California, the Dental Hygiene Board of California, the California State Board of Pharmacy, the State Board of Barbering and Cosmetology, the Board of Psychology, the California Board of Occupational Therapy, the Physical Therapy Board of California, and the California Board of Accountancy.~~ *any board within the department, except as provided.* The bill would require a board to issue a temporary license within 30 days of receiving the required documentation. ~~The bill would further specify that an applicant seeking a temporary license submit a signed affidavit attesting to the fact that the applicant meets all of the requirements for a temporary license in the same area and scope of practice for which the applicant holds a license in another state, district, or territory of the United States.~~ *documentation if the results of a criminal background check do not show grounds for denial.* The bill would specifically direct revenues from fees for temporary licenses issued by the California Board of Accountancy to be credited to the Accountancy Fund, a

continuously appropriated fund. ~~By establishing a new source of revenue for a continuously appropriated fund, the bill would make an appropriation.~~ The bill would ~~require~~ *require, if necessary to implement the bill's provisions,* a board to submit to the department for approval draft regulations necessary to administer these provisions by June 15, 2022. The bill would exempt from these provisions a board that has a process in place by which an out-of-state licensed applicant in good standing who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States is able to receive expedited, temporary authorization to practice while meeting state-specific requirements for a period of at least one year. The bill would make conforming changes. *By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill's expansion of the requirement to issue temporary licenses would result in revenues from fees for certain licenses being deposited into continuously appropriated funds. By establishing a new source of revenue for those continuously appropriated funds, the bill would make an appropriation.*

(2) Existing law requires the Department of Veterans Affairs to develop a transition assistance program for veterans who have been discharged from the Armed Forces of the United States designed to assist them in successfully transitioning from military to civilian life in California. Existing law requires the program to include, among other topics, higher education benefits, vocational training assistance, small business resources and information, and housing information. Existing law establishes the Department of Consumer Affairs in the Business, Consumer Services, and Housing Agency to, among other things, ensure that certain businesses and professions that have potential impact upon the public health, safety, and welfare are adequately regulated. Existing law establishes the Commission on Teacher Credentialing to establish professional standards, assessments, and examinations for entry and advancement in the education profession. Existing law makes it unlawful for a person to engage in the business of, act in the capacity of, advertise as, or assume to act as a real estate broker or real estate salesperson without first obtaining a real estate license from the Department of Real Estate. Under existing law, the State Department of Public Health is responsible for issuing licenses for the operation of health facilities, clinics, and other facilities, as specified.

This bill would require the Department of Consumer Affairs, the Commission on Teacher Credentialing, the Department of Real Estate,

and the State Department of Public Health to each place a prominently displayed military licensure icon or hyperlink on the home page of its internet website that is linked to information about each occupational board or program for licensure or certification that it administers along with additional information relating to the professional licensure of veterans, service members, and their spouses, as specified. The bill requires the Department of Veterans Affairs to have a prominently displayed military licensure icon or hyperlink at an appropriate location on its internet website that links to those websites. The bill would require an annual report to the Legislature containing specified information relating to the professional licensure of veterans, service members, and their spouses.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) If active duty military personnel, veterans, service members
- 3 separating from military service, and their spouses are able to
- 4 maintain careers through frequent moves and key transitions, they
- 5 are able to help support their families while providing critical
- 6 services to their communities. Yet, if a military spouse is
- 7 transferred to California, or a service member leaves the Armed
- 8 Forces of the United States and returns to or remains in California,
- 9 these professionals may face difficulty transporting their
- 10 professional licenses obtained in another state.
- 11 (b) The process for transferring licenses for professional careers
- 12 can be long, burdensome, redundant, and expensive and can prevent
- 13 some military spouses, veterans, and separating service members
- 14 from obtaining employment in their field.
- 15 (c) Removing barriers to license transfers for spouses of active
- 16 duty service members, separating service members, and veterans
- 17 would ease the burden of relocation and transition and provide
- 18 vital stability to military families and the communities they serve.

1 (d) Prioritizing military spouses as part of state economic
2 recovery efforts must be viewed proactively in a way that
3 recognizes their preexisting challenge of substantially higher
4 unemployment and underemployment than their civilian
5 counterparts and with broader goals, such as bridging gender gaps
6 in wage earning, reducing military and veteran financial insecurity,
7 ensuring successful transitions into veteran life, and fostering
8 successful community participation and sense of belonging.

9 SEC. 2. Section 115.6 of the Business and Professions Code
10 is amended to read:

11 115.6. (a) ~~(l)~~ Except as provided in subdivision ~~(h)~~, *(i)*, a
12 board within the department shall, after appropriate investigation,
13 issue ~~the following eligible a temporary licenses~~ *license to practice*
14 *a profession or vocation* to an applicant ~~within 30 days of receiving~~
15 ~~the required documentation pursuant to meeting~~ *who meets* the
16 requirements set forth in subdivision ~~(e)~~: *(c)*.

17 ~~(1) Registered nurse license by the Board of Registered Nursing.~~

18 ~~(2) Vocational nurse license issued by the Board of Vocational
19 Nursing and Psychiatric Technicians of the State of California.~~

20 ~~(3) Psychiatric technician license issued by the Board of
21 Vocational Nursing and Psychiatric Technicians of the State of
22 California.~~

23 ~~(4) Speech language pathologist license issued by the
24 Speech Language Pathology and Audiology and Hearing Aid
25 Dispensers Board.~~

26 ~~(5) Audiologist license issued by the Speech Language
27 Pathology and Audiology and Hearing Aid Dispensers Board.~~

28 ~~(6) All licenses issued by the Veterinary Medical Board.~~

29 ~~(7) All licenses issued by the Board for Professional Engineers,
30 Land Surveyors, and Geologists.~~

31 ~~(8) All licenses issued by the Medical Board of California.~~

32 ~~(9) All licenses issued by the Podiatric Medical Board of
33 California.~~

34 ~~(10) All licenses issued by the Dental Board of California.~~

35 ~~(11) All licenses issued by the Dental Hygiene Board of
36 California.~~

37 ~~(12) All licenses issued by the California State Board of
38 Pharmacy.~~

39 ~~(13) All licenses issued by the State Board of Barbering and
40 Cosmetology.~~

1 ~~(14) All licenses issued by the Board of Psychology.~~

2 ~~(15) All licenses issued by the California Board of Occupational~~
3 ~~Therapy.~~

4 ~~(16) All licenses issued by the Physical Therapy Board of~~
5 ~~California.~~

6 ~~(17) All licenses issued by the California Board of Accountancy.~~
7 ~~Revenues~~

8 (2) Revenues from fees for temporary licenses issued under this
9 paragraph by the California Board of Accountancy shall be credited
10 to the Accountancy Fund in accordance with Section 5132.

11 (b) The board may conduct an investigation of an applicant for
12 purposes of denying or revoking a temporary license issued
13 pursuant to this section. This investigation may include a criminal
14 background check.

15 (c) An applicant seeking a temporary license pursuant to this
16 section shall meet the following requirements:

17 (1) The applicant shall supply evidence satisfactory to the board
18 that the applicant is married to, or in a domestic partnership or
19 other legal union with, an active duty member of the Armed Forces
20 of the United States who is assigned to a duty station in this state
21 under official active duty military orders.

22 (2) The applicant shall hold a current, active, and unrestricted
23 license that confers upon the applicant the authority to practice,
24 in another state, district, or territory of the United States, the
25 profession or vocation for which the applicant seeks a temporary
26 license from the board.

27 (3) The applicant shall submit an application to the board that
28 shall include a signed affidavit attesting to the fact that the
29 applicant meets all of the requirements for the temporary license,
30 ~~in the same area and scope of practice issued in the other state,~~
31 ~~district, or territory of the United States, as described in paragraph~~
32 ~~(2);~~ and that the information submitted in the application is
33 accurate, to the best of the applicant’s knowledge. The application
34 shall also include written verification from the applicant’s original
35 licensing jurisdiction stating that the applicant’s license is in good
36 standing in that jurisdiction.

37 (4) The applicant shall not have committed an act in any
38 jurisdiction that would have constituted grounds for denial,
39 suspension, or revocation of the license under this code at the time
40 the act was committed. A violation of this paragraph may be

1 grounds for the denial or revocation of a temporary license issued
2 by the board.

3 (5) The applicant shall not have been disciplined by a licensing
4 entity in another jurisdiction and shall not be the subject of an
5 unresolved complaint, review procedure, or disciplinary proceeding
6 conducted by a licensing entity in another jurisdiction.

7 (6) The applicant shall, upon request by a board, furnish a full
8 set of fingerprints for purposes of conducting a criminal
9 background check.

10 (d) *A board shall issue a temporary license pursuant to this*
11 *section within 30 days following receipt of the documentation*
12 *specified in subdivision (c) if the results of the criminal background*
13 *check do not show grounds for denial.*

14 ~~(d)~~

15 (e) A temporary license issued pursuant to this section may be
16 immediately terminated upon a finding that the temporary
17 licenseholder failed to meet any of the requirements described in
18 subdivision (c) or provided substantively inaccurate information
19 that would affect the person’s eligibility for temporary licensure.
20 Upon termination of the temporary license, the board shall issue
21 a notice of termination that shall require the temporary
22 licenseholder to immediately cease the practice of the licensed
23 profession upon receipt.

24 ~~(e)~~

25 (f) An applicant seeking a temporary license as a civil engineer,
26 geotechnical engineer, structural engineer, land surveyor,
27 professional geologist, professional geophysicist, certified
28 engineering geologist, or certified hydrogeologist pursuant to this
29 section shall successfully pass the appropriate California-specific
30 examination or examinations required for licensure in those
31 respective professions by the Board for Professional Engineers,
32 Land Surveyors, and Geologists.

33 ~~(f)~~

34 (g) A temporary license issued pursuant to this section shall
35 expire 12 months after issuance, upon issuance of an expedited
36 license pursuant to Section 115.5, a license by endorsement, or
37 upon denial of the application for expedited licensure by the board,
38 whichever occurs first.

39 ~~(g)~~

1 (h) A board shall submit to the department for ~~approval~~
 2 *approval, if necessary to implement this section*, draft regulations
 3 necessary to administer this section by June 15, 2022. These
 4 regulations shall be adopted pursuant to the Administrative
 5 Procedure Act (Chapter 3.5 (commencing with Section 11340) of
 6 Part 1 of Division 3 of Title 2 of the Government Code).

7 ~~(h)~~

8 (i) (A) This section shall not apply to a board that has a process
 9 in place by which an out-of-state licensed applicant in good
 10 standing who is married to, or in a domestic partnership or other
 11 legal union with, an active duty member of the Armed Forces of
 12 the United States is able to receive expedited, temporary
 13 authorization to practice while meeting state-specific requirements
 14 for a period of at least one year.

15 (B) *This section shall apply only to the extent that it does not*
 16 *amend an initiative or violate constitutional requirements.*

17 ~~SEC. 3. Section 115.7 is added to the Business and Professions~~
 18 ~~Code, to read:~~

19 ~~115.7. (a) A board not specified in subdivision (a) of Section~~
 20 ~~115.6 shall, after appropriate investigation, issue a license to an~~
 21 ~~applicant if the applicant meets all of the following requirements:~~

22 ~~(1) The applicant shall supply evidence satisfactory to the board~~
 23 ~~that the applicant is an honorably discharged veteran of the Armed~~
 24 ~~Forces of the United States or is married to, or in a domestic~~
 25 ~~partnership or other legal union with, an active duty member of~~
 26 ~~the Armed Forces of the United States who is assigned to a duty~~
 27 ~~station in this state under official active duty military orders.~~

28 ~~(2) The applicant shall hold a current, active, and unrestricted~~
 29 ~~license that confers upon the applicant the authority to practice,~~
 30 ~~in another state, district, or territory of the United States, the~~
 31 ~~profession or vocation for which the applicant seeks a license from~~
 32 ~~the board.~~

33 ~~(3) The applicant shall submit an application to the board that~~
 34 ~~shall include a signed affidavit attesting to the fact that the~~
 35 ~~applicant meets all of the requirements for the license, in the same~~
 36 ~~area and scope of practice as issued in the other state, district, or~~
 37 ~~territory of the United States described in paragraph (2), and that~~
 38 ~~the information submitted in the application is accurate, to the best~~
 39 ~~of the applicant's knowledge. The application shall also include~~
 40 ~~written verification from the applicant's original licensing~~

1 jurisdiction stating that the applicant's license is in good standing
2 in that jurisdiction.

3 ~~(4) The applicant shall not have committed an act in any
4 jurisdiction that would have constituted grounds for denial,
5 suspension, or revocation of the license under this code at the time
6 the act was committed. A violation of this paragraph may be
7 grounds for the denial or revocation of a license issued by the
8 board.~~

9 ~~(5) The applicant shall not have been disciplined by a licensing
10 entity in another jurisdiction and shall not be the subject of an
11 unresolved complaint, review procedure, or disciplinary proceeding
12 conducted by a licensing entity in another jurisdiction.~~

13 ~~(6) The applicant shall, upon request by a board, furnish a full
14 set of fingerprints for purposes of conducting a criminal
15 background check.~~

16 ~~(b) A board may adopt regulations necessary to administer this
17 section.~~

18 ~~SEC. 4.~~

19 *SEC. 3.* Section 5132 of the Business and Professions Code is
20 amended to read:

21 5132. (a) All moneys received by the board under this chapter
22 from any source and for any purpose and from a temporary license
23 issued under Section 115.6 shall be accounted for and reported
24 monthly by the board to the Controller and at the same time the
25 moneys shall be remitted to the State Treasury to the credit of the
26 Accountancy Fund.

27 (b) The secretary-treasurer of the board shall, from time to time,
28 but not less than once each fiscal year, prepare or have prepared
29 on their behalf, a financial report of the Accountancy Fund that
30 contains information that the board determines is necessary for
31 the purposes for which the board was established.

32 (c) The report of the Accountancy Fund, which shall be
33 published pursuant to Section 5008, shall include the revenues and
34 the related costs from examination, initial licensing, license
35 renewal, citation and fine authority, and cost recovery from
36 enforcement actions and case settlements.

37 ~~SEC. 5.~~

38 *SEC. 4.* Section 95 is added to the Military and Veterans Code,
39 to read:

1 95. (a) The Department of Veterans Affairs shall place a
2 prominently displayed military licensure icon or hyperlink on its
3 internet website, in an appropriate location pertaining to licensure
4 and employment opportunities for veterans, service members, and
5 spouses, that links to the internet websites identified in this section.

6 (b) The Department of Consumer Affairs, the Commission on
7 Teacher Credentialing, the Department of Real Estate, and the
8 State Department of Public Health shall place a prominently
9 displayed military licensure icon or hyperlink on the home page
10 of their internet websites, linked to information for each
11 occupational board or program for licensure or certification that
12 it administers. In addition to general licensure or certificate
13 information, the following information shall be displayed:

14 (1) Each licensing agency's process for expediting applications
15 for service members, veterans, and spouses, including the average
16 processing times for expedited applications and the number of
17 expedited applications requested in the calendar year.

18 (2) The availability of temporary or provisional licensure,
19 specific requirements needed to obtain a temporary or provisional
20 license, and how long the provisional or temporary license is valid.

21 (c) (1) The Department of Consumer Affairs shall establish a
22 specific gateway aligned with the existing "Board and Bureau
23 Military Contact Information," "Expedited Licensure," and
24 "Renewal Fee Waivers" gateways on their Military Member
25 Resources page, including a list of all boards that provide
26 temporary or provisional licensure, with hyperlinks linking to each
27 board's military licensure data.

28 (2) The Department of Consumer Affairs shall establish a
29 "Licensure by Endorsement" section on its internet website listing
30 all boards that offer an option for licensure by endorsement,
31 accompanied by a hyperlink to each board's military licensure
32 data.

33 (d) The Department of Consumer Affairs, the Commission on
34 Teacher Credentialing, the Department of Real Estate, and the
35 State Department of Public Health shall compile information on
36 military, veteran, and spouse licensure into an annual report for
37 the Legislature, which shall be submitted in conformance with
38 Section 9795 of the Government Code. The report shall include
39 all of the following:

1 (1) The number of applications for a license submitted by active
2 duty service members, separating service members, veterans, or
3 military spouses per calendar year.

4 (2) The number of licenses issued and denied, including reason
5 for denial, to active duty service members, separating service
6 members, veterans, and military spouses per calendar year.

7 (3) The number of licenses of active duty service members,
8 separating service members, veterans, or military spouses that
9 were suspended or revoked per calendar year.

10 (4) The number of applications for waived renewal fees received
11 from active duty service members and military spouses per calendar
12 year.

13 (5) The number of fee waivers issued to active duty service
14 members and military spouses per calendar year.

15 (6) The average length of time between application and issuance
16 of licenses for active duty service members, separating service
17 members, veterans, or military spouses per board and occupation.

18 ~~SEC. 6.~~

19 *SEC. 5.* No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.

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HUMAN SERVICES PROFESSIONS

262 CMR 5.00: REQUIREMENTS FOR LICENSURE AS AN EDUCATIONAL PSYCHOLOGIST

Section

5.01: Licensure Requirements

5.01: Licensure Requirements

(1) Preface. To qualify for licensure as an educational psychologist, pursuant to the requirements of M.G.L. c. 112, § 165, as amended, an applicant must provide evidence satisfactory to the Board that the professional standards and education experience requirements described in 262 CMR 5.01(3) have been met by the applicant.

All licensed educational psychologists are charged with having knowledge of the existence of 262 CMR and required to practice educational psychology in accordance with them.

(2) Definitions.

Approved Supervisor. A school psychologist who:

- (a) is licensed as an educational psychologist, or meets the qualifications for licensure as an educational psychologist by the Board; and
- (b) has a minimum of five full-time academic years, or equivalent part-time, experience as a certified school psychologist.

Board. Board of Allied Mental Health and Human Services Professions.

CAGS. Certificate of Advanced Graduate Study.

Full-Time Academic Year. A full-time academic year consists of a minimum of 180 days. Two full-time academic years consist of a minimum of 360 days.

Licensure Examination. The examination for licensure as an educational psychologist shall be the National School Psychology Examination (ETS/NTE #40) of the National Association of School Psychologists (NASP) administered by Education Testing Service (ETS). NASP Certification as an NCSP is not required for licensure. The licensure examination is administered three times per year by ETS. For information on sites, dates of administration, and fees, contact ETS.

School Psychological Services. Consists of employment by a public school system or private school or agency as a Department of Education certified school psychologist engaged in the role and performing the duties of a school psychologist. Private practice/self-employment as a school psychologist is not acceptable in fulfillment of the post-master's degree work experience in school psychological services requirement.

Supervised Clinical Experience. A minimum of 60 hours of post-master's degree supervision in the practice of school psychological services by an approved supervisor.

Supervision. A regularly scheduled meeting of not more than six school psychologists with an approved supervisor for period of at least one hour. "Peer" supervision will not be considered to be qualifying supervision for these purposes.

(3) Licensure Eligibility Categories. A candidate for licensure as an educational psychologist must meet the requirements set forth in 262 CMR 5.01(3)(a) through (e):

(a) A Master's Degree, CAGS, or Doctoral Degree in School Psychology from an Educational Institution Licensed or Accredited by the State in which it is Located. The applicant's graduate degree must consist of:

- 1. a minimum of 60 credits of approved graduate course work: If an applicant's graduate degree program of study consisted of less than 60 credits of approved graduate course work, evidence of completion of graduate level courses outside of the degree program sufficient to meet the 60 credit approved courses requirement must be submitted to the Board for review

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and approval;

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5.01: continued

2. a Practicum/Internship experience consisting of a minimum of 1200 clock hours of supervised field placement. If an applicant's graduate degree program of study did not include a minimum of 1200 clock hours of supervised field placement, evidence of completion of additional hours of supervised field placement outside of the graduate degree program sufficient to meet the 1200 clock hour requirement must be submitted to the Board for review and approval;
- (b) Current certification (copy of certificate) as a school psychologist by the Department of Education of the Commonwealth of Massachusetts or comparable certification from another state;
- (c) A minimum of two full-time academic years, or equivalent part-time, post-master's degree experience in school psychological services;
- (d) Successful completion of a Supervised Clinical Experience; and
- (e) Achievement of a passing score on the licensure examination.

REGULATORY AUTHORITY

262 CMR 5.00: M.G.L. c. 112, §§ 163 through 172, c. 13, §§ 88 through 90, St. 1987 c. 521, as amended by St. 1989 c. 720 and St. 1990 c. 477.