



Board of Behavioral Sciences



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

Gavin Newsom, Governor
State of California

Business, Consumer Services and Housing Agency
Department of Consumer Affairs

POLICY AND ADVOCACY COMMITTEE MINUTES

DATE January 21, 2022

MEETING PLATFORM WebEx Video/Phone Conference

Pursuant to the provisions of Government Code section 11133, neither a public location nor teleconference locations are provided.

TIME 9:00 a.m.

ATTENDEES

Members Present: Max Disposti, Chair, Public Member
John Sovec, LMFT Member
Wendy Strack, Public Member

Members Absent: *All members present*

Staff Present: Steve Sodergren, Executive Officer
Rosanne Helms, Legislative Manager
Christy Berger, Regulatory Analyst
Christina Kitamura, Administrative Analyst
Sabina Knight, Legal Counsel

Other Attendees: Public participation via WebEx video conference/phone conference

I. Call to Order and Establishment of Quorum

Max Disposti, Chair of the Policy and Advocacy Committee (Committee) called the meeting to order at 9:14 a.m. Roll was called, and a quorum was established.

II. Introductions

Committee members and Board staff introduced themselves.

III. Consent Calendar

a. Discussion and Possible Approval of August 6, 2021 Committee Meeting Minutes

Motion: Approve the August 6, 2021 Committee meeting minutes.

Strack moved; Sovec seconded.

Public Comment: None

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Max Disposti	x				
John Sovec	x				
Wendy Strack	x				

Vote: 3 yea, 0 nay. Motion carried.

b. Discussion and Possible Approval of October 20, 2021 Committee Meeting Minutes

Public Comment: *Gonzalez* corrected to *Gonzales* throughout document.

Motion: Approve the October 20, 2021 Committee meeting minutes as amended.

Strack moved; Sovec seconded.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Max Disposti	x				
John Sovec	x				
Wendy Strack	x				

Vote: 3 yea, 0 nay. Motion carried.

IV. Discussion and Possible Recommendation Regarding the Practices of Life Coaching and Pastoral Counseling

Life Coaching

The Board's practice acts do not address life coaching. Life coaches are not regulated by a governmental entity; however, they are prohibited from practicing in the scopes of practice of the professions regulated by the Board.

Questions arise for the Board and its licensees, stakeholders, and consumers:

- What is the difference between life coaching and the professions regulated by the Board?
- What can the Board do if its practice acts are violated?
- What constitutes evidence that a life coach is violating the Board's practice acts?
- How do consumers know the difference between life coaches and licensed therapists?

Pastoral Counseling

Pastoral counselors are exempted in statute from the Board's LMFT and LPCC practice acts in Business and Professions Code (BPC) §§4980.01(b) and 4999.22(c), and the LCSW practice act in BPC §4996.13.

Discussion

Sovec: There are a lot of concerns about life coaches encroaching on the profession. Individuals become coaches because they choose to not go through the process of schooling and licensure. Coaches advertise aggressively, making guarantees and promises, which licensed individuals are not allowed to do in their marketing. It is affecting how the profession is viewed in terms of what it can offer and creates limitations in how the profession is perceived by the public. Furthermore, there is no certification for coaching. These are all concerns for public safety.

Strack: Concerned from a consumer protection perspective.

Sodergren: Some pastoral counselors have the degree but do not want to pursue licensure. Some pastoral counselors are ordained by the church, but not working for the church; they are working as a sole proprietor and collecting fees; and the church is referring clients to them. When do we consider somebody is providing services as a pastor? Are we concerned if they're providing services a sole proprietor that is ordained?

Sodergren: Believes this exemption is being used as a loophole to have a private practice without having a license. Pastoral counselors could provide a resource for underserved communities.

Sovec: It may be worth exploring licensure for pastoral counseling under the BBS jurisdiction.

Public Comment

Keonna Robinson: There are certain concerns/issues that clients will reach out for, that may not meet criteria for a licensed individual – that does not meet criteria for a mental health issue. For example, support from an accountability coach to achieve personal goals. Life coaching is important and beneficial to the public; this gives consumers an alternative option that does not fall in the licensee's scope of practice.

Alicia Dabney: Concerned about consumer protection. Has seen life coaches not "staying in their lane." They need regulation and guidance.

Ben Caldwell: 1. Supports taking an educational approach in making sure that practitioners and consumers understand the differences between coaching and license therapy. 2. California has strong consumer fraud protections. 3. Has the Board acted against life coaches solely on the basis of practice and not on the basis of the coach holding themselves out in a way that would suggest they are a psychotherapist?

Dalene Forester: Supports public education; however, there is a need to pay attention to life coaches outside of their lane.

Heather Laird: Suggested looking at why people are turning to life coaching as a profession. Take an approach to the systemic view and approach those issues. Public education is important but there is a lot of gray area that requires an in-depth conversation.

Jennifer Alley, California Association of Marriage and Family Therapists (CAMFT): When it comes to life coaching, CAMFT wants to see how the licensing statutes and consumer protections interact. Wants BBS to do some consumer education. How does BBS pursue a violation of the practice act? Does not see a new licensing type for life coaching but wants to provide a resource for the public.

R. Gonzales, NASW-CA: For life coaches and pastoral counselors that are paid for their services, consider a requirement that they must disclose they are not licensed. This type of requirement, however, could create an enforcement issue.

Anna: Hopes that the BBS will take life coaching under their wing. They should not be practicing without oversight.

Further Committee Discussion

Sovec: Made the following suggestions: 1. BBS work with associations to put out a survey to their membership to gather information about what clinicians are seeing with coaching and therapy. 2. Public education model: how do people receive their information now and how to get this message to them? Consider taking a proactive approach that empowers the consumer.

Disposti: Acknowledged all points made during discussion and public comment. Suggested that BBS work with a subject matter expert who has some expertise from a license professional perspective and life coaching.

Helms: 1. A law was put in place a couple of years ago requiring that any person providing psychotherapy services in a non-exempt setting, must provide information regarding where to file a complaint. 2. To publish outreach materials, it would be helpful to consult with a subject matter expert, who can speak on the licensed psychotherapy and life coaching.

Sovec: Suggests taking a two-pronged approach: 1. Work with stakeholder groups to gather information and through BBS, launch a public awareness campaign to gather information on the public view. 2. Bring those pieces together to take steps towards making policies. 3. Do not use “therapy vs. coaching” language; take approach of how they could work together.

Sodergren: 1. This works within one of the Strategic Plan goals in explaining what therapists do, what different license types do, and it could also include the difference between a licensee and a coach. 2. Agrees on consulting with an expert and reaching out to stakeholders for their opinions. 3. Begin developing a publication for consumer education, but one that also speaks to the licensees and to coaches.

Motion: Direct staff to coordinate with stakeholders to gather expertise and draft outreach materials on pastoral counseling and life coaching.

Sovec moved; Disposti seconded.

Public Comment

J. Alley: CAMFT supports the motion.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Max Disposti	x				
John Sovec	x				
Wendy Strack	x				

Vote: 3 yea, 0 nay. Motion carried.

V. Presentation on Request to Add Coursework in Parent Alienation to the Educational Requirements for Licensure by Ron Berglas

Ron Berglas, Dr. William Bernet, and Dr. Lynn Steinberg represent the Parent Alienation Legislative Group. They presented information regarding parental alienation and requested to add parent alienation coursework to educational requirements for licensure.

VI. Update on Board-Sponsored and Monitored Legislation

Board-Sponsored Legislation

Supervision via Videoconferencing Bill Proposal (No Bill Number Assigned at This Time)

Board staff found an author for this bill proposal, and the author has agreed to run this bill as urgency legislation. The author and Business and Professionals Committee consultant suggested amendments. The bill will come back to the Board in February for further consideration.

Continuing Education Bill Proposal (No Bill Number Assigned at This Time)

Board staff has an author for this bill proposal.

Omnibus Bill Proposal (No Bill Number Assigned at This Time)

This bill proposal has been submitted and is expected to be introduced in March.

Board-Supported and Board-Monitored Legislation

The following two-year bills are being monitoring by staff:

- **AB 988 (Bauer-Kahan) Mental Health: 988 Crisis Hotline**
The Board took a “support” position on this bill.
- **AB 29 (Cooper) State Bodies: Meetings**

- AB 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions

The Board took a “support if amended” position on this bill.

VII. Update on Board Rulemaking Proposals

Continuing Education and Additional Training Requirements

Status: Notice published November 12, 2021; comments received and will be discussed at the February Board meeting.

Enforcement Process

Status: Preparation for Policy and Advocacy Committee review in July 2022

Examination Waiting Periods, Professional Corporations, Accrediting Agencies and Equivalent Degrees

Status: Preparation for Initial Review Process

VIII. Public Comment for Items not on the Agenda

None

IX. Suggestions for Future Agenda Items

J. Alley, CAMFT: Name change process for licensees where they can use their legal name but also be recognized for life changing events and remain in compliance.

X. Adjournment

The Committee adjourned at 11:05 a.m.