

LICENSING COMMITTEE MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

A recorded webcast of this meeting is available at:
<https://www.youtube.com/watch?v=3fCCO0uGUvw>

DATE January 13, 2023

MEETING PLATFORM WebEx Video/Phone Conference

TIME 9:00 a.m.

ATTENDEES

Members Present: Wendy Strack, Chair, Public Member
Susan Friedman, Public Member
Eleanor Uribe, LCSW Member
Dr. Annette Walker, Public Member

Members Absent: Susan Friedman at 12:00 p.m.

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

Other Attendees: Dr. Sergio Aguilar-Gaxiola
Public participation via WebEx video or phone conference

1 **I. Call to Order and Establishment of Quorum**

2
3 Wendy Strack, Chair of the Telehealth Committee (Committee) called the
4 meeting to order at 9:01 a.m. Roll was called, and a quorum was established.

5
6 Strack announced that agenda items would be taken out of order: III, V, VIII, IV,
7 VI.

8
9 **II. Introductions**

10
11 Committee members introduced themselves during roll call.

12
13 **III. Consent Calendar: Discussion and Possible Approval of November 19,**
14 **2021 Committee Meeting Minutes**

15
16 Motion: Approve the November 19, 2021 Committee meeting minutes.

17
18 Strack moved; Walker seconded.

19
20 Public Comment: None

21
22 Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Susan Friedman			x		
Wendy Strack	x				
Eleanor Uribe	x				
Dr. Annette Walker	x				

23
24 Motion carried: 3 yea, 0 nay, 1 abstention.

25
26 **IV. Overview of the Purpose of the Committee**

27
28 The last meeting of the Committee was on November 19, 2021. The
29 Committee discussed the six-year limit on experience hours and associate
30 registrations. That discussion was subsequently discussed by the Policy and
31 Advocacy Committee and the Board.

32
33 The list of discussion topics that were previously discussed and topics for future
34 discussion were presented.

35
36 **V. Behavioral Health Workforce Challenges Presentation by Dr. Sergio**
37 **Aguilar Gaxiola**

38
39 Dr. Sergio Aguilar-Gaxiola, Director of the Center for Reducing Health
40 Disparities, UC Davis School of Medicine, presented An Overview of
41 California’s Behavioral Health Workforce: Challenges and Recommendations.

1 The California Future Health Workforce Commission kicked off in 2017. Its
2 charge was to develop a strategic plan for building the future health workforce
3 and to develop practical solutions for California, education, and employers to
4 address immediate and longer-term workforce gaps.
5

6 Topics that were presented:

- 7 • Overview of what constitutes the behavioral health workforce
- 8 • Behavioral health workforce challenges
- 9 • Workforce in behavioral health occupations
- 10 • Regional, age, and racial and ethnic distribution of behavioral health
11 providers
- 12 • Supply and demand for psychiatrists, clinical psychologists, LMFTs,
13 LPCCs, and LCSWs
- 14 • Behavioral health workforce pipeline
- 15 • Conclusions and recommendations

16
17 **VI. Discussion and Possible Recommendation Regarding the Practice of**
18 **Pastoral Counseling (Business and Professions Code (BPC) §§4980.01,**
19 **4996.13, 4999.22)**
20

21 The Board has occasionally received complaints about individuals who appear
22 to be practicing without a license. These individuals are ordained by a religious
23 entity, but not performing services as part of their ministerial duties. Although
24 this is likely not the intent of the law, the Board is typically unable to take
25 disciplinary action. It may be necessary to clarify the circumstances under
26 which pastoral counseling is exempt from licensure.
27

28 Laws from Texas, Florida, and Arizona were presented.

29
30 Motion: Direct staff to draft language related to pastoral counseling using
31 Arizona and Florida law as examples and by collaborating with pastoral entities
32 and bring back to the Committee for further discussion.
33

34 Walker moved; Strack seconded.
35

36 Public Comment

37 C. Atkins, CAMFT: Expressed confusion on the Board's authority when it
38 pertains to authorized practice. CAMFT supports any additional regulation or
39 enforcement ability of those who are practicing without a license and causing
40 consumer harm.
41

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Susan Friedman	x				
Wendy Strack	x				
Eleanor Uribe	x				
Dr. Annette Walker	x				

Motion carried: 4 yea, 0 nay.

VII. Discussion and Possible Recommendation Regarding the Practice of Life Coaching and the Development of a Consumer Outreach Document

The Policy and Advocacy Committee discussed life coaching at its meeting last year. It directed staff to collaborate with the Board’s stakeholders to identify subject matter experts to draft consumer outreach materials.

Board staff met with representatives from the California Association of Marriage and Family Therapists, National Association of Social Workers California Chapter (NASW-CA), and the California Association of School Psychologists (CASP) to discuss creating an outreach document for the Board’s website.

Staff suggested producing a consumer-oriented document that would contain a description of life coaching practice and various types of regulated and non-regulated mental health professionals. The document would also provide information about how to file a complaint with the appropriate regulating entity for regulated professions. If unregulated, the document would point out the lack of regulation.

If the Committee chooses to proceed with this document, it could be drafted by a subject matter expert, and staff would bring it back to the Committee for discussion.

Discussion

Strack: Suggested incorporating video and audio, or action-oriented outreach. The document can also be helpful in a workforce development arena and in school settings.

Walker: Expressed concern about potential costs to work with subject matter experts to create the document.

Sodergren: Responded that this is a very minimal cost and not a drain on resources.

1 Public Comment

2 Ben Caldwell: Does not believe that this is a good use of Board resources.
3 Would be helpful to know how many complaints are received. The best way to
4 address concerns would be to enforce existing practice protection law rather
5 than using Board resources to develop a document.
6

7 Cathy Atkins, CAMFT: In regard to the practice protection law, questioned
8 whether the statute is written in a way where BBS cannot use it or is it a
9 challenge to pursue action.
10

11 Further Discussion

12 Walker: Concerned about investing in this due to cost, even though it is a
13 minimal cost. This is not a high priority; barriers to licensure and cultural
14 competency are higher priorities. Does not support investing money into this.
15

16 Sodergren: Explained how this document can be leveraged efficiently, such as
17 presenting it to community-based organizations, education days (workforce
18 development).
19

20 Helms: Presented ideas: 1) start small and provide a consumer-focused
21 document; ask associations to provide a consumer-focused summary of the
22 work that their professions perform. 2) Put this on hold and see where it circles
23 back after staff and the Committee get more into the details of the workforce
24 action plan.
25

26 Knight: Pointed out that the discussion and examination of life coaching is a
27 very important piece of consumer protection part of the Board, because there is
28 a lot of confusion about life coaches.
29

30 Motion: Direct staff to move forward collecting data from the stakeholders
31 representing the Board's four license professionals, and use that information to
32 create a comprehensive document and bring it back to the Licensing
33 Committee for discussion; and as part of formulating the workforce
34 development action plan, to consider whether integrating other professions as
35 part of outreach materials would be helpful.
36

37 Walker moved; Uribe seconded.
38

39 Public Comment

40 GK: Asked if life coaches and its organizations are included in the
41 development of the document.
42

43 Helms: Responded that they are not included at this time.
44

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Susan Friedman				x	
Wendy Strack	x				
Eleanor Uribe	x				
Dr. Annette Walker	x				

Motion carried: 3 yea, 0 nay, 1 absentee.

VIII. Discussion and Possible Recommendation Regarding Workforce Development Action Plan

To develop a workforce development action plan and adhere to its primary mandate of consumer protection, the Board can make an effort to implement policy decisions and perform outreach that will serve to address the workforce shortage. The three areas that the Committee could focus on are:

1. Data Analysis
2. Reducing Barriers
3. Recruitment and Retention

Steve Sodergren presented some ideas for each of the areas to create an action plan in which the Board can consider within its consumer protection mandate.

Discussion

Discussion ensued regarding how to obtain data and use existing data, using outreach efforts, address exam pass rates, cultural competency education, identifying gaps between education and licensure examination - all within the Board's purview.

Public Comment

Caldwell: Access to care is a consumer protection issue. The role of the Board should focus on how to get the best, safest care possible for as many people as possible.

Atkins, CAMFT: This is a global issue, and it should not only be the responsibility of the Board; it is also the responsibility of the other health boards and the associations.

Paige Clark, California Alliance of Child and Family Services (Alliance): The Alliance supports recommendations to wave exam and retake fees, reducing other costs associated with licensure, reviewing the exam pass rates, and increasing transparency of the licensing process.

1 Rebecca Gonzales, NASW-CA: NASW-CA will assist the BBS in addressing
2 the workforce issues. Agrees that barriers to licensure should be looked at.

3
4 Staff will develop a project plan with short term and long-term goal and bring
5 the document back to the Licensing Committee for review and further
6 discussion.

7
8 No action was taken.
9

10 **IX. Suggestions for Future Agenda Items**

11
12 Uribe: "Mentoring along the process to get a license."
13

14 **X. Public Comment for Items Not on the Agenda**

15
16 Atkins, CAMFT: Is hopeful that conversations regarding examinations utilized
17 by the Board and the national exam will continue.
18

19 **XI. Adjournment**

20
21 The Committee adjourned at 12:09 p.m.