



1625 North Market Blvd.
Suite S-200
Sacramento, CA 95834
(916) 574-7830
TDD (800) 326-2297
Fax (916) 574-8625
www.bbs.ca.gov

SUPERVISION COMMITTEE MEETING NOTICE

June 9, 2016

11:00 a.m.

Ayres Hotel and Suites
325 Bristol Street
Costa Mesa, CA 92626
(714) 549-0300

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to technical difficulties or limitations on resources. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

1. Call to Order and Establishment of Quorum
2. Introductions*
3. Recap on Prior Committee Decisions and Remaining List of Topics for Future Discussions
4. Discussion and Possible Recommendations Regarding Proposed Supervision Statutory and Regulatory Amendments for Licensed Marriage and Family Therapists
5. Discussion and Possible Recommendations Regarding Proposed Supervision Statutory and Regulatory Amendments for Licensed Professional Clinical Counselors
6. Discussion and Possible Recommendations Regarding Proposed Supervision Statutory and Regulatory Amendments for Licensed Clinical Social Workers
7. Discussion and Possible Recommendation Regarding the Proposal to Reduce the Required Number of Supervised Work Experience Hours for Associate Social Workers From 3200 Hours to 3000 Hours
8. Discussion and Possible Recommendation Regarding the Supervisor Self-Assessment Form
9. Discussion and Possible Recommendation Regarding the Draft Supervision Brochure for Marriage and Family Therapist Interns and Trainees



Governor
Edmund G. Brown Jr.
State of California

Business, Consumer Services
and Housing Agency

Department of
Consumer Affairs

10. Suggestions for Future Agenda Items
11. Public Comment for Items not on the Agenda
12. Adjournment

**Introductions are voluntary for members of the public*

Public Comment on items of discussion will be taken during each item. Time limitations will be determined by the Chairperson. Times and order of items are approximate and subject to change. Action may be taken on any item listed on the Agenda.

This agenda as well as Board meeting minutes can be found on the Board of Behavioral Sciences website at www.bbs.ca.gov.

NOTICE: The meeting is accessible to persons with disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Christina Kitamura at (916) 574-7835 or send a written request to Board of Behavioral Sciences, 1625 N. Market Blvd., Suite S-200, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

- Requiring applicants who have completed their experience hours to continue receiving one hour of supervision per week, per work setting

The proposed language does not yet include the following provision as staff is determining whether it should be run as a separate item:

- Parameters for acceptable documentation when a supervisor is deceased and an *Experience Verification* form had not yet been signed.

The topics remaining to be addressed by the Committee are as follows:

- Non-clinical hours (i.e., workshops, training) for LMFT Trainees not yet in practicum
- Supervisor not signing for hours/one-week notice requirement
- More thorough requirements to become a supervisor of individuals on probation
- Offsite or Contract Supervisors:
 - Do the current requirements pertaining to offsite supervision adequately protect the supervisor, supervisee and client?
 - Should offsite supervision requirements be made consistent between license types, keeping in mind possible differences needed for MFT Trainees since they are still in school?

Future Meeting Dates

Not yet scheduled

Current LPCC law states that LPCC trainees, interns, and applicants may only perform services as an employee or a volunteer. It goes on to state that experience shall not be gained by interns or trainees as an independent contractor. (BPC §4999.47(a))

As current law is unclear on this matter, the committee should discuss whether interns, trainees and applicants for licensure should be prohibited from working as independent contractors, or if they should only be prohibited from gaining experience as independent contractors.

Section Affected: BPC §4980.43.3(a)

2. **Supervision via Videoconferencing and HIPAA Compliance:** BPC Section 4980.43.2(f) contains language allowing an intern working in an exempt setting to obtain supervision via videoconferencing. The Committee asked to add a statement requiring the videoconferencing be HIPAA compliant.

In the past, the Board has expressed a preference to refrain from mentioning HIPAA directly in law, as its name could possibly change over time. Therefore, staff has added a statement that *“The supervisor shall be responsible for ensuring compliance with state and federal laws relating to confidentiality of patient health information.”*

Section Affected: BPC §4980.43.2(f)

3. **Definition of Supervision:** The definition of “supervision” has been revised from previous meetings to include responsibility for, and control of, the quality of services being provided. The amendments also state that consultation or peer discussion is not supervision. These changes are consistent with what is already in LCSW and LPCC law. A statement about providing regular feedback to the intern or trainee has also been included.

At the most recent meeting, the Committee asked for the following additional amendments:

- a. An amendment to require the supervisor to monitor for and attend to countertransference issues;
- b. An amendment to require the supervisor to review progress notes, process notes, and other treatment records, and also to engage in direct observation or review of audio or video recordings, as the supervisor deems appropriate.

Sections Affected: BPC §4980.43.1(b), CCR §1833.1(a)(9)

4. **Supervisory Plan for LMFTs:** LCSW and LPCC law requires the supervisor and the supervisee to develop a “supervisory plan” that describes goal and objectives of supervision. The registrant is required to submit this form when applying for licensure. LMFT applicants are currently not required to have a supervisory plan.

The Committee decided to require a supervisory plan for LMFT applicants as well. In addition, it decided to require that the supervisor and supervisee collaborate to develop the goals and objectives.

Section Affected: CCR §1833(c)

- 5. Annual Assessment:** LCSW regulations require a supervisor to complete an annual assessment of the strengths of the registrant and to provide the registrant with a copy.

The Committee decided to require this for supervisors of LMFT and LPCC interns and trainees as well.

Section Affected: CCR §1833.1(a)(10)

- 6. Handling Crises and Emergencies:** The American Counseling Association's Ethical Code requires supervisors to establish and communicate to supervisees procedures for contacting either the supervisor, or an alternate on-call supervisor, in a crisis. The Committee decided to adopt this requirement for all supervisors.

Section Affected: CCR §1833.1(a)(11)

- 7. Required Supervisory Experience:** Current law requires that in order to supervise a registrant, a supervisor must have practiced psychotherapy or provided direct supervision for 2 of the past 5 years.

However, the wording of this law is inconsistent across the Board's license types, and in some cases it is unclear if supervision of LPCC trainees or social work students counts as qualifying supervisory experience. This amendment would clarify that supervision of LPCC trainees or social work students is acceptable as experience to qualify as a supervisor, and would make the language consistent for each of the Board's license types.

Section Affected: CCR §1833.1(a)(5)

- 8. Required Training and Coursework for Supervisors:** This section requires supervisors commencing supervision for the first time to complete a 15 hour supervision course covering specified topic areas. This is consistent with a similar requirement already in place for LCSW supervisors. Age limits for the course are specified, and the course can be counted as continuing education if taken from an accepted provider. Any supervisor who has not supervised in 2 of the last 5 years, must re-take a 6 hour course.

This new section also specifies that supervisors must complete 6 hours of continuing professional development in each renewal period while supervising. This can consist of a supervision course, or other professional development activities such as teaching, research, or supervision mentoring.

In place of the above requirements, a supervisor may obtain and maintain a supervision certification from one of four specified entities. The Board also has discretion to accept certification from another entity if it believes its requirements are equivalent or greater. Such a certification exempts the supervisor from the 15 hour coursework and 6 hour professional development requirements, and it allows them to waive the requirement that they must have been licensed and either supervising or practicing psychotherapy for two of the past five years prior to commencing any supervision.

The proposed language is specifically worded so that it only applies to supervisors who are also Board licensees. Supervisors who are licensed psychologists or psychiatrists would not need to complete the supervision training and coursework.

Recent Change: One of the options for the supervisor's required six hours of continuing professional development is to receive mentoring of supervision. At the last meeting, the Committee requested that such mentoring be documented.

Section Added: CCR §1834

9. **Amount of Direct Supervisor Contact Required for Applicants Finished Gaining Experience Hours:** Currently, the law does not specifically define how much direct supervisor contact an MFT or PCI intern needs once he or she is finished gaining experience hours needed to count toward licensure. (An intern gaining experience hours must obtain at least one hour of direct supervisor contact in each week, plus one additional hour if more than 10 hours of direct client contact is gained, in order for the hours to count.)

At a previous meeting, the Committee recommended that the amount of supervision should be specified even if experience hours are no longer being counted. This amendment specifies that interns and applicants who have finished gaining experience hours must obtain at least one hour of supervision per week for each setting in which direct clinical counseling is performed.

In addition, a stakeholder requested further clarification about amount of supervision required for nonclinical hours after experience hours are gained. Therefore, at the last meeting, the Committee decided to add the following sentence to BPC §4980.43.2(i):

“Once experience hours are gained, further supervision is not required for nonclinical practice as defined in section 4980.43(a)(9).”

Section Affected: BPC §4980.43.2(i)

10. **Supervisors Licensed for at Least Two Years (No changes since last meeting):** The amendments allow a licensee to supervise if he or she has been actively licensed in

California or in any other state for at least two of the past five years immediately prior to commencing any supervision.

Sections Affected: BPC §4980.03(g)(1), CCR §1833.1(a)(1), 1833.2

- 11. Split BPC Section 4980.43 (No changes since last meeting):** BPC Section 4980.43 has been divided into smaller sections, with each new section focused on a specific topic of supervision.

Sections Affected: BPC §§4980.43-4980.43.4

- 12. Direct Supervisor Contact (No changes since last meeting):** There have been revisions to the basis for the amount of required direct supervisor contact. Currently, trainees and interns must receive one hour of direct supervisor contact when they perform a specified amount of client contact in each setting.

The amendment changes “client contact” to “direct clinical counseling” as the basis for which the amount of supervision is determined. References to “direct counseling” in Sections 4980.03(f) and 4980.43(a)(8) have been amended to instead reference “direct clinical counseling” for consistency.

These changes will also be made in LCSW and LPCC law.

Section Affected: BPC §§ 4980.03(f), 4980.43(a)(8), 4980.43.2(a)(1), (2)

- 13. Definition of “One Hour of Direct Supervisor Contact”; Triadic Supervision:** These revisions provide a specific definition of one hour of direct supervisor contact. Triadic supervision is included in this definition.

Section Affected: BPC §4980.43.2(b)

- 14. Amount of Individual Supervision (No changes since last meeting):** Current regulations specify that one hour per week of supervision for 52 weeks must be individual supervision.

Staff believes this requirement is significant and it is more appropriately stated in statute rather than regulations. The requirement has also been amended to allow this 52 weeks of supervision to either be individual or triadic.

Section Affected: BPC §4980.43.2(d)

- 15. Supervision in a Group (No changes since last meeting):** Current law allows group supervision to consist of up to 8 supervisees. An amendment states that the supervisor must ensure that the amount of supervision is appropriate to each supervisee’s needs.

Section Affected: BPC §4980.43.2(e)

16. Supervision in a Non-Private Practice Setting (No changes since last meeting):

Currently, a supervisor in a non-private practice only needs to sign a written agreement with the supervisee's employer if the supervisor is a volunteer. An amendment was made to require a written agreement when the setting is a non-private practice and the supervisor is not employed by the applicant's employer or is a volunteer.

Sections Affected: BPC §4980.43.4(e) and (f), CCR §1833(a)

17. Unprofessional Conduct (No changes since last meeting): This section currently states that the following two items are unprofessional conduct:

4982(r) Any conduct in the supervision of any registered intern, associate clinical social worker, or trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.

4982 (u) The violation of any statute or regulation governing the gaining and supervision of experience required by this chapter.

Staff believes these two sections are duplicative, and that subsection 4982(r) is unnecessary. Subsection 4982(u) already gives the Board the authority to take disciplinary action on, or to issue a cite and fine to, a licensee or registrant who violates any of the supervision provisions in statute and regulation. Therefore, this proposal deletes subsection 4982(r).

In addition, unprofessional conduct language related to discipline is inconsistent between LMFT, LCSW, and LPCC law. For consistency, the language in 4982(u) will be amended into the LCSW and LPCC unprofessional conduct provisions as well.

Section Affected: BPC §4982

18. Delete Duplicative and Obsolete Language in Regulations (No changes since last meeting): Many of the provisions in regulation section 1833 are either already in statute, or they became obsolete with the passage of SB 620 (Chapter 262, Statutes of 2015), which streamlined many of the supervised experience hour requirements for licensure. These subsections were deleted. Other subsections were moved to statute, if staff believed that location was more appropriate. The remaining provisions of section 1833 discuss specific forms that supervisors or supervisees are required to complete.

Section Affected: CCR §1833

19. Documentation of Supervisor Qualifications and Audits: A regulation section was added to allow the Board to audit supervisor's records to verify they meet the supervisor qualifications. It requires supervisors to maintain records of completion of the required supervisor qualifications for seven years after the termination of supervision, (consistent

with statute regarding record retention) and to make these records available to the Board for an audit upon request.

The Board would likely audit a supervisor during a continuing education audit or if a complaint was received. The “Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern” (revised 3/10, form #1800 37A-523), which supervisors must sign under penalty of perjury, will need to be amended to include the supervisor qualifications as well as instructions for appropriate documentation.

Section Added: CCR §1835

ATTACHMENTS:

Attachment A: Proposed LMFT Supervision Language

Attachment B: Reference Sections – Current Law: BPC §4980.43, 16 CCR §§ 1833, 1833.1, 1833.2

Blank Page

ATTACHMENT A
PROPOSED LMFT SUPERVISION LANGUAGE

§4980.03. DEFINITIONS

(a) “Board,” as used in this chapter, means the Board of Behavioral Sciences.

(b) “Intern,” as used in this chapter, means an unlicensed person who has earned his or her master’s or doctoral degree qualifying him or her for licensure and ~~is registered with the board.meets one of the following definitions, unless otherwise specified:~~

(1) The individual is registered with the board as an intern.

(2) The individual’s degree was awarded and he or she will be applying for intern registration within 90 days of the degree award date.

(3) The individual applied for intern registration within 90 days of the date his or her degree was awarded.

(c) “Trainee,” as used in this chapter, means an unlicensed person who is currently enrolled in a master’s or doctoral degree program, as specified in Sections 4980.36 and 4980.37, that is designed to qualify him or her for licensure under this chapter, and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.

(d) “Applicant, for licensure” as used in this chapter, means an unlicensed person ~~who has completed a master’s or doctoral degree program, as specified in Sections 4980.36 and 4980.37, and whose application for registration as an intern is pending, or an unlicensed person~~ who has completed the education and experience requirements for licensure as specified in this chapter, and is no longer registered with the board as an intern, and is currently in the examination process.gaining supervised experience.

(e) “Advertise,” as used in this chapter, includes, but is not limited to, any public communication, as defined in subdivision (a) of Section 651, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. Signs within religious buildings or notices in church bulletins mailed to a congregation shall not be construed as advertising within the meaning of this chapter.

(f) “Experience,” as used in this chapter, means experience in interpersonal relationships, psychotherapy, marriage and family therapy, direct clinical counseling, and nonclinical practice that satisfies the requirements for licensure as a marriage and family therapist pursuant to Section 4980.40.

(g) “Supervisor,” as used in this chapter, means an individual who meets all of the following requirements:

(1) Has been actively licensed ~~by a state regulatory agency in California or in any other state~~ for at least two of the past five years as a marriage and family therapist, licensed clinical social worker, licensed professional clinical counselor, licensed psychologist, or licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology-, immediately prior to commencing any supervision.

(2) If a licensed professional clinical counselor, the individual shall meet the additional training and education requirements specified in paragraph (3) of subdivision (a) of Section 4999.20.

(3) Has received professional training in supervision, as specified in this chapter and by regulation.

~~(34)~~ Has not provided therapeutic services to the trainee or intern.

~~(45)~~ Has and maintains a current and ~~valid~~active California license that is not under suspension or probation.

~~(56)~~ Complies with supervision requirements established by this chapter and by board regulations.

(h) “Client centered advocacy,” as used in this chapter, includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

§4980.43. PROFESSIONAL EXPERIENCE; INTERNS OR TRAINEES

(a) To qualify for licensure as specified in Section 4980.40, each applicant shall complete experience related to the practice of marriage and family therapy under a supervisor who meets the qualifications set forth in Section 4980.03. The experience shall comply with the following:

(1) A minimum of 3,000 hours of supervised experience completed during a period of at least 104 weeks.

(2) A maximum of 40 hours in any seven consecutive days.

(3) A minimum of 1,700 hours obtained after the qualifying master’s or doctoral degree was awarded.

(4) A maximum of 1,300 hours obtained prior to the award date of the qualifying master’s or doctoral degree.

(5) A maximum of 750 hours of counseling and direct supervisor contact prior to the award date of the qualifying master’s or doctoral degree.

(6) No hours of experience may be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction.

(7) No hours of experience may be gained more than six years prior to the date the application for ~~examination-eligibility~~ licensure was filed, except that up to 500 hours of clinical experience gained in the supervised practicum required by subdivision (c) of Section 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt from this six-year requirement.

(8) A minimum of 1,750 hours of direct clinical counseling with individuals, groups, couples, or families, that includes not less than 500 total hours of experience in diagnosing and treating couples, families, and children.

(9) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client centered advocacy, and workshops, seminars, training sessions, or conferences directly related to marriage and family therapy that have been approved by the applicant's supervisor.

(10) It is anticipated and encouraged that hours of experience will include working with elders and dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities or protect their rights.

This subdivision shall only apply to hours gained on and after January 1, 2010.

(b) An individual who submits an application for ~~examination-eligibility~~ licensure between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements that were in place on January 1, 2015.

~~(c) All applicants, trainees, and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of marriage and family therapy. Supervised experience shall be gained by an intern or trainee only as an employee or as a volunteer. The requirements of this chapter regarding gaining hours of experience and supervision are applicable equally to employees and volunteers. Experience shall not be gained by an intern or trainee as an independent contractor.~~

~~(1) If employed, an intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure.~~

~~(2) If volunteering, an intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure.~~

~~(d) Except for experience gained by attending workshops, seminars, training sessions, or conferences as described in paragraph (9) of subdivision (a), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting, as specified:~~

~~(1) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of client contact in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.~~

~~(2) An individual supervised after being granted a qualifying degree shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of client contact is gained in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.~~

~~(3) For purposes of this section, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours per week of face-to-face contact in a group.~~

~~(4) Direct supervisor contact shall occur within the same week as the hours claimed.~~

~~(5) Direct supervisor contact provided in a group shall be provided in a group of not more than eight supervisees and in segments lasting no less than one continuous hour.~~

~~(6) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.~~

~~(7) All experience gained by a trainee shall be monitored by the supervisor as specified by regulation.~~

~~(8) The six hours of supervision that may be credited during any single week pursuant to paragraphs (1) and (2) shall apply to supervision hours gained on or after January 1, 2009.~~

~~(e) (1) A trainee may be credited with supervised experience completed in any setting that meets all of the following:~~

~~(A) Lawfully and regularly provides mental health counseling or psychotherapy.~~

~~(B) Provides oversight to ensure that the trainee's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.~~

~~(C) Is not a private practice owned by a licensed marriage and family therapist, a licensed professional clinical counselor, a licensed psychologist, a licensed clinical social worker, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.~~

~~(2) Experience may be gained by the trainee solely as part of the position for which the trainee volunteers or is employed.~~

~~(f) (1) An intern may be credited with supervised experience completed in any setting that meets both of the following:~~

~~(A) Lawfully and regularly provides mental health counseling or psychotherapy.~~

~~(B) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.~~

~~(2) An applicant shall not be employed or volunteer in a private practice, as defined in subparagraph (C) of paragraph (1) of subdivision (e), until registered as an intern.~~

~~(3) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration to interns.~~

~~(4) Except for periods of time during a supervisor's vacation or sick leave, an intern who is employed or volunteering in private practice shall be under the direct supervision of a licensee that has satisfied subdivision (g) of Section 4980.03. The supervising licensee shall either be employed by and practice at the same site as the intern's employer, or shall be an owner or shareholder of the private practice. Alternative supervision may be arranged during a supervisor's vacation or sick leave if the supervision meets the requirements of this section.~~

~~(5) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.~~

~~(g) Except as provided in subdivision (h), all persons shall register with the board as an intern to be credited for postdegree hours of supervised experience gained toward licensure.~~

~~(h) Postdegree hours of experience shall be credited toward licensure so long as the applicant applies for the intern registration within 90 days of the granting of the qualifying master's or doctoral degree and is thereafter granted the intern registration by the board. An applicant shall not be employed or volunteer in a private practice until registered as an intern by the board.~~

~~(i) Trainees, interns, and applicants shall not receive any remuneration from patients or clients, and shall only be paid by their employers.~~

~~(j) Trainees, interns, and applicants shall only perform services at the place where their employers regularly conduct business, which may include performing services at other locations, so long as the services are performed under the direction and control of their employer and supervisor, and in compliance with the laws and regulations pertaining to supervision. For purposes of paragraph (3) of subdivision (a) of Section 2290.5, interns and trainees working under licensed supervision, consistent with subdivision (c), may provide services via telehealth within the scope authorized by this chapter and in accordance with any regulations governing the use of telehealth promulgated by the board. Trainees and interns shall have no proprietary interest in their employers' businesses and shall not lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of their employers.~~

~~(k) Trainees, interns, or applicants who provide volunteered services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those trainees, interns, or applicants for services rendered in any lawful work setting other than a private practice shall be considered employees and not independent contractors. The board may audit applicants who receive reimbursement for expenses, and the applicants shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.~~

~~(l) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.~~

§4980.43.1 SUPERVISION DEFINITION; REGISTRATION AS AN INTERN

(a) All applicants for licensure, trainees, and interns shall be at all times under the supervision of a supervisor as specified in this chapter and by regulation.

(b) The term "supervision", as used in this chapter, means responsibility for, and control of, the quality of services being provided. It includes the following:

- (1) Ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised.
- (2) Reviewing client or patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the supervisee and providing regular feedback.
- (3) Monitoring and evaluating the ability of the supervisee to provide services at the site(s) where he or she will be practicing and to the particular clientele being served.
- (4) Monitoring for and attending to any countertransference issues that may affect the practitioner-patient relationship.
- (5) Ensuring compliance with laws and regulations governing the practice of marriage and family therapy.
- (6) Review of progress notes, process notes, and other treatment records, and shall also include that amount of direct observation, or review of audio or video tapes recordings of therapy, as deemed appropriate by the supervisor.

(7) Consultation or peer discussion shall not be considered to be supervision.

(c) Except as provided in subdivision (d), all persons shall register with the board as an intern to be credited for postdegree hours of supervised experience gained toward licensure.

(d) Postdegree hours of experience shall be credited toward licensure so long as the applicant applies for the intern registration within 90 days of the granting of the qualifying master's or doctoral degree and is thereafter granted the intern registration by the board. An applicant shall not be employed or volunteer in a private practice until registered as an intern by the board.

§4980.43.2 DIRECT SUPERVISOR CONTACT

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences as described in paragraph (9) of subdivision (a) of section 4980.43, supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting, as specified:

(1) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of ~~client contact~~ direct clinical counseling that is performed in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(2) ~~An individual supervised after being granted a qualifying degree~~ An intern shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of ~~client contact~~ direct clinical counseling is gained performed in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(b) "One hour of direct supervisor contact" means any of the following:

- 1) Individual supervision, defined as one hour of face-to-face contact between one supervisor and one supervisee.
- 2) Triadic supervision, defined as one hour of face-to-face contact between one supervisor and two supervisees.
- 3) Group supervision, defined as two hours of face-to-face contact between one supervisor and no more than eight supervisees.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) An applicant for licensure shall have received at least one (1) hour per week of direct supervisor contact meeting the criteria of subdivisions (1) or (2) of subsection (b), for a minimum of 52 weeks.

(e) Direct supervisor contact provided in a group shall be provided in a group of not more than eight supervisees and in segments lasting no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate to each supervisee's needs.

(f) Notwithstanding subsection (b), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld compliance with state and federal laws relating to confidentiality of patient health information.

(g) All experience gained by a trainee shall be monitored by the supervisor as specified by this chapter and by regulation.

(h) The six hours of supervision that may be credited during any single week pursuant to paragraphs (1) and (2) of subsection (a) shall apply to supervision hours gained on or after January 1, 2009.

(i) Notwithstanding any other provision of law, interns and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each setting in which direct clinical counseling is performed. Once experience hours are gained, further supervision is not required for nonclinical practice as defined in section 4980.43(a)(9).

§4980.43.3 SUPERVISION: ACCEPTABLE SETTINGS; ACCEPTABLE SUPERVISION PRACTICES

(a) Supervised experience shall be gained by an intern or trainee only as an employee or as a volunteer. The requirements of this chapter regarding gaining hours of experience and supervision are applicable equally to employees and volunteers. Experience shall not be gained by an intern or trainee as an independent contractor.

(1) If employed, an intern or trainee shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure.

(2) If volunteering, an intern or trainee shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure.

(b) (1) A trainee shall not perform services in a private practice. A trainee may be credited with supervised experience completed in any setting that meets all of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the trainee's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(C) Is not a private practice owned by a licensed marriage and family therapist, a licensed professional clinical counselor, a licensed psychologist, a licensed clinical social worker, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(2) Experience may be gained by the trainee solely as part of the position for which the trainee volunteers or is employed.

(c) (1) An intern may be credited with supervised experience completed in any setting that meets both of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(2) An applicant for intern registration shall not be employed or volunteer in a private practice, as defined in subparagraph (C) of paragraph (1) of subdivision (b), until registered as an intern.

(3) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration to interns.

(4) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.

(d) Any experience obtained under the supervision of a spouse, relative, or domestic partner shall not be credited toward the required hours of supervised experience. Any experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal or business relationship which undermines the authority or effectiveness of the supervisor shall not be credited toward the required hours of supervised experience.

(e) Trainees, interns, and applicants for licensure shall not receive any remuneration from patients or clients, and shall only be paid by their employers.

(f) Trainees, interns and applicants for licensure shall have no proprietary interest in their employers' businesses and shall not lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of their employers.

(g) Trainees, interns, and applicants for licensure who provide volunteered services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those trainees, interns, or applicants for services rendered in any lawful work setting other than a private practice shall be considered employees and not independent contractors. The board may audit applicants who receive reimbursement for expenses, and the applicants shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.

(h) For purposes of paragraph (3) of subdivision (a) of Section 2290.5, interns and trainees working under licensed supervision, consistent with this chapter, may provide services via telehealth within the scope authorized by this chapter and in accordance with any regulations governing the use of telehealth promulgated by the board.

(i) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.

§4980.45. EMPLOYMENT OR SUPERVISION OF REGISTRANTS; MAXIMUM NUMBER OF REGISTRANTS **4980.43.4 SUPERVISION AND EMPLOYMENT SETTINGS**

(a) Trainees, interns, and applicants for licensure shall only perform services at the place where their employer regularly conducts business and services, which may include performing services at other locations, as long as the services are performed under the direction and control of their employer and their supervisor, and in compliance with the lawsstatutes and regulations pertaining to supervision.

(b) Except for periods of time during a supervisor's vacation or sick leave, a registered intern who is employed or volunteering in private practice shall be under the direct supervision of a licensee that has satisfied subdivision (g) of Section 4980.03. The supervising licensee shall supervisor who is either be employed by and practices at the same site as the registered intern's employer, or shall be is an owner or shareholder of the private practice.

~~(a)~~(c) A licensed professional in private practice who has satisfied the requirements of subdivision (g) of Section 4980.03 may supervise or employ, at any one time, no more than a total of three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker in that private practice.

~~(b)~~(d) A marriage and family therapy corporation may employ, at any one time, no more than a total of three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker for each employee or shareholder who has satisfied the requirements of subdivision (g) of Section 4980.03. In no event shall any marriage and family therapy corporation employ, at any one time, more than a total of 15 individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. In no event shall any supervisor supervise, at any one time, more than a total of three individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. Persons who supervise individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker shall be

employed full time by the marriage and family therapy corporation and shall be actively engaged in performing professional services at and for the marriage and family therapy corporation. Employment and supervision within a marriage and family therapy corporation shall be subject to all laws and regulations governing experience and supervision gained in a private practice setting.

(e) In a private practice setting, the registered intern's supervisor must be an owner or shareholder of the private practice. Alternatively, the supervisor may be employed by the private practice and regularly conduct business at the same site as the registered intern.

(f) In a setting which is not a private practice, a written agreement, as specified in regulation, must be executed between the applicant's supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer.

(g) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where a trainee or intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a marriage and family therapist; and (2) the experience is in compliance with the requirements set forth in ~~section 1833 and section 4980.43 of the Code.~~ this chapter and in regulation.

(h) Alternative supervision for an intern or trainee may be arranged during a supervisor's vacation or sick leave if the supervision meets the requirements set forth in this chapter and in regulation.

§4982. UNPROFESSIONAL CONDUCT

The board may deny a license or registration or may suspend or revoke the license or registration of a licensee or registrant if he or she has been guilty of unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:

(a) The conviction of a crime substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the meaning of this section. The board may order any license or registration suspended or revoked, or may decline to issue a license or registration when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or, when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,

information, or indictment.

(b) Securing a license or registration by fraud, deceit, or misrepresentation on any application for licensure or registration submitted to the board, whether engaged in by an applicant for a license or registration, or by a licensee in support of any application for licensure or registration.

(c) Administering to himself or herself any controlled substance or using of any of the dangerous drugs specified in Section 4022, or of any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to the person applying for a registration or license or holding a registration or license under this chapter, or to any other person, or to the public, or, to the extent that the use impairs the ability of the person applying for or holding a registration or license to conduct with safety to the public the practice authorized by the registration or license. The board shall deny an application for a registration or license or revoke the license or registration of any person, other than one who is licensed as a physician and surgeon, who uses or offers to use drugs in the course of performing marriage and family therapy services.

(d) Gross negligence or incompetence in the performance of marriage and family therapy.

(e) Violating, attempting to violate, or conspiring to violate any of the provisions of this chapter or any regulation adopted by the board.

(f) Misrepresentation as to the type or status of a license or registration held by the person, or otherwise misrepresenting or permitting misrepresentation of his or her education, professional qualifications, or professional affiliations to any person or entity.

(g) Impersonation of another by any licensee, registrant, or applicant for a license or registration, or, in the case of a licensee, allowing any other person to use his or her license or registration.

(h) Aiding or abetting, or employing, directly or indirectly, any unlicensed or unregistered person to engage in conduct for which a license or registration is required under this chapter.

(i) Intentionally or recklessly causing physical or emotional harm to any client.

(j) The commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee or registrant.

(k) Engaging in sexual relations with a client, or a former client within two years following termination of therapy, soliciting sexual relations with a client, or committing an act of sexual abuse, or sexual misconduct with a client, or committing an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of a marriage and family therapist.

(l) Performing, or holding oneself out as being able to perform, or offering to perform, or permitting any trainee or registered intern under supervision to perform, any professional services beyond the scope of the license authorized by this chapter.

(m) Failure to maintain confidentiality, except as otherwise required or permitted by law, of all information that has been received from a client in confidence during the course of treatment and all information about the client that is obtained from tests or other means.

(n) Prior to the commencement of treatment, failing to disclose to the client or prospective client the fee to be charged for the professional services, or the basis upon which that fee will be computed.

(o) Paying, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of professional clients. All consideration, compensation, or remuneration shall be in relation to professional counseling services actually provided by the licensee. Nothing in this subdivision shall prevent collaboration among two or more licensees in a case or cases. However, no fee shall be charged for that collaboration, except when disclosure of the fee has been made in compliance with subdivision (n).

(p) Advertising in a manner that is false, fraudulent, misleading, or deceptive, as defined in Section 651.

(q) Reproduction or description in public, or in any publication subject to general public distribution, of any psychological test or other assessment device, the value of which depends in whole or in part on the naivete of the subject, in ways that might invalidate the test or device.

~~(r) Any conduct in the supervision of any registered intern, associate clinical social worker, or trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.~~

~~(s)~~ Performing or holding oneself out as being able to perform professional services beyond the scope of one's competence, as established by one's education, training, or experience. This subdivision shall not be construed to expand the scope of the license authorized by this chapter.

~~(t)~~ Permitting a trainee, ~~or registered intern~~ or applicant for licensure under one's supervision or control to perform, or permitting the trainee, ~~or registered intern~~ or applicant for licensure to hold himself or herself out as competent to perform, professional services beyond the trainee's, ~~or registered intern's~~ or applicant for licensure's level of education, training, or experience.

~~(u)~~ The violation of any statute or regulation governing the gaining and supervision of experience required by this chapter.

(~~vu~~) Failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered.

(~~wv~~) Failure to comply with the child abuse reporting requirements of Section 11166 of the Penal Code.

(~~xw~~) Failure to comply with the elder and dependent adult abuse reporting requirements of Section 15630 of the Welfare and Institutions Code.

(~~yx~~) Willful violation of Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code.

(~~zy~~) Failure to comply with Section 2290.5.

(~~aa~~) (1) Engaging in an act described in Section 261, 286, 288a, or 289 of the Penal Code with a minor or an act described in Section 288 or 288.5 of the Penal Code regardless of whether the act occurred prior to or after the time the registration or license was issued by the board. An act described in this subdivision occurring prior to the effective date of this subdivision shall constitute unprofessional conduct and shall subject the licensee to refusal, suspension, or revocation of a license under this section.

(2) The Legislature hereby finds and declares that protection of the public, and in particular minors, from sexual misconduct by a licensee is a compelling governmental interest, and that the ability to suspend or revoke a license for sexual conduct with a minor occurring prior to the effective date of this section is equally important to protecting the public as is the ability to refuse a license for sexual conduct with a minor occurring prior to the effective date of this section.

(~~aba~~) Engaging in any conduct that subverts or attempts to subvert any licensing examination or the administration of an examination as described in Section 123.

§1833. EXPERIENCESUPERVISION: REQUIRED DOCUMENTATION

~~(a) In order for experience to qualify under Section 4980.40 of the Code, it must meet the following criteria:~~

~~—(1) It, it must have been gained in accordance with Sections 4980.42 through 4980.45 of the Code and the regulations contained in this article.~~

~~—(2) Experience shall not be credited for more than forty (40) hours in any week.~~

~~—(3) No more than five hundred (500) hours of experience will be credited for providing group therapy or group counseling.~~

~~—(4) For any person who enrolls in a qualifying degree program on or after January 1,~~

1990, not less than five hundred (500) total hours of experience shall have been gained in diagnosing and treating couples, families, and children.

~~(b) The term "supervision", as used in this article, includes ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised; reviewing client/patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the intern or trainee; monitoring and evaluating the ability of the intern or trainee to provide services at the site(s) where he or she will be practicing and to the particular clientele being served; and ensuring compliance with laws and regulations governing the practice of marriage and family therapy. Supervision shall include that amount of direct observation, or review of audio or video tapes of therapy, as deemed appropriate by the supervisor. Supervision shall be credited only upon the following conditions:~~

~~—(1) During each week in which experience is claimed and for each work setting in which experience is gained, an applicant shall have at least one (1) hour of one-on-one, individual, face-to-face supervisor contact or two (2) hours of face-to-face supervisor contact in a group of not more than eight (8) persons receiving supervision. No more than five (5) hours of supervision, whether individual or group, shall be credited during any single week.~~

~~—(2) The applicant shall have received at least one (1) hour of one-on-one, individual, face-to-face supervisor contact per week for a minimum of fifty-two (52) weeks.~~

~~—(3) Any experience obtained under the supervision of a spouse, relative, or domestic partner shall not be credited toward the required hours of supervised experience. Any experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal or business relationship which undermines the authority or effectiveness of the supervisor shall not be credited toward the required hours of supervised experience.~~

~~(4)(a) Pursuant to Section 4980.43.4 of the Business and Professions Code, in a setting which is not a private practice, the authorized supervisor may be employed by the applicant's employer on either a paid or a voluntary basis. If such employment is on a voluntary basis, a written agreement must be executed between the supervisor and the organization employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The written agreement must be executed prior to commencement of supervision, in which the supervisor agrees and must contain an agreement by the supervisor to ensure that the extent, kind, and quality of counseling performed by the intern or trainee supervisee is consistent with the intern or trainee's supervisee's training, education, and experience, and is appropriate in extent, kind, and quality. The agreement shall contain an acknowledgment by the employer that the employer:~~

~~(A) Is aware of the licensing requirements that must be met by the intern or trainee supervisee and agrees not to interfere with the supervisor's legal and ethical~~

obligations to ensure compliance with those requirements; and

(B) Agrees to provide the supervisor access to clinical records of the clients counseled by the intern or trainee supervisee.

~~(c) Professional enrichment activities may be credited toward the experience requirement as specified in this article and by Section 4980.43 of the Code.~~

~~—(1) No more than two hundred fifty (250) hours of verified attendance, with the approval of the applicant's supervisor, at workshops, seminars, training sessions, or conferences directly related to marriage and family therapy will be credited.~~

~~—(2) No more than one hundred (100) hours of psychotherapy, which will be triple counted, received as specified in Section 4980.43 of the Code, will be credited.~~

~~(d) Experience gained by interns and trainees shall be subject to the following conditions, as applicable:~~

~~—(1) When an intern employed in private practice is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer.~~

~~—(2) A trainee shall not perform services in a private practice.~~

~~(3) Interns and trainees may only perform services as employees or volunteers and not as independent contractors.~~

(b) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern", as specified in section 1833.1.

(c) A supervisor who assumes responsibility for providing supervision shall collaborate with the supervisee to develop a supervisory plan that describes the goals and objectives of supervision and shall complete and sign under penalty of perjury the "Supervisory Plan". (form no. _____), hereby incorporated by reference. This supervisory plan shall be completed by each supervisor providing supervision and the original signed plan shall be submitted to the supervisee within 60 days of commencing supervision.

~~(e)(d) Effective January 1, 1991, trainees~~Trainees and interns shall maintain a weekly log of all hours of experience gained toward licensure. The log, ~~form #1800-37A-524 (REV 1/11) and form #1800-37A-524a (REV 1/11)~~ of hours shall be signed by the supervisor on a weekly basis. An ~~applicant~~intern or trainee shall retain ~~all~~the signed logs until such time as the applicant is licensed by the board. The board shall have the right to require an applicant to submit all or such portions of the log as it deems necessary to verify hours of experience.

NOTE: Authority cited: Section 4980.35 and 4980.60, Business and Professions Code. Reference: Sections 4980.03, 4980.35, 4980.40, and 4980.42 through 4980.45, Business and Professions Code.

§1833.1. REQUIREMENTS FOR SUPERVISORS

Any person supervising a trainee or an intern (hereinafter "supervisor") within California shall comply with the requirements below.

(a) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern" (revised 3/10, form #1800 37A-523), hereby incorporated by reference, requiring that:

(1) The supervisor possesses and maintains a current valid and active California license as either a marriage and family therapist, licensed clinical social worker, licensed professional clinical counselor, licensed psychologist, or physician who is certified in psychiatry as specified in Section 4980.03 (g) of the Code and has been so licensed in California or in any other state for at least two of the past five years immediately prior to commencing any supervision. ~~;~~ ~~or~~

~~(A) Provides supervision only to trainees at an academic institution that offers a qualifying degree program as specified in Section 4980.40 (a) of the Code; and~~

~~(B) Has been licensed in California as specified in Section 4980.03 (g) of the Code, and in any other state, for a total of at least two years prior to commencing any supervision.~~

(2) A supervisor who is not licensed as a marriage and family therapist, shall have sufficient experience, training, and education in marriage and family therapy to competently practice marriage and family therapy in California.

(3) The supervisor shall be competent in the areas of clinical practice and techniques being supervised, and shall keep~~The supervisor keeps~~ himself or herself informed of developments in marriage and family therapy and in California law governing the practice of marriage and family therapy.

(4) The supervisor has and maintains a current and active California license in good standing and will immediately notify the trainee or intern of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure that affects the supervisor's ability or right to supervise.

(5) The supervisor has practiced psychotherapy or provided direct ~~supervision of trainees, interns, associate clinical social workers, or professional clinical counselor interns~~ clinical supervision of LMFT trainees, LMFT interns, LPCC interns, or associate

clinical social workers, who perform psychotherapy, for at least two (2) years within the five (5) year period immediately preceding any supervision. Supervision of social work students enrolled in an accredited master's or doctoral program, or LPCC trainees, who perform psychotherapy, shall be accepted toward the required two (2) years if the supervision provided to the students is substantially equivalent to the supervision required for registrants.

(6) The supervisor has had sufficient experience, training, and education in the area of clinical supervision to competently supervise trainees or interns. Persons licensed by the board who provide supervision shall complete the minimum supervision training or coursework specified in Section 1834.

~~(A) Persons licensed by the board who provide supervision shall complete a minimum of six (6) hours of supervision training or coursework in each renewal period while providing supervision. This training or coursework may apply towards the continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code.~~

~~(B) Persons licensed by the board who provide supervision and who have not met requirements of subsection (A), shall complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of commencement of supervision.~~

(7) The supervisor knows and understands the laws and regulations pertaining to both the supervision of trainees and interns and the experience required for licensure as a marriage and family therapist.

(8) The supervisor shall ensure that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the trainee or intern.

(9) The supervisor shall monitor and evaluate the extent, kind, and quality of counseling performed by the trainee or intern by review of progress notes, process notes, and other treatment records, and also by that amount of direct observation, or review of audio or video tapes of therapy, as deemed appropriate by the supervisor. ~~direct observation, review of audio or video tapes of therapy, review of progress and process notes and other treatment records, or by any other means deemed appropriate by the supervisor.~~

(10) The supervisor shall complete an assessment of the ongoing strengths and limitations of the trainee or intern. The assessments shall be completed at least once a year and at the completion or termination of supervision. A copy of all assessments shall be provided to the trainee or intern by the supervisor.

~~(10)~~(11) The supervisor shall address with the trainee or intern the manner in which emergencies will be handled. establish and communicate to the trainee or intern procedures for

contacting the supervisor, or, in the supervisor's absence, alternative on-call supervisors to assist in handling crises and emergencies.

(b) Each supervisor shall provide the trainee or intern with the original signed "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee"(revised 3/10, form #1800 37A-523) prior to the commencement of any counseling or supervision. Trainees and interns shall provide the board with the signed "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee" (revised 3/10, form #1800 37A-523) from each supervisor upon application for licensure.

(c) A supervisor shall give at least one (1) week's prior written notice to a trainee or intern of the supervisor's intent not to sign for any further hours of experience for such person. A supervisor who has not provided such notice shall sign for hours of experience obtained in good faith where such supervisor actually provided the required supervision.

(d) The supervisor shall obtain from each trainee or intern for whom supervision will be provided, the name, address, and telephone number of the trainee's or intern's most recent supervisor and employer.

~~(e) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where a trainee or intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a marriage and family therapist; and (2) the experience is in compliance with the requirements set forth in section 1833 and section 4980.43 of the Code.~~

~~(f)~~(e) Upon written request of the board, the supervisor shall provide to the board any documentation which verifies the supervisor's compliance with the requirements set forth in this section.

~~(g) The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training or coursework requirements in subsection (a) (6) (A).~~

NOTE: Authority cited: Sections 4980.40, 4980.60, and 4990.20 Business and Professions Code. Reference: Sections 4980.03,4980.35, 4980.42 through 4980.45, 4980.48, 4980.54 ,4996.22, and 4999.76, Business and Professions Code.

§1833.2. SUPERVISION OF EXPERIENCE GAINED OUTSIDE OF CALIFORNIA

Experience gained outside of California ~~on or after January 1, 1994~~ must have been supervised in accordance with the following criteria:

At the time of supervision, the supervisor was licensed or certified by the state in which the supervision occurred and possessed a current and active license which was not

under suspension or probation. The supervisor was licensed or certified by that state, for at least two (2) of the past five (5) years immediately prior to acting as a supervisor, as either a psychologist, clinical social worker, licensed physician certified in psychiatry ~~as specified in Section 4980.40(f) of the code~~ by the American Board of Psychiatry and Neurology, professional clinical counselor, ~~or~~ a marriage and family therapist or similarly titled marriage and family practitioner, or equivalently licensed mental health counselor.

In a state which does not license or certify marriage and family therapists or similarly titled marriage and family practitioners, experience may be obtained under the supervision of a person who at the time of supervision held a clinical membership in the American Association of Marriage and Family Therapists for at least two years and who maintained such membership throughout the period of supervision.

Note: Authority cited: Sections 4980.35, 4980.40(f) and 4980.60, Business and Professions Code. Reference: Sections 4980.35, 4980.40(f), 4980.42-4980.45 and 4980.90, Business and Professions Code.

§1834. SUPERVISOR TRAINING AND COURSEWORK

Persons licensed by the board who provide supervision shall complete, at a minimum, supervision training or coursework as follows:

- (a) Beginning January 1, 2019, supervisors who commence supervision for the first time shall obtain fifteen (15) contact hours in supervision training or coursework obtained from a government agency or from a continuing education provider specified as acceptable by the Board in regulation. If taken from a continuing education provider specified as acceptable by the Board in regulation, training may apply towards the approved continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code.
- 1) The content of such training shall include, but not be limited to, current best practices and current standards regarding the following:
 - (A) Competencies necessary for new supervisors;
 - (B) Goal setting and evaluation;
 - (C) The supervisor-supervisee relationship;
 - (D) California law and ethics, including legal and ethical issues related to supervision;
 - (E) Cultural variables, including, but not limited to, race, gender, social class, and religious beliefs;
 - (F) Contextual variables, such as treatment modality, work settings, and use of technology;
 - (G) Supervision theories and literature; and
 - (H) Documentation and record keeping of the supervisee's client files, as well as supervision.

- 2) If taken from a government agency or a continuing education provider, this course shall have been taken within 2 years prior to commencing supervision, or within 60 days after commencing supervision. If taken at a master's or higher level from an accredited or approved postsecondary institution, this course shall have been taken within 4 years prior to commencing supervision, or completed within 60 days after commencing supervision.
- (b) A six (6) hour supervision training course shall be taken by an individual who has previously qualified as a supervisor, but has not supervised for at least 2 years within the 5 year period immediately preceding any supervision.
 - (c) Supervisors shall complete a minimum of six (6) hours of continuing professional development in supervision in each renewal period while providing supervision. This shall consist of one or more of the following activities:
 - 1) Training or coursework directly covering the topic of supervision, obtained from a government agency or from a continuing education provider specified as acceptable by the board in regulation. If taken from a continuing education provider specified as acceptable by the board in regulation, it may apply towards the continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code;
 - 2) Teaching a supervision course as specified in subparagraph (1).
 - 3) Authoring research pertaining to supervision that has been published professionally.
 - 4) Receiving documented mentoring of supervision or supervision of supervision from another board licensee who also qualifies as a supervisor.
 - 5) Documented attendance at supervisor peer discussion groups.
 - (d) (1) In lieu of subparagraphs (a), (b), and (c), the Board shall accept a valid and active approved supervisor certification from one of the following entities:
 - (A) The American Association for Marriage and Family Therapy (AAMFT)
 - (B) The American Board of Examiners in Clinical Social Work (ABECSW)
 - (C) The California Association of Marriage and Family Therapists (CAMFT)
 - (D) The Center for Credentialing and Education (CCE)

(2) These licensees shall maintain a current and active California license, but are not required to have been actively licensed for at least two of the past five years immediately preceding any supervision, and are not required to have practiced

psychotherapy or provided direct supervision of trainees or registrants for at least two of the past five years immediately preceding any supervision.

(3)The board may, in its sole discretion, accept an approved supervisor certification from another entity if the licensee can demonstrate that the certification requirements of that entity meet or exceed those of the above entities.

(e) The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training, coursework, or continuing professional development requirements in this section.

§1835. DOCUMENTATION OF SUPERVISOR QUALIFICATIONS: AUDITS

The board shall have the right to audit the records of any supervisor to verify the completion of the supervisor qualifications. Supervisors shall maintain records of completion of the required supervisor qualifications for a period of seven (7) years after termination of supervision, and shall make these records available to the board for auditing purposes upon request.

ATTACHMENT B

Reference Sections – Current Law: BPC §4980.43, 16 CCR §§ 1833, 1833.1, 1833.2

§4980.43. PROFESSIONAL EXPERIENCE; INTERNS OR TRAINEES

(a) To qualify for licensure as specified in Section 4980.40, each applicant shall complete experience related to the practice of marriage and family therapy under a supervisor who meets the qualifications set forth in Section 4980.03. The experience shall comply with the following:

(1) A minimum of 3,000 hours of supervised experience completed during a period of at least 104 weeks.

(2) A maximum of 40 hours in any seven consecutive days.

(3) A minimum of 1,700 hours obtained after the qualifying master's or doctoral degree was awarded.

(4) A maximum of 1,300 hours obtained prior to the award date of the qualifying master's or doctoral degree.

(5) A maximum of 750 hours of counseling and direct supervisor contact prior to the award date of the qualifying master's or doctoral degree.

(6) No hours of experience may be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction.

(7) No hours of experience may be gained more than six years prior to the date the application for examination eligibility was filed, except that up to 500 hours of clinical experience gained in the supervised practicum required by subdivision (c) of Section 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt from this six-year requirement.

(8) A minimum of 1,750 hours of direct counseling with individuals, groups, couples, or families, that includes not less than 500 total hours of experience in diagnosing and treating couples, families, and children.

(9) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client centered advocacy, and workshops, seminars, training sessions, or conferences directly related to marriage and family therapy that have been approved by the applicant's supervisor.

(10) It is anticipated and encouraged that hours of experience will include working with elders and dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities or protect their rights.

This subdivision shall only apply to hours gained on and after January 1, 2010.

(b) An individual who submits an application for examination eligibility between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements that were in place on January 1, 2015.

(c) All applicants, trainees, and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of marriage and family therapy. Supervised experience shall be gained by an intern or trainee only as an employee or as a volunteer. The requirements of this chapter regarding gaining hours of experience and supervision are applicable equally to employees and volunteers. Experience shall not be gained by an intern or trainee as an independent contractor.

(1) If employed, an intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure.

(2) If volunteering, an intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure.

(d) Except for experience gained by attending workshops, seminars, training sessions, or conferences as described in paragraph (9) of subdivision (a), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting, as specified:

(1) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of client contact in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(2) An individual supervised after being granted a qualifying degree shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of client contact is gained in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(3) For purposes of this section, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours per week of face-to-face contact in a group.

(4) Direct supervisor contact shall occur within the same week as the hours claimed.

(5) Direct supervisor contact provided in a group shall be provided in a group of not more than eight supervisees and in segments lasting no less than one continuous hour.

(6) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.

(7) All experience gained by a trainee shall be monitored by the supervisor as specified by regulation.

(8) The six hours of supervision that may be credited during any single week pursuant to paragraphs (1) and (2) shall apply to supervision hours gained on or after January 1, 2009.

(e) (1) A trainee may be credited with supervised experience completed in any setting that meets all of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the trainee's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(C) Is not a private practice owned by a licensed marriage and family therapist, a licensed professional clinical counselor, a licensed psychologist, a licensed clinical social worker, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(2) Experience may be gained by the trainee solely as part of the position for which the trainee volunteers or is employed.

(f) (1) An intern may be credited with supervised experience completed in any setting that meets both of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(2) An applicant shall not be employed or volunteer in a private practice, as defined in subparagraph (C) of paragraph (1) of subdivision (e), until registered as an intern.

(3) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration to interns.

(4) Except for periods of time during a supervisor's vacation or sick leave, an intern who is employed or volunteering in private practice shall be under the direct supervision of a licensee that has satisfied subdivision (g) of Section 4980.03. The supervising licensee shall either be employed by and practice at the same site as the intern's employer, or shall be an owner or shareholder of the private practice. Alternative supervision may be arranged during a supervisor's vacation or sick leave if the supervision meets the requirements of this section.

(5) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.

(g) Except as provided in subdivision (h), all persons shall register with the board as an intern to be credited for postdegree hours of supervised experience gained toward licensure.

(h) Postdegree hours of experience shall be credited toward licensure so long as the applicant applies for the intern registration within 90 days of the granting of the qualifying master's or doctoral degree and is thereafter granted the intern registration by the board. An applicant shall not be employed or volunteer in a private practice until registered as an intern by the board.

(i) Trainees, interns, and applicants shall not receive any remuneration from patients or clients, and shall only be paid by their employers.

(j) Trainees, interns, and applicants shall only perform services at the place where their employers regularly conduct business, which may include performing services at other locations, so long as the services are performed under the direction and control of their employer and supervisor, and in compliance with the laws and regulations pertaining to supervision. For purposes of paragraph (3) of subdivision (a) of Section 2290.5, interns and trainees working under licensed supervision, consistent with subdivision (c), may provide services via telehealth within the scope authorized by this chapter and in accordance with any regulations governing the use of telehealth promulgated by the board. Trainees and interns shall have no proprietary interest in their employers' businesses and shall not lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of their employers.

(k) Trainees, interns, or applicants who provide volunteered services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those trainees, interns, or applicants for services rendered in any lawful work setting other than a private practice shall be considered employees and not independent contractors. The board may audit applicants who receive reimbursement for expenses, and the applicants shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.

(l) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.

§1833. EXPERIENCE

(a) In order for experience to qualify under Section 4980.40 of the Code, it must meet the following criteria:

(1) It must have been gained in accordance with Sections 4980.42 through 4980.45 of the Code and the regulations contained in this article.

(2) Experience shall not be credited for more than forty (40) hours in any week.

(3) No more than five hundred (500) hours of experience will be credited for providing group therapy or group counseling.

(4) For any person who enrolls in a qualifying degree program on or after January 1, 1990, not less than five hundred (500) total hours of experience shall have been gained in diagnosing and treating couples, families, and children.

(b) The term "supervision", as used in this article, includes ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised; reviewing client/patient records, monitoring and evaluating

assessment, diagnosis, and treatment decisions of the intern or trainee; monitoring and evaluating the ability of the intern or trainee to provide services at the site(s) where he or she will be practicing and to the particular clientele being served; and ensuring compliance with laws and regulations governing the practice of marriage and family therapy. Supervision shall include that amount of direct observation, or review of audio or video tapes of therapy, as deemed appropriate by the supervisor. Supervision shall be credited only upon the following conditions:

(1) During each week in which experience is claimed and for each work setting in which experience is gained, an applicant shall have at least one (1) hour of one-on-one, individual, face-to-face supervisor contact or two (2) hours of face-to-face supervisor contact in a group of not more than eight (8) persons receiving supervision. No more than five (5) hours of supervision, whether individual or group, shall be credited during any single week.

(2) The applicant shall have received at least one (1) hour of one-on-one, individual, face-to-face supervisor contact per week for a minimum of fifty-two (52) weeks.

(3) Any experience obtained under the supervision of a spouse, relative, or domestic partner shall not be credited toward the required hours of supervised experience. Any experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal or business relationship which undermines the authority or effectiveness of the supervisor shall not be credited toward the required hours of supervised experience.

(4) In a setting which is not a private practice, the authorized supervisor may be employed by the applicant's employer on either a paid or a voluntary basis. If such employment is on a voluntary basis, a written agreement must be executed between the supervisor and the organization, prior to commencement of supervision, in which the supervisor agrees to ensure that the extent, kind, and quality of counseling performed by the intern or trainee is consistent with the intern or trainee's training, education, and experience, and is appropriate in extent, kind, and quality. The agreement shall contain an acknowledgment by the employer that the employer:

(A) Is aware of the licensing requirements that must be met by the intern or trainee and agrees not to interfere with the supervisor's legal and ethical obligations to ensure compliance with those requirements; and

(B) Agrees to provide the supervisor access to clinical records of the clients counseled by the intern or trainee.

(c) Professional enrichment activities may be credited toward the experience requirement as specified in this article and by Section 4980.43 of the Code.

(1) No more than two hundred fifty (250) hours of verified attendance, with the approval of the applicant's supervisor, at workshops, seminars, training sessions, or conferences directly related to marriage and family therapy will be credited.

(2) No more than one hundred (100) hours of psychotherapy, which will be triple counted, received as specified in Section 4980.43 of the Code, will be credited.

(d) Experience gained by interns and trainees shall be subject to the following conditions, as applicable:

(1) When an intern employed in private practice is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer.

(2) A trainee shall not perform services in a private practice.

(3) Interns and trainees may only perform services as employees or volunteers and not as independent contractors.

(e) Effective January 1, 1991, trainees and interns shall maintain a log of all hours of experience gained toward licensure. The log, form #1800 37A-524 (REV 1/11) and form #1800 37A-524a (REV 1/11) shall be signed by the supervisor on a weekly basis. An applicant shall retain all logs until such time as the applicant is licensed by the board. The board shall have the right to require an applicant to submit all or such portions of the log as it deems necessary to verify hours of experience.

NOTE: Authority cited: Section 4980.35 and 4980.60, Business and Professions Code. Reference: Sections 4980.35, 4980.40, and 4980.42 through 4980.45, Business and Professions Code.

§1833.1. REQUIREMENTS FOR SUPERVISORS

Any person supervising a trainee or an intern (hereinafter "supervisor") within California shall comply with the requirements below.

(a) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern" (revised 3/10, form #1800 37A-523), hereby incorporated by reference, requiring that:

(1) The supervisor possesses and maintains a current valid California license as either a marriage and family therapist, licensed clinical social worker, licensed professional clinical counselor, licensed psychologist, or physician who is certified in psychiatry as specified in Section 4980.03 (g) of the Code and has been so licensed in California for at least two years prior to commencing any supervision; or

(A) Provides supervision only to trainees at an academic institution that offers a qualifying degree program as specified in Section 4980.40 (a) of the Code; and

(B) Has been licensed in California as specified in Section 4980.03 (g) of the Code, and in any other state, for a total of at least two years prior to commencing any supervision.

(2) A supervisor who is not licensed as a marriage and family therapist, shall have sufficient experience, training, and education in marriage and family therapy to competently practice marriage and family therapy in California.

(3) The supervisor keeps himself or herself informed of developments in marriage and family therapy and in California law governing the practice of marriage and family therapy.

(4) The supervisor has and maintains a current license in good standing and will immediately

notify the trainee or intern of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure that affects the supervisor's ability or right to supervise.

(5) The supervisor has practiced psychotherapy or provided direct supervision of trainees, interns, associate clinical social workers, or professional clinical counselor interns who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding any supervision.

(6) The supervisor has had sufficient experience, training, and education in the area of clinical supervision to competently supervise trainees or interns.

(A) Persons licensed by the board who provide supervision shall complete a minimum of six (6) hours of supervision training or coursework in each renewal period while providing supervision. This training or coursework may apply towards the continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code.

(B) Persons licensed by the board who provide supervision and who have not met requirements of subsection (A), shall complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of commencement of supervision.

(7) The supervisor knows and understands the laws and regulations pertaining to both the supervision of trainees and interns and the experience required for licensure as a marriage and family therapist.

(8) The supervisor shall ensure that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the trainee or intern.

(9) The supervisor shall monitor and evaluate the extent, kind, and quality of counseling performed by the trainee or intern by direct observation, review of audio or video tapes of therapy, review of progress and process notes and other treatment records, or by any other means deemed appropriate by the supervisor.

(10) The supervisor shall address with the trainee or intern the manner in which emergencies will be handled.

(b) Each supervisor shall provide the trainee or intern with the original signed "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee"(revised 3/10, form #1800 37A-523) prior to the commencement of any counseling or supervision. Trainees and interns shall provide the board with the signed "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee" (revised 3/10, form #1800 37A-523) from each supervisor upon application for licensure.

(c) A supervisor shall give at least one (1) week's prior written notice to a trainee or intern of the supervisor's intent not to sign for any further hours of experience for such person. A supervisor who has not provided such notice shall sign for hours of experience obtained in good faith where such supervisor actually provided the required supervision.

(d) The supervisor shall obtain from each trainee or intern for whom supervision will be provided, the name, address, and telephone number of the trainee's or intern's most recent

supervisor and employer.

(e) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where a trainee or intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a marriage and family therapist; and (2) the experience is in compliance with the requirements set forth in section 1833 and section 4980.43 of the Code.

(f) Upon written request of the board, the supervisor shall provide to the board any documentation which verifies the supervisor's compliance with the requirements set forth in this section.

(g) The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training or coursework requirements in subsection (a) (6) (A).

NOTE: Authority cited: Sections 4980.40, 4980.60, and 4990.20 Business and Professions Code. Reference: Sections 4980.03, 4980.35, 4980.42 through 4980.45, 4980.48, 4980.54, 4996.22, and 4999.76, Business and Professions Code.

§1833.2. SUPERVISION OF EXPERIENCE GAINED OUTSIDE OF CALIFORNIA

Experience gained outside of California on or after January 1, 1991 must have been supervised in accordance with the following criteria:

At the time of supervision, the supervisor was licensed or certified by the state in which the supervision occurred and possessed a current license which was not under suspension or probation. The supervisor was licensed or certified by that state, for at least two (2) years prior to acting as supervisor, as either a psychologist, clinical social worker, physician certified in psychiatry as specified in Section 4980.40(f) of the code, professional clinical counselor, or a marriage and family therapist or similarly titled marriage and family practitioner.

In a state which does not license or certify marriage and family therapists or similarly titled marriage and family practitioners, experience may be obtained under the supervision of a person who at the time of supervision held a clinical membership in the American Association of Marriage and Family Therapists for at least two years and who maintained such membership throughout the period of supervision.

Note: Authority cited: Sections 4980.35, 4980.40(f) and 4980.60, Business and Professions Code. Reference: Sections 4980.35, 4980.40(f), 4980.42-4980.45 and 4980.90, Business and Professions Code.

With the new amendment, instead of prohibiting LPCC trainees, interns, and applicants for licensure from performing services as an employee or volunteer, they are now prohibited from gaining experience as an employee or volunteer.

As current law is unclear on this matter, the committee should discuss whether interns, trainees and applicants for licensure should be prohibited from working as independent contractors, or if they should only be prohibited from gaining experience as independent contractors.

Section Affected: BPC §4999.46.3(a)

- 3. Supervisors Licensed for at Least Two Years:** The amendments allow a licensee to supervise if he or she has been actively licensed in California or in any other state for at least two of the past five years immediately prior to commencing any supervision. The supervisor must have and maintain a current and active California license at all times while supervising.

Sections Affected: BPC §4999.12(h), CCR §1821(b), 1821.1, 1821.2

- 4. LPCC Supervising an MFT Intern or LPCC licensee or Intern Seeking Experience to Treat Couples and Families:** Language was added to clarify that in order for an LPCC to supervise either an MFT intern, or to supervise LPCC interns or licensees seeking experience to treat couples and families, the supervisor must meet the additional training and education requirements specified by BPC section 4999.20.

Sections Affected: BPC §4999.12(h)(2), CCR §1821(b)(12)

- 5. Definition of Supervision:** The definition of “supervision” has been revised from previous meetings to include responsibility for, and control of, the quality of services being provided. The amendments also state that consultation or peer discussion is not supervision. These changes are consistent with what is already in LCSW law, and the changes are also being made to LMFT law.

The following additions have also been made to the definition of supervision:

- A statement about providing regular feedback to the intern or trainee;
- An amendment to require the supervisor to monitor for and attend to countertransference issues;
- An amendment to require the supervisor to review progress notes, process notes, and other treatment records, and also to engage in direct observation or review of audio or video recordings, as the supervisor deems appropriate.

Sections Affected: BPC §4999.12(m), CCR §1821(b)(9)

6. **Definition of “Clinical Setting” and “Community Mental Health Setting”:** The definitions of “clinical setting” and “community mental health setting” have been moved from regulations to statute, as staff believes placing them in statute with the other defined terms is more appropriate.

Stakeholders and Board licensing staff have expressed interest in amending the definition of “community mental health setting” due to confusion about the term.

Sections Affected: BPC §4999.12(n) and (o), CCR §1820

7. **BPC Sections 4999.34, 4999.44, 4999.455, and 4999.47: Trainee and Intern Requirements:** BPC sections 4999.34, 4999.44, 4999.455, and 4999.47 have been moved to other newly proposed sections of law, in order to provide better flow in the placement of the law, and to provide more consistency with LMFT licensing law.

Section Affected: BPC §§4999.34, 4999.44, 4999.455, 4999.46.3, 4999.46.4

8. **Split BPC Section 4980.46:** BPC Section 4999.46 has been divided into smaller sections, with each new section focused on a specific topic of supervision.

Sections Affected: BPC §§4999.46 – 4999.46.4

9. **Direct Supervisor Contact:** There have been revisions to the basis for the amount of required direct supervisor contact. Currently, trainees and interns must receive one hour of direct supervisor contact when they perform a specified amount of client contact or face-to-face psychotherapy in each setting.

The amendment changes these terms to “direct clinical counseling” as the basis for which the amount of supervision is determined. References in sections 4999.46(a) and 4999.46.2(a)(1) and (2) have been amended to instead reference “direct clinical counseling” for consistency.

These changes will also be made in LCSW and LPCC law.

Section Affected: BPC §§ 4999.46(a), 4999.46.2(a)(1) and (2)

10. **Definition of “One Hour of Direct Supervisor Contact”; Triadic Supervision:** These revisions provide a specific definition of one hour of direct supervisor contact. Triadic supervision is included in this definition.

Section Affected: BPC §4999.46.2(b)

11. **Amount of Individual Supervision:** Current regulations specify that one hour per week of supervision for 52 weeks must be individual supervision.

Staff believes this requirement is significant and it is more appropriately stated in statute rather than regulations. The requirement has also been amended to allow this 52 weeks of supervision to either be individual or triadic.

Section Affected: BPC §44999.46.2(d)

- 12. Supervision in a Group:** Current law allows group supervision to consist of up to 8 supervisees. An amendment states that the supervisor must ensure that the amount of supervision is appropriate to each supervisee's needs.

Section Affected: BPC §4999.46.2(e)

- 13. Supervision via Videoconferencing and HIPAA Compliance:** Current law contains language allowing an intern working in an exempt setting to obtain supervision via videoconferencing. The Committee asked to add a statement requiring the videoconferencing be HIPAA compliant.

In the past, the Board has expressed a preference to refrain from mentioning HIPAA directly in law, as its name could possibly change over time. Therefore, staff has added a statement that *“The supervisor shall be responsible for ensuring compliance with state and federal laws relating to confidentiality of patient health information.”*

Section Affected: BPC §4999.46.2(f)

- 14. Amount of Direct Supervisor Contact Required for Applicants Finished Gaining Experience Hours:** Currently, the law does not specifically define how much direct supervisor contact an MFT or PCI intern needs once he or she is finished gaining experience hours needed to count toward licensure. (An intern gaining experience hours must obtain at least one hour of direct supervisor contact in each week, plus one additional hour if more than 10 hours of direct client contact is gained, in order for the hours to count.)

At a previous meeting, the Committee recommended that the amount of supervision should be specified even if experience hours are no longer being counted. This amendment specifies that interns and applicants for licensure who have finished gaining experience hours must obtain at least one hour of supervision per week for each setting in which direct clinical counseling is performed.

Recently, a stakeholder requested further clarification about amount of supervision required for nonclinical hours after experience hours are gained. Therefore, the following sentence has been added to section 4999.46.2(h):

“Once experience hours are gained, further supervision is not required for nonclinical practice as defined in section 4999.46(a)(5).”

Section Affected: BPC §4999.46.2(h)

15. Interns Incurring Business Expenses: Current law prohibits PCC interns from having any proprietary interest in their employer's business. Additional language has been added stating that they shall not lease or rent space, or pay for furnishings, equipment, supplies or other expenses that are the obligation of their employers. This language is consistent with language that is already in LMFT law.

Section Affected: BPC §4999.46.3(f)

16. Arrangements for Alternative Supervision: An amendment was made stating that alternative supervision may be arranged for during a supervisor's absence, if the supervision meets the Board's supervision requirements. This amendment is consistent with language already in LMFT law.

Section Affected: BPC §4999.46.4

17. Unprofessional Conduct: This section currently states that the following two items are unprofessional conduct:

4999.90(r) Any conduct in the supervision of a registered intern, associate clinical social worker, or clinical counselor trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.

4999.90 (u) The violation of any statute or regulation of the standards of the profession, and the nature services being rendered, governing the gaining and supervision of experience required by this chapter.

Staff believes these two sections are duplicative, and that subsection 4999.90(r) is unnecessary. Subsection 4999.90(u) already gives the Board the authority to take disciplinary action on, or to issue a cite and fine to, a licensee or registrant who violates any of the supervision provisions in statute and regulation. Therefore, this proposal deletes subsection 4999.90(r).

In addition, unprofessional conduct language related to discipline is inconsistent between LMFT, LCSW, and LPCC law. For consistency, the language in 4999.90(t) and (u) are being amended to be more consistent with the language for the other license types.

Section Affected: BPC §4999.90

18. Delete Duplicative and Obsolete Language in Regulations; Move Language to Statute: Several provisions in regulation sections 1820 and 1821 are either already in statute, or are outdated. Other subsections were moved to statute, if staff believed that location was more appropriate. The remaining provisions of section 1820 discuss specific forms that supervisors or supervisees are required to complete.

Section Affected: CCR §1820, 1821

- 19. Supervision in a Non-Private Practice Setting:** Currently, a supervisor in a non-private practice only needs to sign a written agreement with the supervisee's employer if the supervisor is a volunteer. An amendment was made to require a written agreement when the setting is a non-private practice and the supervisor is not employed by the supervisee's employer or is a volunteer.

Sections Affected: BPC §4999.46.4(e) and (f), CCR §1820(a)

- 20. Supervisory Plan:** LCSW and LPCC law requires the supervisor and the supervisee to develop a "supervisory plan" that describes goal and objectives of supervision. The registrant is required to submit this form when applying for licensure.

The Committee has requested language requiring that the supervisor and supervisee collaborate to develop the goals and objectives.

Section Affected: CCR §1820(c)

- 21. Required Supervisory Experience:** Current law requires that in order to supervise a registrant, a supervisor must have practiced psychotherapy or provided direct supervision for 2 of the past 5 years.

However, the wording of this law is inconsistent across the Board's license types, and in some cases it is unclear if supervision of LPCC trainees or social work students counts as qualifying supervisory experience. This amendment would clarify that supervision of LPCC trainees or social work students is acceptable as experience to qualify as a supervisor, and would make the language consistent for each of the Board's license types.

Section Affected: CCR §1821(b)(5)

- 22. Annual Assessment:** LCSW regulations require a supervisor to complete an annual assessment of the strengths of the registrant and to provide the registrant with a copy.

The Committee decided to require this for supervisors of LMFT and LPCC interns and trainees as well.

Section Affected: CCR §1820(b)(10)

- 23. Handling Crises and Emergencies:** The American Counseling Association's Ethical Code requires supervisors to establish and communicate to supervisees procedures for contacting either the supervisor, or an alternate on-call supervisor, in a crisis. The Committee decided to adopt this requirement for all supervisors.

Section Affected: CCR §1820(b)(11)

- 24. Experience Gained Outside of California:** A section has been added to regulations discussing required criteria for supervision gained outside of California. This new section is similar to a section that already exists in LMFT regulations.

Section Affected: CCR §1821.1

- 25. Required Training and Coursework for Supervisors:** This section requires supervisors commencing supervision for the first time to complete a 15 hour supervision course covering specified topic areas. This is consistent with a similar requirement already in place for LCSW supervisors. Age limits for the course are specified, and the course can be counted as continuing education if taken from an accepted provider. Any supervisor who has not supervised in 2 of the last 5 years, must re-take a 6 hour course.

This new section also specifies that supervisors must complete 6 hours of continuing professional development in each renewal period while supervising. This can consist of a supervision course, or other professional development activities such as teaching, research, or documented supervision mentoring.

In place of the above requirements, a supervisor may obtain and maintain a supervision certification from one of four specified entities. The Board also has discretion to accept certification from another entity if it believes its requirements are equivalent or greater. Such a certification exempts the supervisor from the 15 hour coursework and 6 hour professional development requirements, and it allows them to waive the requirement that they must have been licensed and either supervising or practicing psychotherapy for two of the past five years prior to commencing any supervision.

The proposed language is specifically worded so that it only applies to supervisors who are also Board licensees. Supervisors who are licensed psychologists or psychiatrists would not need to complete the supervision training and coursework.

Section Added: CCR §1821.2

- 26. Documentation of Supervisor Qualifications and Audits:** A regulation section was added to allow the Board to audit supervisor's records to verify they meet the supervisor qualifications. It requires supervisors to maintain records of completion of the required supervisor qualifications for seven years after the completion of supervision, (consistent with statute regarding record retention) and to make these records available to the Board for an audit upon request.

The Board would likely audit a supervisor during a continuing education audit or if a complaint was received. The "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" (revised 3/10, form #1800 37A-643), which supervisors must

sign under penalty of perjury, will need to be amended to include the supervisor qualifications as well as instructions for appropriate documentation.

Section Added: CCR §1821.3

ATTACHMENTS:

Attachment A: Proposed LPCC Supervision Language

Attachment B: Reference Sections – Current Law: BPC §§4999.12, 4999.46, 16 CCR §§ 1820-1822

ATTACHMENT A
PROPOSED LPCC SUPERVISION LANGUAGE

§4999.12. DEFINITIONS

For purposes of this chapter, the following terms have the following meanings:

- (a) “Board” means the Board of Behavioral Sciences.
- (b) “Accredited” means a school, college, or university accredited by the Western Association of Schools and Colleges, or its equivalent regional accrediting association.
- (c) “Approved” means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary Education at the time of the applicant’s graduation from the school, college, or university.
- (d) “Applicant for licensure” means an unlicensed person ~~who has completed a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, as applicable, and whose application for registration as an intern is pending or who has applied for examination eligibility, or an unlicensed person~~ who has completed the education and experience requirements for licensure specified in this chapter and is no longer ~~registered with the board as an intern gaining supervised experience.~~
- (e) “Licensed professional clinical counselor” or “LPCC” means a person licensed under this chapter to practice professional clinical counseling, as defined in Section 4999.20.
- (f) “Intern” means an unlicensed person who meets the requirements of Section 4999.42 and ~~is registered with the board.~~meets one of the following definitions, unless otherwise specified:
 - 1) The individual is registered with the board as an intern.
 - 2) The individual’s degree was awarded and he or she will be applying for intern registration within 90 days of the degree award date.
 - 3) The individual applied for intern registration within 90 days of the date his or her degree was awarded.
- (g) “Clinical counselor trainee” means an unlicensed person who is currently enrolled in a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, as applicable, that is designed to qualify him or her for licensure under this chapter, and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.
- (h) “Approved supervisor” means an individual who meets the following requirements:
 - (1) Has ~~documented two years of clinical experience~~ been actively licensed in

California or in any other state for at least two of the past five years as a licensed professional clinical counselor, licensed marriage and family therapist, licensed clinical psychologist, licensed clinical social worker, or licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology, immediately prior to commencing any supervision.

(2) If the supervisor is a licensed professional clinical counselor who is supervising a marriage and family therapist intern; or who is supervising a professional clinical counselor intern or licensee seeking experience to treat couples and families in compliance with section 4999.20(a)(3)(B) of the code, then the supervisor shall meet the additional training and education requirements specified in paragraph (3) of subdivision (a) of section 4999.20.

(23) Has received professional training in supervision, as specified in this chapter and by regulation.

(34) Has not provided therapeutic services to the clinical counselor trainee or intern.

(45) Has and maintains a current and ~~valid~~active California license that is not under suspension or probation.

(6) Complies with supervision requirements established by this chapter and by board regulations.

(i) “Client centered advocacy” includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

(j) “Advertising” or “advertise” includes, but is not limited to, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. It also includes business solicitations communicated by radio or television broadcasting. Signs within church buildings or notices in church bulletins mailed to a congregation shall not be construed as advertising within the meaning of this chapter.

(k) “Referral” means evaluating and identifying the needs of a client to determine whether it is advisable to refer the client to other specialists, informing the client of that judgment, and communicating that determination as requested or deemed appropriate to referral sources.

(l) “Research” means a systematic effort to collect, analyze, and interpret quantitative and qualitative data that describes how social characteristics, behavior, emotion, cognitions, disabilities, mental disorders, and interpersonal transactions among individuals and organizations interact.

(m) “Supervision” means responsibility for, and control of, the quality of services being provided. It includes the following:

(1) Ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised.

(2) Reviewing client or patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the clinical counselor intern or trainee and providing regular feedback.

(3) Monitoring and evaluating the ability of the intern or clinical counselor trainee to provide services to the particular clientele at the site or sites where he or she will be practicing.

(4) Monitoring for and attending to any countertransference issues that may affect the practitioner-patient relationship.

(45) Ensuring compliance with laws and regulations governing the practice of licensed professional clinical counseling.

(56) Review of progress notes, process notes, and other treatment records, and also that amount of direct observation, or review of audio or videotapes-recordings of counseling or therapy, as deemed appropriate by the supervisor.

(7) Consultation or peer discussion shall not be considered to be supervision.

(n) The term "clinical setting," as used in this article means any setting that meets all the following requirements:

(1) Lawfully and regularly provides mental health counseling or psychotherapy; and,

(2) Provides oversight to ensure that the intern's or trainee's work at the setting meets the experience and supervision requirements set forth in Chapter 16 (Commencing with Section 4999.10) of Division 2 of the Business and Professions Code this chapter and in regulation, and is within the scope of practice of the profession as specified therein.

(o) The term "community mental health setting," as used in Section 4999.46 of the Code, means a clinical setting that meets all of the following requirements:

(1) Lawfully and regularly provides mental health counseling or psychotherapy;

(2) Clients routinely receive psychopharmacological interventions in conjunction with psychotherapy, counseling, or other psycho-social interventions;

(3) Clients receive coordinated care that includes the collaboration of mental health providers; and,

(4) Is not a private practice owned by a licensed professional clinical counselor, licensed marriage and family therapist, a licensed psychologist, a licensed clinical

social worker, a licensed physician or surgeon, a professional corporation of any of these licensed professions or a corporation of unlicensed individuals.

§4999.34. PRACTICUM AND FIELD EXPERIENCE; SETTING REQUIREMENTS; TRAINEE

~~A clinical counselor trainee may be credited with predegree supervised practicum and field study experience completed in a setting that meets all of the following requirements:~~

- ~~(a) Lawfully and regularly provides mental health counseling and psychotherapy.~~
- ~~(b) Provides oversight to ensure that the clinical counselor trainee's work at the setting meets the practicum and field study experience and requirements set forth in this chapter and is within the scope of practice for licensed professional clinical counselors.~~
- ~~(c) Is not a private practice.~~
- ~~(d) Experience may be gained by the clinical counselor trainee solely as part of the position for which the clinical counselor trainee volunteers or is employed.~~

§4999.36. TRAINEE ACTIVITIES AND SERVICES; APPLICANT AND SCHOOL RESPONSIBILITIES

- (a) A clinical counselor trainee may perform activities and services provided that the activities and services constitute part of the clinical counselor trainee's supervised course of study and that the person is designated by the title "clinical counselor trainee."
- (b) All practicum and field study hours gained as a clinical counselor trainee shall be coordinated between the school and the site where hours are being accrued. The school shall approve each site and shall have a written agreement with each site that details each party's responsibilities, including the methods by which supervision shall be provided. The agreement shall provide for regular progress reports and evaluations of the student's performance at the site.
- (c) If an applicant has gained practicum and field study hours while enrolled in an institution other than the one that confers the qualifying degree, it shall be the applicant's responsibility to provide to the board satisfactory evidence that those practicum and field study hours were gained in compliance with this section.
- (d) A clinical counselor trainee shall inform each client or patient, prior to performing any professional services, that he or she is unlicensed and under supervision.
- (e) No hours earned while a clinical counselor trainee may count toward the 3,000 hours of postdegree internship hours.

~~(f) A clinical counselor trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of client contact in each setting. For purposes of this subdivision, "one hour of direct supervisor contact" means one hour of face-to-face contact on an individual basis or two hours of face-to-face contact in a group of not more than eight persons in segments lasting no less than one continuous hour.~~

~~§4999.44. PROFESSIONAL EXPERIENCE; SETTING REQUIREMENTS; REGISTERED INTERN~~

~~An intern may be credited with supervised experience completed in any setting that meets all of the following requirements:~~

~~(a) Lawfully and regularly provides mental health counseling or psychotherapy.~~

~~(b) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as specified in Article 2 (commencing with Section 4999.20).~~

~~(c) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.~~

~~(d) An intern shall not be employed or volunteer in a private practice until registered as an intern.~~

~~§4999.45. INTERN EMPLOYMENT; DUTIES, RESPONSIBILITIES AND LIMITATIONS; EFFECTIVE JANUARY 1, 2016~~

~~(a) An intern employed under this chapter shall:~~

~~(1) Not perform any duties, except for those services provided as a clinical counselor trainee, until registered as an intern.~~

~~(2) Not be employed or volunteer in a private practice until registered as an intern.~~

~~(3) Inform each client prior to performing any professional services that he or she is unlicensed and under supervision.~~

~~(4) Renew annually for a maximum of five years after initial registration with the board.~~

~~(b) When no further renewals are possible, an applicant may apply for and obtain a subsequent intern registration number if the applicant meets the educational requirements for registration in effect at the time of the application for a subsequent intern registration number and has passed the California law and ethics examination described in Section 4999.53. An applicant issued a subsequent intern registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.~~

~~(c) This section shall become operative on January 1, 2016.~~

~~§4999.455. EMPLOYMENT OR SUPERVISION OF REGISTRANTS; MAXIMUM NUMBER OF REGISTRANTS~~

~~(a) A licensed professional in private practice who has satisfied the requirements of subdivision (h) of Section 4999.12 may supervise or employ, at any one time, no more than a total of three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker in that private practice.~~

~~(b) A professional clinical counselor corporation may employ, at any one time, no more than three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker for each employee or shareholder who has satisfied the requirements of subdivision (h) of Section 4999.12. In no event shall any professional clinical counselor corporation employ, at any one time, more than 15 individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. In no event shall any supervisor supervise, at any one time, more than three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. Persons who supervise individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker shall be employed full time by the professional clinical counselor corporation and shall be actively engaged in performing professional services at and for the professional clinical counselor corporation. Employment and supervision within a professional clinical counselor corporation shall be subject to all laws and regulations governing experience and supervision gained in a private practice setting.~~

§4999.46. SUPERVISED EXPERIENCE REQUIREMENTS; QUALIFICATION FOR LICENSURE; EFFECTIVE JANUARY 1, 2016

(a) To qualify for licensure as specified in Section 4999.50, applicants shall complete experience related to the practice of professional clinical counseling under an approved supervisor. The experience shall comply with the following:

(1) A minimum of 3,000 postdegree hours of supervised experience performed over a period of not less than two years (104 weeks).

(2) Not more than 40 hours in any seven consecutive days.

(3) Not less than 1,750 hours of direct clinical counseling with individuals, groups, couples, or families in a setting described in Section ~~4999.44~~4999.46.3 using a variety of psychotherapeutic techniques and recognized counseling interventions within the scope of practice of licensed professional clinical counselors.

(4) Not less than 150 hours of clinical experience in a hospital or community mental health setting, as defined in Section ~~4999.12~~ 1820 of Title 16 of the California Code of Regulations.

(5) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client centered advocacy, and workshops, seminars, training sessions, or conferences directly related to professional clinical counseling that have been approved by the applicant's supervisor.

(b) An individual who submits an application for examination-eligibility licensure between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements licensure requirements that were in place on January 1, 2015.

(c) No hours of clinical mental health experience may be gained more than six years prior to the date the application for examination eligibility was filed.

~~(d) An applicant shall register with the board as an intern in order to be credited for postdegree hours of experience toward licensure. Postdegree hours of experience shall be credited toward licensure, provided that the applicant applies for intern registration within 90 days of the granting of the qualifying degree and is thereafter granted the intern registration by the board. An applicant shall not be employed or volunteer in a private practice until registered as an intern by the board.~~

~~(e) All applicants and interns shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of professional clinical counseling.~~

~~(f) Experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal, professional, or business relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.~~

~~(g) Except for experience gained by attending workshops, seminars, training sessions, or conferences as described in paragraph (5) of subdivision (a), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.~~

~~(1) No more than six hours of supervision, whether individual or group, shall be credited during any single week. This paragraph shall apply to supervision hours gained on or after January 1, 2009.~~

~~(2) An intern shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face to face psychotherapy is performed in each setting in which experience is gained.~~

~~(3) For purposes of this section, "one hour of direct supervisor contact" means one hour of face to face contact on an individual basis or two hours of face to face contact in a group of not more than eight persons in segments lasting no less than one continuous hour.~~

~~(4) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable, may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.~~

~~(h) This section shall become operative on January 1, 2016.~~

§4999.46.1 REGISTRATION AS AN INTERN

(a) All applicants for licensure, trainees, and registrants/interns shall be at all times under the supervision of a supervisor as specified in this chapter and by regulation.

(b) Except as provided in subdivision (c), an applicant shall register with the board as an intern in order to be credited for postdegree hours of experience toward licensure.

(c) Postdegree hours of experience shall be credited toward licensure, provided that the applicant applies for intern registration within 90 days of the granting of the qualifying degree and is thereafter granted the intern registration by the board. An applicant shall not be employed or volunteer in a private practice until registered as an intern by the board.

(d) An intern employed under this chapter shall:

(1) Not perform any duties, except for those services provided as a clinical counselor trainee, until registered as an intern.

(2) Not be employed or volunteer in a private practice until registered as an intern.

(3) Inform each client prior to performing any professional services that he or she is unlicensed and under supervision.

(4) Renew annually for a maximum of five years after initial registration with the board.

(e) When no further renewals are possible, an applicant may apply for and obtain a subsequent intern registration number if the applicant meets the educational requirements for registration in effect at the time of the application for a subsequent intern registration number and has passed the California law and ethics examination described in Section 4999.53. An applicant issued a subsequent intern registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.

§4999.46.2 DIRECT SUPERVISOR CONTACT

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences as described in paragraph (5) of subdivision (a) of section 4999.46, supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting, as specified:

(1) A clinical counselor trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of ~~client contact~~ direct clinical counseling that is performed in each setting.

(2) An intern shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of ~~face-to-face psychotherapy~~ direct clinical counseling is performed in each setting. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(b) "One hour of direct supervisor contact" means any of the following:

(1) Individual supervision, defined as one hour of face-to-face contact between one supervisor and one supervisee.

(2) Triadic supervision, defined as one hour of face-to-face contact between one supervisor and two supervisees.

(3) Group supervision, defined as two hours of face-to-face contact between one supervisor and no more than eight supervisees.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) An applicant for licensure shall have received at least one (1) hour per week of direct supervisor contact meeting the criteria of subdivisions (1) or (2) of subsection (b), for a minimum of 52 weeks.

(e) Direct supervisor contact provided in a group shall be provided in a group of not more than eight supervisees and in segments lasting no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate to each supervisee's needs.

(f) Notwithstanding subsection (b), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable, may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that ~~client confidentiality is upheld~~ compliance with state and federal laws relating to confidentiality of patient health information.

(g) The six hours of supervision that may be credited during any single week pursuant to paragraph (2) of subdivision (a) shall apply to supervision hours gained on or after January 1, 2009.

(h) Notwithstanding any other provision of law, interns and applicants for licensure who have finished gaining experience hours shall receive a minimum of one hour of direct supervisor contact per week for each setting in which direct clinical counseling is performed. Once experience hours are gained, further supervision is not required for nonclinical practice as defined in section 4999.46(a)(5).

§4999.46.3 Supervision: Acceptable Settings: Acceptable Supervision Practices

(a) Clinical counselor ~~trainees, interns, and applicants for licensure~~ shall ~~perform services gain experience~~ only as an employee or as a volunteer. The requirements of this chapter regarding gaining hours of ~~clinical~~ mental health experience and supervision are applicable equally to employees and volunteers. Experience shall not be gained by interns or trainees as an independent contractor.

(1) If employed, a clinical counselor intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure. ~~as a professional clinical counselor.~~

(2) If volunteering, a clinical counselor intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure. ~~as a professional clinical counselor.~~

(b) (1) ~~A trainee shall not perform services in a private practice.~~ A clinical counselor trainee may be credited with predegree supervised practicum and field study experience completed in a setting that meets all of the following requirements:

(A) Lawfully and regularly provides mental health counseling and psychotherapy.

(B) Provides oversight to ensure that the clinical counselor trainee's work at the setting meets the practicum and field study experience and requirements set forth in this chapter and is within the scope of practice for licensed professional clinical counselors.

~~(C) Is not a private practice.~~

(2) Experience may be gained by the clinical counselor trainee solely as part of the position for which the clinical counselor trainee volunteers or is employed.

(c) (1) An intern may be credited with supervised experience completed in any setting that meets both of the following requirements:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as specified in Article 2 (commencing with Section 4999.20).

(2) An ~~applicant for intern registration~~ shall not be employed or volunteer in a private practice until registered as an intern.

(3) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration.

(4) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.

(d) Experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal, professional, or business relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.

(e) Clinical counselor trainees, interns, and applicants for licensure shall not receive any remuneration from patients or clients, and shall only be paid by their employers.

(f) Clinical counselor trainees, interns, and applicants for licensure shall have no proprietary interest in the employer's business and shall not lease or rent space, pay for furnishings, equipment or supplies, or in any other way pay for the obligations of their employers.

(g) Clinical counselor trainees, interns, and applicants for licensure who provide voluntary services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those clinical counselor trainees, interns, and applicants for licensure for services rendered in any lawful work setting other than a private practice shall be considered an employee and not an independent contractor. The board may audit an intern or applicant for licensure who receives reimbursement for expenses and the intern or applicant for licensure shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.

(g) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and clinical counselor trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.

§4999.46.4 Supervision and Employment Settings

(a) Clinical counselor trainees, interns, and applicants for licensure shall only perform services at the place where their employer regularly conducts business and services, which may include other locations, as long as the services are performed under the

direction and control of their employer and their supervisor, and in compliance with the laws, statutes and regulations pertaining to supervision.

(b) When an intern employed in private practice is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer. Except for periods of time during a supervisor's vacation or sick leave, a registered intern who is employed or volunteering in private practice shall be under the direct supervision of a supervisor who is either employed by and practices at the same site as the registered intern's employer, or is an owner or shareholder of the private practice.

(c) A licensed professional in private practice who has satisfied the requirements of subdivision (h) of Section 4999.12 may supervise or employ, at any one time, no more than a total of three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker in that private practice.

(d) A professional clinical counselor corporation may employ, at any one time, no more than three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker for each employee or shareholder who has satisfied the requirements of subdivision (h) of Section 4999.12. In no event shall any professional clinical counselor corporation employ, at any one time, more than a total of 15 individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. In no event shall any supervisor supervise, at any one time, more than three individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. Persons who supervise individuals registered as a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker shall be employed full time by the professional clinical counselor corporation and shall be actively engaged in performing professional services at and for the professional clinical counselor corporation. Employment and supervision within a professional clinical counselor corporation shall be subject to all laws and regulations governing experience and supervision gained in a private practice setting.

(e) In a private practice setting, the registered intern's supervisor must be an owner or shareholder of the private practice. Alternatively, the supervisor may be employed by the private practice and regularly conduct business at the same site as the registered intern.

(f) In a setting which is not a private practice, a written agreement, as specified in regulation, must be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer.

(g) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where an intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a professional clinical counselor; and (2) the experience is in compliance with the requirements set forth in section 1820 and section 4999.46 of the Code. this chapter and

in regulation.

(h) Alternative supervision for an intern or trainee may be arranged during a supervisor's vacation or sick leave if the supervision meets the requirements set forth in this chapter and in regulation.

~~§4999.47. EMPLOYMENT; TRAINEE, REGISTERED INTERN AND APPLICANTS; REMUNERATION~~

~~(a) Clinical counselor trainees, interns, and applicants shall perform services only as an employee or as a volunteer.~~

~~The requirements of this chapter regarding gaining hours of clinical mental health experience and supervision are applicable equally to employees and volunteers. Experience shall not be gained by interns or trainees as an independent contractor.~~

~~(1) If employed, a clinical counselor intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure as a professional clinical counselor.~~

~~(2) If volunteering, a clinical counselor intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure as a professional clinical counselor.~~

~~(b) Clinical counselor trainees, interns, and applicants shall not receive any remuneration from patients or clients, and shall only be paid by their employers.~~

~~(c) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration.~~

~~(d) Clinical counselor trainees, interns, and applicants who provide voluntary services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those clinical counselor trainees, interns, and applicants for services rendered in any lawful work setting other than a private practice shall be considered an employee and not an independent contractor.~~

~~(e) The board may audit an intern or applicant who receives reimbursement for expenses and the intern or applicant shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.~~

~~(f) Clinical counselor trainees, interns, and applicants shall only perform services at the place where their employer regularly conducts business and services, which may include other locations, as long as the services are performed under the direction and control of the employer and supervisor in compliance with the laws and regulations~~

~~pertaining to supervision. Clinical counselor trainees, interns, and applicants shall have no proprietary interest in the employer's business.~~

~~(g) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and clinical counselor trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.~~

§4999.90. UNPROFESSIONAL CONDUCT

The board may refuse to issue any registration or license, or may suspend or revoke the registration or license of any intern or licensed professional clinical counselor, if the applicant, licensee, or registrant has been guilty of unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:

(a) The conviction of a crime substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the meaning of this section. The board may order any license or registration suspended or revoked, or may decline to issue a license or registration when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or, when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

(b) Securing a license or registration by fraud, deceit, or misrepresentation on any application for licensure or registration submitted to the board, whether engaged in by an applicant for a license or registration, or by a licensee in support of any application for licensure or registration.

(c) Administering to himself or herself any controlled substance or using any of the dangerous drugs specified in Section 4022, or any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to the person applying for a registration or license or holding a registration or license under this chapter, or to any other person, or

to the public, or, to the extent that the use impairs the ability of the person applying for or holding a registration or license to conduct with safety to the public the practice authorized by the registration or license. The board shall deny an application for a registration or license or revoke the license or registration of any person, other than one who is licensed as a physician and surgeon, who uses or offers to use drugs in the course of performing licensed professional clinical counseling services.

(d) Gross negligence or incompetence in the performance of licensed professional clinical counseling services.

(e) Violating, attempting to violate, or conspiring to violate any of the provisions of this chapter or any regulation adopted by the board.

(f) Misrepresentation as to the type or status of a license or registration held by the person, or otherwise misrepresenting or permitting misrepresentation of his or her education, professional qualifications, or professional affiliations to any person or entity.

(g) Impersonation of another by any licensee, registrant, or applicant for a license or registration, or, in the case of a licensee or registrant, allowing any other person to use his or her license or registration.

(h) Aiding or abetting, or employing, directly or indirectly, any unlicensed or unregistered person to engage in conduct for which a license or registration is required under this chapter.

(i) Intentionally or recklessly causing physical or emotional harm to any client.

(j) The commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee or registrant.

(k) Engaging in sexual relations with a client, or a former client within two years following termination of therapy, soliciting sexual relations with a client, or committing an act of sexual abuse, or sexual misconduct with a client, or committing an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of a licensed professional clinical counselor.

(l) Performing, or holding oneself out as being able to perform, or offering to perform, or permitting any trainee, applicant, or registrant under supervision to perform, any professional services beyond the scope of the license authorized by this chapter.

(m) Failure to maintain confidentiality, except as otherwise required or permitted by law, of all information that has been received from a client in confidence during the course of treatment and all information about the client which is obtained from tests or other means.

(n) Prior to the commencement of treatment, failing to disclose to the client or prospective client the fee to be charged for the professional services, or the basis upon which that fee will be computed.

(o) Paying, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of professional clients. All consideration, compensation, or remuneration shall be in relation to professional clinical counseling services actually provided by the licensee. Nothing in this subdivision shall prevent

collaboration among two or more licensees in a case or cases. However, no fee shall be charged for that collaboration, except when disclosure of the fee has been made in compliance with subdivision (n).

(p) Advertising in a manner that is false, fraudulent, misleading, or deceptive, as defined in Section 651.

(q) Reproduction or description in public, or in any publication subject to general public distribution, of any psychological test or other assessment device, the value of which depends in whole or in part on the naivete of the subject, in ways that might invalidate the test or device.

~~(r) Any conduct in the supervision of a registered intern, associate clinical social worker, or clinical counselor trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.~~

~~(s)~~ Performing or holding oneself out as being able to perform professional services beyond the scope of one's competence, as established by one's education, training, or experience. This subdivision shall not be construed to expand the scope of the license authorized by this chapter.

~~(t)~~ Permitting a ~~clinical counselor~~ trainee, ~~or intern~~ or applicant for licensure under one's supervision or control to perform, or permitting the ~~clinical counselor~~ trainee, ~~or intern~~ or applicant for licensure to hold himself or herself out as competent to perform, professional services beyond the ~~clinical counselor~~ trainee's, ~~or intern's~~ or applicant for licensure's level of education, training, or experience.

~~(u)~~ The violation of any statute or regulation ~~of the standards of the profession, and the nature of the services being rendered,~~ governing the gaining and supervision of experience required by this chapter.

~~(v)~~ Failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered.

~~(w)~~ Failure to comply with the child abuse reporting requirements of Section 11166 of the Penal Code.

~~(x)~~ Failing to comply with the elder and dependent adult abuse reporting requirements of Section 15630 of the Welfare and Institutions Code.

~~(y)~~ Repeated acts of negligence.

~~(z)~~ (1) Engaging in an act described in Section 261, 286, 288a, or 289 of the Penal Code with a minor or an act described in Section 288 or 288.5 of the Penal Code regardless of whether the act occurred prior to or after the time the registration or license was issued by the board. An act described in this subdivision occurring prior to the effective date of this subdivision shall constitute unprofessional conduct and shall subject the licensee to refusal, suspension, or revocation of a license under this section.

(2) The Legislature hereby finds and declares that protection of the public, and in particular minors, from sexual misconduct by a licensee is a compelling governmental interest, and that the ability to suspend or revoke a license for sexual conduct with a minor occurring prior to the effective date of this section is equally important to

protecting the public as is the ability to refuse a license for sexual conduct with a minor occurring prior to the effective date of this section.

(~~aaa~~) Engaging in any conduct that subverts or attempts to subvert any licensing examination or the administration of an examination as described in Section 123.

(~~abaa~~) Revocation, suspension, or restriction by the board of a license, certificate, or registration to practice as a professional clinical counselor, clinical social worker, educational psychologist, or marriage and family therapist.

(~~acab~~) Failing to comply with the procedures set forth in Section 2290.5 when delivering health care via telehealth.

(~~adac~~) Willful violation of Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code.

§1820 EXPERIENCESUPERVISION: REQUIRED DOCUMENTATION

~~(a) In order for experience to qualify under Section 4999.50(a)(2) of the Code, it must have been gained in accordance with Sections 4999.44 through 4999.47 of the Code and the regulations contained in this article.~~

~~(b) The term "supervision", as used in this article, includes ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised; reviewing client/patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the intern; monitoring and evaluating the ability of the intern to provide services at the site(s) where he or she will be practicing and to the particular clientele being served; and ensuring compliance with laws and regulations governing the practice of professional clinical counseling. Supervision shall include that amount of direct observation, or review of audio or video tapes of counseling, as deemed appropriate by the supervisor.~~

~~(c) The term "clinical setting," as used in this article means any setting that meets all the following requirements:~~

~~(1) Lawfully and regularly provides mental health counseling or psychotherapy; and,~~

~~(2) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in Chapter 16 (Commencing with Section 4999.10) of Division 2 of the Business and Professions Code and is within the scope of practice of the profession as specified therein.~~

~~(d) The term "community mental health setting," as used in Section 4999.46 of the Code, means a clinical setting that meets all of the following requirements:~~

~~(1) Lawfully and regularly provides mental health counseling or psychotherapy;~~

~~(2) Clients routinely receive psychopharmacological interventions in conjunction with psychotherapy, counseling, or other psycho-social interventions;~~

~~(3) Clients receive coordinated care that includes the collaboration of mental health providers; and,~~

~~(4) Is not a private practice owned by a licensed professional clinical counselor, licensed marriage and family therapist, a licensed psychologist, a licensed clinical social worker, a licensed physician or surgeon, a professional corporation of any of these licensed professions or a corporation of unlicensed individuals.~~

~~(e) Supervision shall be credited only upon the following conditions:~~

~~(1) During each week in which experience is claimed and for each work setting in which experience is gained, an applicant or intern shall have at least one (1) hour of one-on-one, individual, face-to-face supervisor contact or two (2) hours of face-to-face supervisor contact in a group of not more than eight (8) persons receiving supervision. No more than five (5) hours of supervision, whether individual or group, shall be credited during any single week.~~

~~(2) The applicant or intern shall have received at least one (1) hour of one-on-one, individual, face-to-face supervisor contact per week for a minimum of fifty-two (52) weeks.~~

~~(3)(a) Pursuant to Section 4999.46.4 of the Business and Professions Code, in a setting which is not a private practice, ~~the authorized supervisor may be employed by the applicant's employer on either a paid or a voluntary basis. If such employment is on a voluntary basis,~~ a written agreement must be executed between the supervisor and the ~~organization,~~employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The written agreement must be executed prior to commencement of supervision,~~in which the supervisor agrees and must contain an agreement by the supervisor~~ to ensure that the extent, kind, and quality of counseling performed by the ~~intern~~supervisee is consistent with the ~~intern's~~supervisee's training, education, and experience, and is appropriate in extent, kind, and quality. The agreement shall contain an acknowledgment by the employer that the employer:~~

~~(A) Is aware of the licensing requirements that must be met by the internsupervisee and agrees not to interfere with the supervisor's legal and ethical obligations to ensure compliance with those requirements; and~~

~~(B) Agrees to provide the supervisor access to clinical records of the clients counseled by the internsupervisee.~~

~~(b) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern", as specified in section 1821.~~

~~(c) A supervisor who assumes responsibility for providing supervision under section 4999.46 of the Code shall collaborate with the supervisee to develop a supervisory plan that describes the goals and objectives of supervision and shall complete and sign under penalty of perjury the "Supervisory Plan". (form no. 1800 37A 521, Rev. 3/10), hereby incorporated by reference. This supervisory plan shall be completed by each supervisor providing supervision and the original signed plan shall be submitted to the supervisee within 60 days of commencing supervision.~~

~~(4)(d) The applicant or intern shall maintain a record weekly log of all hours of experience gained toward licensure on the "Weekly Summary of Experience Hours for Professional Clinical Counselor Interns" (form No. 1800 37A 645 Revised 02/15), hereby incorporated by reference. The record log of hours must be signed by the supervisor on a weekly basis. An intern shall retain all "Weekly Summary of Experience Hours for Professional Clinical Counselor Interns" the signed logs until such time as the applicant is licensed by the board. The board shall have the right to require an applicant to submit all or such portions of the "Weekly Summary of Experience Hours for Professional Clinical Counselor Interns" log as it deems necessary to verify hours of experience.~~

~~(f) When an intern employed in private practice is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer.~~

NOTE: Authority cited: Sections ~~4990-20~~, 4999.48 and 4999.50, Business and Professions Code. Reference: Sections ~~4999.44~~, 4999.12, 4999.45, and ~~4999.46 through 4999.46.4-4999.47~~ Business and Professions Code.

§1821. REQUIREMENTS FOR SUPERVISORS

(a) Any person supervising an intern (hereinafter "supervisor") within California shall comply with the requirements set forth in this section.

(b) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" (form No. 1800 37A-643, New 3/10), hereby incorporated by reference, requiring that:

(1) The supervisor possesses and maintains a current ~~valid and active~~ California license as either a professional clinical counselor, marriage and family therapist, licensed clinical social worker, licensed psychologist, or physician who is certified in psychiatry as specified in Section 4999.12 (h) of the Code and has been so licensed in California ~~or in any other state~~ for at least two ~~of the past five~~ years ~~immediately~~ prior to commencing any supervision.

(2) A supervisor who is not licensed as a professional clinical counselor, shall have sufficient experience, training, and education in professional clinical counseling to competently practice professional clinical counseling in California.

(3) The supervisor shall be competent in the areas of clinical practice and techniques being supervised, and shall keep~~The supervisor keeps~~ himself or herself informed of developments in professional clinical counseling and in California law governing the practice of professional clinical counseling.

(4) The supervisor has and maintains a current and active California license in good standing and will immediately notify the intern of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure that affects the supervisor's ability or right to supervise.

(5) The supervisor has practiced psychotherapy or provided direct clinical supervision of LMFT trainees, LMFT interns, LPCC interns, or associate clinical social workers, who perform psychotherapy, for at least two (2) years within the five (5) year period immediately preceding any supervision. Supervision of social work students enrolled in an accredited master's or doctoral program, or LPCC trainees, who perform psychotherapy, shall be accepted toward the required two (2) years if the supervision provided to the student is substantially equivalent to the supervision required for registrants.

(6) The supervisor has had sufficient experience, training, and education in the area of clinical supervision to competently supervise interns. Persons licensed by the board who provide supervision shall complete the minimum supervision training or coursework specified in Section 1822.

~~(A) Persons licensed by the board who provide supervision shall complete a minimum of six (6) hours of supervision training or coursework in each renewal period while providing supervision. This training or coursework may apply towards the continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code.~~

~~(B) Persons licensed by the board who provide supervision and who have not met requirements of subsection (A), shall complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of commencement of supervision.~~

(7) The supervisor knows and understands the laws and regulations pertaining to both the supervision of interns and the experience required for licensure as a professional clinical counselor.

(8) The supervisor shall ensure that the extent, kind, and quality of counseling performed by the intern is consistent with the education, training, and experience of the intern.

(9) The supervisor shall monitor and evaluate the extent, kind, and quality of counseling performed by the intern by review of progress notes, process notes, and other treatment records, and also by that amount of direct observation, or review of audio or video recordings of therapy, as deemed appropriate by the supervisor. ~~direct observation, review of audio or video tapes of therapy, review of progress and process~~

~~notes and other treatment records, or by any other means deemed appropriate by the supervisor.~~

(10) The supervisor shall complete an assessment of the ongoing strengths and limitations of the intern. The assessments shall be completed at least once a year and at the completion or termination of supervision. A copy of all assessments shall be provided to the intern by the supervisor.

~~(10)~~(11) The supervisor shall address with the intern the manner in which emergencies will be handled, procedures for contacting the supervisor, or, in the supervisor's absence, alternative on-call supervisors to assist in handling crises and emergencies.

(12) If the supervisor is a licensed professional clinical counselor who is supervising a marriage and family therapist intern; or who is supervising a professional clinical counselor intern or licensee seeking experience to treat couples and families in compliance with section 4999.20(a)(3)(B) of the code, then the supervisor shall meet the additional training and education requirements specified in paragraph (3) of subdivision (a) of section 4999.20.

(c) Each supervisor shall provide the intern with the original signed "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" ~~(new 03/10, form No. 1800-37A-643)~~ prior to the commencement of any counseling or supervision. Interns shall provide the board with the signed "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" ~~(new 03/10, form No. 1800-37A-643)~~ from each supervisor upon application for ~~examination eligibility~~licensure.

(d) A supervisor shall give at least one (1) week's prior written notice to an intern of the supervisor's intent not to sign for any further hours of experience for such person. A supervisor who has not provided such notice shall sign for hours of experience obtained in good faith where such supervisor actually provided the required supervision.

(e) The supervisor shall obtain from each intern for whom supervision will be provided, the name, address, and telephone number of the intern's most recent supervisor and employer.

~~(f) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where an intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a professional clinical counselor; and (2) the experience is in compliance with the requirements set forth in section 1820 and section 4999.46 of the Code.~~

~~(g)~~(f) Upon written request of the board, the supervisor shall provide to the board any documentation which verifies the supervisor's compliance with the requirements set forth in this section.

~~(h) The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training or coursework requirements in subsection (a) (6) (A).~~

NOTE: Authority cited: Sections 4990.20 and 4999.48 Business and Professions Code. Reference: Sections 4999.12, 4999.34, 4999.36, 4999.44 through 4999.48 and 4999.54, Business and Professions Code.

~~§1822. SUPERVISORY PLAN~~

~~(a) All licensed mental health professionals acceptable to the board as defined in Section 4999.12 of the Code who assume responsibility for providing supervision under section 4999.46 of the Code shall develop a supervisory plan that describes the goals and objectives of supervision and shall complete and sign under penalty of perjury the "Supervisory Plan", (form no. 1800 37A 521, Rev. 3/10), hereby incorporated by reference.~~

~~(b) This supervisory plan shall be completed by each supervisor providing supervision and the original signed plan shall be submitted by the professional clinical counselor intern to the board upon application for examination eligibility.~~

Note: Authority cited: Section 4990.20 and 4999.48 Business and Professions Code. Reference: Sections 4999.12, 4999.34, 4999.36, 4999.44 through 4999.48 and 4999.54 Business and Professions Code.

§1821.1. SUPERVISION OF EXPERIENCE GAINED OUTSIDE OF CALIFORNIA

Experience gained outside of California must have been supervised in accordance with the following criteria:

At the time of supervision, the supervisor was licensed or certified by the state in which the supervision occurred, and possessed a current and active license which was not under suspension or probation. The supervisor was licensed or certified by that state for at least two (2) of the past five (5) years immediately prior to acting as a supervisor, as either a psychologist, clinical social worker, licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology, professional clinical counselor, marriage and family therapist or similarly titled marriage and family practitioner, or equivalently licensed mental health counselor.

§1821.2. SUPERVISOR TRAINING AND COURSEWORK

Persons licensed by the board who provide supervision shall complete, at a minimum, supervision training or coursework as follows:

- (a) Beginning January 1, 2019, supervisors who commence supervision for the first time shall obtain fifteen (15) contact hours in supervision training or coursework obtained from a government agency or from a continuing education provider specified as acceptable by the Board in regulation. If taken from a continuing

education provider specified as acceptable by the Board in regulation, training may apply towards the approved continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code.

- 1) The content of such training shall include, but not be limited to, current best practices and current standards regarding the following:
 - (A) Competencies necessary for new supervisors;
 - (B) Goal setting and evaluation;
 - (C) The supervisor-supervisee relationship;
 - (D) California law and ethics, including legal and ethical issues related to supervision;
 - (E) Cultural variables, including, but not limited to, race, gender, social class, and religious beliefs;
 - (F) Contextual variables, such as treatment modality, work settings, and use of technology;
 - (G) Supervision theories and literature; and
 - (H) Documentation and record keeping of the supervisee's client files, as well as supervision.
 - 2) If taken from a government agency or a continuing education provider, this course shall have been taken within 2 years prior to commencing supervision, or within 60 days after commencing supervision. If taken at a master's or higher level from an accredited or approved postsecondary institution, this course shall have been taken within 4 years prior to commencing supervision, or completed within 60 days after commencing supervision.
- (b) A six (6) hour supervision training course shall be taken by an individual who has previously qualified as a supervisor, but has not supervised for at least 2 years within the 5 year period immediately preceding any supervision.
- (c) Supervisors shall complete a minimum of six (6) hours of continuing professional development in supervision in each renewal period while providing supervision. This shall consist of one or more of the following activities:
- 1) Training or coursework directly covering the topic of supervision, obtained from a government agency or from a continuing education provider specified as acceptable by the board in regulation. If taken from a continuing education provider specified as acceptable by the board in regulation, it may apply towards the continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code;
 - 2) Teaching a supervision course as specified in subparagraph (1).
 - 3) Authoring research pertaining to supervision that has been published professionally.

- 4) Receiving documented mentoring of supervision or supervision of supervision from another board licensee who also qualifies as a supervisor.
 - 5) Documented attendance at supervisor peer discussion groups.
- (d) (1) In lieu of subparagraphs (a), (b), and (c), the Board shall accept a valid and active approved supervisor certification from one of the following entities:
- (A) The American Association for Marriage and Family Therapy (AAMFT)
 - (B) The American Board of Examiners in Clinical Social Work (ABECSW)
 - (C) The California Association of Marriage and Family Therapists (CAMFT)
 - (D) The Center for Credentialing and Education (CCE)
- (2) These licensees shall maintain a current and active California license, but are not required to have been actively licensed for at least two of the past five years immediately preceding any supervision, and are not required to have practiced psychotherapy or provided direct supervision of trainees or registrants for at least two of the past five years immediately preceding any supervision.
- (3) The board may, in its sole discretion, accept an approved supervisor certification from another entity if the licensee can demonstrate that the certification requirements of that entity meet or exceed those of the above entities.
- (e) The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training, coursework, or continuing professional development requirements in this section.

§1821.3. DOCUMENTATION OF SUPERVISOR QUALIFICATIONS: AUDITS

The board shall have the right to audit the records of any supervisor to verify the completion of the supervisor qualifications. Supervisors shall maintain records of completion of the required supervisor qualifications for a period of seven (7) years after termination of supervision, and shall make these records available to the board for auditing purposes upon request.

ATTACHMENT B

Reference Sections – Current Law: BPC §§4999.12, 4999.46, 16 CCR §§ 1820-1822

§4999.12. DEFINITIONS

For purposes of this chapter, the following terms have the following meanings:

- (a) “Board” means the Board of Behavioral Sciences.
- (b) “Accredited” means a school, college, or university accredited by the Western Association of Schools and Colleges, or its equivalent regional accrediting association.
- (c) “Approved” means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary Education at the time of the applicant’s graduation from the school, college, or university.
- (d) “Applicant” means an unlicensed person who has completed a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, as applicable, and whose application for registration as an intern is pending or who has applied for examination eligibility, or an unlicensed person who has completed the requirements for licensure specified in this chapter and is no longer registered with the board as an intern.
- (e) “Licensed professional clinical counselor” or “LPCC” means a person licensed under this chapter to practice professional clinical counseling, as defined in Section 4999.20.
- (f) “Intern” means an unlicensed person who meets the requirements of Section 4999.42 and is registered with the board.
- (g) “Clinical counselor trainee” means an unlicensed person who is currently enrolled in a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, as applicable, that is designed to qualify him or her for licensure under this chapter, and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.
- (h) “Approved supervisor” means an individual who meets the following requirements:
 - (1) Has documented two years of clinical experience as a licensed professional clinical counselor, licensed marriage and family therapist, licensed clinical psychologist, licensed clinical social worker, or licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.
 - (2) Has received professional training in supervision.

(3) Has not provided therapeutic services to the clinical counselor trainee or intern.

(4) Has a current and valid license that is not under suspension or probation.

(i) "Client centered advocacy" includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

(j) "Advertising" or "advertise" includes, but is not limited to, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. It also includes business solicitations communicated by radio or television broadcasting. Signs within church buildings or notices in church bulletins mailed to a congregation shall not be construed as advertising within the meaning of this chapter.

(k) "Referral" means evaluating and identifying the needs of a client to determine whether it is advisable to refer the client to other specialists, informing the client of that judgment, and communicating that determination as requested or deemed appropriate to referral sources.

(l) "Research" means a systematic effort to collect, analyze, and interpret quantitative and qualitative data that describes how social characteristics, behavior, emotion, cognitions, disabilities, mental disorders, and interpersonal transactions among individuals and organizations interact.

(m) "Supervision" includes the following:

(1) Ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised.

(2) Reviewing client or patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the clinical counselor trainee.

(3) Monitoring and evaluating the ability of the intern or clinical counselor trainee to provide services to the particular clientele at the site or sites where he or she will be practicing.

(4) Ensuring compliance with laws and regulations governing the practice of licensed professional clinical counseling.

(5) That amount of direct observation, or review of audio or videotapes of counseling or therapy, as deemed appropriate by the supervisor.

§4999.46. SUPERVISED EXPERIENCE REQUIREMENTS; QUALIFICATION FOR LICENSURE; EFFECTIVE JANUARY 1, 2016

(a) To qualify for licensure as specified in Section 4999.50, applicants shall complete experience related to the practice of professional clinical counseling under an approved supervisor. The experience shall comply with the following:

(1) A minimum of 3,000 postdegree hours of supervised experience performed over a period of not less than two years (104 weeks).

(2) Not more than 40 hours in any seven consecutive days.

(3) Not less than 1,750 hours of direct counseling with individuals, groups, couples, or families in a setting described in Section 4999.44 using a variety of psychotherapeutic techniques and recognized counseling interventions within the scope of practice of licensed professional clinical counselors.

(4) Not less than 150 hours of clinical experience in a hospital or community mental health setting, as defined in Section 1820 of Title 16 of the California Code of Regulations.

(5) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client centered advocacy, and workshops, seminars, training sessions, or conferences directly related to professional clinical counseling that have been approved by the applicant's supervisor.

(b) An individual who submits an application for examination eligibility between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements that were in place on January 1, 2015.

(c) No hours of clinical mental health experience may be gained more than six years prior to the date the application for examination eligibility was filed.

(d) An applicant shall register with the board as an intern in order to be credited for postdegree hours of experience toward licensure. Postdegree hours of experience shall be credited toward licensure, provided that the applicant applies for intern registration within 90 days of the granting of the qualifying degree and is thereafter granted the intern registration by the board. An applicant shall not be employed or volunteer in a private practice until registered as an intern by the board.

(e) All applicants and interns shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of professional clinical counseling.

(f) Experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Experience obtained under the supervision of a supervisor with whom the applicant has

had or currently has a personal, professional, or business relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.

(g) Except for experience gained by attending workshops, seminars, training sessions, or conferences as described in paragraph (5) of subdivision (a), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(1) No more than six hours of supervision, whether individual or group, shall be credited during any single week. This paragraph shall apply to supervision hours gained on or after January 1, 2009.

(2) An intern shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained.

(3) For purposes of this section, "one hour of direct supervisor contact" means one hour of face-to-face contact on an individual basis or two hours of face-to-face contact in a group of not more than eight persons in segments lasting no less than one continuous hour.

(4) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable, may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.

(h) This section shall become operative on January 1, 2016.

§1820 EXPERIENCE

(a) In order for experience to qualify under Section 4999.50(a)(2) of the Code, it must have been gained in accordance with Sections 4999.44 through 4999.47 of the Code and the regulations contained in this article.

(b) The term "supervision", as used in this article, includes ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised; reviewing client/patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the intern; monitoring and evaluating the ability of the intern to provide services at the site(s) where he or she will be practicing and to the particular clientele being served; and ensuring compliance with laws and regulations governing the practice of professional clinical counseling. Supervision shall include that amount of direct observation, or review of audio or video tapes of counseling, as deemed appropriate by the supervisor.

(c) The term "clinical setting," as used in this article means any setting that meets all the following requirements:

(1) Lawfully and regularly provides mental health counseling or psychotherapy; and,

(2) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in Chapter 16 (Commencing with Section 4999.10) of Division 2 of the Business and Professions Code and is within the scope of practice of the profession as specified therein.

(d) The term "community mental health setting," as used in Section 4999.46 of the Code, means a clinical setting that meets all of the following requirements:

(1) Lawfully and regularly provides mental health counseling or psychotherapy;

(2) Clients routinely receive psychopharmacological interventions in conjunction with psychotherapy, counseling, or other psycho-social interventions;

(3) Clients receive coordinated care that includes the collaboration of mental health providers; and,

(4) Is not a private practice owned by a licensed professional clinical counselor, licensed marriage and family therapist, a licensed psychologist, a licensed clinical social worker, a licensed physician or surgeon, a professional corporation of any of these licensed professions or a corporation of unlicensed individuals.

(e) Supervision shall be credited only upon the following conditions:

(1) During each week in which experience is claimed and for each work setting in which experience is gained, an applicant or intern shall have at least one (1) hour of one-on-one, individual, face-to-face supervisor contact or two (2) hours of face-to-face supervisor contact in a group of not more than eight (8) persons receiving supervision. No more than five (5) hours of supervision, whether individual or group, shall be credited during any single week.

(2) The applicant or intern shall have received at least one (1) hour of one-on-one, individual, face-to-face supervisor contact per week for a minimum of fifty-two (52) weeks.

(3) In a setting which is not a private practice, the authorized supervisor may be employed by the applicant's employer on either a paid or a voluntary basis. If such employment is on a voluntary basis, a written agreement must be executed between the supervisor and the organization, prior to commencement of supervision, in which the supervisor agrees to ensure that the extent, kind, and quality of counseling performed by the intern is consistent with the intern's training, education, and experience, and is appropriate in extent, kind, and quality. The agreement shall contain an acknowledgment by the employer that the employer:

(A) Is aware of the licensing requirements that must be met by the intern and agrees not to interfere with the supervisor's legal and ethical obligations to ensure compliance with those requirements; and

(B) Agrees to provide the supervisor access to clinical records of the clients counseled by the intern.

(4) The applicant or intern maintains a record of all hours of experience gained toward licensure on the "Weekly Summary of Experience Hours for Professional Clinical Counselor Interns" (form No. 1800 37A-645 Revised 02/15), hereby incorporated by reference. The record of hours must be signed by the supervisor on a weekly basis. An intern shall retain all "Weekly Summary of Experience Hours for Professional Clinical Counselor Interns" until such time as the applicant is licensed by the board. The board shall have the right to require an applicant to submit all or such portions of the "Weekly Summary of Experience Hours for Professional Clinical Counselor Interns" as it deems necessary to verify hours of experience.

(f) When an intern employed in private practice is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer.

NOTE: Authority cited: Section 4990.20, 4999.48 and 4999.50, Business and Professions Code. Reference: Sections 4999.44, 4999.45, 4999.46, 4999.47 Business and Professions Code.

§1821. REQUIREMENTS FOR SUPERVISORS

(a) Any person supervising an intern (hereinafter "supervisor") within California shall comply with the requirements set forth in this section.

(b) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" (form No.1800 37A-643, New 3/10), hereby incorporated by reference, requiring that:

(1) The supervisor possesses and maintains a current valid California license as either a professional clinical counselor, marriage and family therapist, licensed clinical social worker, licensed psychologist, or physician who is certified in psychiatry as specified in Section 4999.12 (h) of the Code and has been so licensed in California for at least two years prior to commencing any supervision.

(2) A supervisor who is not licensed as a professional clinical counselor, shall have sufficient experience, training, and education in professional clinical counseling to competently practice professional clinical counseling in California.

(3) The supervisor keeps himself or herself informed of developments in professional clinical counseling and in California law governing the practice of professional clinical counseling.

(4) The supervisor has and maintains a current license in good standing and will immediately notify the intern of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure that affects the supervisor's ability or right to supervise.

(5) The supervisor has practiced psychotherapy or provided direct supervision of trainees, interns, or associate clinical social workers who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding any supervision.

(6) The supervisor has had sufficient experience, training, and education in the area of clinical supervision to competently supervise interns.

(A) Persons licensed by the board who provide supervision shall complete a minimum of six (6) hours of supervision training or coursework in each renewal period while providing supervision. This training or coursework may apply towards the continuing education requirements set forth in Sections 4980.54, 4996.22, and 4999.76 of the Code.

(B) Persons licensed by the board who provide supervision and who have not met requirements of subsection (A), shall complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of commencement of supervision.

(7) The supervisor knows and understands the laws and regulations pertaining to both the supervision of interns and the experience required for licensure as a professional clinical counselor.

(8) The supervisor shall ensure that the extent, kind, and quality of counseling performed by the intern is consistent with the education, training, and experience of the intern.

(9) The supervisor shall monitor and evaluate the extent, kind, and quality of counseling performed by the intern by direct observation, review of audio or video tapes of therapy, review of progress and process notes and other treatment records, or by any other means deemed appropriate by the supervisor.

(10) The supervisor shall address with the intern the manner in which emergencies will be handled.

(c) Each supervisor shall provide the intern with the original signed "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" (new 03/10, form No. 1800 37A-643) prior to the commencement of any counseling or supervision. Interns shall provide the board with the signed "Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern" (new 03/10, form No. 1800 37A-643) from each supervisor upon application for examination eligibility.

(d) A supervisor shall give at least one (1) week's prior written notice to an intern of the supervisor's intent not to sign for any further hours of experience for such person. A supervisor who has not provided such notice shall sign for hours of experience obtained in good faith where such supervisor actually provided the required supervision.

(e) The supervisor shall obtain from each intern for whom supervision will be provided, the name, address, and telephone number of the intern's most recent supervisor and employer.

(f) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where an intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a professional clinical counselor; and (2) the experience is in compliance with the requirements set forth in section 1820 and section 4999.46 of the Code.

(g) Upon written request of the board, the supervisor shall provide to the board any documentation which verifies the supervisor's compliance with the requirements set forth in this section.

(h) The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training or coursework requirements in subsection (a) (6) (A).

NOTE: Authority cited: Sections 4990.20 and 4999.48 Business and Professions Code. Reference: Sections 4999.12, 4999.34, 4999.36, 4999.44 through 4999.48 and 4999.54, Business and Professions Code.

§1822. SUPERVISORY PLAN

(a) All licensed mental health professionals acceptable to the board as defined in Section 4999.12 of the Code who assume responsibility for providing supervision under section 4999.46 of the Code shall develop a supervisory plan that describes the goals and objectives of supervision and shall complete and sign under penalty of perjury the "Supervisory Plan", (form no. 1800 37A-521, Rev. 3/10), hereby incorporated by reference.

(b) This supervisory plan shall be completed by each supervisor providing supervision and the original signed plan shall be submitted by the professional clinical counselor intern to the board upon application for examination eligibility.

Note: Authority cited: Section 4990.20 and 4999.48 Business and Professions Code. Reference: Sections 4999.12, 4999.34, 4999.36, 4999.44 through 4999.48 and 4999.54 Business and Professions Code.

Blank Page

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

To: Supervision Committee Members **Date:** May 16, 2016
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: **Change of LCSW Requirements from 3,200 to 3,000 Experience Hours**

The National Association of Social Workers (NASW), California Chapter has requested the Board consider changing the amount of supervised experience hours required for LCSW licensure, as indicated in the attachment. NASW states that a change to 3,000 hours would:

- Put California in alignment with the majority of other states;
- Be consistent with the 3,000 hours of supervised experience recommended by the Association of Social Work Boards in the *Model Social Work Practice Act*;
- Foster the portability of a social work license from state to state, serving to unify and strengthen the social work profession; and
- Align licensure requirements closer to the LPCC and LMFT professions.

NASW also requested a reduction to the maximum of 1,200 hours in nonclinical categories* to a maximum of 1,000 hours. The proposed changes would look as follows:

Current LCSW Supervised Experience Requirements	Proposed
Minimum 3,200 hours overall	Minimum 3,000 hours
Minimum 1,700 hours under a LCSW	No change
Minimum 2,000 hours of Clinical psychosocial diagnosis, assessment and treatment, including psychotherapy or counseling	No change
Minimum 750 hours of face-to-face individual or group psychotherapy provided to clients in the context of clinical social work services	No change
*Maximum 1,200 hours in client centered advocacy, consultation, evaluation, research, direct supervisor contact and workshops, seminars, training sessions or conferences	Maximum 1,000 hours

Attachments: A. Proposed Language
B. Letter and supporting documentation from NASW

Blank Page

ATTACHMENT A

§4996.17. ACCEPTANCE OF EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA

(a) (1) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially the equivalent of the requirements of this chapter.

(2) Commencing January 1, 2014, an applicant with education gained outside of California shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(b) The board may issue a license to any person who, at the time of application, holds a valid active clinical social work license issued by a board of clinical social work examiners or corresponding authority of any state, if the person passes, or has passed, the licensing examinations as specified in Section 4996.1 and pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than ~~3,200~~ 3,000 hours of qualifying supervised experience, time actively licensed as a clinical social worker shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(2) Completion of the following coursework or training in or out of this state:

(A) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(B) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(3) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient

health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant shall provide a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(c) The board may issue a license to any person who, at the time of application, holds a valid, active clinical social work license issued by a board of clinical social work examiners or a corresponding authority of any state, if the person has held that license for at least four years immediately preceding the date of application, the person passes, or has passed, the licensing examinations as specified in Section 4996.1, and the person pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) Completion of the following coursework or training in or out of state:

(A) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(B) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(2) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping,

patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(3) The applicant has been licensed as a clinical social worker continuously for a minimum of four years prior to the date of application.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant provides a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(d) Commencing January 1, 2016, an applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination specified in Section 4996.1 if the applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

§4996.23. SUPERVISED POST-MASTER'S EXPERIENCE CRITERIA EFFECTIVE JANUARY 1, 2002

(a) To qualify for licensure as specified in Section 4996.2, each applicant shall complete ~~3,200~~ 3,000 hours of post-master's degree supervised experience related to the practice of clinical social work. The experience shall comply with the following:

(1) At least 1,700 hours shall be gained under the supervision of a licensed clinical social worker. The remaining required supervised experience may be gained under the supervision of a licensed mental health professional acceptable to the board as defined by a regulation adopted by the board.

(2) A minimum of 2,000 hours in clinical psychosocial diagnosis, assessment, and treatment, including psychotherapy or counseling.

(3) A maximum of ~~1,200~~ 1,000 hours in client centered advocacy, consultation, evaluation, research, direct supervisor contact, and workshops, seminars, training sessions, or conferences directly related to clinical social work that have been approved by the applicant's supervisor.

(4) Of the 2,000 clinical hours required in paragraph (2), no less than 750 hours shall be face-to-face individual or group psychotherapy provided to clients in the context of clinical social work services.

(5) A minimum of two years of supervised experience is required to be obtained over a period of not less than 104 weeks and shall have been gained within the six years immediately preceding the date on which the application for licensure was filed.

(6) Experience shall not be credited for more than 40 hours in any week.

(b) An individual who submits an application for examination eligibility between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements that were in place on January 1, 2015.

(c) "Supervision" means responsibility for, and control of, the quality of clinical social work services being provided. Consultation or peer discussion shall not be considered to be supervision.

(d) (1) Prior to the commencement of supervision, a supervisor shall comply with all requirements enumerated in Section 1870 of Title 16 of the California Code of Regulations and shall sign under penalty of perjury the "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" form.

(2) Supervised experience shall include at least one hour of direct supervisor contact for a minimum of 104 weeks. For purposes of this subdivision, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours of face-to-face contact in a group conducted within the same week as the hours claimed.

(3) An associate shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(4) Supervision shall include at least one hour of direct supervisor contact during each week for which experience is gained in each work setting. Supervision is not required for experience gained attending workshops, seminars, training sessions, or conferences as described in paragraph (3) of subdivision (a).

(5) The six hours of supervision that may be credited during any single week pursuant to paragraph (3) shall apply only to supervision hours gained on or after January 1, 2010.

(6) Group supervision shall be provided in a group of not more than eight supervisees and shall be provided in segments lasting no less than one continuous hour.

(7) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, and of the 52 weeks of required individual supervision, not less than 13 weeks shall be supervised by a licensed clinical social worker.

(8) Notwithstanding paragraph (2), an associate clinical social worker working for a governmental entity, school, college, or university, or an institution that is both a nonprofit and charitable institution, may obtain the required weekly direct supervisor contact via live two-way videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is preserved.

(e) The supervisor and the associate shall develop a supervisory plan that describes the goals and objectives of supervision. These goals shall include the ongoing assessment of strengths and limitations and the assurance of practice in accordance with the laws and regulations. The associate shall submit to the board the initial original supervisory plan upon application for licensure.

(f) Experience shall only be gained in a setting that meets both of the following:

(1) Lawfully and regularly provides clinical social work, mental health counseling, or psychotherapy.

(2) Provides oversight to ensure that the associate's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4996.9.

(g) Experience shall not be gained until the applicant has been registered as an associate clinical social worker.

(h) Employment in a private practice as defined in subdivision (i) shall not commence until the applicant has been registered as an associate clinical social worker.

(i) A private practice setting is a setting that is owned by a licensed clinical social worker, a licensed marriage and family therapist, a licensed psychologist, a licensed professional clinical counselor, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(j) If volunteering, the associate shall provide the board with a letter from his or her employer verifying his or her voluntary status upon application for licensure.

(k) If employed, the associate shall provide the board with copies of his or her W-2 tax forms for each year of experience claimed upon application for licensure.

(l) While an associate may be either a paid employee or volunteer, employers are encouraged to provide fair remuneration to associates.

(m) An associate shall not do the following:

(1) Receive any remuneration from patients or clients and shall only be paid by his or her employer.

(2) Have any proprietary interest in the employer's business.

(3) Lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of his or her employer.

(n) An associate, whether employed or volunteering, may obtain supervision from a person not employed by the associate's employer if that person has signed a written agreement with the employer to take supervisory responsibility for the associate's social work services.

(o) Notwithstanding any other provision of law, associates and applicants for examination shall receive a minimum of one hour of supervision per week for each setting in which he or she is working.



National Association of Social Workers

California Chapter

February 16, 2016

RE: Change of ASW licensure hours from 3,200 to 3,000

To Supervision Committee,

On behalf of the 10,000 members of the National Association of Social Workers, we would like to thank you for agreeing to add this agenda item to the supervision committee meeting. We are proposing a change in the required hours of supervision for ASW's from 3,200 to 3,000. We ask that the following facts be taken into consideration for this proposed change.

The requested change would put California in alignment with the majority of other states whom also require 3,000 hours of supervision. Currently, eight out of ten of the most populous states in the country only require 3,000 or less hours, with California being one of the exceptions requiring 3,200. This change would also be consistent with the 3,000 hours of supervision for the practice of clinical social work as recommended by the Association of Social Work Boards in The Model Social Work Practice Act, Section 306. The granting of this request would also foster portability of a social work license from state to state, which serves to unify and strengthen the social work profession.

Additionally, this change would align licensure requirements for ASW's with other licensed professionals. 3,000 hours of supervision would parallel the licensure requirements for LPCC's and bring requirements for LCSW closer to the hours required for MFT licensure, as well.

Attached to this packet, please find the literature and research that supports our proposal. Additionally, please see the proposed change as reflected in Business and Professions Code section 4996.17(b)(1) and 4996.23 (a)(2- 3).

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Gonzales".

Rebecca Gonzales
Director of Government Relations and Political Affairs

1016 23rd Street • Sacramento, CA 95816-4910 • (916) 442-4565 • (800) 538-2565
(E-mail) naswca@naswca.org • FAX (916) 442-2075 • <http://www.naswca.org>

BUSINESS AND PROFESSIONS CODE

SECTION 4996-4997.1

4996. (a) Only individuals who have received a license under this article may style themselves as "Licensed Clinical Social Workers." Every individual who styles himself or herself or who holds himself or herself out to be a licensed clinical social worker, or who uses any words or symbols indicating or tending to indicate that he or she is a licensed clinical social worker, without holding his or her license in good standing under this article, is guilty of a misdemeanor.

(b) It is unlawful for any person to engage in the practice of clinical social work unless at the time of so doing such person holds a valid, unexpired, and unrevoked license under this article.

(c) A clinical social worker licensed under this chapter is a licentiate for purposes of paragraph (2) of subdivision (a) of Section 805, and thus is a health care practitioner subject to the provisions of Section 2290.5 pursuant to subdivision (b) of that section.

4996.1. (a) Effective January 1, 2016, the board shall issue a clinical social worker license to each applicant who qualifies pursuant to this article and who successfully passes a California law and ethics examination and a clinical examination. An applicant who has successfully passed a previously administered written examination may be subsequently required to take and pass another written examination.

(b) This section shall become operative on January 1, 2016.

4996.2. Each applicant for a license shall furnish evidence satisfactory to the board that he or she complies with all of the following requirements:

(a) Is at least 21 years of age.

(b) Has received a master's degree from an accredited school of social work.

(c) Has had two years of supervised post-master's degree experience, as specified in Section 4996.23.

(d) Has not committed any crimes or acts constituting grounds for denial of licensure under Section 480. The board shall not issue a registration or license to any person who has been convicted of any crime in this or another state or in a territory of the United States that involves sexual abuse of children or who is required to register pursuant to Section 290 of the Penal Code or the equivalent in another state or territory.

(e) Has completed adequate instruction and training in the subject of alcoholism and other chemical substance dependency. This requirement applies only to applicants who matriculate on or after January 1, 1986.

(f) Has completed instruction and training in spousal or partner

abuse assessment, detection, and intervention. This requirement applies to an applicant who began graduate training during the period commencing on January 1, 1995, and ending on December 31, 2003. An applicant who began graduate training on or after January 1, 2004, shall complete a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. Coursework required under this subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course.

(g) Has completed a minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 1807 of Title 16 of the California Code of Regulations. This training or coursework may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course.

(h) Has completed a minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 1807.2 of Title 16 of the California Code of Regulations. This training or coursework may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course.

4996.3. (a) The board shall assess the following fees relating to the licensure of clinical social workers:

(1) The application fee for registration as an associate clinical social worker shall be seventy-five dollars (\$75).

(2) The fee for renewal of an associate clinical social worker registration shall be seventy-five dollars (\$75).

(3) The fee for application for examination eligibility shall be one hundred dollars (\$100).

(4) The fee for the clinical examination shall be one hundred dollars (\$100). The fee for the California law and ethics examination shall be one hundred dollars (\$100).

(A) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fees.

(B) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The written examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.

(5) The fee for rescoring an examination shall be twenty dollars (\$20).

(6) The fee for issuance of an initial license shall be a maximum of one hundred fifty-five dollars (\$155).

(7) The fee for license renewal shall be a maximum of one hundred fifty-five dollars (\$155).

(8) The fee for inactive license renewal shall be a maximum of seventy-seven dollars and fifty cents (\$77.50).

(9) The renewal delinquency fee shall be a maximum of seventy-five dollars (\$75). A person who permits his or her license to expire is subject to the delinquency fee.

(10) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

(11) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(12) The fee for issuance of a retired license shall be forty dollars (\$40).

(b) With regard to license, examination, and other fees, the board shall establish fee amounts at or below the maximum amounts specified in this chapter.

(c) This section shall become operative on January 1, 2016.

4996.4. (a) Effective January 1, 2016, an applicant who fails the clinical examination may, within one year from the notification date of failure, retake that examination as regularly scheduled, without further application, upon payment of the required examination fees. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all current requirements, and pays all required fees.

(b) This section shall become operative on January 1, 2016.

4996.5. The board shall issue a license to each applicant meeting the requirements of this article, which license, so long as the renewal fees have been paid, licenses the holder to engage in the practice of clinical social work as defined in Section 4996.9, entitles the holder to use the title of licensed clinical social worker, and authorizes the holder to hold himself or herself out as qualified to perform any of the functions delineated by this chapter. The form and content of the license shall be determined by the director in accordance with Section 164.

4996.6. (a) Licenses issued under this chapter shall expire no more than 24 months after the issue date. The expiration date of the original license shall be set by the board.

(b) To renew an unexpired license, the licensee shall, on or before the expiration date of the license, complete the following actions:

(1) Apply for a renewal on a form prescribed by the board.

(2) Pay a two-year renewal fee prescribed by the board.

(3) Certify compliance with the continuing education requirements set forth in Section 4996.22.

(4) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the licensee's last renewal.

(c) To renew an expired license within three years of its expiration, the licensee shall, as a condition precedent to renewal, complete all of the actions described in subdivision (b) and pay a delinquency fee.

(d) A license that is not renewed within three years after its expiration may not be renewed, restored, reinstated, or reissued thereafter; however, the former licensee may apply for and obtain a new license if he or she satisfies all of the following requirements:

- (1) No fact, circumstance, or condition exists that, if the license were issued, would justify its revocation or suspension.
- (2) He or she submits an application for examination eligibility.
- (3) He or she takes and passes the current licensing examinations.
- (4) He or she submits the fees for examination eligibility and for initial license issuance.
- (5) He or she complies with the fingerprint requirements established by board regulation.

4996.65. In addition to the fees charged pursuant to Section 4996.6 for the biennial renewal of a license, the board shall collect an additional fee of ten dollars (\$10) at the time of renewal. The board shall transfer this amount to the Controller who shall deposit the funds in the Mental Health Practitioner Education Fund.

4996.7. A licensee shall display his or her license in a conspicuous place in the licensee's primary place of practice.

4996.8. The current renewal receipt shall be displayed near the license.

4996.9. The practice of clinical social work is defined as a service in which a special knowledge of social resources, human capabilities, and the part that unconscious motivation plays in determining behavior, is directed at helping people to achieve more adequate, satisfying, and productive social adjustments. The application of social work principles and methods includes, but is not restricted to, counseling and using applied psychotherapy of a nonmedical nature with individuals, families, or groups; providing information and referral services; providing or arranging for the provision of social services; explaining or interpreting the psychosocial aspects in the situations of individuals, families, or groups; helping communities to organize, to provide, or to improve social or health services; doing research related to social work; and the use, application, and integration of the coursework and experience required by Sections 4996.2 and 4996.23.

Psychotherapy, within the meaning of this chapter, is the use of psychosocial methods within a professional relationship, to assist the person or persons to achieve a better psychosocial adaptation, to acquire greater human realization of psychosocial potential and adaptation, and to modify internal and external conditions which affect individuals, groups, or communities in respect to behavior, emotions, and thinking, in respect to their intrapersonal and interpersonal processes.

4996.10. The provisions of this article shall be construed only as provisions relating to the examination and licensing of clinical social workers.

4996.11. The board may suspend or revoke the license of any person who is guilty on the grounds set forth in Section 4992.3. The proceedings for the suspension or revocation of licenses under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted in that chapter.

4996.12. Any person who violates this chapter shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding a period of six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both.

4996.13. Nothing in this article shall prevent qualified members of other professional groups from doing work of a psychosocial nature consistent with the standards and ethics of their respective professions. However, they shall not hold themselves out to the public by any title or description of services incorporating the words psychosocial, or clinical social worker, or that they shall not state or imply that they are licensed to practice clinical social work. These qualified members of other professional groups include, but are not limited to, the following:

- (a) A physician and surgeon certified pursuant to Chapter 5 (commencing with Section 2000).
- (b) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900).
- (c) Members of the State Bar of California.
- (d) Marriage and family therapists licensed pursuant to Chapter 13 (commencing with Section 4980).
- (e) Licensed professional clinical counselors pursuant to Chapter 16 (commencing with Section 4999.10).
- (f) A priest, rabbi, or minister of the gospel of any religious denomination.

4996.14. (a) This chapter shall not apply to an employee who is working in any of the following settings if his or her work is performed solely under the supervision of the employer:

- (1) A governmental entity.
 - (2) A school, college, or university.
 - (3) An institution that is both nonprofit and charitable.
- (b) This chapter shall not apply to a volunteer who is working in any of the settings described in subdivision (a) if his or her work is performed solely under the supervision of the entity, school, college, university, or institution.
- (c) This chapter shall not apply to a person using hypnotic techniques by referral from any of the following persons if his or her practice is performed solely under the supervision of the employer:
- (1) A person licensed to practice medicine.
 - (2) A person licensed to practice dentistry.
 - (3) A person licensed to practice psychology.

(d) This chapter shall not apply to a person using hypnotic techniques that offer vocational self-improvement, and the person is not performing therapy for emotional or mental disorders.

4996.15. Nothing in this article shall restrict or prevent activities of a psychosocial nature on the part of persons employed by accredited academic institutions, public schools, government agencies, or nonprofit institutions engaged in the training of graduate students or social work interns pursuing the course of study leading to a master's degree in social work in an accredited college or university, or working in a recognized training program, provided that these activities and services constitute a part of a supervised course of study and that those persons are designated by such titles as social work interns, social work trainees, or other titles clearly indicating the training status appropriate to their level of training. The term "social work intern," however, shall be reserved for persons enrolled in a master's or doctoral training program in social work in an accredited school or department of social work.

4996.16. Nothing in this chapter shall apply to any clinical social worker from outside this state, when in actual consultation with a licensed practitioner of this state, or when an invited guest of a professional association, or of an educational institution for the sole purpose of engaging in professional education through lectures, clinics, or demonstrations, if he or she is at the time of the consultation, lecture, or demonstration licensed to practice clinical social work in the state or country in which he or she resides. These clinical social workers shall not open an office or appoint a place to meet clients or receive calls from clients within the limits of this state.

4996.17. (a) (1) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially the equivalent of the requirements of this chapter.

(2) Commencing January 1, 2014, an applicant with education gained outside of California shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(b) The board may issue a license to any person who, at the time of application, holds a valid active clinical social work license issued by a board of clinical social work examiners or corresponding

authority of any state, if the person passes, or has passed, the licensing examinations as specified in Section 4996.1 and pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than ~~3,200~~ 3,000 hours of qualifying supervised experience, time actively licensed as a clinical social worker shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(2) Completion of the following coursework or training in or out of this state:

(A) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(B) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(3) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant shall provide a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(c) The board may issue a license to any person who, at the time of application, holds a valid, active clinical social work license issued by a board of clinical social work examiners or a

corresponding authority of any state, if the person has held that license for at least four years immediately preceding the date of application, the person passes, or has passed, the licensing examinations as specified in Section 4996.1, and the person pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) Completion of the following coursework or training in or out of state:

(A) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(B) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(2) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(3) The applicant has been licensed as a clinical social worker continuously for a minimum of four years prior to the date of application.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant provides a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(d) Commencing January 1, 2016, an applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination

specified in Section 4996.1 if the applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

4996.18. (a) A person who wishes to be credited with experience toward licensure requirements shall register with the board as an associate clinical social worker prior to obtaining that experience. The application shall be made on a form prescribed by the board.

(b) An applicant for registration shall satisfy the following requirements:

(1) Possess a master's degree from an accredited school or department of social work.

(2) Have committed no crimes or acts constituting grounds for denial of licensure under Section 480.

(3) Commencing January 1, 2014, have completed training or coursework, which may be embedded within more than one course, in California law and professional ethics for clinical social workers, including instruction in all of the following areas of study:

(A) Contemporary professional ethics and statutes, regulations, and court decisions that delineate the scope of practice of clinical social work.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of clinical social work, including, but not limited to, family law.

(C) The current legal patterns and trends in the mental health professions.

(D) The psychotherapist-patient privilege, confidentiality, dangerous patients, and the treatment of minors with and without parental consent.

(E) A recognition and exploration of the relationship between a practitioner's sense of self and human values, and his or her professional behavior and ethics.

(F) Differences in legal and ethical standards for different types of work settings.

(G) Licensing law and process.

(c) An applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education shall be eligible, and shall be required, to register as an associate clinical social worker in order to gain experience toward licensure if the applicant has not committed any crimes or acts that constitute grounds for denial of licensure under Section 480. That applicant shall not, however, be eligible for examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

(d) All applicants and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of clinical social work.

(e) Any experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Any experience obtained under the supervision of a supervisor with whom the applicant has a

personal relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.

(f) An applicant who possesses a master's degree from an accredited school or department of social work shall be able to apply experience the applicant obtained during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education toward the licensure requirements, if the experience meets the requirements of Section 4996.23. This subdivision shall apply retroactively to persons who possess a master's degree from an accredited school or department of social work and who obtained experience during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education.

(g) An applicant for registration or licensure trained in an educational institution outside the United States shall demonstrate to the satisfaction of the board that he or she possesses a master's of social work degree that is equivalent to a master's degree issued from a school or department of social work that is accredited by the Commission on Accreditation of the Council on Social Work Education. These applicants shall provide the board with a comprehensive evaluation of the degree and shall provide any other documentation the board deems necessary. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements regardless of evaluation or accreditation.

(h) A registrant shall not provide clinical social work services to the public for a fee, monetary or otherwise, except as an employee.

(i) A registrant shall inform each client or patient prior to performing any professional services that he or she is unlicensed and is under the supervision of a licensed professional.

4996.19. Nothing in this article shall prohibit the acts or practices of a licensed clinical social workers' corporation duly certificated pursuant to the Moscone-Knox Professional Corporation Act, as contained in Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code and Article 5 (commencing with Section 4998), when the corporation is in compliance with (a) the Moscone-Knox Professional Corporation Act; (b) Article 5 (commencing with Section 4998); and (c) all other statutes and all rules and regulations now or hereafter enacted or adopted pertaining to the corporation and the conduct of its affairs.

4996.22. (a) (1) Except as provided in subdivision (c), the board shall not renew any license pursuant to this chapter unless the applicant certifies to the board, on a form prescribed by the board, that he or she has completed not less than 36 hours of approved continuing education in or relevant to the field of social work in the preceding two years, as determined by the board.

(2) The board shall not renew any license of an applicant who

began graduate study prior to January 1, 2004, pursuant to this chapter unless the applicant certifies to the board that during the applicant's first renewal period after the operative date of this section, he or she completed a continuing education course in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. On and after January 1, 2005, the course shall consist of not less than seven hours of training. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken prior to the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and at its discretion, may be accepted in satisfaction of this requirement. Continuing education courses taken pursuant to this paragraph shall be applied to the 36 hours of approved continuing education required under paragraph (1).

(b) The board shall have the right to audit the records of any applicant to verify the completion of the continuing education requirement. Applicants shall maintain records of completion of required continuing education coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

(c) The board may establish exceptions from the continuing education requirement of this section for good cause as defined by the board.

(d) The continuing education shall be obtained from one of the following sources:

(1) An accredited school of social work, as defined in Section 4991.2, or a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, as specified by the board by regulation.

(e) The board shall establish, by regulation, a procedure for identifying acceptable providers of continuing education courses, and all providers of continuing education, as described in paragraphs (1) and (2) of subdivision (d), shall adhere to the procedures established by the board. The board may revoke or deny the right of a provider to offer continuing education coursework pursuant to this section for failure to comply with this section or any regulation adopted pursuant to this section.

(f) Training, education, and coursework by approved providers shall incorporate one or more of the following:

(1) Aspects of the discipline that are fundamental to the understanding, or the practice, of social work.

(2) Aspects of the social work discipline in which significant recent developments have occurred.

(3) Aspects of other related disciplines that enhance the understanding, or the practice, of social work.

(g) A system of continuing education for licensed clinical social workers shall include courses directly related to the diagnosis, assessment, and treatment of the client population being served.

(h) The continuing education requirements of this section shall comply fully with the guidelines for mandatory continuing education established by the Department of Consumer Affairs pursuant to Section 166.

(i) The board may adopt regulations as necessary to implement this section.

(j) The board shall, by regulation, fund the administration of this section through continuing education provider fees to be deposited in the Behavioral Sciences Fund. The fees related to the administration of this section shall be sufficient to meet, but shall not exceed, the costs of administering the corresponding provisions of this section. For purposes of this subdivision, a provider of continuing education as described in paragraph (1) of subdivision (d) shall be deemed to be an approved provider.

4996.23. (a) To qualify for licensure as specified in Section 4996.2, each applicant shall complete ~~3,200~~ 3,000 hours of post-master's degree supervised experience related to the practice of clinical social work. The experience shall comply with the following:

(1) At least 1,700 hours shall be gained under the supervision of a licensed clinical social worker. The remaining required supervised experience may be gained under the supervision of a licensed mental health professional acceptable to the board as defined by a regulation adopted by the board.

(2) A minimum of 2,000 hours in clinical psychosocial diagnosis, assessment, and treatment, including psychotherapy or counseling.

(3) A maximum of ~~1,200~~ 1,000 hours in client centered advocacy, consultation, evaluation, research, direct supervisor contact, and workshops, seminars, training sessions, or conferences directly related to clinical social work that have been approved by the applicant's supervisor.

(4) Of the 2,000 clinical hours required in paragraph (2), no less than 750 hours shall be face-to-face individual or group psychotherapy provided to clients in the context of clinical social work services.

(5) A minimum of two years of supervised experience is required to be obtained over a period of not less than 104 weeks and shall have been gained within the six years immediately preceding the date on which the application for licensure was filed.

(6) Experience shall not be credited for more than 40 hours in any week.

(b) An individual who submits an application for examination eligibility between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements that were in place on January 1, 2015.

(c) "Supervision" means responsibility for, and control of, the quality of clinical social work services being provided. Consultation or peer discussion shall not be considered to be supervision.

(d) (1) Prior to the commencement of supervision, a supervisor shall comply with all requirements enumerated in Section 1870 of Title 16 of the California Code of Regulations and shall sign under penalty of perjury the "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" form.

(2) Supervised experience shall include at least one hour of direct supervisor contact for a minimum of 104 weeks. For purposes of this subdivision, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours of face-to-face contact in a group conducted within the same week as the hours claimed.

(3) An associate shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained. No more than six hours of supervision, whether individual or group, shall be credited during any single week.

(4) Supervision shall include at least one hour of direct supervisor contact during each week for which experience is gained in each work setting. Supervision is not required for experience gained attending workshops, seminars, training sessions, or conferences as described in paragraph (3) of subdivision (a).

(5) The six hours of supervision that may be credited during any single week pursuant to paragraph (3) shall apply only to supervision hours gained on or after January 1, 2010.

(6) Group supervision shall be provided in a group of not more than eight supervisees and shall be provided in segments lasting no less than one continuous hour.

(7) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, and of the 52 weeks of required individual supervision, not less than 13 weeks shall be supervised by a licensed clinical social worker.

(8) Notwithstanding paragraph (2), an associate clinical social worker working for a governmental entity, school, college, or university, or an institution that is both a nonprofit and charitable institution, may obtain the required weekly direct supervisor contact via live two-way videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is preserved.

(e) The supervisor and the associate shall develop a supervisory plan that describes the goals and objectives of supervision. These goals shall include the ongoing assessment of strengths and limitations and the assurance of practice in accordance with the laws and regulations. The associate shall submit to the board the initial original supervisory plan upon application for licensure.

(f) Experience shall only be gained in a setting that meets both of the following:

(1) Lawfully and regularly provides clinical social work, mental health counseling, or psychotherapy.

(2) Provides oversight to ensure that the associate's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4996.9.

(g) Experience shall not be gained until the applicant has been registered as an associate clinical social worker.

(h) Employment in a private practice as defined in subdivision (i) shall not commence until the applicant has been registered as an associate clinical social worker.

(i) A private practice setting is a setting that is owned by a licensed clinical social worker, a licensed marriage and family therapist, a licensed psychologist, a licensed professional clinical counselor, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(j) If volunteering, the associate shall provide the board with a letter from his or her employer verifying his or her voluntary status upon application for licensure.

(k) If employed, the associate shall provide the board with copies of his or her W-2 tax forms for each year of experience claimed upon application for licensure.

(l) While an associate may be either a paid employee or volunteer,

employers are encouraged to provide fair remuneration to associates.

(m) An associate shall not do the following:

(1) Receive any remuneration from patients or clients and shall only be paid by his or her employer.

(2) Have any proprietary interest in the employer's business.

(3) Lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of his or her employer.

(n) An associate, whether employed or volunteering, may obtain supervision from a person not employed by the associate's employer if that person has signed a written agreement with the employer to take supervisory responsibility for the associate's social work services.

(o) Notwithstanding any other provision of law, associates and applicants for examination shall receive a minimum of one hour of supervision per week for each setting in which he or she is working.

4996.24. (a) A licensee in private practice who has satisfied the requirements of Section 1870 of Title 16 of the California Code of Regulations may supervise or employ, at any one time, no more than a total of three individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker in that private practice.

(b) A licensed clinical social workers' corporation may employ, at any one time, no more than a total of three individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker for each employee or shareholder who has satisfied the requirements of Section 1870 of Title 16 of the California Code of Regulations.

(c) In no event shall any licensed clinical social workers' corporation employ, at any one time, more than a total of 15 individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. In no event shall any supervisor supervise, at any one time, more than a total of three individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker. Persons who supervise individuals registered as either a marriage and family therapist intern, clinical counselor intern, or associate clinical social worker shall be employed full time by the licensed clinical social workers' corporation and shall be actively engaged in performing professional services at and for the licensed clinical social workers' corporation. Employment and supervision within the licensed clinical social workers' corporation shall be subject to all laws and regulations governing experience and supervision gained in a private practice setting.

4996.25. (a) Any applicant for licensure as a licensed clinical social worker who began graduate study on or after January 1, 2004, shall complete, as a condition of licensure, a minimum of 10 contact hours of coursework in aging and long-term care, which could include, but is not limited to, the biological, social, and psychological aspects of aging. On and after January 1, 2012, this coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(b) Coursework taken in fulfillment of other educational requirements for licensure pursuant to this chapter, or in a separate course of study, may, at the discretion of the board, fulfill the requirements of this section.

(c) In order to satisfy the coursework requirement of this section, the applicant shall submit to the board a certification from the chief academic officer of the educational institution from which the applicant graduated stating that the coursework required by this section is included within the institution's required curriculum for graduation, or within the coursework, that was completed by the applicant.

(d) The board shall not issue a license to the applicant until the applicant has met the requirements of this section.

4996.26. (a) A licensee who began graduate study prior to January 1, 2004, shall complete a three-hour continuing education course in aging and long-term care during his or her first renewal period after the operative date of this section, and shall submit to the board evidence acceptable to the board of the person's satisfactory completion of the course.

(b) The course shall include, but is not limited to, the biological, social, and psychological aspects of aging. On and after January 1, 2012, this coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(c) Any person seeking to meet the requirements of subdivision (a) of this section may submit to the board a certificate evidencing completion of equivalent courses in aging and long-term care taken prior to the operative date of this section, or proof of equivalent teaching or practice experience. The board, in its discretion, may accept that certification as meeting the requirements of this section.

(d) The board may not renew an applicant's license until the applicant has met the requirements of this section.

(e) Continuing education courses taken pursuant to this section shall be applied to the 36 hours of approved continuing education required in Section 4996.22.

(f) This section shall become operative on January 1, 2005.

4996.28. (a) Registration as an associate clinical social worker shall expire one year from the last day of the month during which it was issued. To renew a registration, the registrant shall, on or before the expiration date of the registration, complete all of the following actions:

(1) Apply for renewal on a form prescribed by the board.

(2) Pay a renewal fee prescribed by the board.

(3) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken by a regulatory or licensing board in this or any other state, subsequent to the last renewal of the registration.

(4) On and after January 1, 2016, obtain a passing score on the California law and ethics examination pursuant to Section 4992.09.

(b) A registration as an associate clinical social worker may be renewed a maximum of five times. When no further renewals are possible, an applicant may apply for and obtain a subsequent associate clinical social worker registration number if the applicant meets all requirements for registration in effect at the time of his or her application for a subsequent associate clinical social worker registration number. An applicant issued a subsequent associate registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.

4997. (a) A licensee may apply to the board to request that his or her license be placed on inactive status.

(b) A licensee on inactive status shall be subject to this chapter and shall not engage in the practice of clinical social work in this state.

(c) A licensee who holds an inactive license shall pay a biennial fee in the amount of one-half of the standard renewal fee and shall be exempt from continuing education requirements.

(d) A licensee on inactive status who has not committed an act or crime constituting grounds for denial of licensure may, upon request, restore his or her license to practice clinical social work to active status.

(1) A licensee requesting his or her license be restored to active status between renewal cycles shall pay the remaining one-half of his or her renewal fee.

(2) A licensee requesting to restore his or her license to active status whose license will expire less than one year from the date of the request shall complete 18 hours of continuing education as specified in Section 4996.22.

(3) A licensee requesting to restore his or her license to active status whose license will expire more than one year from the date of the request shall complete 36 hours of continuing education as specified in Section 4996.22.

4997.1. (a) The board shall issue, upon application and payment of the fee fixed by this chapter, a retired license to a licensed clinical social worker who holds a license that is current and active or a license that is inactive, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(b) The holder of a retired license issued pursuant to this section shall not engage in any activity for which an active clinical social worker license is required.

(c) The holder of a retired license shall not be required to renew that license.

(d) The holder of a retired license may apply to restore to active status his or her license to practice clinical social work if that retired license was issued less than three years prior to the application date, and the applicant meets all of the following requirements:

(1) Has not committed an act or crime constituting grounds for denial of licensure.

(2) Pays the required renewal fee.

(3) Completes the required continuing education as specified in Section 4996.22.

(4) Complies with the fingerprint submission requirements established by the board in regulation.

(e) An applicant requesting to restore his or her license pursuant to subdivision (d), whose license was issued in accordance with this section less than one year from the date of the application, shall complete 18 hours of continuing education as specified in Section 4996.22.

(f) An applicant requesting to restore his or her license pursuant to subdivision (d), whose license was issued in accordance with this section one or more years from the date of application, shall complete 36 hours of continuing education as specified in Section 4996.22.

(g) The holder of a retired license may apply to restore to active status his or her license to practice clinical social work if that retired license was issued three or more years prior to the application date, and the applicant meets all of the following requirements:

(1) Has not committed an act or crime constituting grounds for denial of licensure.

(2) Applies for licensure and pays the required fees.

(3) Passes the examinations required for licensure.

(4) Complies with the fingerprint submission requirements established by the board in regulation.

Social work licensure requirements in the United States and Canada

Introduction

This document was created from a review of regulations in 62 jurisdictions, including all Canadian provinces and U.S. states, the District of Columbia and the U.S. Virgin Islands.

While the majority of states administer social work licensing programs, some states administer certification programs and Canada utilizes a social work registry. This report refers to all social work titles as licenses for the sake of clarity.

To summarize licensing requirements ASWB assigned social work titles to the Clinical, Masters or Bachelors practice category. The ASWB Model Social Work Practice Act (Model Act) was used as a guide to assign a license to a particular practice category. Criteria include education, examination and supervised experience requirements. Licenses which do not closely match criteria found in the Model Act are assigned to either "Associate" or "Registered Social Worker (RSW)" categories. This latter category represents the majority of social work titles regulated in Canada.

ASWB strives to maintain accurate information about social work regulation. Regulations are dynamic, however, and changes may not be noted in this document. Please contact Cara Sanner, ASWB Member Services Specialist, at csanner@aswb.org with updates, comments, or for more information.

Overview

ASWB identified 172 social work license titles in the U.S. and Canada. The total climbs to 192 licenses in instances where a single license with multiple requirements for supervised experience are included. This is the practice in 11 jurisdictions, where candidates without a Baccalaureate of Social Work (BSW) or a Masters of Social Work (MSW) may become licensed if they fulfill additional supervised experience requirements. This approach is used for 14 different license titles and results in a total of 34 licenses with distinct requirements.

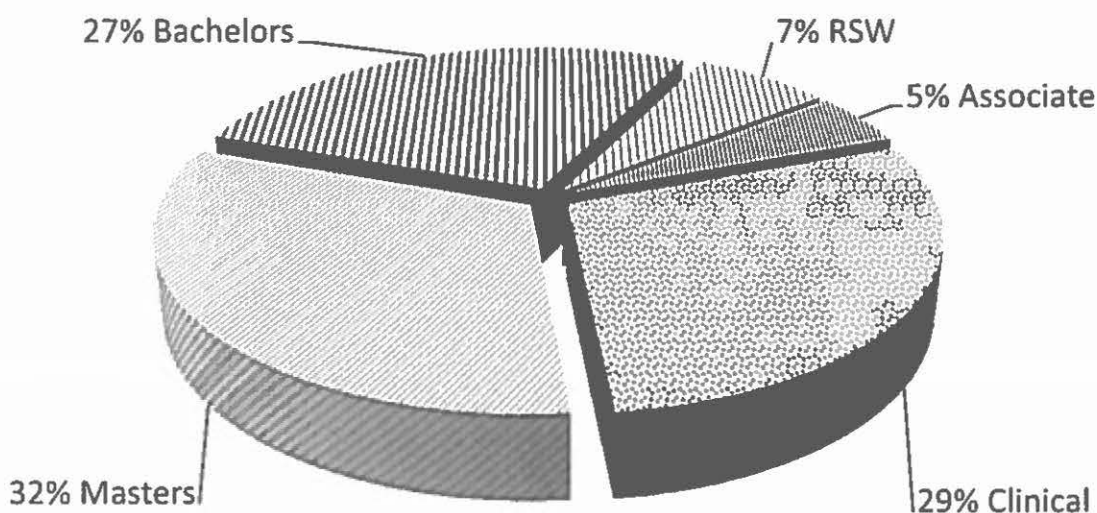
The following jurisdictions offer additional designations for licenses as described below:

1. Alabama - Clinical licensees may apply for the private independent practice designation
2. Missouri - Baccalaureate licensees may apply for the independent practice designation
3. Nebraska - Clinical and masters licensees may apply for the independent practice designation
4. New York - Clinical licensees may apply for psychotherapy "R" privilege which requires certain insurers to pay the LCSW for such services; it does not change the scope of practice.
5. Texas - Masters and baccalaureate licensees may apply for the independent non-clinical practice designation
6. Newfoundland & Labrador and Nova Scotia - Registered social workers may apply for the private practice designation

Number of licenses by practice category, supervised experience requirements

Practice category	Number of jurisdictions	Total number licenses	Licenses requiring supervised experience (% of licenses in that category)
Clinical	54	56	56 (100%)
Masters	44	62	23 (37%)
Bachelors	38	52	17 (33%)
Associate	5	9	4 (44%)
Registered Social Worker	10	13	2 (15%)
Total		192	102 (53%)

Practice categories as a percentage of all licenses



45 separate titles for 192 licenses

APSW	LB*SW	LMSW	RSW
BSW	LBSW	LMSW-AP	RSWA
C*ISW	LC*SW	LMSW-C	RSWC
C*MSW	LC*SW-C	LMSW-M*	RSW-C
C*SWM**	LC*SW-M*	LS**CSW	RSW-P*P
C*SW	LCSW	LSW	SS*T
C*SW-P*IP	LGSW	LSWA*	SS*W
CSW	LICSW	LSW-A**	SW
ISW	LISW	LSWI	SWA*
LAM*SW	LISW-AP	P*B*SW	
LAPSW	LISW-CP	RB*SW	
LASW	LMHP***	RCSW	

A = Advanced; A* = Associate; A** = Administration; B = Bachelors; B* = Baccalaureate; C = Clinical; C* = Certified; C** = Candidate; G = Graduate; H = Health; I = Independent; P = Practice; P* = Private; P** = Provisional; P*** = Practitioner; M = Masters; M* = Macro; M** = Manager; R = Registered; S = Social; S* = Service; S** = Specialist; W = Worker

Practice categories regulated by jurisdictions

Number of Jurisdictions	Practice Categories				
	Clinical	Masters	Bachelors	Associate	Registered Social Worker
31	X	X	X		
9	X	X			
8					X
5	X				X
4	X	X	X	X	
2	X		X		
2	X				X
1	X		X	X	

Clinical license requirements

Education requirements

Forty-one or 73% of all clinical licenses require a social work doctorate or an MSW. Fifteen licenses exclusively require an MSW. Although CSWE accreditation is listed as a requirement for almost all clinical licenses, CSWE does not presently accredit doctorate social work programs. In New York licensing candidates are required to hold a degree from NY state-registered program in clinical social work. Seven states have specific course content requirements that must be fulfilled in addition to degree requirements

Examination requirements

All clinical licenses require a passing score on the ASWB Clinical exam with the exception of:

- Colorado, Ohio and Wyoming allow either the Clinical or Advanced Generalist exam.
- In Mississippi, a licensing candidate must declare a path of supervision and take either the Clinical or Advanced Generalist exam based on such.

*Includes 62 jurisdictions
Canada U.S. Virgin Islands*

Supervised experience requirements

All clinical licenses require supervised experience. The majority, 45% (25 licenses), require 3000 hours of experience followed by 29% (16 licenses) which requires 4,000 hours. The remainder require: Nine licenses between 3200 and 3600 hours; four licenses between 1600 and 2000 hours; and one license each requires 5760 hours and 6400 hours.

Masters license requirements

Number of titles regulated

	# of Jurisdictions	# of Licenses		
		Supervised experience	Macro practice	No experience
Once license	28	7	5	21
Two licenses	14	13	10	15
Three licenses	2	4	2	2

Education requirements

The education requirement for 56% of masters licenses, 35 jurisdictions in total, is an MSW or social work doctorate from a CSWE approved program. There are 22 jurisdictions that will only accept an MSW, which represents 35% of all licenses. Three states will allow a BSW (or MSW or social work doctorate degree): Illinois, Indiana and North Carolina.

Exam requirements

Forty-one states exclusively require the Masters examination for the masters license. All but one of the 17 states that specifically designate a macro practice license requires the Advanced Generalist examination for that license; Nebraska allows either the Advanced Generalist or Clinical examination. Colorado and Utah allow the Masters, Advanced Generalist or Clinical examination. In Louisiana the masters title Certified Social Worker is assigned to applicants who have obtained education requirements but haven't taken the masters examination.

Supervised experience requirements

Twenty-three of the 62 masters licenses regulated require post-MSW supervision; 17 of these are designated for macro social work practice. Minnesota and Oklahoma each have two masters licenses requiring supervision. The majority, 48% (11 licenses) require 3,000 hours of experience followed by 39% (9 licenses) which requires 4,000 hours. Two of the remaining three licenses require 3600 and 3200 hours. One license (New Mexico's macro license) requires 3 years of supervised experience AFTER attainment of the clinical license.

Bachelors license requirements

Education requirements

The education requirement for 65% of bachelors licenses, 32 jurisdictions in total, is a BSW from a CSWE approved program. There are 8 jurisdictions that will also accept a Bachelors of Arts or Sciences degree. Nebraska, Ohio and Utah will accept a social work doctorate, masters or bachelors degree. Nevada, Wisconsin and Virginia will accept either a BSW or MSW degree. Massachusetts will allow a wide range of education; however, those with less education are required to have more supervised experience.

Examination requirements

Jurisdictions exclusively require a passing score on the ASWB Bachelors exam with the exception of the following:

- Colorado, Ohio and Wyoming allow either the Bachelors or Advanced Generalist exam.
- In Mississippi, a licensing candidate must declare a path of supervision i.e. either Bachelors or macro practice; applicants are required to take either the Bachelors or Advanced Generalist exam depending on their declared path of supervision.
- California develops and administers the licensing exam required for the Bachelors license.

Supervised experience requirements

Seventeen of the 52 bachelors licenses regulated require post-degree supervised experience. Eight licenses require 4,000 hours of experience. In Massachusetts the amount of experience required depends on the level of education obtained by the candidate and may range from 3,500 to 17,500

hours. The remaining four licenses require between 1,600 and 3,200 hours of supervised experience. In Maryland and Pennsylvania supervised experience prior to the license application is not required; however licensees can only practice under supervision.

Associate license requirements

Education requirements

Education requirements for associate licenses are as follows:

Not required	Bachelor of Arts	2 years college w/4 courses
High school diploma	Bachelor of Science	in human services
Associate		Social work associate

Examination requirements

A passing score on the ASWB Associate exam is required for five of the licenses; all others do not have an exam requirement.

Supervised experience requirements

Michigan has three licenses that require supervised experience. In Michigan the amount of supervised experience required depends on the level of education obtained by the licensing applicant; it can vary between 350 and 2,000 hours.

Registered Social Worker

With the exception of the clinical registries in Alberta and British Columbia, social work titles in Canadian registries are not comparable with the ASWB Model Act criteria used to assign license titles to practice categories. Provinces do not require an examination (except for the two clinical titles noted). Multiple social work degrees are accepted including: MSW or BSW (6 titles); Social work doctorate, MSW or BSW (4 titles), Social work doctorate or MSW (1 title); MSW (1 title); BSW (1 title); and Certificate in social work (1 title).

A RSW may engage in bachelors, masters or clinical social work practice; most provinces do not distinguish practice categories with the use of different titles or requirements. Exceptions are the clinical registries maintained in Alberta and British Columbia and private practice designations in Newfoundland & Labrador and Nova Scotia. Social workers must practice within their area of competency and receive appropriate training and professional development to maintain competence.

SUPERVISION HOURS REQUIRED BY STATE FOR CLINICAL SOCIAL WORK LICENSE:

By Population:

1) California: 3200 Supervised hours beyond MSW

2) Texas: 3000 supervised hours

<http://www.socialworklicensure.org/state/social-work-licensure-exas.html#context/api/listings/prefilter>

3) New York: 2000 hours “supervised client contact hours”

New York: 518-474-3817 ext. 450

<http://www.op.nyscd.gov/prof/sw/lcsw.htm>

New York State Board for Social Work and Mental Health Practitioners

4) Florida: 1500 supervised hours of “Face to Face Psychotherapy”

<http://www.socialworklicensure.org/state/social-work-licensure-florida.html#context/api/listings/prefilter>

5) Illinois: 3000 supervised hours

www.naswil.org/social-work-practice/licensure/supervision/

6) Pennsylvania: 3000 supervised hours

<http://www.socialworklicensure.org/state/social-work-licensure-pennsylvania.html#context/api/listings/prefilter0> supervised hours

7) Ohio: 3000 supervised hours

<http://cswmft.ohio.gov/SocialWorkers/Supervision.aspx>

8) Michigan: 4000 supervised hours

<http://www.nasw-michigan.org/?186>

9) Georgia: 3000 required hours

<http://www.humanservicesedu.org/georgia-social-work-requirements.html>

10) North Carolina: 3000 supervised hours

<http://www.ncswboard.org/page/certification-licensure>

Other States:

Massachusetts: 3500 hours “Post MSW clinical social work experience”

<http://www.mass.gov/ocabr/licensee/dpl-boards/sw/faqs-about-the-board.html>

Washington: 3200 supervised hours


<http://www.socialworklicensure.org/state/social-work-licensure-washington.html#context/api/listings/prefilter>

Oregon: 3500 total work hours

<http://www.oregon.gov/blsw/pages/faq-lic.aspx>

Arizona: 3200 total work hours

<http://www.socialworklicensure.org/state/social-work-licensure-arizona.html>



*model
social work
practice act*

Model Law Task Force, 1996 - 1997
with amendments, 1998 - 2012

association of social work boards

agency administrator to obtain supervision of agency clients outside the agency setting.

- (9) A plan for supervision must be established and maintained throughout the supervisory period. Such plan must be submitted to the Board along with the application by the licensee for independent status. The Board reserves the right to preapprove and audit such plans. Plans must include:
- (i) The purpose of supervision
 - (ii) Process to be used in supervision, i.e., timing, skills
 - (iii) Learning objectives
 - (iv) Professional growth
 - (v) Intervention processes
 - (vi) Plans for documentation
 - (vii) Ethics and values
 - (viii) Evaluation
- (10) An evaluation of the supervisee in accordance with the plan shall be submitted to the regulatory body every six months and the records will be retained for three years.

Regulations - Practice of Clinical Social Work

Pursuant to Article III, Section 304(6)(a), all candidates for licensure as a Clinical Social Worker shall have practiced Clinical Social Work in a supervised setting under requirements and parameters set by the Board. The Board declares such parameters to be as follows:

- (1) *Supervised Practice Required.* To be eligible for licensure as a Clinical Social Worker a candidate must possess an LMSW and thereafter obtain 3000 hours of supervised clinical social work practice over a minimum two-year and maximum four-year period. Under any circumstances, the 3000 hours of experience must be completed within eight (8) years from the date of initial application for Clinical Practice recognition. Of these 3000 hours, at least 100 hours of direct clinical supervision is required. Such 100 hours must be equitably distributed throughout a minimum of a two-year period, and no more than 50 hours can be provided in group supervision.

In conjunction with the responsibilities (section 6) and areas of supervisory accountability (section 7), boards are encouraged to consider the quality of supervision in relation to the number of supervisees under the responsibility of one supervisor. Although there is no specific recommended ratio of supervisees per supervisor in the ASWB Model Social Work Practice Act or Regulations, ASWB suggests that Boards consider the context where supervision is taking place. Factors should include whether the supervisor is in the same agency as the supervisee, the geographic distance between the supervisor and supervisee additional job responsibilities and work load of the supervisor, current personal circumstances of the supervisor, and other concerns that may affect the overall quality of the supervisor/supervisee relationship. The overall goal for supervision is professional growth and development. Board should use many factors, including the number of supervisees under the supervision of one supervisor, as the benchmark for considering whether a plan for supervision is approved.

Blank Page

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

To: Supervision Committee Members
Date: May 31, 2016
From: Christy Berger
Regulatory Analyst
Telephone: (916) 574-7817
Subject: Supervisor Self-Assessment Form and Supervisor Responsibility Statement

At the February 5, 2016 meeting, the Committee tentatively approved a structure for requiring all supervisors to register with the Board, with the goal of increasing accountability and improving communication without major changes to the current system. The supervisor's registration with the Board would be initiated by a licensee's submission of a *Supervisor Self-Assessment Report* form, certifying under penalty of perjury that he or she meets all requirements to be a supervisor, and agreeing to meet all requirements set forth in law. The Board would verify a supervisor's qualifications via a random audit only.

The draft form for new supervisors was reviewed by the Committee at the April 2016 meeting. The original is proposed to be provided to the Board within 60 days of commencing supervision, with a copy to the supervisee prior to commencing supervision. The changes recommended by the Committee have been made to the form. In addition, we have added items that were previously part of the *Supervisor Responsibility Statement* form, as there would have otherwise been significant, unnecessary overlap. The *Self-Assessment Report* is therefore proposed to serve as a replacement for the *Supervisor Responsibility Statement*.

The form for existing supervisors has now been drafted, and is attached for the Committee's review. Staff proposes that this form be submitted by all existing supervisors by March 31 of the year following the effective date of the new requirement.

Attachments:

- Attachment A:** Draft *Supervisor Self-Assessment Form* – Existing Supervisors
- Attachment B:** Revised Draft *Supervisor Self-Assessment Form* – New Supervisors
- Attachment C:** *Responsibility Statement for Supervisors of an Associate Clinical Social Worker*
- Attachment D:** *Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern*
- Attachment E:** *Responsibility Statement for Supervisors of a Professional Clinical Counselor Intern*

Blank Page



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297
www.bbs.ca.gov



ATTACHMENT A
DRAFT

EXISTING CLINICAL SUPERVISOR
SELF-ASSESSMENT REPORT

INFORMATION AND INSTRUCTIONS

*A licensee who has been a supervisor of a Marriage and Family Therapist Trainee or Intern, Associate Clinical Social Worker, or Professional Clinical Counselor Intern **PRIOR to January 1, (year)**, and intends to continue supervising after that date, must do the following:*

- *Complete and submit the original of this form to the Board by March 31, (year).*

AND

- *Provide a copy of this completed form and the “Guide to Supervision” brochure to each of your current supervisees by March 31, (year) and to any new supervisees within 60 days of commencing supervision.*

NOTE: *Once you submit this report form, you do NOT need to resubmit upon supervising a new individual. One-time submission of this form covers all BBS professions and all types of BBS supervisees.*

SPECIAL NOTE FOR LICENSED MARRIAGE AND FAMILY THERAPISTS, LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED PROFESSIONAL CLINICAL COUNSELORS:

Complete the Self-Assessment Report in its entirety and submit the original to the Board by March 31 (year). If you meet the requirements, the Board will add a note to your online licensing record that states you are a qualified supervisor.

SPECIAL INSTRUCTIONS FOR LICENSED PSYCHOLOGISTS AND PSYCHIATRISTS:

You may skip questions 13, 14, 15, 18 and 19 on the Self-Assessment form as these items do not apply to you. Submit the original Self-Assessment Report to the Board by March 31 (year). Unfortunately, the Board is unable to add a note to your online licensing records stating that you are a supervisor.


Board of Behavioral Sciences

1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297 FAX: (916) 574-8626
www.bbs.ca.gov



EXISTING CLINICAL SUPERVISOR SELF-ASSESSMENT REPORT - **DRAFT**

See cover sheet for instructions

Type or print clearly in ink

1. Supervisor's Legal Name: Last		First		Middle
2. BBS File Number (if known):	3. Business Telephone:	4. E-Mail Address:		
5. California License Type: <input type="checkbox"/> LCSW <input type="checkbox"/> LMFT <input type="checkbox"/> LPCC <input type="checkbox"/> Clinical Psychologist* <input type="checkbox"/> Physician Board-Certified in Psychiatry by the American Board of Psychiatry and Neurology*				
6. License Number:	7. Date Issued:	8. Expiration Date:	9. Date You Began Supervising:	
10. Address of Record**: Number and Street				
City		State	Zip Code	
11. Is this a new address? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If YES, we will update our records accordingly</i>				

12. Do you hold an equivalent license in another state? Yes No
If YES, provide information below:

State	License Type	License Number	Date Issued	Status

13. LPCCs: Will you be supervising an MFT Trainee or MFT Intern; or, a Professional Counselor Intern gaining experience with couples or families? Yes No

14. If you marked **YES to question 13**, have you met all of the qualifications to assess and treat couples and families under your LPCC license? Yes No

**Psychologists and Psychiatrists – see the cover sheet for instructions on filling out this form.*

***The address you enter on this application is public information and will be placed on the Internet pursuant to BPC section 27. If you don't want your home or work address available to the public, provide an alternate mailing address.*

Supervisor's Last Name	First	Middle
------------------------	-------	--------

15. Have you been issued any of the following "approved supervisor" designations? Yes No

If YES, (1) Mark the box next to the type of certification held; (2) List the date issued and (3) SKIP questions 16, 17, 18 and 19 below.

- American Association for Marriage and Family Therapy (AAMFT): Date Issued: _____
- American Board of Examiners in Clinical Social Work (ABECSW): Date Issued: _____
- California Association of Marriage and Family Therapists (CAMFT): Date Issued: _____
- Center for Credentialing and Education (CCE): Date Issued: _____

16. Have you held an active license in California or any other state for at least two (2) of the past five (5) years? Yes No

17. EXPERIENCE: Have you practiced psychotherapy or provided direct clinical supervision of trainees, interns, or associates who perform psychotherapy for at least two (2) of the past five (5) years? Yes No

18. TRAINING COURSE: Did you complete the supervisor training course that was required at the time you began supervising? Yes No

Course Provider: _____ Date: _____

19. I understand that I must complete a minimum of six (6) hours of continuing professional development in supervision during each license renewal period while providing supervision. Initials: _____

20. I understand that if I do not renew my California license on time, any hours gained by my supervisees during the time my license is lapsed will NOT be counted toward licensure and my license may be subject to disciplinary action. Initials: _____

21. I understand that I must immediately notify my supervisees of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure that affects my ability or right to supervise. Initials: _____

Supervisor's Last Name	First	Middle
------------------------	-------	--------

22. I understand that I must be competent in the areas of clinical practice and techniques being supervised. Initials: _____

23. I understand that my supervisee must meet all requirements for registration with the Board while seeing clients and gaining supervised experience. Initials: _____

24. I understand that my supervisee shall not be an independent contractor, and must either be a volunteer employee or a W-2 employee. Initials: _____

25. I understand that my supervisee shall not: Initials: _____

- Receive any remuneration from patients or clients and shall only be paid by his or her employer
- Have any proprietary interest in his or her employer's business
- Lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of his or her employer.

26. I understand that I shall not provide supervision unless the supervisee will be working in a setting that meets all of the following: Initials: _____

- Lawfully and regularly provides clinical services.
- Provides oversight to ensure that the supervisee's work at the setting meets the experience and supervision requirements.
- Is within the scope of practice for the profession.

27. I understand that I must remain informed of developments and law changes in the professions for which I am supervising, and ensure compliance with all statutes and regulations governing practice. Initials: _____

28. I understand that I must establish and communicate to the supervisee procedures for contacting myself, or in my absence, an alternative on-call supervisor to assist in handling crises and emergencies. Initials: _____

Supervisor's Last Name	First	Middle
------------------------	-------	--------

29. I understand that I must do all of the following: Initials: _____

- Ensure that the extent, kind and quality of clinical work performed is consistent with the education, training and experience of the supervisee.
- Review client/patient records and monitor and evaluate assessment, diagnosis and treatment decisions of the supervisee and provide regular feedback.
- Monitor and evaluate the ability of the supervisee to provide services at the site(s) where he or she will be practicing and to the particular clientele being served.
- Monitor for and attending to any countertransference issues that may affect the practitioner-patient relationship.
- Review progress notes, process notes and other treatment records.

30. I understand that I must collaborate with the supervisee to develop a supervisory plan that describes the goals and objectives of supervision, and provide the original to the supervisee. Initials: _____

31. I understand that I must complete an assessment of ongoing strengths and limitations of the supervisee at least once per year and at the completion or termination of supervision, and provide a copy to the supervisee. Initials: _____

32. I understand that I am required to provide one week's prior notice to my supervisee if I intend to no longer sign for any further hours of experience. Initials: _____

33. I understand that the Board has the right to audit records of any supervisor to verify completion of supervisor qualifications. I must maintain records for a period of seven (7) years after termination of supervision. Initials: _____

34. I understand that I must provide a copy of my completed *Self-Assessment* form and a copy of the Board's Supervision Brochure by March 31, (year) to each supervisee AND to any new supervisees upon commencement of supervision. Initials: _____

I certify under penalty of perjury that all of the foregoing is true and correct. I understand that my license may be subject to disciplinary action should any conduct in my supervision violate the Board's statutes or regulations.

Signature of Applicant

Date

(Original submitted to BBS must be signed and initialed in ink. Due by March 31 (year))

Blank Page



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297
www.bbs.ca.gov



ATTACHMENT B
REVISED DRAFT
NEW CLINICAL SUPERVISOR
SELF-ASSESSMENT REPORT
INFORMATION AND INSTRUCTIONS

A licensee who will be **supervising** a Marriage and Family Therapist Trainee or Intern, Associate Clinical Social Worker, or Professional Clinical Counselor Intern **for the first time on or after January 1, (year)**, must do the following:

- Complete and submit the original of this form to the Board within 60 days of commencing supervision for the first time. (If you have previously supervised one of the above types of BBS registrants, submit the “Existing Supervisor” Self-Assessment Report instead).

AND

- Provide a copy of this completed form and the “Guide to Supervision” brochure to each of your current and future supervisees within 60 days of commencing supervision.

NOTE: Once you submit this report form, you do NOT need to resubmit upon supervising a new individual. One-time submission of this form covers all BBS professions and all types of BBS supervisees.

SPECIAL NOTE FOR LICENSED MARRIAGE AND FAMILY THERAPISTS, LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED PROFESSIONAL CLINICAL COUNSELORS:

Complete the Self-Assessment Report in its entirety and submit the original to the Board within 60 days of commencing supervision for the first time. If you meet the requirements, the Board will add a note to your online licensing record that states you are a qualified supervisor.

SPECIAL INSTRUCTIONS FOR LICENSED PSYCHOLOGISTS AND PSYCHIATRISTS:

You may skip questions 13, 14, 15, 18 and 19 on the Self-Assessment form as these items do not apply to you. Submit the original Self-Assessment Report to the Board within 60 days of commencing supervision of a BBS registrant for the first time. Unfortunately, the Board is unable to add a note to your online licensing records stating that you are a supervisor.



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297 FAX: (916) 574-8626
www.bbs.ca.gov



NEW CLINICAL SUPERVISOR SELF-ASSESSMENT REPORT – REVISED DRAFT

See cover sheet for instructions. Submit the original to the Board within 60 days of commencing supervision.

Type or print clearly in ink

1. Supervisor's Legal Name: Last		First		Middle
2. BBS File Number (if known):		3. Business Telephone:		4. E-Mail Address:
5. California License Type: <input type="checkbox"/> LCSW <input type="checkbox"/> LMFT <input type="checkbox"/> LPCC <input type="checkbox"/> Clinical Psychologist <input type="checkbox"/> Physician Board-Certified in Psychiatry by the American Board of Psychiatry and Neurology				
6. License Number:	7. Date Issued:	8. Expiration Date:	9. Date You Began Supervising:	
10. Address of Record**: Number and Street				
City		State	Zip Code	
11. Is this a new address? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If YES, we will update our records accordingly</i>				

12. Do you hold an equivalent license in another state? Yes No
If YES, provide the information below:

State	License Type	License Number	Date Issued	Status

13. LPCCs: Will you be supervising an MFT Trainee or MFT Intern; or, a Professional Counselor Intern gaining experience with couples or families? Yes No

14. If you marked **YES to question 13**, have you met all of the qualifications to assess and treat couples and families under your LPCC license? Yes No

**Psychologists and Psychiatrists – see the cover sheet for instructions on filling out this form.*

*** The address you enter on this application is public information and will be placed on the Internet pursuant to BPC section 27. If you don't want your home or work address available to the public, provide an alternate mailing address.*

Supervisor's Last Name	First	Middle

15. Have you been issued any of the following “approved supervisor” designations? Yes No

If YES, (1) Mark the box next to the type of certification held; (2) List the date issued and (3) SKIP questions 16, 17, 18 and 19 below.

- American Association for Marriage and Family Therapy (AAMFT): Date Issued: _____
- American Board of Examiners in Clinical Social Work (ABECSW): Date Issued: _____
- California Association of Marriage and Family Therapists (CAMFT): Date Issued: _____
- Center for Credentialing and Education (CCE): Date Issued: _____

16. Have you held an active license in California or any other state for at least two (2) of the past five (5) years? Yes No

17. EXPERIENCE: Have you practiced psychotherapy or provided direct clinical supervision of trainees, interns, or associates who perform psychotherapy for at least two (2) of the past five (5) years? Yes No

18. TRAINING COURSE: Have you completed the required 15-hour supervisor training course? Yes No
 Course Provider: _____ Date: _____

19. I understand that ~~I do NOT hold one of the supervisor certifications in question 15,~~ I must complete a minimum of six (6) hours of continuing professional development in supervision during each license renewal period while providing supervision. Initials: _____

20. I understand that if I do not renew my California license on time, any hours gained by my supervisees during the time my license is lapsed will NOT be counted toward licensure and my license may be subject to disciplinary action. Initials: _____

21. I understand that I must immediately notify my supervisees of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure that affects my ability or right to supervise. Initials: _____

Supervisor's Last Name	First	Middle
------------------------	-------	--------

22. I understand that I must be competent in the areas of clinical practice and techniques being supervised. Initials: _____

23. I understand that my supervisee must meet all requirements for registration with the Board while seeing clients and gaining supervised experience. Initials: _____

24. I understand that my supervisee shall not be an independent contractor, and must either be a volunteer employee or a W-2 employee. Initials: _____

25. I understand that my supervisee shall not: Initials: _____

- Receive any remuneration from patients or clients and shall only be paid by his or her employer
- Have any proprietary interest in his or her employer's business
- Lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of his or her employer.

26. I understand that I shall not provide supervision unless the supervisee will be working in a setting that meets all of the following: Initials: _____

- Lawfully and regularly provides clinical services.
- Provides oversight to ensure that the supervisee's work at the setting meets the experience and supervision requirements.
- Is within the scope of practice for the profession.

27. I understand that I must remain informed of developments and law changes in the professions for which I am supervising, and ensure compliance with all statutes and regulations governing practice. Initials: _____

28. I understand that I must establish and communicate to the supervisee procedures for contacting myself, or in my absence, an alternative on-call supervisor to assist in handling crises and emergencies. Initials: _____

Supervisor's Last Name	First	Middle
------------------------	-------	--------

29. I understand that I must do all of the following: Initials: _____

- Ensure that the extent, kind and quality of clinical work performed is consistent with the education, training and experience of the supervisee.
- Review client/patient records and monitor and evaluate assessment, diagnosis and treatment decisions of the supervisee and provide regular feedback.
- Monitor and evaluate the ability of the supervisee to provide services at the site(s) where he or she will be practicing and to the particular clientele being served.
- Monitor for and attending to any countertransference issues that may affect the practitioner-patient relationship.
- Review progress notes, process notes and other treatment records.

30. I understand that I must collaborate with the supervisee to develop a supervisory plan that describes the goals and objectives of supervision, and provide the original to the supervisee. Initials: _____

31. I understand that I must complete an assessment of ongoing strengths and limitations of the supervisee at least once per year and at the completion or termination of supervision, and provide a copy to the supervisee. Initials: _____

32. I understand that I am required to provide one week's prior notice to my supervisee if I intend to no longer sign for any further hours of experience. Initials: _____

33. I understand that the Board has the right to audit records of any supervisor to verify completion of supervisor qualifications. I must maintain records for a period of seven (7) years after termination of supervision. Initials: _____

34. I understand that I must provide a copy of my completed *Self-Assessment* form and a copy of the Board's Supervision Brochure to each supervisee within 60 days of commencing supervision. Initials: _____

I certify under penalty of perjury that all of the foregoing is true and correct. I understand that my license may be subject to disciplinary action should any conduct in my supervision violate the Board's statutes or regulations.

Signature of Applicant

Date

(Original submitted to BBS must be signed and initialed in ink and is due within 60 days of commencing supervision)

Date you provided each supervisee with a copy of this form and the supervision brochure:

Blank Page



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297
www.bbs.ca.gov



**RESPONSIBILITY STATEMENT FOR SUPERVISORS OF AN
 ASSOCIATE CLINICAL SOCIAL WORKER**

Title 16, California Code of Regulations (16 CCR) Section 1870 requires any qualified licensed mental health professional who assumes responsibility for providing supervision to those working toward a license as a Clinical Social Worker to complete and sign, under penalty of perjury, the following statement prior to the commencement of supervision.

Associate's Name	ASW Number	Supervisor's Name
------------------	------------	-------------------

As the supervisor:

- 1) I am licensed in California. The license I hold is: (16 CCR § 1870(a)(1))

*Marriage and Family Therapist.....	<i>License #</i>	<i>Issue Date</i>
Licensed Clinical Social Worker.....	<i>License #</i>	<i>Issue Date</i>
Licensed Professional Clinical Counselor.....	<i>License #</i>	<i>Issue Date</i>
*Psychologist.....	<i>License #</i>	<i>Issue Date</i>
*Physician certified in psychiatry by the <i>American Board of Psychiatry and Neurology</i>	<i>License #</i>	<i>Issue Date</i>
- 2) I have and will maintain a current and valid license in good standing and will immediately notify the associate of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure, that affects my ability or right to supervise. (16 CCR § 1870(a)(1)&(2))
- 3) I have practiced psychotherapy or provided direct supervision of associates, or marriage and family therapist interns or trainees who perform psychotherapy for at least two (2) years within the last five (5) years immediately preceding this supervision. (16 CCR § 1870(a)(3))
- 4) I have completed a minimum of fifteen (15) contact hours in supervision training that includes content specified in 16 CCR Section 1870(a)(4)) obtained from a state agency or approved continuing education provider.** (16 CCR § 1870(a)(4)(A))
- 5) I have had sufficient experience, training, and education in the area of clinical supervision to competently supervise associates. (16 CCR § 1870(a)(4))
- 6) I know and understand the laws and regulations pertaining to both the supervision of associates and the experience required for licensure as a clinical social worker. (16 CCR § 1870(a)(5))
- 7) I shall ensure that the extent, kind, and quality of clinical social work performed is consistent with the training and experience of the associate. (16 CCR § 1870(a)(6)(A))
- 8) I shall review client/patient records, monitor and evaluate assessment and treatment decisions of the associate clinical social worker, and monitor and evaluate the ability of the associate to provide services at the site(s) where he or she will be practicing and to the particular clientele being served, and ensure compliance with all laws and regulations governing the practice of clinical social work. (16 CCR § 1870(a)(6)(B)-(D))

*** MFTs, LPCCs, Psychologists, and Physicians certified in psychiatry must be licensed for two years prior to commencement of supervision.**

**** Psychologists and Physicians board certified in psychiatry are not required to comply with #4.**

- 9) I shall develop a supervisory plan as described in Section 1870.1 of the California Code of Regulations. The original signed plan shall be submitted to the board upon the associate's application for licensure. (16 CCR § 1870(a)(7), 1870.1)
- 10) I agree not to provide supervision to an associate unless the associate is a volunteer or employed by a setting that (1) lawfully and regularly provides clinical social work, mental health counseling, or psychotherapy; and (2) provides oversight to ensure that the associate's work at the setting meets the experience and supervision requirements set forth in Chapter 14 of the Business and Professions Code (BPC) and is within the scope of practice for clinical social work and psychotherapy as defined in BPC Section 4996.9. (BPC § 4996.23(e))
- 11) I shall provide the associate with this original signed form prior to the commencement of any supervision. (16 CCR § 1870(a)(8))
- 12) I shall give at least one (1) week's written notice to the associate of my intent not to certify any further hours of experience for such person. If I have not provided such notice, I shall sign for hours of experience obtained in good faith where I actually provided the required supervision. (16 CCR § 1870(a)(9))
- 13) I shall complete an assessment of the ongoing strengths and limitations of the associate at least once a year and upon completion or termination of supervision and will provide copies of all assessments to the associate. (16 CCR § 1870(a)(10))
- 14) Upon written request of the board, I shall provide to the board any documentation which verifies my compliance with the requirements set forth in 16 CCR section 1870. (16 CCR § 1870(a)(11))

I declare under penalty of perjury under the laws of the State of California that I have read and understand the foregoing and that I meet all criteria stated herein and the information submitted on this form is true and correct.

Printed Name of Qualified Supervisor *Signature of Qualified Supervisor* *Date*

Mailing Address: Number and Street City State Zip Code

Qualified Supervisor's Daytime Telephone Number: () _____

THE SUPERVISOR SHALL PROVIDE THE ASSOCIATE WITH THE ORIGINAL OF THIS SIGNED STATEMENT PRIOR TO THE COMMENCEMENT OF ANY SUPERVISION.

THE ASSOCIATE SHALL SUBMIT THE ORIGINAL SIGNED FORM TO THE BOARD UPON APPLICATION FOR LICENSURE.



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297
www.bbs.ca.gov



**RESPONSIBILITY STATEMENT FOR SUPERVISORS
 OF A MARRIAGE AND FAMILY THERAPIST TRAINEE OR INTERN**

Title 16, California Code of Regulations (16 CCR) Section 1833.1 requires any qualified licensed mental health professional who assumes responsibility for providing supervision to those working toward a Marriage and Family Therapist license to complete and sign, under penalty of perjury, the following statement prior to the commencement of any counseling or supervision.

Name of MFT Trainee/Intern:	Last	First	Middle
Name of Qualified Supervisor:		Qualified Supervisor's Daytime Telephone Number:	

As the supervisor:

- 1) I am licensed in California and have been so licensed for at least two years prior to commencing this supervision. (16 CCR § 1833.1(a)(1) and Business and Professions Code (BPC) § 4999.12 (h))

A. The license I hold is:

Marriage and Family Therapist

_____ License # _____ Issue Date

Licensed Clinical Social Worker

_____ License # _____ Issue Date

Licensed Professional Clinical Counselor

_____ License # _____ Issue Date

*Psychologist

_____ License # _____ Issue Date

*Physician certified in psychiatry by the American Board of Psychiatry and Neurology

_____ License # _____ Issue Date

- **B. I have had sufficient experience, training, and education in marriage and family therapy to competently practice marriage and family therapy in California. (16 CCR § 1833.1(a)(2))

- C. I will keep myself informed about developments in marriage and family therapy and in California law governing the practice of marriage and family therapy. (16 CCR § 1833.1(a)(3))

- 2) I have and maintain a current and valid license in good standing and will immediately notify any trainee or intern under my supervision of any disciplinary action taken against my license, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure, that affects my ability or right to supervise. (16 CCR § 1833.1(a)(1), (a)(4))
- 3) I have practiced psychotherapy or provided direct supervision of trainees, interns, associate clinical social workers, or professional clinical counselor interns who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding this supervision. (16 CCR § 1833.1(a)(5))
- 4) I have had sufficient experience, training, and education in the area of clinical supervision to competently supervise trainees or interns. (16 CCR § 1833.1(a)(6))
- 5) I have completed six (6) hours of supervision training or coursework within the renewal period immediately preceding this supervision, and must complete such coursework in each renewal period while supervising. If I have not completed such training or coursework, I will complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of the commencement of this supervision, and in each renewal period while providing supervision. (16 CCR § 1833.1(a)(6)(A)&(B))
- 6) I know and understand the laws and regulations pertaining to both the supervision of trainees and interns and the experience required for licensure as a marriage and family therapist. (16 CCR § 1833.1(a)(7))
- 7) I shall ensure that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the trainee or intern. (16 CCR § 1833.1(a)(8))

- 8) I shall monitor and evaluate the extent, kind, and quality of counseling performed by the trainee or intern by direct observation, review of audio or video tapes of therapy, review of progress and process notes and other treatment records, or by any other means deemed appropriate. (16 CCR § 1833.1(a)(9))
- 9) I shall address with the trainee or intern the manner in which emergencies will be handled. (16 CCR § 1833.1(a)(10))
- 10) I agree not to provide supervision to a TRAINEE unless the trainee is a volunteer or employed in a setting that meets all of the following: (A) lawfully and regularly provides mental health counseling or psychotherapy; (B) provides oversight to ensure that the trainee's work at the setting meets the experience and supervision requirements and is within the scope of practice for the profession as defined in BPC Section 4980.02; (C) is not a private practice owned by a licensed marriage and family therapist, a licensed psychologist, a licensed clinical social worker, a licensed physician and surgeon, or a professional corporation of any of those licensed professions. (BPC § 4980.43(d)(1))
- 11) I agree not to provide supervision to an INTERN unless the intern is a volunteer or employed in a setting that meets both of the following: (A) lawfully and regularly provides mental health counseling or psychotherapy; (B) provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements and is within the scope of practice for the profession as defined in BPC Section 4980.02. (BPC § 4980.43(e)(1))
- 12) If I am to provide supervision on a voluntary basis in a setting which is not a private practice, a written agreement will be executed between myself and the organization in which the employer acknowledges that they are aware of the licensing requirements that must be met by the intern or trainee, they agree not to interfere with my legal and ethical obligations to ensure compliance with these requirements, and they agree to provide me with access to clinical records of the clients counseled by the intern or trainee. (16 CCR § 1833(b)(4))
- 13) I shall give at least (1) one week's prior written notice to a trainee or intern of my intent not to sign for any further hours of experience for such person. If I have not provided such notice, I shall sign for hours of experience obtained in good faith where I actually provided the required supervision. (16 CCR § 1833.1(c))
- 14) I shall obtain from each trainee or intern for whom supervision will be provided, the name, address, and telephone number of the trainee's or intern's most recent supervisor and employer. (16 CCR § 1833.1(d))
- 15) In any setting that is not a private practice, I shall evaluate the site(s) where a trainee or intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a marriage and family therapist; and (2) the experience is in compliance with the requirements set forth in 16 CCR Section 1833 and Section 4980.43 of the Code. (16 CCR § 1833.1(e))
- 16) Upon written request of the Board, I shall provide to the board any documentation which verifies my compliance with the requirements set forth in 16 CCR Section 1833.1. (16 CCR § 1833.1(f))
- 17) I shall provide the intern or trainee with the original of this signed statement prior to the commencement of any counseling or supervision. (16 CCR § 1833.1(b))

I declare under penalty of perjury under the laws of the State of California that I have read and understand the foregoing and that I meet all criteria stated herein and that the information submitted on this form is true and correct.

Printed Name of Qualified Supervisor

Signature of Qualified Supervisor

Date

Mailing Address: Number and Street

City

State

Zip Code

The supervisor shall provide the intern or trainee being supervised with the original of this signed statement prior to the commencement of any counseling or supervision.

The trainee or intern shall submit this form to the board upon application for examination eligibility.

* Psychologists and Physicians certified in psychiatry are not required to comply with #5.

** Applies only to supervisors NOT licensed as a Marriage and Family Therapist.



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297
www.bbs.ca.gov



**RESPONSIBILITY STATEMENT FOR SUPERVISORS
 OF A PROFESSIONAL CLINICAL COUNSELOR INTERN**

Title 16, California Code of Regulations (16 CCR) Section 1821 requires any qualified licensed mental health professional who assumes responsibility for providing supervision to those working toward a Professional Clinical Counselor (PCC) license to complete and sign, under penalty of perjury, the following statement prior to the commencement of any counseling or supervision.

Name of PCC Intern:	Last	First	Middle
Name of Qualified Supervisor:		Qualified Supervisor's Daytime Telephone Number:	

As the supervisor:

- 1) I am licensed in California and have been so licensed for at least two years prior to commencing this supervision. (16 CCR § 1821)(b)(1) and Business and Professions Code (BPC) § 4999.12(h)(1))

A. The license I hold is:

Licensed Professional Clinical Counselor

_____	_____
<i>License #</i>	<i>Issue Date</i>

Marriage and Family Therapist

_____	_____
<i>License #</i>	<i>Issue Date</i>

Licensed Clinical Social Worker

_____	_____
<i>License #</i>	<i>Issue Date</i>

*Licensed Clinical Psychologist

_____	_____
<i>License #</i>	<i>Issue Date</i>

*Licensed Physician and Surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology

_____	_____
<i>License #</i>	<i>Issue Date</i>

- **B. I have had sufficient experience, training, and education in professional clinical counseling to competently practice professional clinical counseling in California. (16 CCR § 1821(b)(2))

C. I will keep myself informed about developments in professional clinical counseling and in California law governing the practice of professional clinical counseling. (16 CCR § 1821(b)(3))

- 2) I have and maintain a current and valid license in good standing and will immediately notify any intern under my supervision of any disciplinary action taken against my license, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure, that affects my ability or right to supervise. (16 CCR § 1821(b)(4))
- 3) I have practiced psychotherapy or provided direct supervision of trainees, interns, or associate clinical social workers who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding this supervision. (16 CCR § 1821(b)(5))
- 4) I have had sufficient experience, training, and education in the area of clinical supervision to competently supervise interns. (16 CCR § 1821(b)(6))
- 5) I have completed six (6) hours of supervision training or coursework within the two-year period immediately preceding this supervision, and must complete such coursework in each renewal period while supervising. If I have not completed such training or coursework, I will complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of the commencement of this supervision, and in each renewal period while providing supervision. (16 CCR § 1821(b)(6)(A) and (B))
- 6) I know and understand the laws and regulations pertaining to both the supervision of interns and the experience required for licensure as a licensed professional clinical counselor. (16 CCR § 1821(b)(7))

- 7) I shall ensure that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the intern. (16 CCR § 1821(b)(8))
- 8) I shall monitor and evaluate the extent, kind, and quality of counseling performed by the intern by direct observation, review of audio or video tapes of therapy, review of progress and process notes and other treatment records, or by any other means deemed appropriate. (16 CCR § 1821(b)(9))
- 9) I shall address with the intern the manner in which emergencies will be handled. (16 CCR § 1821(b)(10))
- 10) I agree not to provide supervision to an intern unless the intern is a volunteer or employed in a setting that meets both of the following: (A) lawfully and regularly provides mental health counseling or psychotherapy; (B) provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements and is within the scope of practice for the profession as defined in BPC Section 4999.20. (BPC § 4999.44)
- 11) If I am to provide supervision on a voluntary basis in a setting which is not a private practice, a written agreement will be executed between myself and the organization in which the employer acknowledges that they are aware of the licensing requirements that must be met by the intern, they agree not to interfere with my legal and ethical obligations to ensure compliance with these requirements, and they agree to provide me with access to clinical records of the clients counseled by the intern. (16 CCR § 1820(e)(3))
- 12) I shall give at least (1) one week's prior written notice to an intern of my intent not to sign for any further hours of experience for such person. If I have not provided such notice, I shall sign for hours of experience obtained in good faith where I actually provided the required supervision. (16 CCR § 1821(d))
- 13) I shall obtain from each intern for whom supervision will be provided, the name, address, and telephone number of the intern's most recent supervisor and employer. (16 CCR § 1821(e))
- 14) In any setting that is not a private practice, I shall evaluate the site(s) where an intern will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a licensed professional clinical counselor; and (2) the experience is in compliance with the requirements set forth in 16 CCR Section 1820 and 4999.44 of the Code. (16 CCR § 1821(f))
- 15) Upon written request of the Board, I shall provide to the board any documentation which verifies my compliance with the requirements set forth in 16 CCR Section 1821. (16 CCR § 1821(g))
- 16) I shall provide the intern with the original of this signed statement prior to the commencement of any counseling or supervision. (16 CCR § 1821(c))

I declare under penalty of perjury under the laws of the State of California that I have read and understand the foregoing and that I meet all criteria stated herein and that the information submitted on this form is true and correct.

Printed Name of Qualified Supervisor

Signature of Qualified Supervisor

Date

Mailing Address: Number and Street

City

State

Zip Code

The supervisor shall provide the intern being supervised with the original of this signed statement prior to the commencement of any counseling or supervision.

The intern shall submit this form to the board upon application for examination eligibility.

* Licensed Clinical Psychologists and Physicians certified in psychiatry are not required to comply with #5.

** Applies only to supervisors NOT licensed as a Licensed Professional Clinical Counselor.

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

To: Supervision Committee Members
Date: May 31, 2016

From: Christy Berger
Regulatory Analyst
Telephone: (916) 574-7817

Subject: **Draft Supervision Brochure for MFT Interns and Trainees**

The Committee has tentatively approved a structure for requiring all supervisors to register with the Board, which would be initiated by a licensee's submission of a *Supervisor Self-Assessment* form. The original, completed *Self-Assessment* form would be provided to all supervisees, along with a copy of the *Guide to Supervision* brochure. The *Guide to Supervision* provides information for supervisees on a range of topics, but the main focus is on how supervisees can get the most out of their supervision experience. It also includes information on how to make a complaint against a supervisor, as well as other resources for supervisees.

The *Guide to Supervision*, currently available on the Board's website, has been given some draft revisions based on the Committee's work to date. The brochure is presented to the Committee for feedback. We are using the brochure for MFT Interns and Trainees for this review process, as the text of the brochure for each profession is nearly identical.

Attachment: Draft *Guide to Supervision* Brochure

Blank Page

The Value of Supervision

The value of clinical supervision to your development as a mental health professional cannot be emphasized enough. It's important that you make the most out of the opportunity to benefit from the knowledge and experience of a licensed mental health professional and to develop a strong relationship that will facilitate your growth as a psychotherapist.

In order to make the most of the supervision experience, it is critical that both you and your supervisor are aware of each party's responsibilities in the supervision process, including the legal and ethical requirements pertaining to supervision.

California law requires at least two (2) years of supervised experience to qualify for licensure; however, the value of the relationship with your supervisor goes further than merely qualifying you for licensure.

Developing a Strong Relationship

The amount of time you are able to spend with your supervisor is often limited. Below are several strategies that may help you maximize the time that you do have with your supervisor:

- ~~Spend some time at the beginning of your supervisory relationship setting~~ You and your supervisor are required to collaborate on developing a Supervisory Plan that includes goals and objectives of supervision. Prior to meeting with your supervisor, think

about the goals and objectives you have for yourself in your development as a professional.

- Set aside time in future meetings to revisit the goals and objectives set in your Supervisory Plan.
- Be proactive with your supervisor. Make sure you are getting the value that you expected from supervision. Supervision should be a collaborative experience.
- ~~Thoroughly read the Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern. This form outlines the supervisor's legal requirements pertaining to the licensure process and must be signed by the supervisor upon commencement of supervision.~~

Don't Be Afraid to Ask Questions

Be sure to thoroughly read the Supervisor Self-Assessment form, which your supervisor is required to provide to you upon commencement of supervision. This form outlines the supervisor's legal requirements pertaining to supervision and the licensure process, and contains information about his or her qualifications.

Below are some questions you may want to ask your supervisor in order to provide you with a better understanding of your supervisor's qualifications, professional background and knowledge base.

~~Questions to consider asking include:~~

- ~~What type of license do you possess?~~
- ~~Is your license current and valid?~~
- ~~When were you licensed?~~
- ~~Have you completed the mandatory supervision course?~~
- ~~Have you met the requirement of having practiced psychotherapy or supervised Marriage and Family Therapist (MFT) Interns, MFT Trainees, Professional Clinical Counselor Interns or Trainees or Associate Clinical Social Workers who perform psychotherapy for at least two (2) years within the last five (5) years?~~
- Have you ever provided supervision to a MFT Intern or Trainee before, and if so, how many?
- What is your practice background (private practice, agency, school, etc.)?
- Do you practice from a particular theoretical orientation, and if so, will other theoretical orientations be discussed?
- Do you have any specialty areas of practice?

Preparing for the Licensing Examinations

Effective clinical supervision should help prepare you to pass the licensing exams. You can help ensure that you get what you need out of supervision by taking the following steps:

- Download the examination candidate handbooks from the BBS [website](#).

- Review the sample questions and exam content outlines, then take them to your supervisor and discuss how your work is preparing you for the exams. Revisit periodically to ensure your supervision and experience supports your goal of licensure.
- Ask your supervisor for suggestions on effective exam preparation strategies.
- Carefully read the exam information provided on the Board's [website](#) by selecting the *Applicants* tab, and then clicking the *Exams* link.

Know Your Supervised Experience Requirements

Supervisors often supervise multiple individuals working towards different professional licenses, all with different experience and supervision requirements. Therefore, it is critical that you become knowledgeable about your profession's specific requirements.

Here are some resources available to help you understand the supervised experience requirements for the marriage and family therapist profession:

- The [Applicants](#) section of the BBS website
- [Frequently Asked Questions Relating to MFT Trainees and Interns](#), available on the Board's website
- Current and past issues of the [BBS Newsletter](#), available on the Board's website
- Professional MFT associations

Your Supervisor's License Status

Your supervisor's license status must be current and active while you are under supervision in order for your hours to count. Visit the "Breeze" [License Search](#) to verify your supervisor's license status. Do this upon commencement of supervision, and make note of the expiration date. Check again near your supervisor's expiration date to ensure his or her license has been renewed so that you do not lose any hours.

Your Registration's Status

Once you are an MFT Intern registered with the BBS, the status of your registration is important too. Renew your registration early to ensure no hours are lost due to a delinquent renewal.

Complaints Against a Supervisor

Supervisees who wish to file a complaint against their supervisor can do so using the [Consumer Complaint Form](#) or through the "Breeze" [online](#) system.

Who to Contact for Questions

For questions regarding experience and supervision requirements, you can email the MFT evaluators directly at BBS.LMFT@dca.ca.gov. The Board's entire email directory is on the Board's website under [Contact Us](#).

Stay Informed

To receive updates regarding law changes, enforcement actions, meetings, and more, sign up for the Board's [email subscriber's list](#).

A Guide to Supervision for Marriage and Family Therapist Interns and Trainees



Board of Behavioral Sciences
 1625 N Market Blvd, Suite S-200
 Sacramento, CA 95834
 (916) 574-7830
www.bbs.ca.gov
 (Revised (date))