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To: Committee Members **Date:** November 14, 2022
From: Rosanne Helms
Legislative Manager
Subject: **Discussion of Online-Only Therapy Platforms and Other Alternative Modes of Therapy**

Overview

The increasing use of online-only therapy platforms and alternative methods of therapy such as apps, email, and texting raise the question of whether these methods pose any new public protection concerns that the Board needs to address.

Board Mission

The Board's public protection mandate, as stated in Business and Professions Code (BPC) §4990.16 is as follows:

“Protection of the public shall be the highest priority for the board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.”

In addition, BPC §4990.18 details how the Board is to carry out its mandate:

“It is the intent of the Legislature that the board employ its resources for each and all of the following functions:

- (a) The licensure of marriage and family therapists, clinical social workers, professional clinical counselors, and educational psychologists.*
- (b) The development and administration of licensure examinations and examination procedures consistent with prevailing standards for the validation and use of licensing and certification tests. Examinations shall measure knowledge and abilities demonstrably important to the safe, effective practice of the profession.*
- (c) Enforcement of laws designed to protect the public from incompetent, unethical, or unprofessional practitioners.*
- (d) Consumer education.”*

Background

Numerous clients are seeking therapy from online therapy companies. A few examples of these companies include:

- [BetterHelp](#)
- [Talkspace](#)
- [LiveHealth Online](#)
- [Celebral](#)

Such companies typically offer various plans that include video therapy, therapy via text or messaging, or some combination of these. They may have an app from which the client and therapist interact.

Complaints to the Board

The Board's Enforcement Unit reports that complaints about online therapy platforms represent a very small proportion of the total complaints it receives. Past complaints that were received include the following:

- Complaints about unlicensed practice (either the therapist treating a California client is not licensed here, or a California client reports that a company assigned them a therapist without a California license.)
- Client reports that a company will not provide them billing codes that they need in order to seek insurance reimbursement.
- Therapist concerns that a company provides bonuses if their therapist keeps long term clients, which could provide incentives to keep clients in therapy longer than needed.
- Complaints about a company listing professional information about therapists online without the therapist's permission.
- Concerns about the wording of the client user agreement.
- Concerns about the therapist potentially not having access to the client's legal name and location in case of emergency.
- Concerns about a company's advertising.

Other Places to Find Client and Therapist Feedback

Websites that provide client reviews and employer reviews may be helpful to get an idea of what common issues are. On these sites, users can type in the name of a specific company, and view ratings and user experiences regarding that company.

- Staff had success viewing general feedback of therapists working for online therapy companies utilizing the website [Glassdoor](#). It is possible on this site to search companies and view ratings. It should be noted this is not necessarily an accurate depiction of all opinions of the company, as not everyone is a user of this site. Additionally, those that are either extremely pleased or extremely unhappy may be more inclined to post a review.
- Staff also found a large number of consumer reviews of various online therapy companies on the site [Trustpilot.com](#). Again, this is not necessarily an accurate depiction of all opinions of the company for the same reasons indicated above.

Resources

The following articles provide detail about the emerging use of online therapy companies and apps:

- [American Psychological Association Article: A Growing Wave of Online Therapy](#) (Novotney, A. (2017, February 1)). *A growing wave of online therapy. Monitor on Psychology, 48(2).*
- [Los Angeles Times Article: Patients are Turning to Apps for Therapy. But do Digital Mental Health Startups Really Help?](#) (Meyer, Harris (2022, July 7)). *Patients are turning to apps for therapy. But do digital mental health startups really help? Los Angeles Times. <https://www.latimes.com/business/story/2022-07-07/digital-mental-health-companies>*
- [American Psychological Association Article: Mental Health Apps are Gaining Traction](#) (Clay, R. A. (2021, January 1)). *Mental health apps are gaining traction. Monitor on Psychology, 52(1).*
- Time Article: The Online Therapy Bubble is Bursting (Ducharme, Jamie (2022, November 1)) *Time. <https://time.com/6225361/telehealth-startups-cerebral-done-ahead/>*
- [Everyday Health Article: Your Guide to Getting the Most from Online Therapy](#) (Bacon, Savannah (2022, October 17)). *Everyday Health. <https://www.everydayhealth.com/emotional-health/how-to-find-online-therapy/>*

Recommendation

Conduct an open discussion regarding whether online-only therapy platforms and alternative methods of therapy pose any new public protection concerns. Detail any specific areas that the Board may need to address, and how each might be addressed.