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BOARD MEETING NOTICE November 19-20, 2015

The Mission Inn
3649 Mission Inn Avenue
The Galleria Room
Riverside, CA 92501
(951) 784-0300

While the Board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources.

**Thursday, November 19, 2015
8:30 a.m.**

FULL BOARD OPEN SESSION - Call to Order and Establishment of Quorum

- I. Petition for Modification of Probation for Karina Scott, IMF 83413
- II. Petition for Reinstatement of Registration for Rosalind Bibbens, ASW 16942
- III. Petition for Reinstatement of License for Eileen Kelly, LMFT 30191
- IV. Public Comment for Items not on the Agenda
- V. Suggestions for Future Agenda Items

FULL BOARD CLOSED SESSION

- VI. Pursuant to Section 11126(c)(3) of the Government Code, the Board Will Meet in Closed Session for Discussion and to Take Action on Disciplinary Matters
- VII. Pursuant to Section 11126(a) of the Government Code, the Board Will Meet in Closed Session to Discuss the Performance of the Board's Executive Officer



Governor
Edmund G. Brown Jr.
State of California
Business, Consumer Services
and Housing Agency
Department of
Consumer Affairs

FULL BOARD OPEN SESSION

VIII. Adjournment

**Friday, November 20, 2015
8:30 a.m.**

FULL BOARD OPEN SESSION - Call to Order and Establishment of Quorum

- IX. Introductions*
- X. Approval of the August 27-28, 2015 Board Meeting Minutes
- XI. Chair Report
- XII. Executive Officer's Report
 - a. Budget Report
 - b. Operations Report
 - c. Personnel Report
 - d. Year End Summary
 - e. Sunset Report Update
- XIII. Strategic Plan Update
- XIV. Supervision Committee Update
- XV. Examination Restructure Update
- XVI. Discussion and Possible Action Regarding Additional Examination Time for English as a Second Language Applicants
- XVII. Policy and Advocacy Committee Report
 - a. Discussion and Possible Action Regarding Defining Out-of-State Education for LMFT and LPCC Applicants
 - b. Discussion and Possible Action Regarding Licensed Professional Clinical Counselor Degree Content
 - c. Discussion and Possible Action Regarding Possession of a Controlled Substance as a Basis for Discipline
 - d. Discussion and Possible Action to Change Marriage and Family Therapist Intern Title to Associate Marriage and Family Therapist
- XVIII. Discussion and Possible Action for Proposed Omnibus Bill
 - a. Delete Business and Professions Code Sections 4980.40, 4980.50, 4980.80, 4980.90, 4984.01, 4984.7, 4984.72, 4992.1, 4996.1, 4996.3, 4996.4, 4999.45,

4999.46, 4999.50, 4999.52, 4999.57, 4999.58, 4999.59, 4999.100 – Expired Examination Restructure Provisions

- b. Amend Business and Professions Code Sections 4980.43(b), 4996.23, and 4999.47(a) – Experienced Gained as an Independent Contractor
 - c. Amend Business and Professions Code Sections 4980.43(c) and 4999.46(g) – Amount of Supervised Experience Required for Applicants in the Exam Cycle
 - d. Amend Business and Professions Code Section 4992.05 – Associate Clinical Social Worker Reference
 - e. Amend Business and Professions Code Section 4999.40 – Program Certification Requirement for LPCC Applicants
 - f. Delete Business and Professions Code Section 4999.54 – Expired LPCC Grandparent Provision
 - g. Amend Business and Professions Code Section 4996.18 – LCSW Applicants: School Accreditation and Exam Eligibility
- XIX. Discussion and Possible Action Regarding Acceptable School, College, or University Accreditation Entities
- XX. Status of Board Sponsored Legislation and Other Legislation Affecting the Board
- XXI. Status of Board Rulemaking Proposals
- XXII. Discussion and Possible Action Regarding the Request From the American Association of State Counseling Boards and the American Counseling Association to Adopt the Consensus Licensure Title and Scope of Practice for Professional Counseling
- XXIII. Presentation Regarding North Carolina State Board of Dental Examiners v. Federal Trade Commission Supreme Court Decision
- XXIV. 2016 Meeting Dates
- XXV. Public Comment for Items not on the Agenda
- XXVI. Suggestions for Future Agenda Items
- XXVII. 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.



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DRAFT
BOARD MEETING MINUTES
August 27-28, 2015

Department of Consumer Affairs
Hearing Room
1625 North Market Blvd., 1st Floor
Sacramento, CA 95834

Thursday, August 27th

Members Present

Christina Wong, Chair, LCSW Member
Deborah Brown, Vice Chair, Public Member
Dr. Scott Bowling, Public Member
Dr. Leah Brew, LPCC Member
Dr. Peter Chiu, Public Member
Betty Connolly, LEP Member
Renee Lonner, LCSW Member
Karen Pines, LMFT Member
Dr. Christine Wietlisbach, Public Member

Staff Present

Kim Madsen, Executive Officer
Steve Sodergren, Asst. Executive Officer
Dianne Dobbs, Legal Counsel
Christina Kitamura, Administrative Analyst

Members Absent

Samara Ashley, Public Member
Patricia Lock-Dawson, Public Member
Sarita Kohli, LMFT Member

Guests

See sign-in sheet

FULL BOARD OPEN SESSION

Christina Wong, Chair of the Board of Behavioral Sciences (Board), called the meeting to order at 8:30 a.m. Christina Kitamura called roll, and a quorum was established.

Administrative Law Judge Danette Brown, presided over the hearings.

1 **I. Petition for Modification of Probation for Gimone Bryant, ASW 36074**

2 Judge Brown opened the hearing at 8:33 a.m. Deputy Attorney General Kristina
3 Jarvis presented the facts of the case on behalf of the Board of Behavioral Sciences.
4 Gimone Bryant was not represented by an attorney.
5

6 Ms. Jarvis presented the background of Mr. Bryant's probation. Mr. Bryant was sworn
7 in. Mr. Bryant presented his request to modify probation. He was questioned by Ms.
8 Jarvis and the Board members.
9

10 Mr. Bryant acknowledged his original request for modification of probation. However,
11 upon being advised by Ms. Jarvis that he does not qualify for termination, he omitted
12 that particular request from his overall request for modification.
13

14 Judge Brown closed the hearing at 9:05 a.m.
15

16 **II. Petition for Modification of Probation for Feroozan Jami, IMF 69435**

17 Judge Brown opened the hearing at 9:07 a.m. Deputy Attorney General Jarvis
18 presented the facts of the case on behalf of the Board of Behavioral Sciences.
19 Feroozan Jami was not represented by an attorney.
20

21 Ms. Jarvis presented the background of Ms. Jami's probation. Ms. Jami was sworn in.
22 She presented her request for modification of probation or to terminate probation, and
23 information to support the request. She was questioned by Ms. Jarvis and Board
24 Members. Judge Brown closed the hearing at 10:01 a.m.
25

26 **III. Petition for Early Termination of Probation for Maatisak Amenhetep, LCSW**
27 **19290**

28 Judge Brown opened the hearing at 10:01 a.m. Deputy Attorney General Jarvis
29 presented the facts of the case on behalf of the Board of Behavioral Sciences.
30 Maatisak Amenhetep was not represented by an attorney.
31

32 Ms. Jarvis presented the background of Ms. Amenhetep's probation. Ms. Amenhetep
33 was sworn in. Mr. Amenhetep presented her request for early termination of probation
34 and information to support the request. She was questioned by Ms. Jarvis and Board
35 Members.
36

37 Ms. Amenhetep called upon a witness, Paul Gipson. He spoke on behalf of Ms.
38 Amenhetep. Ms. Jarvis and Board members questioned Mr. Gibson.
39

40 Ms. Amenhetep called upon a second witness, Ms. Helm. Ms. Helm is Ms.
41 Amenhetep's therapist. Ms. Jarvis questioned Ms. Helm, then cross-examined Ms.
42 Amenhetep again.
43

44 Judge Brown closed the hearing at 11:05 a.m.

1 **IV. Petition for Early Termination of Probation for Theresa Fenander, LCSW 25391**

2 Judge Brown opened the hearing at 11:06 a.m. Deputy Attorney General Jarvis
3 presented the facts of the case on behalf of the Board of Behavioral Sciences.
4 Theresa Fenander was not represented by an attorney.
5

6 Ms. Jarvis presented an opening statement. Ms. Fenander was sworn in. Ms.
7 Fenander presented her request for early termination of probation and information to
8 support the request. She was questioned by Ms. Jarvis and Board Members. Judge
9 Brown closed the hearing at 11:43 a.m.

10
11 *The Board took a break at 11:43 a.m. and reconvened at 11:52 a.m.*
12

13 **V. Petition for Early Termination of Probation for Sarah Shems, IMF 70128**

14 Judge Brown opened the hearing at 11:52 a.m. Deputy Attorney General Jarvis
15 presented the facts of the case on behalf of the Board of Behavioral Sciences. Sarah
16 Shems was not represented by an attorney.
17

18 Ms. Jarvis presented an opening statement. Ms. Shems was sworn in. Ms. Shems
19 presented her request for early termination of probation and information to support the
20 request. Ms. Shems was questioned by Ms. Jarvis and Board Members. Judge
21 Brown closed the hearing at 12:38 p.m.
22

23 **VI. Public Comments**

24 There were no public comments.
25

26 **VII. Suggestions for Future Agenda Items**

27 There were no suggestions.
28

29 *The Board took a break at 12:39 p.m. and reconvened in closed session at 2:04 p.m.*
30
31

32 **FULL BOARD CLOSED SESSION**
33

34 **VIII. Pursuant to Section 11126(c)(3) of the Government Code, the Board Will Meet in
35 Closed Session for Discussion and to Take Action on Disciplinary Matters**
36

37 **IX. Pursuant to Section 11126(a) of the Government Code, the Board Will Meet in
38 Closed Session to Discuss the Method to Evaluate the Performance of the
39 Board's Executive Officer.**
40

1 **FULL BOARD OPEN SESSION**

2
3 **X. Adjournment**

4 The Board adjourned at 5:00 p.m.

5
6
7 **Friday, August 28th**

8
9
10 **Members Present**

11 Christina Wong, Chair, LCSW Member
12 Deborah Brown, Vice Chair, Public Member
13 Samara Ashley, Public Member
14 Dr. Scott Bowling, Public Member
15 Dr. Leah Brew, LPCC Member
16 Dr. Peter Chiu, Public Member
17 Betty Connolly, LEP Member
18 Patricia Lock-Dawson, Public Member
19 Renee Lonner, LCSW Member
20 Karen Pines, LMFT Member
21 Dr. Christine Wietlisbach, Public Member

10 **Staff Present**

11 Kim Madsen, Executive Officer
12 Steve Sodergren, Asst. Executive Officer
13 Rosanne Helms, Legislative Analyst
14 Christy Berger, Regulatory Analyst
15 Dianne Dobbs, Legal Counsel
16 Christina Kitamura, Administrative Analyst

22
23 **Members Absent**

24 Sarita Kohli, LMFT Member

23 **Guests**

24 *See sign-in sheet*

25
26
27 **FULL BOARD OPEN SESSION**

28
29
30 Christina Wong called the meeting to order at 8:34 a.m. Christina Kitamura called roll.
31 A quorum was established.

32
33
34 **XI. Introductions**

35 Board Members, Board staff and attendees introduced themselves.

36
37 **XII. Approval of the May 20-21, 2015 Board Meeting Minutes**

38 ***Dr. Peter Chiu moved to accept the May 20-21, 2015 Board Meeting minutes.***
39 ***Karen Pines seconded. The Board voted unanimously (11-0) to pass the motion.***

40
41 The Board voted as follows:

42 Christina Wong - yay
43 Deborah Brown - yay
44 Samara Ashley - yay

- 1 Dr. Scott Bowling - yay
- 2 Dr. Leah Brew - yay
- 3 Dr. Peter Chiu - yay
- 4 Betty Connolly - yay
- 5 Patricia Lock-Dawson - yay
- 6 Renee Lonner - yay
- 7 Karen Pines - yay
- 8 Dr. Christine Wietlisbach - yay
- 9

10 **XIII. Chair Report**

11 Ms. Wong congratulated Dr. Peter Chiu and Dr. Christine Wietlisbach on their recent
12 reappointments to the Board.

13
14 Ms. Wong acknowledged the Board of Behavioral Sciences' (Board) 70th Anniversary.

15
16 The Board Members acknowledged staff who served 5 years, 10 years, and 15 years at
17 the Board.

18
19 **XIV. Executive Officer's Report**

20 **a. Budget Report**

21
22 2014/2015 Budget:

23 The 2014/2015 budget for the Board is \$9,407,794. As of June 30, 2015, the Board
24 has spent \$8,805,714, reflecting 94% of the total budget.

25
26 The Board is projecting an unencumbered balance of \$602,080 at the end of the
27 14/15 fiscal year, which exceeds previous estimates from prior budget reports.

28
29 Board staff and management met with the budget office to review the expenditure
30 figures to identify areas of discrepancies. It appears that the salaries and benefits
31 for the CIC staff on loan to the Board were not included in the Board's expenditures.
32 This amount is approximately \$162,000. Also, due to an accounting requirement for
33 the LPCC program, the LPCC staff salaries are not reflected in the Salary & Wages
34 budget line. This discrepancy totals \$150,000. Board staff and the Budget Office
35 will research to determine if the requirement to separate LPCC program costs from
36 the other Board programs is still in effect.

37
38 The cancellation of some examination development workshops accounts for the
39 under-spending in the Interagency Services (OER IAC) and C&P Services External
40 Subject Matter Expert budget line items. The discrepancies in the C&P Services –
41 External Contracts and Facilities budget line items were noted. Board management
42 requested the Budget Office to further review these two line items to confirm the
43 figures are accurate.

44

1 The Board's 14/15 fiscal year budget summary will be updated after all of the
2 research is completed. A final summary of the 14/15 fiscal year budget will be
3 presented at the next Board meeting.

4 As of June 30, 2015, the Board had collected \$8,085,648 in total revenue.
5

6 Board Fund Condition

7 The Board's fund condition reflects 4.4 months in reserve at the end of the 14/15
8 fiscal year.
9

10 General Fund Loans

11 With the recent loan repayment, the current outstanding balance of loans to the
12 General Fund is \$9.9 million.
13

14 2015-2016 Budget

15 The Board's budget for fiscal year 2015/2016 is \$9,039,000. As previously reported,
16 the Board's budget includes two limited-term positions and full-time position authority
17 for two existing half-time positions. Additionally, the Board's cost for the BreEZe
18 system will increase significantly in 2015/2016. The Board's BreEZe costs will
19 increase 94%; rising from \$482,249 in 2014/2015 to \$938,109 in 2015/2016, and
20 increasing to \$990,811 in 2016/2017. The increase in cost is attributed to the
21 amended BreEZe contract.
22

23 **b. Operations Report**

24 Licensing Program

25 With the exception of the LCSW examination applications, application volumes
26 increased in the fourth quarter. The increase in registrant volumes is primarily due
27 to graduation.
28

29
30 The LMFT unit is evaluating applications within 41 days of receipt. The LCSW unit
31 is evaluating applications within 31 days of receipt. All other applications types are
32 evaluated within 25 days or less of receiving the application.
33

34 A total of 1,030 initial licenses were issued in the third quarter.
35

36 Examination Program

37 A total of 3,150 examinations were administered in the third quarter. Seven (7)
38 examination development workshops were conducted from April through June.
39

40 Administration Program

41 The Board received 8,480 applications in the fourth quarter. The Department of
42 Consumer Affairs (DCA) central cashiering unit received and processed 9,236
43 renewal applications. The Board's cashiering unit processed 1,053 renewal
44 applications. Online renewals increased with 3,273 individuals renewing their
45 licenses or registrations online.
46

1 Enforcement Program

2 The Enforcement staff received 229 consumer complaints and 250 criminal
3 convictions in the fourth quarter. A total of 446 cases were closed this quarter, and
4 35 cases were referred to the Attorney General's office for formal discipline.
5 Twenty-six (26) Accusations and 3 Statement of Issues were filed this quarter. The
6 current average for Formal Discipline is 719 days. The performance goal is 540
7 days.

8
9 The first Enforcement Subject Matter Expert (SME) Training was held on July 30,
10 2015. A total of 20 SMEs attended the training. Guest speakers from the Division of
11 Investigation, the Office of the Attorney General, and current Enforcement SMEs
12 provided information about the role of the SME and discussed best practices. Dr.
13 Ian Russ, Child Custody Evaluator, was also a guest speaker.

14
15 Outreach Events

16 Board staff participated at the following events:

- 17 • MFT Consortium Meetings throughout the state;
- 18 • National Association of Social Workers (NASW) Lobby Days in Sacramento, April
19 2015;
- 20 • California Association of Marriage and Family Therapists (CAMFT) Conference in
21 Burlingame, May 2015
- 22 • MFT Intern Applicant Presentation in Sacramento, June 2015.

23
24 Upcoming Events

- 25 • NASW-CA Annual Conference, October 2015, South San Francisco Center
- 26 • CAMFT Fall Symposium, November 2015, Orange County

27
28 Additional Outreach Efforts

29 The Board's summer 2015 newsletter has been released and is available on the
30 Board's website.

31
32 **c. Personnel Update**

33 New Employees and Promotions

- 34 • Marlon McManus returns to the Board to serve as the Staff Services Manager I
35 over the Consumer Complaint & Investigations Unit of the Enforcement Program.
- 36 • Carl Peralta transferred to the Board as an Office Technician (OT) in the
37 Licensing Unit. He will serve as the Licensed Educational Psychologists (LEP)
38 Evaluator.
- 39 • Lisa Cigelske will join the Board as a Staff Services Analyst (SSA) in the
40 Licensing Unit.
- 41 • Lupe Baltazar was promoted to an SSA in the Enforcement Program's Criminal
42 Conviction and Probation Unit.

43
44 Departures

- Gina Bayless, Enforcement Manager of the Consumer Complaint & Investigations left the Board on June 30, 2015.
- Heather Ito, seasonal employee, left the Board for a permanent position on August 27, 2015.

Vacancies

Board staff has initiated the recruitment process for the positions noted below:

- Management Services Technician (MST), Licensing Unit, to fill behind Lupe Baltazar;
- MST; Licensing Unit; new vacancy
- OT; Cashier Unit; new vacancy

XV. Strategic Plan Update

Steve Sodergren provided an update on the Strategic Plan:

- Licensing
 - Application processing times are now less than the parameters set forth in Regulation.
 - The Board is continuing to monitor the “Buckets” legislation.
 - The Supervision Committee continues to discuss supervision requirements.
 - The renewal application is available through the online BreEZe system; staff is currently testing address change application functionality in BreEZe.
- Enforcement
 - Staff completed the recruitment process for SMEs.
 - Staff conducted a training session for all enforcement SMEs.
- Legislation and Regulation
 - Office of Administrative Law (OAL) approved the regulation package to incorporate Uniform Standards for Substance Abusing Licensees, which will become effective October 1, 2015.
- Outreach and Education
 - A Winter and Summer newsletter has been published and distributed.
 - Staff are revising the web content. Staff has established a Twitter and Facebook account.

XVI. Supervision Committee Update

Christy Berger presented the Supervision Committee (Committee) update.

Update on Supervisor and Supervisee Survey Results

While the number of responses increased since the prior report, staff did not recognize any major changes to the overall statistical information.

Informal Decisions

The following informal decisions may change or evolve as the Committee works through various issues. Upon completion of the Committee’s work, formal decisions will be presented to the Board for consideration, and will require the passage of legislation and/or regulations in order to implement.

1 Supervisor Qualifications

- 2 • Increase the initial training of LMFT and LPCC supervisors to 15 hours for
3 consistency with the current requirements for LCSW supervisors.
4 • Require 6 hours of ongoing training every two years for LCSW, consistent with
5 current LMFT and LPCC requirements. The committee is exploring the possibility
6 of using a competency-based model for these hours rather than specifying
7 particular training content.
8 • Require supervisors to self-certify to the Board that they meet all qualifications to
9 supervise prior to the commencement of supervision.
10 • Require the supervisor to provide the supervisee with a signed disclosure that
11 includes information about how to submit a complaint about a supervisor.
12

13 Remaining Areas to Address

14 The remaining areas that the committee needs to address are as follows:

- 15 • Supervision Requirements including supervision definitions, amount and type of
16 weekly supervisor contact, supervision formats, monitoring/evaluating the
17 supervisee, etc.
18 • Supervisor Responsibilities including the Supervisor Responsibility Statement.
19 • Employment/Employers requirements including registrant/trainee employment,
20 supervisor employment, offsite supervision, temp agency employers, etc.
21

22 **XVII. Examination Restructure Update**

23 Mr. Sodergren presented the Examination Restructure update.
24

25 Exam Blackout Period

26 During the month of December 2015, the Board is implementing a blackout period.
27 During this period LMFTs and LCSWs will be unable to schedule or test. The blackout
28 period will allow the Board to validate applicant data and verify it has been transmitted
29 and received by the various vendors. This will help to ensure that testing candidates
30 will be able to resume scheduling and testing on January 1, 2016.
31

32 Outreach

33 To better inform applicants and registrants as to how the exam restructure will affect
34 them, staff has been developing informational materials and videos. As materials are
35 developed they will be posted to the Board’s website on the Examination News page.
36 During the beginning of August, the Examination News page was revised and now
37 includes links to more information about the exam restructure. Staff is also distributing
38 informational inserts to newly eligible interns and exam candidates.
39

40 Christy Berger has been coordinating with DCA to develop three informational videos.
41 The first of these videos is expected to be posted in September.
42

43 BreEZe System Changes

1 Board and DCA BreEZe staffs have been working the last few months to finalize the
2 system design materials that document new system requirements needed in the
3 BreEZe system. The design materials were submitted to the vendor in July, and
4 subsequently in July, the vendor provided the Board and DCA an impact analysis.
5

6 The Board continues to work with the BreEZe team, DCA's Office of Professional
7 Examination Services (OPES) and the Association of Social Work Boards (ASWB) in
8 order to identify and coordinate the manual processing of exam eligibilities. Staff is
9 working on developing and implementing business processes that will ensure a minimal
10 impact to applicants.
11

12 Sean O'Connor, Policy and Programs Review Division, assured the Board that the
13 changes in the BreEZe system are priority, and the department recognizes the urgency
14 of the exam restructure.
15

16 Mr. O'Connor made the following suggestions:

- 17 • Update the renewal notice to mention online renewal option;
 - 18 • Utilize the resource (Enforcement Actions Report) to breakdown data regarding
19 enforcement cases spent at the Attorney General's (AG) Office;
 - 20 • Mr. O'Connor has ideas to accomplish the task of tracking supervisors, when the
21 staff is prepared to discuss this.
- 22

23 *The Board took a break at 9:48 a.m. and reconvened at 10:04 a.m.*
24

25 *Dr. Peter Chiu left the meeting at 9:48 a.m.*
26

27 **XVIII. Review and Discussion of the Board of Behavioral Sciences Sunset Review**
28 **Report**

29 Kim Madsen presented a draft of the Sunset Review Report. The final report will be
30 available at the November 2015 Board Meeting.
31

32 **XIX. Policy and Advocacy Committee Report**

33 **a. Recommendation and Possible Action to Rescind the Following Board**
34 **Policies**

- 35 **i. Complaint Disclosure Policy #E-06-02**
 - 36 **ii. Public Disclosure of License Verification Policy #E-06-01**
- 37

38 *Agenda item XIX a. ii. regarding Public Disclosure of License Verification was*
39 *merged with item XIX a. i. Complaint Disclosure Policy, and was discussed as*
40 *item XIX a. i.*
41

42 During the May 2006 Board meeting, Board Members were informed that
43 Executive Order S-03-06 required all state agencies to take a number of actions
44 related to agency compliance with the California Public Records Act (PRA). The

1 action required of each agency was to review and revise written guidelines for
2 accessibility of public records, as necessary. A review of current Board policies
3 noted two policies required revisions – Policy #E-06-01 and #E-06-02.
4

5 Board Members discussed the proposed revisions and some amendments to
6 both policies. Specifically, the policies did not mention the inclusion of reporting
7 settlements and arbitrations. The suggested amendments included revisions to
8 the language for clarity. The Board Members voted to accept the amendments to
9 Policy #E-06-01 and Policy #E-06-02.
10

11 The California PRA, Government Code section 6250 *et seq.*, requires public
12 records be available upon request. The Board is subject to the requirements for
13 all public record requests. The Board’s response is coordinated with its DCA
14 legal counsel.
15

16 Business and Professions Code section 27 specifies what information, such as
17 enforcement actions and a licensee’s address of record, must be available
18 through the Board’s website. Since 2006, revisions to both of these code
19 sections have been enacted, with the last revisions occurring in 2014. These
20 revisions include the contents of Policy # E-06-01 and #E-06-02.
21

22 Business and Professions (B&P) Code 4990.09 specifies how long a citation and
23 fine issued for \$1500 or more shall be published on the Board’s website. A
24 citation and fine of less than \$1500 may not be published on the Internet.
25

26 At the time these policies were adopted, some of the code sections related to
27 PRAs and license disclosure were not specific. So it was prudent for Boards and
28 Bureaus to adopt policy guidelines as to what specific information would be
29 available to the public. The Board’s policies for complaint disclosure and public
30 disclosure of license verification are now incorporated into the B&P Code and the
31 Government Code.
32

33 At its August 2015 meeting, Policy & Advocacy Committee (Committee)
34 recommended rescinding both policies.
35

36 ***Patricia Lock-Dawson moved to rescind Policy #E-06-01 and #E-06-02. Dr.***
37 ***Leah Brew seconded. The Board voted unanimously (10-0) to pass the***
38 ***motion.***

39 The Board voted as follows:

- 40 Christina Wong - yay
- 41 Deborah Brown - yay
- 42 Samara Ashley - yay
- 43 Dr. Scott Bowling - yay
- 44 Dr. Leah Brew - yay
- 45 Betty Connolly - yay

1 Patricia Lock-Dawson - yay
2 Renee Lonner - yay
3 Karen Pines - yay
4 Dr. Christine Wietlisbach - yay
5

6 **iii. Advertising Psychotherapy/Psychologist Policy #E-95-2**
7

8 In November 1995 the Board members adopted Policy #E-95-2 to address
9 the use of the words “psychotherapy” and “psychotherapist” by Board
10 licensees in advertisements. The intent of this policy appeared to be to clarify
11 the appropriate use of these words so that the policy was not misleading.
12

13 On August 14, 2012, the Board gave notice of proposed changes to California
14 Code of Regulations (CCR) section 1811. This regulation package proposed
15 changes to clarify which abbreviations may be used in an advertisement and
16 whether or not a licensee can use the term “psychotherapy” and
17 “psychotherapist” when advertising. The proposal added a subsection “c” to
18 CCR 1811, which stated that licensees may use those words in an
19 advertisement provided that requirements of subsection (a) are met. CCR
20 1811(a) specifies the type of abbreviations a licensee or registrant may use in
21 advertisements.
22

23 This regulatory package was approved and went into effect on April 1, 2013.
24

25 The Policy & Advocacy Committee recommended rescinding this policy.
26

27 ***Dr. Christine Wietlisbach moved to rescind Policy #E-95-2. Samara***
28 ***Ashley seconded. The Board voted unanimously (10-0) to pass the***
29 ***motion.***

30 The Board voted as follows:

31 Christina Wong - yay
32 Deborah Brown - yay
33 Samara Ashley - yay
34 Dr. Scott Bowling - yay
35 Dr. Leah Brew - yay
36 Betty Connolly - yay
37 Patricia Lock-Dawson - yay
38 Renee Lonner - yay
39 Karen Pines - yay
40 Dr. Christine Wietlisbach - yay
41

42 **iv. Correspondence Degree Program Policy #L-98-02**
43

44 In May 1998, the Licensing Committee discussed the issue of accepting
45 correspondence degree programs. Information presented at the meeting

1 included information staff collected from other states to determine if they
2 accepted correspondence degree programs. The survey revealed that most
3 states do not accept this type of degree program.

4
5 The Licensing Committee subsequently voted to not accept correspondence
6 degrees, which resulted in Board Policy #L-98-02.

7
8 Business and Professions Code sections 4980.36, 4980.37, 4989.20, 4996.2,
9 4999.32, and 4999.33 each specify the educational qualifications for
10 licensure. Pursuant to these sections, applicants must possess a qualifying
11 degree from an educational institution that is accredited by a specific
12 accrediting agency.

13
14 At its August meeting, the Policy & Advocacy Committee recommended
15 rescinding this policy.

16
17 ***Patricia Lock- Dawson moved to rescind Board Policy #L-98-02. Dr.***
18 ***Leah Brew seconded. The Board voted unanimously (10-0) to pass the***
19 ***motion.***

20
21 The Board voted as follows:

22 Christina Wong - yay
23 Deborah Brown - yay
24 Samara Ashley - yay
25 Dr. Scott Bowling - yay
26 Dr. Leah Brew - yay
27 Betty Connolly - yay
28 Patricia Lock-Dawson - yay
29 Renee Lonner - yay
30 Karen Pines - yay
31 Dr. Christine Wietlisbach - yay

32
33 **v. License Surrender Policy #E-96-1**

34
35 In February 1998, the Enforcement Committee discussed the Board's License
36 Surrender Policy #E-96-1. The members noted this policy and the
37 recommended language in the Board's Disciplinary Guidelines for voluntary
38 surrender. Although no changes to the policy were proposed, Richard Leslie,
39 Legal Counsel for CAMFT, stated that in the voluntary surrender decisions,
40 there is mention of the ability for licensees to petition for reinstatement. Mr.
41 Leslie believed that petitioning for reinstatement should not be an option. The
42 current Executive Officer and DCA Legal Counsel agreed to look into this
43 matter. There was no record of the outcome of that matter.

44
45 Since 1996, the Board's Disciplinary Guidelines have been revised several
46 times. The Board's Disciplinary Guidelines are incorporated by reference in

1 CCR section 1888. In order to propose any revision to these guidelines, the
2 Board must initiate the rulemaking process.

3
4 A review of the Board's current Disciplinary Guidelines reveals that nearly all
5 of the language in Policy #E-96-1 is reflected in the Disciplinary Guidelines.
6

7 At its August 2015 meeting, the Policy & Advocacy Committee recommended
8 rescinding this policy.
9

10 ***Karen Pines moved to rescind Board Policy #E-96-1. Deborah Brown***
11 ***seconded. The Board voted unanimously (10-0) to pass the motion.***
12

13 The Board voted as follows:

14 Christina Wong - yay
15 Deborah Brown - yay
16 Samara Ashley - yay
17 Dr. Scott Bowling - yay
18 Dr. Leah Brew - yay
19 Betty Connolly - yay
20 Patricia Lock-Dawson - yay
21 Renee Lonner - yay
22 Karen Pines - yay
23 Dr. Christine Wietlisbach - yay
24

25 **vi. Mail Ballots and Confidentiality of Executive Session Policy #B-02-1**
26

27 At its November 2002 meeting, the Board discussed the adoption of the Mail
28 Ballots and Confidentiality of Executive Session Policy #B-02-1. The
29 discussion focused on whether or not it was necessary to have this policy
30 when there are several statutes and regulations that address mail ballots and
31 confidentiality. Further, the members added that this issue could be
32 addressed during Board Member training.
33

34 DCA Legal Counsel stated that although DCA provided New Board Member
35 Orientation, the trainings may not be convenient for all individuals and the
36 new members may not be aware of all the confidentiality issues before they
37 become a functioning board member. The Board Members decided not to
38 adopt this policy.
39

40 Board staff was unaware that Policy #B-02-1 was not adopted until this
41 policy's history was researched. The policy reflected an adoption date and
42 therefore, it was assumed the policy was adopted. The ability to determine a
43 decision by mail ballot is addressed in Government Code section 11526. This
44 code does not specify the number of votes needed to hold a case for
45 discussion. Nor, do Board records reflect how the current number of "two"
46 was determined.

1 The Bagley-Keene Open Meeting Act addresses the confidentiality of a
2 closed session meeting.

3
4 The mail ballot process is included in the Board Member Procedure Manual.

5
6 At its August 2015 meeting, the Policy & Advocacy Committee recommended
7 removing this policy.

8
9 ***Samara Ashley moved to remove Board Policy #B-02-1. Renee Lonner***
10 ***seconded. The Board voted unanimously (10-0) to pass the motion.***

11
12 The Board voted as follows:

13 Christina Wong - yay
14 Deborah Brown - yay
15 Samara Ashley - yay
16 Dr. Scott Bowling - yay
17 Dr. Leah Brew - yay
18 Betty Connolly - yay
19 Patricia Lock-Dawson - yay
20 Renee Lonner - yay
21 Karen Pines - yay
22 Dr. Christine Wietlisbach – yay

23
24 **b. Recommendation and Possible Action to Revise the Following Board Policies**

25 **i. Record Retention Schedule for Enforcement Related Files Policy #E-00-1**

26
27 The Business and Professions Code requires the Board to maintain a central file
28 for individuals who hold a license or registration. Further, the State
29 Administrative Manual section 1611 requires each agency to establish a records
30 retention program.

31
32 Each agency must manage its own records program and is required to review its
33 retention schedule every five (5) years. A current records retention schedule
34 must be on file with the State Records Center (SRC) in order to store records.

35
36 Before May 2000, the Board had an existing retention schedule; however, the
37 schedule did not include a retention period for citation and fines. In May 2000,
38 the Consumer Committee determined that citation and fines would be kept for a
39 period of one year in the office and ten years in SRC.

40
41 In January 2001, Board Policy #E-00-1, Record Retention Schedule for
42 Enforcement Related Files, was adopted. This policy specifies the number of
43 years the Board will retain Enforcement related material in the Board office, at
44 SRC, and provides for confidential destruction of these materials following the
45 retention period.

1 The retention period for citation and fines is a total of 5 years and not the 11
2 years agreed to by the Committee members. Staff research did not reveal any
3 minutes or records for this change. However, on or about January 2007, six
4 years after the adoption of Policy #E-00-1, Business and Professions Code
5 section 4990.9 was revised to state in part that the Board may publish on the
6 Internet the final determination of a citation and fine of \$1,500 dollars or less for a
7 period of time in excess of five years from the date of the citation.
8

9 The Board's current record retention was approved in 2014 and the retention
10 schedule for enforcement-related material complies with Policy #E-00-1.
11

12 Board staff recommends that the Committee members review the current
13 retention period (1.5 years) for complaints and investigations that are closed
14 without merit. Considering the type of cases closed without merit, retaining the
15 information for 6 months in the Board office and then destroying the case
16 confidentially may be more appropriate.
17

18 The remainder of the Board's current Enforcement Related Files retention
19 schedule appears appropriate. However, the reference to Government Code
20 section 14750 is now incorrect and should be updated.
21

22 At its August 2015 meeting, the Policy & Advocacy Committee recommended
23 revising this policy to reflect a shorter retention period for all cases closed either
24 as non-jurisdictional or unactionable and keeping the retention schedule the
25 same for all other cases closed without merit.
26

27 ***Patricia Lock-Dawson moved to adopt Policy #E-15-1. Betty Connolly***
28 ***seconded. The Board voted unanimously (10-0) to pass the motion.***
29

30 The Board voted as follows:

31 Christina Wong - yay
32 Deborah Brown - yay
33 Samara Ashley - yay
34 Dr. Scott Bowling - yay
35 Dr. Leah Brew - yay
36 Betty Connolly - yay
37 Patricia Lock-Dawson - yay
38 Renee Lonner - yay
39 Karen Pines - yay
40 Dr. Christine Wietlisbach – yay
41

42 **ii. Third Party Complaint Policy #E-98-01**

43

44 In February 1998, the Enforcement Committee discussed whether or not to adopt
45 a policy regarding third party complaints. At that time, these types of complaints
46 were received regarding child custody cases. For various reasons, investigation

1 of these complaints could not move forward. The Enforcement Committee
2 adopted Policy #E-98.01, which specified how staff shall evaluate third party
3 complaints.

4
5 Board enforcement staff currently follows Policy #E-98-01. Third party
6 complaints are difficult to investigate because they require release of information
7 from the patient. The Board may or may not be successful in obtaining this
8 release. Further, the patient may be reluctant to participate in the investigation.
9 In these situations, the case is closed.

10
11 With respect to the concerns expressed in 1998 about child custody cases,
12 through a legislative change, the Board now has access to child custody
13 evaluation reports for investigative purposes.

14
15 At its August 2015 meeting, the Policy & Advocacy Committee recommended
16 updating the existing Policy #E-98-1.

17
18 ***Dr. Leah Brew moved to adopt Policy #E-15-2. Renee Lonner seconded.***
19 ***The Board voted unanimously (10-0) to pass the motion.***

20
21 The Board voted as follows:

22 Christina Wong - yay
23 Deborah Brown - yay
24 Samara Ashley - yay
25 Dr. Scott Bowling - yay
26 Dr. Leah Brew - yay
27 Betty Connolly - yay
28 Patricia Lock-Dawson - yay
29 Renee Lonner - yay
30 Karen Pines - yay
31 Dr. Christine Wietlisbach – yay

32
33 **iii. Succession of Officers Policy #B-05-1**

34
35 In November 2004, the Board requested that a policy be drafted to address
36 situations when the Board Chair is unable to serve for reasons including term
37 expiration and absences. Policy #B-05-01, Succession of Officers, was adopted
38 in February 2005.

39
40 While the Board has not invoked the use of this policy in recent years, it is
41 reasonable to have a policy addressing the absence of the Board Chair.
42 However, the policy should be updated to reflect minor changes since 2005 such
43 as the Board address.

44
45 At its August 2015 meeting, the Policy & Advocacy Committee recommended
46 updating the existing Policy #B-05-01.

1 ***Renee Lonner moved to adopt Policy #B-15-3. Samara Ashley seconded.***
2 ***The Board voted unanimously (10-0) to pass the motion.***
3

4 The Board voted as follows:

5 Christina Wong - yay
6 Deborah Brown - yay
7 Samara Ashley - yay
8 Dr. Scott Bowling - yay
9 Dr. Leah Brew - yay
10 Betty Connolly - yay
11 Patricia Lock-Dawson - yay
12 Renee Lonner - yay
13 Karen Pines - yay
14 Dr. Christine Wietlisbach – yay
15

16 **iv. Board Member Attendance and Reimbursement Policy #B-98-1**
17

18 During the 1997-1998 Sunset Review, Boards were asked about their Board
19 member attendance policies. At its January 1998 meeting, the Board was
20 informed of this inquiry and was provided information regarding other boards'
21 attendance policy to review. Following the Board's review of other board
22 policies, Policy #B-98-1 was drafted. The policy was adopted in May 1998.
23

24 Many of the topics in Policy #B-98-1 are specified under current law. B&P Code
25 section 103 sets forth the compensation for Board members. However, this code
26 section does not specify the types of activities that are considered "official
27 duties". The State Administrative Manual (SAM) specifies travel reimbursement
28 rates that are incorporated into the Department of Consumer Affairs Travel
29 Guide.
30

31 The topics related to attendance are relevant. Although the expectation is that
32 the Board member will attend all board and committee meetings, Board member
33 attendance is not specified in law.
34

35 Since many of the topics related to travel are already addressed in the SAM and
36 incorporated in the DCA Travel Guide, it is redundant to have a Board policy
37 addressing these topics.
38

39 Therefore, the Board may wish to consider revising Policy #B-98-1 to set forth a
40 policy related only to Board Member attendance. Additionally, the Board may
41 wish to consider adopting a new policy clarifying the "official duties" for which per
42 diem may be claimed.
43

44 At its August 2015 meeting, the Policy & Advocacy Committee recommended
45 revising Policy #B-98-1 to address only Board Member attendance and
46 establishing a per diem policy.

1 **Dr. Leah Brew moved to revise Policy #B-98-01 to Policy #B-15-1, and adopt**
2 **Policy #B-15-2. Dr. Scott Bowling seconded. The Board voted**
3 **unanimously (10-0) to pass the motion.**

4
5 The Board voted as follows:

6 Christina Wong - yay
7 Deborah Brown - yay
8 Samara Ashley - yay
9 Dr. Scott Bowling - yay
10 Dr. Leah Brew - yay
11 Betty Connolly - yay
12 Patricia Lock-Dawson - yay
13 Renee Lonner - yay
14 Karen Pines - yay
15 Dr. Christine Wietlisbach – yay
16

17 *The Board took a break at 10:59 p.m. and reconvened at 11:07 a.m.*
18

19 **XX. Discussion and Possible Action Regarding Proposed Regulations for Telehealth**

20 At its May 2015 meeting, the Board approved regulatory language addressing
21 standards of practice for telehealth. The proposal was filed with Office of Administrative
22 Law (OAL). The 45-day public comment period ended on August 24, 2015, and the
23 public hearing was held on August 25, 2015.
24

25 During the public comment period, stakeholders suggested the Board make some
26 amendments to the proposed language. The suggested amendments were:
27

28 1. CAMFT Proposal: Amend Sub-Section 1815.5(c)(iv).

29 This section requires a licensee or registrant, upon initiation of telehealth services, to
30 “Provide the client with written procedures to follow in an emergency situation. This
31 shall include contact information for emergency services near the client’s location.”
32

33 The California Association of Marriage and Family Therapists (CAMFT) expressed
34 that this sub-section is not necessary. CAMFT also expressed that the language is
35 unclear as to what constitutes an emergency. CAMFT argues that because there
36 can be a wide variety of emergency situations depending on the circumstances of
37 the client, the language sets an unrealistic requirement upon providers.
38

39 CAMFT suggested the language be struck and provided alternative language:

40 *“Make reasonable efforts to ascertain the contact information of relevant*
41 *resources, including emergency services, in the patient’s geographic area.”*
42

43 After discussing the suggested language made by CAMFT, the Board and
44 stakeholders agreed to the following language:

1 “Document reasonable efforts made to ascertain the contact information of
2 relevant resources, including emergency services, in the patient’s geographic
3 area.”
4

5 2. Other Written Comments and Comments Received During August 25, 2015 Hearing
6

7 Ms. Helms briefly reviewed the written comments and the Board staff responses.
8

9 ***Dr. Leah Brew moved to direct staff to take all steps necessary to complete the
10 rulemaking process, including preparing the modified text as amended here
11 today, and notice the text for an additional 15-day comment period. If after the
12 15-day comment period, no adverse comments are received, authorize the
13 Executive Officer to make any non-substantive changes to the proposed
14 regulations before completing the regulatory process with OAL. Christina Wong
15 seconded. The Board voted unanimously (10-0) to pass the motion.***
16

17 The Board voted as follows:

- 18 Christina Wong - yay
 - 19 Deborah Brown - yay
 - 20 Samara Ashley - yay
 - 21 Dr. Scott Bowling - yay
 - 22 Dr. Leah Brew - yay
 - 23 Betty Connolly - yay
 - 24 Patricia Lock-Dawson - yay
 - 25 Renee Lonner - yay
 - 26 Karen Pines - yay
 - 27 Dr. Christine Wietlisbach – yay
- 28

29 **XXI. Board-Sponsored Legislation Update**

30 Board-Sponsored Legislation

- 31 • SB 531 Board of Behavioral Sciences Enforcement Process - This bill is on the
32 Governor’s desk.
- 33 • SB 620 Board of Behavioral Sciences: Licensure Requirements - This bill is on the
34 Governor’s desk.
- 35 • SB 800 Omnibus Bill - This bill is in the Assembly Appropriations Committee.
36

37 Board-Supported Legislation

- 38 • AB 250: Telehealth: Marriage and Family Therapist Interns and Trainees - This bill
39 was signed by the Governor and becomes effective January 1, 2016.
- 40 • AB 1140: California Victim Compensation and Government Claims Board - The
41 Board’s requested language was amended into the bill. This bill is in the Assembly
42 Appropriations Committee.
43

44 Legislation that the Board is Monitoring

- 45 SB 479: Healing Arts: Behavior Analysis: Licensing – This bill is now a 2-year bill.

1 **XXII. Status of Board Rulemaking Proposals**

2 Disciplinary Guidelines and SB 1441: Uniform Standards for Substance Abuse

3 These regulations were approved and take effect October 1, 2015.

4

5 Implementation of SB 704 (Examination Restructure)

6 This proposal is now under review by Business, Consumer Services and Housing
7 Agency.

8

9 Requirements for Licensed Professional Clinical Counselors to Treat Couples or
10 Families

11 This proposal is now under review by DCA.

12

13 *The Board took a break at 12:01 p.m. and reconvened at 1:17 p.m.*

14

15 **XXIII. Presentation and Discussion of the Use of the Title “Intern” vs “Associate”**

16 Dr. Benjamin Caldwell, Associate Professor from Couple and Family Therapy Program,
17 School of Professional Psychology at Alliant International University gave a presentation
18 regarding the use of the title “Intern” vs. “Associate”.

19

20 Dr. Caldwell expressed that the title “Associate” is more appropriate to use for those
21 people at that level.

22

23 The term “Intern”:

- 24 • Is understood as those who are still in school.
- 25 • Defined in the dictionary as “a student or trainee who works, sometimes without pay,
26 in order to gain work experience.”
- 27 • Leads to confusion about what an MFT Intern can do.
- 28 • Is understood as those who receive little or no compensation.

29

30 Employer confusion regarding interns:

- 31 • Believe that interns can be unpaid.
- 32 • Creates situations for exploitation when gaining supervised experience for licensure.
- 33 • For-profit locations conduct a six-point test for internships.
- 34 • Non-profit employers are not exempt from labor laws.

35

36 Consumer confusion regarding interns:

- 37 • Not a real job.
- 38 • Intern is assumed to be a student.
- 39 • Less respected.

40

41 Differences between professions:

- 42 • Little to no difference between master’s level professions in regard to client
43 outcomes.
- 44 • “Associate” versus “Intern” suggests a difference in career level that does not exist.

1 Professions that do not use the title “Intern”:

- 2 • American Psychological Association use “postdoc,” “postdoctoral training,” or
- 3 “postdoctoral requirement.”
- 4 • Accreditation Council for Graduate Medical Education dropped the term and now
- 5 use “resident.”
- 6 • National Council of Architecture Registration removed the term.
- 7 • Other states regulating MFTs
- 8 ○ 11 states use the title “Associate.”
- 9 ○ 4 states credential post-degree MFTs under “Intern” title.
- 10 ○ Where “intern” is used, it usually indicates pre-degree MFTs.

11
12 The title “Associate” would:

- 13 • Bring California in line with other states.
- 14 • Reduce confusion among consumers and employers.
- 15 • Empower pre-licensed therapists.

16
17 Ms. Lonner requested to put this matter on the agenda for the Policy & Advocacy

18 Committee.
19
20 *Karen Pines left the meeting at 1:50 p.m.*

21
22 **XXIV. Discussion and Possible Action Regarding English as a Second Language**

23 **Accommodation for Examination Candidates**
24 The Board has discussed reviving the ESL accommodation over the past several Board

- 25 meetings. At its May 2015 meeting, the Board directed staff to draft language to
- 26 accomplish the following:
- 27 • Specify criteria to be used when considering whether to grant extra examination time
 - 28 for ESL applicants; and
 - 29 • Allow the Board discretion in making a decision.

30
31 The draft language requires applicants to state under the penalty of perjury that English

32 is his or her second language. The language proposes three scenarios under which the

33 Board may consider granting an applicant time-and-a-half on an examination:

34
35 **1. TOEFL-iBT Score**

36 The applicant must provide a score of 85 or below on the Test of English as a

37 Foreign Language - Internet Based Test (TOEFL-iBT). The score must have been

38 obtained within the previous two years prior to application.

39
40 **2. Documentation of an ESL Accommodation from the Qualifying Master’s**

41 **Degree Program**

42 If the qualifying Master’s degree program had granted the applicant an ESL

43 accommodation, then the Board may grant the ESL accommodation.

44

1 **3. Documentation of a Foreign Qualifying Master’s Degree that was Presented**
2 **Primarily in a Language Other than English**

3 If the qualifying Master’s degree program was from an educational institution outside
4 the U.S., and if coursework was presented primarily in a language other than
5 English, then the Board may grant the ESL accommodation.
6

7 Dianne Dobbs suggested removing the term “accommodation” from the title, from
8 subsection (b), and from the last paragraph, and replacing it with the term “option” to
9 avoid confusion with the American Disabilities Act.

10 Mr. Caldwell stated that universities have a wide range of ESL accommodations they
11 make for students. Subsection (b) may create an inconsistent standard.

12 Mr. Caldwell also suggested extending the exam time for everyone. This was
13 discussed at previous meetings.

14 Ms. Madsen summarized the discussion that took place in past meetings regarding
15 extending the exam time:

- 16 • It provides candidates more opportunity to harvest exam questions;
- 17 • Developers feel that it should not take more than 2 hours to take the exam; many
18 complete the exam in less than 2 hours.
- 19 • Allowing more time could be more problematic than helpful.

20 Ms. Helms suggested using the term “extra time” instead of “option,” which was
21 suggested by Ms. Dobbs. Christy Berger explained that “option” seems to mean that
22 there is an option or a choice.
23

24 ***Patricia Lock-Dawson moved to direct staff make changes to the proposed***
25 ***language, and bring it back to the Board. Christina Wong seconded. The Board***
26 ***voted unanimously (9-0) to pass the motion.***
27

28 The Board voted as follows:

- 29 Christina Wong - yay
 - 30 Deborah Brown - yay
 - 31 Samara Ashley - yay
 - 32 Dr. Scott Bowling - yay
 - 33 Dr. Leah Brew - yay
 - 34 Betty Connolly - yay
 - 35 Patricia Lock-Dawson - yay
 - 36 Renee Lonner - yay
 - 37 Dr. Christine Wietlisbach – yay
- 38
39
40
41
42

1 **XXV. Discussion and Possible Action Regarding Uniform Standards and Template for**
2 **Reports and Evaluations Submitted to the Board Related to Disciplinary Matters**

3 Board Members review disciplinary cases and requests from probationers to either
4 modify their probation terms or end their probation early. Reports and evaluations may
5 be included as part of the documentation relevant to the matter. The reports and
6 evaluations are prepared by various subject matter experts or mental health
7 professionals. The Board Members have expressed a strong desire for consistency in
8 these reports and evaluations. Specifically, the Board Members inquired about
9 psychological evaluation requests, guidelines for preparing the evaluation, and the
10 selection of the mental health professional to conduct the evaluation.
11

12 Ms. Madsen reviewed the Board process of psychological evaluation requests. She
13 also provided the Board of Psychology's process, which includes a Guideline for
14 Psychological Evaluations that is provided to the selected mental health professional.
15

16 Samara Ashley, Patricia Lock-Dawson, and Renee Lonner volunteered to work on a
17 subcommittee to address this matter. Ms. Ashley will serve as the committee's
18 chairperson.
19

20 **XXVI. 2016 Meeting Dates**

21 Ms. Madsen reviewed the 2016 meeting dates. She noted the two Sacramento Board
22 Meetings are scheduled for three days to anticipate a larger number of disciplinary
23 cases, if needed. If not needed, the meeting will be 2 days beginning on Thursday.
24

25 **XXVII. Public Comment for Items not on the Agenda**

26 No public comments were made.
27

28 **XXVIII. Suggestions for Future Agenda Items**

29 Dr. Brew commented that the Profession of Counseling is looking at trying to increase
30 reciprocity among states. National organizations are trying to unify the title to Licensed
31 Professional Counselor. They are also trying to unify the scope of practice, to allow full
32 reciprocity, and push for accreditation.
33

34 Ms. Wong requested to look at the exam standards, and the defensibility and validity of
35 the exam.
36

37 Ms. Lock-Dawson requested to have a discussion regarding the teen suicide rate.
38

39 **XXIX. Adjournment**

40 The meeting adjourned at 2:40 p.m.

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

To: Board Members

Date: November 10, 2015

From: Christina Kitamura
Administrative Analyst

Telephone: (916) 574-7835

Subject: Executive Officer's Report

Agenda item XII. Executive Officer's Report will be provided to the Board Members under separate cover prior to the meeting.

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

To: Board Members

Date: October 29, 2015

From: Steve Sodergren
Assistant Executive Officer

Telephone: (916) 574-7847

Subject: Strategic Plan Update

Management and staff continue to address the strategic goals and objectives. Attached for your review is the Strategic Plan update for November 2015.

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Licensing	DUE DATE	STATUS
<i>Establish licensing standards to protect consumers and allow reasonable and timely access to the profession.</i>		
1.1 Identify and implement improvements to the licensing process to decrease application processing times.	Q1 2015	Application processing times are now less than the parameters set forth in Regulation.
1.2 Complete the processing of Licensed Professional Clinical Counselor grandfathered licensing application.	Q1 2014	Completed October 1, 2013
1.3 Review the current eligibility process for Licensed Marriage and Family Therapists and Licensed Professional Clinical Counselors to identify and reduce barriers and implement process improvements.	Q4 2018	SB 620, the “Buckets” legislation, was signed by the Governor in September 2015.
1.4 Explore development of uniform clinical supervision standards to ensure consistent supervision of registrants and trainees.	Q4 2015	On October 23, 2015 the eighth supervision committee meeting was conducted. The committee continues to discuss supervision requirements.
1.5 Investigate the use of technology for record keeping and therapeutic services and its effects on patient safety and confidentiality and establish best practices for licensees.	Q4 2016	
1.6 Determine feasibility of license portability and pursue legislation if needed.	Q3 2020	Licensed portability will be improved with the acceptance of the national licensing exam, which will occur in 2016 with exam restructure for LCSW’s. Legislations signed by the Governor in September

2014 will modify the out-of-state requirements for LMFTs and LPCCs with an effective date of 1/1/16.

1.7
Establish ongoing process to evaluate requirements for all license types to promote parity between licensing programs as appropriate.

Q4 2016

Staff effort continues. The “bucket” legislation signed this year will make supervised experience requirements more uniform. The Supervision Committee is considering changes to supervisor qualifications and is working toward parity where appropriate.

1.8
Evaluate the feasibility of online application submission through the Breeze system and implement if possible.

Q2 2016

The Board now has three transactions available on Breeze: renewals, address changes and replacement documents. The Board continues to explore the future use of the online capabilities.

Examinations <i>Administer fair, valid, comprehensive, and relevant licensing examinations.</i>	DUE DATE	STATUS
2.1 Implement recommendations made by the Exam Program Review Committee to restructure the examination process and promulgate regulations as necessary.	Q1 2016	Board staff members are currently working on implementation.
2.2 Establish a recruitment process for Subject Matter Experts to ensure a diverse pool on which to draw for examination development.	Q2 2016	Completed Spring 2015
2.3 Create a process for evaluating the performance of Subject Matter Experts assisting with exam development.	Q4 2015	

Enforcement <i>Protect the health and safety of consumers through the enforcement of laws and regulations.</i>	DUE DATE	STATUS
3.1 Establish a recruitment process for Subject Matter Experts to ensure a diverse pool on which to draw for case evaluations.	Q4 2014	Completed Spring 2015
3.2 Develop a training program, including uniform standards for reports and evaluations, for all enforcement Subject Matter Experts.	Q1 2015	Staff conducted an all-day training session on July 30, 2015.
3.3 Improve internal process to regularly consult with the Attorney General's office to advance pending disciplinary cases.	Q4 2014	Staff effort continues.
3.4 Establish uniform standards and templates for reports and evaluations submitted to the Board related to disciplinary matters.	Q2 2015	This was discussed at the August 2015 meeting.
3.5 Create a process for evaluating the performance of Subject Matter Experts assisting on enforcement cases.	Q2 2015	Completed May 2015.
3.6 Identify and implement improvements to the investigation process to decrease enforcement processing times.	Q1 2015	Staff effort continues.

Legislation and Regulation <i>Ensure that statutes, regulations, policies, and procedures strengthen and support the Board's mandate and mission.</i>	DUE DATE	STATUS
4.1 Adopt regulations to incorporate <u>Uniform Standards for Substance Abusing Licensees</u> to align with other healing arts boards.	Q2 2015	Complete October 1, 2015
4.2 Modify regulations to shift oversight of continuing education providers to Approval Agencies.	Q4 2014	Completed January 1, 2015
4.3 Pursue legislation to implement the recommendations of the Out of State Education Review Committee to ensure parity with California educational requirements.	Q4 2014	Signed by the Governor in September 2014. The new out-of-state requirements become effective 1/1/16.
4.4 Pursue legislation to resolve the conflict in law that prohibits the Board's access to information necessary for investigations regarding child custody reports.	Q4 2014	Signed by the Governor in September 2014. Became effective on 1/1/15.
4.5 Review regulatory parameters for exempt settings and modify, if necessary, to ensure adequate public protection.	Q4 2017	

Organizational Effectiveness <i>Build an excellent organization through proper Board governance, effective leadership, and responsible management.</i>	DUE DATE	STATUS
5.1 Pursue adequate staffing levels across all functional areas within the Board.	Q3 2015	Board continues to work on filling vacancies and assessing current staffing levels.
5.2 Evaluate internal procedures to identify areas for improvement to ensure prompt and efficient work processes.	Q1 2016	Staff effort continues.
5.3 Enhance Board employee recognition program to reward exceptional performance and service.	Q4 2014	Staff effort continues.
5.4 Implement an internal training and education program for all Board staff to enhance skills and abilities for professional development.	Q3 2015	
5.5 Establish standing Board committees that align with the Board's strategic goal areas.	Q4 2014	Board will revisit this topic in 2016.

Outreach and Education <i>Engage stakeholders through continuous communication about the practice and regulation of the professions.</i>	DUE DATE	STATUS
6.1 Implement cost-effective ways to educate applicants and licensees on current requirements.	Q1 2015	Staff has attended various outreach events including; AAMFT Education Outreach events, NASW Conference. The Board will soon begin using Twitter and Facebook in order to keep applicants and licensees updated on new requirements.
6.2 Enhance the Board’s outreach program by redesigning publications and the Board’s website, leveraging new technologies and exploring the use of social media.	Q3 2015	A Winter and Summer newsletter has been published and distributed. Staff has revised web content; Exam News, Contact Page, Out-of-State Requirements. Staff continues to work towards establishing a Twitter and Facebook presence.
6.3 Partner with the Office of Statewide Planning Health and Development and other external stakeholder groups to encourage more diversity within the mental health professions.	Q4 2019	Staff effort continues.

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To: Board Members **Date:** November 10, 2015
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: Supervision Committee Update

The Supervision Committee held its eighth meeting on October 23, 2015 in Sacramento. The purpose of this memo is to provide an update on the topics discussed and decisions made by the Committee.

Informal Decisions

The following informal decisions may change or evolve as the Committee works through various issues. Upon completion of the Committee's work, formal decisions will be presented to the Board for consideration, and will require the passage of legislation and/or regulations in order to implement.

Supervisor Qualifications

- Initial Supervisor Training
 - Increase the length to 15 hours LMFT and LPCC for consistency with current LCSW requirements.
 - Limit the age of the training course
 - CE course – taken within the 2 years prior to commencing supervision. If between 2 and 5 years old, take a 6-hour course.
 - Graduate level course – taken within the 4 years prior to commencing supervision. If older, take a 6-hour course.
- Ongoing Supervisor Training
 - 6 hours every 2 years for LCSW for consistency with current LMFT and LPCC requirements.
 - The 6 hours can be gained through “Continuing Professional Development (CPD)” which will require specific documentation and may include:

- Completing coursework directly pertaining to supervision
 - Teaching a qualifying supervision course
 - Authoring research pertaining to supervision that has been published professionally (in a peer reviewed journal or in a published textbook)
 - Receiving mentoring of supervision
 - Attending professional supervisor peer groups
- Accept a supervisor certification from a professional association in lieu of certain BBS requirements. The committee will revisit this issue once the proposed language for supervisor qualifications has been drafted.
 - Involve BBS at the initiation of supervision rather than retrospectively and institute the following:
 - Require supervisors to self-certify to the Board that they meet all qualifications within 60 days of commencing supervision.
 - Require supervisors to provide supervisees with the following:
 - A signed disclosure that includes information about how to submit a complaint about a supervisor
 - Proof of completion of the supervision training course
 - Require the Board to perform random audits of supervisor qualifications.
 - Publish a list of BBS-registered supervisors.
 - Time licensed in another state should be able to count towards 2 years of licensure required for all supervisor/license types.
 - The requirement that a supervisor practice psychotherapy (or supervise individuals who practice psychotherapy) for 2 out of the past 5 years should not be changed. However, language requiring competency in the areas of clinical practice and techniques being supervised should be added.

Other Informal Decisions

- Allow Triadic supervision in place of Individual supervision.
- Offsite supervision laws should be consistent across license types.
- Offsite supervision laws should encompass offsite supervisors who are employed or contracted by the employer (as opposed to only addressing volunteers).

Remaining Areas to Address

The remaining areas that the committee needs to address are as follows:

- Supervision Requirements including supervision definitions, amount and type of weekly supervisor contact, supervision formats, videoconferencing, etc.
- Supervisor Responsibilities including the Supervisor Responsibility Statement
- Employment/Employers including registrant/trainee employment, supervisor employment, offsite supervision, temp agency employers, etc.

- Other issues, such as the 6-year limit on age of experience hours, 6-year limit on working in a private practice, paying for supervision, death of a supervisor, supervisor unprofessional conduct and supervisors who are on probation.

Future Meeting Dates

February 5, 2016 – Southern California

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To: Board Members **Date:** October 29, 2015
From: Steve Sodergren **Telephone:** (916) 574-7847
Assistant Executive Officer
Subject: Exam Restructure Update

On January 1, 2016 the Board's examination restructure will be implemented. Staff continues to prepare for this transition which includes changes to all aspects of the Board's operations.

OUTREACH

The Board has posted three instructional videos on its Examination News webpage; A Non-Registrant Guide to the Examination Restructure, A Registrant Guide to the Examination Restructure and A Subsequent Registrant's Guide to the Examination Restructure. Staff continues to develop new instructional materials that will be either mailed to individual applicants or posted to the Board's website. Also, staff continues to answer the increased volume of customer inquiries by email or phone concerning the new requirements.

FORMS CREATION

The exam restructure, as well as other new requirements that go into effect on January 1, 2016, has necessitated the creation of new application forms. This has allowed staff the opportunity to review the current forms and amend them in order to increase clarity in the application process. Staff will be seeking legal review of forms in November and December.

BREEZE SYSTEM CHANGES

As reported during the last Board meeting, the changes that are required to the Breeze system will not be implemented until after January 1, 2016. In order to ensure a smooth transition, staff is working on implementing, as well as training on, temporary business processes that will allow the continued entry and processing of examination applications in the Breeze system. Many of the processes that are currently automated will be manual for a short period until the changes to the system are implemented. The Board and Breeze team are seeking an earlier implementation to some minor Breeze system changes that will assist in the transition period.

TRANSITION ACTIVITIES

In the month of December there will be a testing blackout period for LMFT and LCSW exam applicants. During this period LMFTs and LCSWs will be unable to schedule or test. This will allow for staff to manually convert and validate the thousands of current exam applicant files in the Breeze system to ensure a successful transfer of information to the exam vendors. Staff will be continuing their review of applications for examination during this time.

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To: Board Members

Date: October 15, 2015

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: Consideration of Additional Examination Time for English as a Second Language Applicants

Issue

The Board does not currently offer any type of special accommodations for examinees who speak English as a Second language (ESL). A growing number of Board examinees have approached the Board asking it to consider allowing ESL testing accommodations.

Background

Board records indicate that from at least the year 2000 until July 1, 2011, candidates who requested an ESL accommodation were granted extra time to take the board examinations. However, because ESL is not identified as a disability under the Americans with Disabilities Act (ADA), this accommodation was eliminated in 2011.

The Board has discussed reviving the ESL accommodation over the past several Board meetings. At its August 28, 2015 meeting, staff proposed regulatory language that does both of the following, per the Board's request:

- Specifies criteria to be used when considering whether to grant additional examination time for ESL applicants; and
- Allows the Board discretion in making a decision.

Proposed Language: Additional Examination Time for ESL Applicants

The proposed language (**Attachment A**) requires applicants to state under the penalty of perjury that English is his or her second language. The language proposes three scenarios under which the Board may consider granting an applicant time-and-a-half on an examination:

- 1. TOEFL-iBT Score:** In this circumstance, the applicant must provide a score of 85 or below on the Test of English as a Foreign Language - Internet Based Test (TOEFL-iBT). The score must have been obtained within the previous two years prior to application. In the United States, the fee for the TOEFL-iBT test is \$190.

A few items to note regarding this requirement:

- Educational Testing Service (ETS), which is the company that administers the TOEFL test, only keeps scores in its system for two years. This is the reason the test date must have been within the past two years.
- There are two types of TOEFL tests: The TOEFL-iBT test (internet based test) and the TOEFL-PBT (paper test). The two tests have different scoring scales.

According to ETS staff, the TOEFL-PBT test is being phased out. It is currently only available in countries with unreliable internet service.

- The TOEFL score of 85 or below was chosen by Psychology Board, which recently gained OAL approval on regulations allowing it to grant additional examination time as for ESL applicants. The Board of Psychology's regulation relies solely on the TOEFL score for granting additional examination time. The Psychology Board's regulation is shown in **Attachment B**.

Deciding what TOEFL score represents limited English proficiency is somewhat arbitrary. Universities vary greatly on what scores they accept.

Attachment C contains an explanation of the TOEFL-iBT scores from the ETS website. The test is scored in four parts, measuring English reading, listening, speaking, and writing skills. The maximum total score is 120.

Attachment D shows a chart from an ETS report from 2007 (the most recent available), *Test and Score Data Summary for TOEFL Internet-Based and Paper-Based Tests.* The chart shows percentile ranks for TOEFL iBT scores of examinees who took the TOEFL to become licensed to practice their professions. The mean score was 84, which would be in the 40th percentile.

- 2. Documentation from the Qualifying Master's Degree Program that it had Granted Additional Examination Time or Other Allowance due to English as a Second Language:** In this circumstance, if the qualifying Master's degree program had granted the applicant additional examination time or another allowance due to speaking English as a second language, then the Board may grant the additional examination time. Documentation of the allowance from the school must be satisfactory to the Board.

- 3. Documentation of a Foreign Qualifying Master’s Degree that was Presented Primarily in a Language Other than English:** In this circumstance, if the qualifying Master’s degree program was from an educational institution outside the U.S., and if coursework was presented primarily in a language other than English, then the Board may grant the additional examination time. Documentation provided must be satisfactory to the Board.

Previous Board Direction

At its August 28, 2015 meeting, the Board considered a first draft of the proposed language. There was discussion of whether the term English as a Second Language “accommodation” was appropriate.

The Board directed staff to make amendments replacing the term “accommodation.”

Recommendation

Conduct an open discussion regarding the proposed language to grant additional examination time for ESL applicants (shown in **Attachment A**). Direct staff to make any discussed changes, and any non-substantive changes, and to pursue as a regulatory proposal.

Attachments

Attachment A: Proposed Language: Additional Examination Time for English as a Second Language

Attachment B: Board of Psychology – Recently Approved ESL Regulation Language

Attachment C: Educational Testing Service (ETS) Website: “Understanding your TOEFL iBT Test Scores”

Attachment D: ETS Report: “Test and Score Data Summary for TOEFL Internet-Based and Paper-Based Tests,” January 2007-December 2007 Test Data; Table 6 “Percentile Ranks for TOEFL iBT Scores – Applicants for Professional License.”

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Attachment A
Proposed Language
Additional Examination Time for English as a Second Language

§ 1805.2. ADDITIONAL EXAMINATION TIME: ENGLISH AS A SECOND LANGUAGE

The board, in its sole discretion, may grant additional examination time to an applicant for whom English is his or her second language. To qualify for consideration, the applicant must complete and submit a request for additional time that states under penalty of perjury that English is his or her second language, and provide one of the following:

- (a) A Test of English as a Foreign Language, Internet Based Test (TOEFL-iBT) certification score of 85 or below, sent by Educational Testing Service directly to the board. The TOEFL must have been taken within the previous two years prior to application.
- (b) Documentation, to the satisfaction of the board, from the qualifying master's degree program that the program had granted the applicant additional examination time or other allowance due to speaking English as a second language while he or she was enrolled in the program.
- (c) Documentation, to the satisfaction of the board, that the qualifying master's degree was obtained from an educational institution outside the United States, and that coursework was presented primarily in a language other than English.

If approved, the applicant will be allotted time-and-a-half (1.5x) when taking the required board-administered examination. Allowance of this option for a required national examination is subject to availability from the exam-administering entity.

Note: Authority cited: Sections 4980.34, 4980.60, 4990.18, and 4990.20, Business and Professions Code. Reference: Sections 4980.397, 4980.50, 4989.22, 4992.05, 4992.1, 4999.52, 4999.53, Business and Professions Code.

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Attachment B
CA Board of Psychology
Recently Approved ESL Regulation Language

§ 1388. Examinations.

(h) An applicant for whom English is his or her second language may be eligible for additional time when taking the EPPP and/or the CPLEE. The applicant must complete and submit a request for additional time that states under penalty of perjury that English is his or her second language. The Test of English as a Foreign Language (TOEFL) certification score of 85 or below must be sent by Educational Testing Service directly to the board. The TOEFL must have been taken within the previous two years prior to application. If approved, the applicant will be allotted time—and-a-half (1.5x) when taking the examination.

Approved by the Office of Administrative Law, June 2015.

*Note: "EPPP" stands for Examination for Professional Practice in Psychology.
"CPLEE" stands for California Psychology Laws and Ethics Examination.*

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Attachment C



FOR TEST TAKERS

ETS Home > TOEFL > TOEFL iBT > Scores > Understanding Your Scores

Understanding Your TOEFL iBT® Test Scores

TOEFL iBT

About the Test

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On Test Day

Scores

Getting Your Scores

Sending Your Scores

Understanding Your Scores

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Scoring Policies

Frequently Asked Questions

TOEFL® Score Scales

Skill	Score Range	Level
Reading	0–30	High (22–30) Intermediate (15–21) Low (0–14)
Listening	0–30	High (22–30) Intermediate (15–21) Low (0–14)
Speaking	0–30 score scale	Good (26–30) Fair (18–25) Limited (10–17) Weak (0–9)
Writing	0–30 score scale	Good (24–30) Fair (17–23) Limited (1–16)
Total Score	0–120	

Select a Language



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Related Links

- Free Test Questions
- Registration Bulletin
- Test Dates and Locations
- Test Fees
- Who Accepts TOEFL Scores

The Reading and Listening sections are scored by computer with a score range from 0 to 30. The Reading section has 36–56 tasks based on reading passages from academic texts and answering questions. The Listening section has 34–51 tasks based on listening to lectures, classroom discussions and conversations, then answering questions.

Improve Your Reading Skills with Lexile® Measures

Once you have your TOEFL Reading Section score, you can use it to find out your Lexile® measure which helps you select reading materials for your reading level. ETS and MetaMetrics® offer an easy-to-use, free service that matches your TOEFL® Reading Section score with a Lexile measure. A Lexile measure puts your reading ability and the text difficulty of reading materials on the same scale to help you find appropriate materials.

The Lexile site contains a search utility to help you find books that match your reading level and interests. To get your Lexile measure or learn more, visit www.lexile.com/toefl.

Speaking Section

- Each of six tasks is rated from 0 to 4. The sum is converted to a scaled score of 0 to 30.
- ETS-certified test scorers rate responses and evaluate how well you develop your topic and deliver your message in English.

See the [TOEFL iBT Speaking Section Scoring Guide \(PDF\)](#).

Writing Section

★ Low end of intermediate and fair ranges: $15 + 15 + 18 + 17 = 65$

★ High end of intermediate and fair ranges: $21 + 21 + 25 + 23 = 90$

- Two tasks are rated from 0 to 5. The sum is converted to a scaled score of 0 to 30.
- The writing section is scored by:
 - evaluating the integrated writing task for development, organization, grammar, vocabulary, accuracy and completeness
 - rating the independent writing essay on overall writing quality, including development, organization, grammar and vocabulary
- Human rating — multiple, rigorously trained raters score tests anonymously. ETS raters are continually monitored to ensure fairness and the highest quality.
- *eRater*® automated scoring technology is used with human ratings to score the independent and integrated writing tasks. Using both human judgment for content and meaning with automated scoring for linguistic features ensures consistent, quality scores.

See the [TOEFL iBT Writing Section Scoring Guide \(PDF\)](#).

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To: Board Members

Date: November 7, 2015

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: Discussion of Definition of Out-of-State Education

Background

Current statute permits the Board to accept education gained outside of California toward licensure if it is substantially equivalent to the Board's in-state education requirements for licensure.

For LMFT and LPCC applicants, Business and Professions Code (BPC) Sections 4980.74 and 4999.61, respectively state that the Board shall accept education gained while residing outside of California if it is substantially equivalent. Subsequent sections of the law then define what coursework makes the education substantially equivalent, and whether or not post-degree remediation is acceptable.

This means that out-of-state education requirements are triggered based on the residence of the applicant while obtaining his or her degree.

Summary of the Problem

1. In-State Applicants Cannot Remediate Coursework:

An increasing number of applicants who reside in California are completing online degree programs from schools that are not based in California.

The Board screens all in-state schools to ensure that they meet education requirements, and remediation outside the degree program is not permitted for in-state applicants. However, if an applicant who resides in California attends an out-of-state school which has not designed its program to lead to California licensure, he or she is treated as an in-state applicant (and thus is not allowed to remediate missing coursework), because the education was gained while residing in California.

This distinction can be confusing to applicants, who may not be aware that a degree program taken from an online school while they reside in California can make them ineligible for licensure because they are considered an in-state applicant and can't remediate. To increase awareness of this issue, the Board has placed the following statement on its website:

*If you are enrolled in or considering an online degree program that is based in another state, please be aware that your degree will be evaluated in accordance with California in-state degree requirements. Please contact your school to ensure that the program integrates the California-specific content required of California residents. **This coursework must be integrated into the program and cannot be remediated post-degree.** Therefore, it is imperative that the California-specific requirements are included in the degree program.*

2. It can be Difficult to Determine Where a Student Resided While Obtaining a Degree:

It can be difficult for the Board to obtain proof of where an applicant resided while he or she completed his or her degree program, especially if the degree program was completed several years prior. The fact that residing in California while completing an out-of-state degree program prohibits remediation of any deficiencies may provide an incentive for the applicant to list an out-of-state address.

Further complicating matters, sometimes students move from one state (and school) to another while completing a degree program.

Affected License Types

This issue affects the LMFT and LPCC license types because of the large quantity of California-specific coursework that is required for those license types. It does not affect LCSW applicants because their degree must be accredited by the Commission on Accreditation of the Council on Social Work Education. There are no California-specific coursework requirements other than California law and ethics, which may be remediated.

Previous Committee Discussion

The Committee discussed this issue at its August 7, 2015 meeting. Staff was asked to do the following:

- Amend language in BPC Sections 4980.74 (for LMFT applicants) and 4999.61 (for LPCC applicants) as follows: "*The board shall accept education gained ~~while residing outside of California~~ from an out-of-state school for purposes of satisfying licensure or registration requirements if the education is substantially equivalent...*"

This amendment triggers out-of-state education requirements based on the location of the school, rather than the location of the student while he or she gained the education. It will allow applicants who live in California, but who obtained an online degree from a school located outside of California, to remediate California-specific course content that may have not been in the degree program.

In-State versus Out-of-State Remediation

The Committee also asked staff to provide examples of coursework that may be remediated by an out-of-state student, but not an in-state student.

The Board addressed a similar issue a couple of years ago when it sponsored AB 428 (Chapter 376, Statutes of 2013). At that time, there was a problem with in-state LMFT applicants who began their degree prior to August 1, 2012, being unable to remediate spousal and partner abuse coursework and alcoholism and other chemical substance dependency if it was not contained in their degree program. This led to approximately 10 applicants per year being denied licensure because they could not legally remediate the coursework. AB 428 amended the law to allow this coursework to be remediated.

LMFT and LPCC education requirements have changed for California-based degree programs begun after August 1, 2012. Instead of requiring specific classes, the law now requires specified topic areas to be woven throughout the degree, in what is called an “integrated degree program.”

Under this system, the Board works with each California-based school ahead of time to ensure the degree includes the appropriate content. The school submits a program certification to verify the content. Using this method, the Board knows each graduate from that program meets the education requirements.

Students from degrees begun after August 1, 2012 are just beginning to submit applications for registration. At this time, the Board has not seen any coursework deficiencies from these applicants. Therefore, having the Board work with California schools ahead-of-time appears to be effective. Staff recommends monitoring this system on an ongoing basis, and pursuing a law change in the future if necessary.

Policy and Advocacy Committee Meeting

At its October 30, 2015 meeting, the Policy and Advocacy Committee recommended that the Board sponsor legislation to make the proposed changes.

Recommendation

Conduct an open discussion about the proposed amendments. Direct staff to make any discussed changes, and any non-substantive changes, and submit to the Legislature as a bill proposal.

Attachments

Attachment A: Proposed Language

Attachment B: Relevant Code Sections

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**ATTACHMENT A
PROPOSED LANGUAGE**

**§4980.74. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA;
EFFECTIVE JANUARY 1, 2016**

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) The board shall accept education gained ~~while residing outside of California from an out-of-state school~~ for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4980.78, and the applicant complies with Section 4980.76, if applicable. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

**§4999.61. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA;
NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016**

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) The board shall accept education gained ~~while residing outside of California from an out-of-state school~~ for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision (b) of Section 4999.40, if applicable.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

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**ATTACHMENT B
RELEVANT CODE SECTIONS**

LMFT STATUTE

BPC §4980.74. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4980.78, and the applicant complies with Section 4980.76, if applicable. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

BPC §4980.78. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS NOT LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by an accrediting agency that is recognized by the United States Department of Education and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester units or 72 quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, or a combination of face-to-face counseling and client-centered advocacy.

(D) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) The applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81, that did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, 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 relating 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 licensing process. This coursework shall be completed prior to registration as an intern.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) from an educational institution approved by the Bureau for Private Postsecondary

Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in his or her education while registered as an intern, unless otherwise specified.

(6) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

BPC §4980.81. ADDITIONAL COURSEWORK REQUIREMENTS FOR OUT-OF-STATE APPLICANTS

This section applies to persons subject to Section 4980.78 or 4980.79, who apply for licensure or registration on or after January 2016.

(a) For purposes of Sections 4980.78 and 4980.79, an applicant shall meet all of the following educational requirements:

(1) A minimum of two semester units of instruction in the diagnosis, assessment, prognosis, and treatment of mental disorders, including severe mental disorders, evidence-based practices, psychological testing, psychopharmacology, and promising mental health practices that are evaluated in peer reviewed literature. This shall include at least one semester unit or 15 hours of instruction in psychological testing and at least one semester unit or 15 hours of instruction in psychopharmacology.

(2) (A) Developmental issues from infancy to old age, including demonstration of at least one semester unit, or 15 hours, of instruction that includes all of the following subjects:

(i) The effects of developmental issues on individuals, couples, and family relationships.

(ii) The psychological, psychotherapeutic, and health implications of developmental issues and their effects.

(iii) The understanding of the impact that personal and social insecurity, social stress, low educational levels, inadequate housing, and malnutrition have on human development.

(B) An applicant who is deficient in any of these subjects may remediate the coursework by completing three hours of instruction in each deficient subject.

(3) (A) The broad range of matters and life events that may arise within marriage and family relationships and within a variety of California cultures, including instruction in all of the following:

(i) 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 under that section.

(ii) A minimum of 10 contact hours of coursework that includes all of the following:

(I) The assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(II) Aging and its biological, social, cognitive, and psychological aspects.

(III) Long-term care.

(IV) End-of-life and grief.

(iii) A minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics.

(iv) Cultural factors relevant to abuse of partners and family members.

(v) Childbirth, child rearing, parenting, and stepparenting.

(vi) Marriage, divorce, and blended families.

(vii) Poverty and deprivation.

(viii) Financial and social stress.

(ix) Effects of trauma.

(x) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (ix), inclusive.

(4) At least one semester unit, or 15 hours, of instruction in multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality,

sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.

(5) A minimum of 10 contact hours of training or coursework in human sexuality, as specified in Section 25 and any regulations promulgated under that section, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment and treatment of psychosexual dysfunction.

(6) A minimum of 15 contact hours of coursework in substance use disorders, and a minimum of 15 contact hours of coursework in cooccurring disorders and addiction. The following subjects shall be included in this coursework:

(A) The definition of substance use disorders, cooccurring disorders, and addiction. For purposes of this subparagraph “cooccurring disorders” means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.

(B) Medical aspects of substance use disorders and cooccurring disorders.

(C) The effects of psychoactive drug use.

(D) Current theories of the etiology of substance abuse and addiction.

(E) The role of persons and systems that support or compound substance abuse and addiction.

(F) Major approaches to identification, evaluation, and treatment of substance use disorders, cooccurring disorders, and addiction, including, but not limited to, best practices.

(G) Legal aspects of substance abuse.

(H) Populations at risk with regard to substance use disorders and cooccurring disorders.

(I) Community resources offering screening, assessment, treatment, and followup for the affected person and family.

(J) Recognition of substance use disorders, cooccurring disorders, and addiction, and appropriate referral.

(K) The prevention of substance use disorders and addiction.

(7) A minimum of a two semester or three quarter unit course in law and professional ethics for marriage and family therapists, including instruction in all of the following subjects:

(A) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the scope of practice of marriage and family therapy.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, 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, the patient dangerous to self or others, 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 licensing process.

LCSW STATUTE

BPC §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 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.

LPC STATUTE

BPC §4999.61. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision (b) of Section 4999.40, if applicable.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

BPC §4999.62. SUBSTANTIALLY EQUIVALENT EDUCATION; ADDITIONAL COURSEWORK; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) For purposes of Section 4999.61, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited or approved institution, as defined in Section 4999.12, and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 280 hours of face-to-face counseling.

(D) The required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) of Section 4999.33.

(i) An applicant whose degree is deficient in no more than six of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. Coursework taken to meet those deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

(ii) An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 that did not contain instruction in California law and ethics shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence,

treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating 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, and therapist disclosures to clients. An applicant shall complete this coursework prior to registration as an intern.

(iii) An applicant who has not completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.33 shall complete this required coursework, including content in California law and ethics. An applicant shall complete this coursework prior to registration as an intern.

(2) The applicant completes any units required by subdivision (c) of Section 4999.33 not already completed in his or her education as follows:

(A) At least 15 semester units or 22.5 quarter units of advanced coursework to develop knowledge of specific treatment issues or special populations. This coursework is in addition to the course requirements described in subparagraph (D) of paragraph (1).

(B) Coursework shall be from an accredited or approved school, college, or university as defined in Section 4999.12.

(3) (A) The applicant completes the following coursework not already completed in his or her education:

(i) A minimum of 10 contact hours of training in human sexuality, as specified in Section 25 and any regulations promulgated thereunder, including the study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and the assessment and treatment of psychosexual dysfunction.

(ii) A minimum of 15 contact hours of instruction in spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics.

(iii) 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.

(iv) A minimum of 10 contact hours of instruction in aging and long-term care, including biological, social, cognitive, and psychological aspects of aging. 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) This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experiences of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (2), (3), or (4) not already completed in his or her education while registered with the board as an intern.

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To: Board Members **Date:** November 7, 2015
From: Rosanne Helms **Telephone:** (916) 574-7897
Legislative Analyst
Subject: Required Degree for LPCC License – Counseling and Psychotherapy Content

Background

In order to qualify for an LPCC license, Business and Professions Code (BPC) Section 4999.33(b) requires the applicant's degree to comply with the following:

"...applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited or approved institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c) and, except as provided in subdivision (f), the coursework in the core content areas listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c)."

Summary of the Problem

The Board is receiving LPCC applications from applicants who have degrees that may not be intended to lead to licensure as a clinical counselor. Typically, these degrees are from out-of-state. Examples of these degrees are as follows:

- Behavior Analysis;
- Art Therapy;
- Dance Therapy;
- Human Relations;
- Human Services;
- Rehabilitation Counseling; and
- Substance Use and Addictions.

The law only requires the degree to be “counseling or psychotherapy in content.” However, it is possible for a degree to have some counseling or psychotherapy content but not be intended to prepare the student for licensure as a professional clinical counselor.

Although the law does require the degree to contain practicum and certain specified core content areas, the new out-of-state licensure requirements, which become effective January 1, 2016, allow remediation of most degree requirements, including up to 6 out of the 13 core content areas. Practicum may also be remediated if licensed out-of-state, and the practicum requirement is waived if the applicant has been licensed in another state for two or more years.

Previous Committee Discussion and Direction

At its August 2015 meeting, the Committee discussed ways to streamline degree requirements to ensure applicants are qualified to practice clinical counseling. Requirements from other states were considered (**Attachment C**), and CACREP accreditation categories were discussed. The Committee directed staff to look into tightening the practicum requirement to ensure it requires clinical experience. The Committee also asked staff to draft language defining degree titles that are and are not acceptable, using the Texas Administrative Code section as a model.

At its October 2015 meeting, Committee reviewed the draft language, and conducted an in-depth discussion about the appropriateness of designating specific degrees as acceptable or not acceptable.

During this discussion, the Committee concluded that a degree should be evaluated based on its content, not its title. It also concluded that degree requirements need updating to ensure that degrees have a foundation centered on the practice of clinical counseling.

Discussion centered on two required core content areas that the Committee believes are fundamental to a clinical counseling degree (Business and Professions Code (BPC) §§4999.32(c)(1)(E)&(G), 4999.33(c)(1)(E)&(G)):

- Assessment, appraisal, and testing of individuals, including basic concepts of standardized and nonstandardized testing and other assessment techniques, norm-referenced and criterion-referenced assessment, statistical concepts, social and cultural factors related to assessment and evaluation of individuals and groups, and ethical strategies for selecting, administering, and interpreting assessment instruments and techniques in counseling.
- Principles of the diagnostic process, including differential diagnosis, and the use of current diagnostic tools, such as the current edition of the Diagnostic and Statistical Manual, the impact of co-occurring substance use disorders or medical psychological disorders, established diagnostic criteria for mental or emotional disorders, and the treatment modalities and placement criteria within the continuum of care.

The Committee recommended that these two core content areas be designated as not eligible for remediation, for both in-state and out-of-state degrees. In other words, the degree must contain these two core areas, as they are deemed fundamental to the foundation of clinical counseling. Per the Committee’s recommendation any other core content areas remain eligible for remediation as allowed by current law.

Proposed Amendments

Based on the Committee's recommendations, today's proposal makes the following amendments:

- 1. Prohibits Remediation of Two Core Content Areas:** The proposed amendments prohibit remediation of the core content areas listed in BPC sections 4999.32(c)(1)(E)&(G), and 4999.33(c)(1)(E)&(G). These are the core content areas that cover the topics of assessment and diagnosis. Remediation of these areas is prohibited for both in-state and out-of-state applicants.
- 2. Tightens In-State Practicum Requirements to Ensure Clinical Experience:** The in-state practicum requirement has been amended to specify that direct client contact is required (this is specified in the LMFT practicum requirement). The language has also been amended to no longer allow any equivalencies to in-state supervised practicum/field study experience.
- 3. Amends Practicum Requirements for Out-of-State Applicants:** The LPCC out-of-state practicum requirement has been amended to specify that the 280 hours of face-to-face experience must now be "supervised clinical experience counseling individuals, families, or groups" instead of just experience doing "face-to-face counseling". The amendment mirrors what is already required of in-state LPCC applicants. The LMFT out-of-state practicum requirement has also been amended in a similar way in order to be consistent with what is required of in-state LMFT applicants.

Recommendation

Conduct an open discussion about the proposed language shown in **Attachment A**. Direct staff to make any discussed changes, as well as any non-substantive changes to the proposed language, and submit to the Legislature for consideration as a bill proposal.

Attachments

Attachment A: Proposed Language

Attachment B: BPC §4999.20 – LPCC Scope of Practice

Attachment C: Degree Title Requirements in Other States

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**ATTACHMENT A
PROPOSED LANGUAGE**

AMEND §4980.78. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS NOT LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by an accrediting agency that is recognized by the United States Department of Education and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester units or 72 quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face [counseling experience counseling individuals, couples, families, or groups](#), and an additional 75 hours of either face-to-face [counseling experience counseling individuals, couples, families, or groups](#) or client-centered advocacy, or a combination of face-to-face [counseling experience counseling individuals, couples, families, or groups](#) and client-centered advocacy.

(D) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) The applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81, that did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, 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 relating 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 licensing process. This coursework shall be completed prior to registration as an intern.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in his or her education while registered as an intern, unless otherwise specified.

(6) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

AMEND §4980.79. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.72, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by an accrediting agency recognized by the United States Department of Education and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester or 72 quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face [counseling experience counseling individuals, couples, families, or groups](#), and an additional 75 hours of either face-to-face [counseling experience counseling individuals, couples, families, or groups](#) or client-centered advocacy, or a combination of face-to-face [counseling experience counseling individuals, couples, families, or groups](#) and client-centered advocacy.

(i) An out-of-state applicant who has been licensed for at least two years in clinical practice, as verified by the board, is exempt from this requirement.

(ii) An out-of-state applicant who has been licensed for less than two years in clinical practice, as verified by the board, who does not meet the practicum requirement, shall remediate it by obtaining 150 hours of face-to-face [counseling experience counseling individuals, couples, families, or groups](#), and an additional 75 hours of either face-to-face [counseling experience counseling individuals, couples, families, or groups](#) or client-centered advocacy, or a combination of face-to-face [counseling experience counseling individuals, couples, families, or groups](#) and client-centered advocacy. These hours are in addition to the 3,000 hours of experience required by this chapter, and shall be gained while registered as an intern.

(D) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) An applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 that did not include instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, 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 relating 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 licensing process. This coursework shall be completed prior to registration as an intern.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall include content specific to California law and ethics. An applicant shall complete this coursework prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) above, from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate coursework shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction pertaining to the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

(6) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in his or her education while registered as an intern, unless otherwise specified.

AMEND §4999.32. QUALIFICATIONS FOR REGISTRATION AND EXAMINATION ELIGIBILITY; GRADUATE COURSEWORK BEGINNING BEFORE AUGUST 1, 2012 AND COMPLETED BEFORE DECEMBER 31, 2018

(a) This section shall apply to applicants for examination eligibility or registration who begin graduate study before August 1, 2012, and complete that study on or before December 31, 2018. Those applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4999.33.

(b) To qualify for examination eligibility or registration, applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited or approved institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c) and, except as provided in subdivision (d), the coursework in the core content areas listed in subparagraphs (A) to (I), inclusive, of paragraph (1) of subdivision (c).

(c) The degree described in subdivision (b) shall contain not less than 48 graduate semester or 72 graduate quarter units of instruction, which shall, except as provided in subdivision (d), include all of the following:

(1) The equivalent of at least three semester units or four and one-half quarter units of graduate study in each of the following core content areas:

(A) Counseling and psychotherapeutic theories and techniques, including the counseling process in a multicultural society, an orientation to wellness and prevention, counseling theories to assist in selection of appropriate counseling interventions, models of counseling consistent with current professional research and practice, development of a personal model of counseling, and multidisciplinary responses to crises, emergencies, and disasters.

(B) Human growth and development across the lifespan, including normal and abnormal behavior and an understanding of developmental crises, disability,

psychopathology, and situational and environmental factors that affect both normal and abnormal behavior.

(C) Career development theories and techniques, including career development decisionmaking models and interrelationships among and between work, family, and other life roles and factors, including the role of multicultural issues in career development.

(D) Group counseling theories and techniques, including principles of group dynamics, group process components, developmental stage theories, therapeutic factors of group work, group leadership styles and approaches, pertinent research and literature, group counseling methods, and evaluation of effectiveness.

(E) Assessment, appraisal, and testing of individuals, including basic concepts of standardized and nonstandardized testing and other assessment techniques, norm-referenced and criterion-referenced assessment, statistical concepts, social and cultural factors related to assessment and evaluation of individuals and groups, and ethical strategies for selecting, administering, and interpreting assessment instruments and techniques in counseling.

(F) Multicultural counseling theories and techniques, including counselors' roles in developing cultural self-awareness, identity development, promoting cultural social justice, individual and community strategies for working with and advocating for diverse populations, and counselors' roles in eliminating biases and prejudices, and processes of intentional and unintentional oppression and discrimination.

(G) Principles of the diagnostic process, including differential diagnosis, and the use of current diagnostic tools, such as the current edition of the Diagnostic and Statistical Manual, the impact of co-occurring substance use disorders or medical psychological disorders, established diagnostic criteria for mental or emotional disorders, and the treatment modalities and placement criteria within the continuum of care.

(H) Research and evaluation, including studies that provide an understanding of research methods, statistical analysis, the use of research to inform evidence-based practice, the importance of research in advancing the profession of counseling, and statistical methods used in conducting research, needs assessment, and program evaluation.

(I) Professional orientation, ethics, and law in counseling, including professional ethical standards and legal considerations, licensing law and process, regulatory laws that delineate the profession's scope of practice, counselor-client privilege, confidentiality, the client dangerous to self or others, treatment of minors with or

without parental consent, relationship between practitioner's sense of self and human values, functions and relationships with other human service providers, strategies for collaboration, and advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients.

(2) In addition to the course requirements described in paragraph (1), a minimum of 12 semester units or 18 quarter units of advanced coursework to develop knowledge of specific treatment issues, special populations, application of counseling constructs, assessment and treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

(3) Not less than six semester units or nine quarter units of supervised practicum or field study experience, ~~or the equivalent,~~ that involves direct client contact in a clinical setting that provides a range of professional clinical counseling experience, including the following:

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment.

(F) Issues of development, adjustment, and maladjustment.

(G) Health and wellness promotion.

(H) Other recognized counseling interventions.

(I) A minimum of 150 hours of face-to-face supervised clinical experience counseling individuals, families, or groups.

(d) (1) An applicant whose degree is deficient in no more than two of the required areas of study listed in subparagraphs (A) to (I), ~~inclusive,~~ of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing post-master's or postdoctoral degree coursework at an accredited or approved institution, as defined in Section 4999.12. However, no applicant shall be deficient in the required areas of study specified in subparagraphs (E) or (G) of paragraph (1) of subdivision (c).

(2) Coursework taken to meet deficiencies in the required areas of study listed in subparagraphs (A) to (I), ~~inclusive,~~ of paragraph (1) of subdivision (c) shall be the equivalent of three semester units or four and one-half quarter units of study.

(3) The board shall make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation.

(e) In addition to the degree described in this section, or as part of that degree, an applicant shall complete the following coursework or training prior to registration as an intern:

(1) A minimum of 15 contact hours of instruction in alcoholism and other chemical substance abuse dependency, as specified by regulation.

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

(3) A two semester unit or three quarter unit survey course in psychopharmacology.

(4) A minimum of 15 contact hours of instruction in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics.

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

(6) A minimum of 18 contact hours of instruction in California law and professional ethics for professional clinical counselors that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, 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 clients, and state and federal laws related to confidentiality of patient health information. When coursework in a master's or doctoral degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester unit or 72 quarter unit requirement in subdivision (c).

(7) A minimum of 10 contact hours of instruction in aging and long-term care, which may 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.

(8) A minimum of 15 contact hours of instruction in crisis or trauma counseling, including multidisciplinary responses to crises, emergencies, or disasters, and brief, intermediate, and long-term approaches.

(f) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2019, deletes or extends that date.

AMEND §4999.33. QUALIFICATIONS FOR REGISTRATION AND EXAMINATION ELIGIBILITY; GRADUATE COURSEWORK BEGINNING AFTER AUGUST 1, 2012 OR COMPLETED AFTER DECEMBER 31, 2018

(a) This section shall apply to the following:

(1) Applicants for examination eligibility or registration who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018.

(2) Applicants for examination eligibility or registration who begin graduate study before August 1, 2012, and who graduate from a degree program that meets the requirements of this section.

(3) Applicants for examination eligibility or registration who begin graduate study on or after August 1, 2012.

(b) To qualify for examination eligibility or registration, applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited or approved institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c) and, except as provided in subdivision (f), the coursework in the core content areas listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c).

(c) The degree described in subdivision (b) shall contain not less than 60 graduate semester or 90 graduate quarter units of instruction, which shall, except as provided in subdivision (f), include all of the following:

(1) The equivalent of at least three semester units or four and one-half quarter units of graduate study in all of the following core content areas:

(A) Counseling and psychotherapeutic theories and techniques, including the counseling process in a multicultural society, an orientation to wellness and prevention, counseling theories to assist in selection of appropriate counseling interventions, models of counseling consistent with current professional research and practice,

development of a personal model of counseling, and multidisciplinary responses to crises, emergencies, and disasters.

(B) Human growth and development across the lifespan, including normal and abnormal behavior and an understanding of developmental crises, disability, psychopathology, and situational and environmental factors that affect both normal and abnormal behavior.

(C) Career development theories and techniques, including career development decisionmaking models and interrelationships among and between work, family, and other life roles and factors, including the role of multicultural issues in career development.

(D) Group counseling theories and techniques, including principles of group dynamics, group process components, group developmental stage theories, therapeutic factors of group work, group leadership styles and approaches, pertinent research and literature, group counseling methods, and evaluation of effectiveness.

(E) Assessment, appraisal, and testing of individuals, including basic concepts of standardized and nonstandardized testing and other assessment techniques, norm-referenced and criterion-referenced assessment, statistical concepts, social and cultural factors related to assessment and evaluation of individuals and groups, and ethical strategies for selecting, administering, and interpreting assessment instruments and techniques in counseling.

(F) Multicultural counseling theories and techniques, including counselors' roles in developing cultural self-awareness, identity development, promoting cultural social justice, individual and community strategies for working with and advocating for diverse populations, and counselors' roles in eliminating biases and prejudices, and processes of intentional and unintentional oppression and discrimination.

(G) Principles of the diagnostic process, including differential diagnosis, and the use of current diagnostic tools, such as the current edition of the Diagnostic and Statistical Manual, the impact of co-occurring substance use disorders or medical psychological disorders, established diagnostic criteria for mental or emotional disorders, and the treatment modalities and placement criteria within the continuum of care.

(H) Research and evaluation, including studies that provide an understanding of research methods, statistical analysis, the use of research to inform evidence-based practice, the importance of research in advancing the profession of counseling, and statistical methods used in conducting research, needs assessment, and program evaluation.

(I) Professional orientation, ethics, and law in counseling, including California law and professional ethics for professional clinical counselors, professional ethical standards and legal considerations, licensing law and process, regulatory laws that delineate the profession's scope of practice, counselor-client privilege, confidentiality, the client dangerous to self or others, treatment of minors with or without parental consent, relationship between practitioner's sense of self and human values, functions and relationships with other human service providers, strategies for collaboration, and advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients.

(J) Psychopharmacology, including the biological bases of behavior, basic classifications, indications, and contraindications of commonly prescribed psychopharmacological medications so that appropriate referrals can be made for medication evaluations and so that the side effects of those medications can be identified.

(K) Addictions counseling, including substance abuse, co-occurring disorders, and addiction, major approaches to identification, evaluation, treatment, and prevention of substance abuse and addiction, legal and medical aspects of substance abuse, populations at risk, the role of support persons, support systems, and community resources.

(L) Crisis or trauma counseling, including crisis theory; multidisciplinary responses to crises, emergencies, or disasters; cognitive, affective, behavioral, and neurological effects associated with trauma; brief, intermediate, and long-term approaches; and assessment strategies for clients in crisis and principles of intervention for individuals with mental or emotional disorders during times of crisis, emergency, or disaster.

(M) Advanced counseling and psychotherapeutic theories and techniques, including the application of counseling constructs, assessment and treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

(2) In addition to the course requirements described in paragraph (1), 15 semester units or 22.5 quarter units of advanced coursework to develop knowledge of specific treatment issues or special populations.

(3) Not less than six semester units or nine quarter units of supervised practicum or field study experience, ~~or the equivalent,~~ that involves direct client contact in a clinical setting that provides a range of professional clinical counseling experience, including the following:

(A) Applied psychotherapeutic techniques.

- (B) Assessment.
 - (C) Diagnosis.
 - (D) Prognosis.
 - (E) Treatment.
 - (F) Issues of development, adjustment, and maladjustment.
 - (G) Health and wellness promotion.
 - (H) Professional writing including documentation of services, treatment plans, and progress notes.
 - (I) How to find and use resources.
 - (J) Other recognized counseling interventions.
 - (K) A minimum of 280 hours of face-to-face supervised clinical experience counseling individuals, families, or groups.
- (d) The 60 graduate semester units or 90 graduate quarter units of instruction required pursuant to subdivision (c) shall, in addition to meeting the requirements of subdivision (c), include instruction in all of the following:
- (1) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.
 - (2) The understanding of human behavior within the social context of a representative variety of the cultures found within California.
 - (3) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.
 - (4) An understanding of the effects of socioeconomic status on treatment and available resources.
 - (5) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability and their incorporation into the psychotherapeutic process.
 - (6) Case management, systems of care for the severely mentally ill, public and private services for the severely mentally ill, community resources for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. The instruction required in this paragraph may be provided either in credit

level coursework or through extension programs offered by the degree-granting institution.

(7) Human sexuality, including the study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and the assessment and treatment of psychosexual dysfunction.

(8) Spousal or partner abuse assessment, detection, intervention strategies, and same gender abuse dynamics.

(9) 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.

(10) Aging and long-term care, including biological, social, cognitive, and psychological aspects of aging. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(e) A degree program that qualifies for licensure under this section shall do all of the following:

(1) Integrate the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments.

(2) Integrate an understanding of various cultures and the social and psychological implications of socioeconomic position.

(3) Provide the opportunity for students to meet with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(f) (1) An applicant whose degree is deficient in no more than three of the required areas of study listed in subparagraphs (A) to (M), ~~inclusive~~, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing post-master's or postdoctoral degree coursework at an accredited or approved institution, as defined in Section 4999.12. However, no applicant shall be deficient in the required areas of study specified in subparagraphs (E) or (G) of paragraph (1) of subdivision (c).

(2) Coursework taken to meet deficiencies in the required areas of study listed in subparagraphs (A) to (M), ~~inclusive~~, of paragraph (1) of subdivision (c) shall be the equivalent of three semester units or four and one-half quarter units of study.

(3) The board shall make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation.

AMEND §4999.62. SUBSTANTIALLY EQUIVALENT EDUCATION; ADDITIONAL COURSEWORK; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) For purposes of Section 4999.61, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited or approved institution, as defined in Section 4999.12, and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 280 hours of face-to-face counseling-supervised clinical experience counseling individuals, families, or groups.

(D) The required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) of Section 4999.33.

(i) An applicant whose degree is deficient in no more than six of the required areas of study listed in subparagraphs (A) to (M), ~~inclusive,~~ of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. However, no applicant shall be deficient in the required areas of study specified in subparagraphs (E) or (G) of paragraph (1) of subdivision (c). Coursework taken to meet ~~those any~~ deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

(ii) An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 that did not contain instruction in California law and ethics shall complete an 18-hour course in California law and professional ethics that includes, but

is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating 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, and therapist disclosures to clients. An applicant shall complete this coursework prior to registration as an intern.

(iii) An applicant who has not completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 shall complete this required coursework, including content in California law and ethics. An applicant shall complete this coursework prior to registration as an intern.

(2) The applicant completes any units required by subdivision (c) of Section 4999.33 not already completed in his or her education as follows:

(A) At least 15 semester units or 22.5 quarter units of advanced coursework to develop knowledge of specific treatment issues or special populations. This coursework is in addition to the course requirements described in subparagraph (D) of paragraph (1).

(B) Coursework shall be from an accredited or approved school, college, or university as defined in Section 4999.12.

(3) (A) The applicant completes the following coursework not already completed in his or her education:

(i) A minimum of 10 contact hours of training in human sexuality, as specified in Section 25 and any regulations promulgated thereunder, including the study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and the assessment and treatment of psychosexual dysfunction.

(ii) A minimum of 15 contact hours of instruction in spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics.

(iii) 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.

(iv) A minimum of 10 contact hours of instruction in aging and long-term care, including biological, social, cognitive, and psychological aspects of aging. 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) This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experiences of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (2), (3), or (4) not already completed in his or her education while registered with the board as an intern.

AMEND

§4999.63. SUBSTANTIALLY EQUIVALENT EDUCATION; ADDITIONAL COURSEWORK; LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who hold a license as described in Section 4999.60.

(b) For purposes of Section 4999.60, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited or approved institution, as defined in Section 4999.12, and consists of the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 280 hours of face-to-face counseling-supervised clinical experience counseling individuals, families, or groups.

(i) An applicant who has been licensed for at least two years in clinical practice, as verified by the board, is exempt from this requirement.

(ii) An out-of-state applicant who has been licensed for less than two years in clinical practice, as verified by the board, who does not meet the practicum requirement, shall remediate the requirement by demonstrating completion of a total of 280 hours of face-to-face counselingsupervised clinical experience, as specified in subparagraph (K) of paragraph (3) of subdivision (c) of Section 4999.33. Any postdegree hours gained to meet this requirement are in addition to the 3,000 hours of experience required by this chapter, and shall be gained while the applicant is registered with the board as an intern.

(D) The required areas of study specified in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) of Section 4999.33.

(i) An applicant whose degree is deficient in no more than six of the required areas of study specified in subparagraphs (A) to (M), ~~inclusive~~, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. However, no applicant shall be deficient in the required areas of study specified in subparagraphs (E) or (G) of paragraph (1) of subdivision (c). Coursework taken to meet ~~those~~any deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

(ii) An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 that did not contain instruction in California law and ethics shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating 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, and therapist disclosures to clients. An applicant shall complete this coursework prior to registration as an intern.

(iii) An applicant who has not completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 shall complete this required coursework, including content in California law and ethics. An applicant shall complete this coursework prior to registration as an intern.

(2) The applicant completes any units required under subdivision (c) of Section 4999.33 not already completed in his or her education as follows:

(A) At least 15 semester units or 22.5 quarter units of advanced coursework to develop knowledge of specific treatment issues or special populations. This coursework is in addition to the course requirements described in subparagraph (D) of paragraph (1).

(B) Coursework shall be from an accredited or approved school, college, or university as defined in Section 4999.12.

(3) The applicant completes the following coursework not already completed in his or her education:

(A) A minimum of 10 contact hours of training in human sexuality, as specified in Section 25 and any regulations promulgated thereunder, including the study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and the assessment and treatment of psychosexual dysfunction.

(B) A minimum of 15 contact hours of instruction in spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics.

(C) 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 under that section.

(D) A minimum of 10 contact hours of instruction in aging and long-term care, including biological, social, cognitive, and psychological aspects of aging. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(E) This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(A) At least three semester units or 45 hours of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit or 15 hours of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required by subparagraph (D) of paragraph (1) or paragraphs (2), (3), and (4) not already completed in his or her education while registered with the board as an intern, unless otherwise specified.

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ATTACHMENT B
LPCC SCOPE OF PRACTICE
BPC §4999.20

BPC §4999.20.

(a) (1) “Professional clinical counseling” means the application of counseling interventions and psychotherapeutic techniques to identify and remediate cognitive, mental, and emotional issues, including personal growth, adjustment to disability, crisis intervention, and psychosocial and environmental problems, and the use, application, and integration of the coursework and training required by Sections 4999.32 and 4999.33. “Professional clinical counseling” includes conducting assessments for the purpose of establishing counseling goals and objectives to empower individuals to deal adequately with life situations, reduce stress, experience growth, change behavior, and make well-informed, rational decisions.

(2) “Professional clinical counseling” is focused exclusively on the application of counseling interventions and psychotherapeutic techniques for the purposes of improving mental health, and is not intended to capture other, nonclinical forms of counseling for the purposes of licensure. For purposes of this paragraph, “nonclinical” means nonmental health.

(3) “Professional clinical counseling” does not include the assessment or treatment of couples or families unless the professional clinical counselor has completed all of the following training and education:

(A) One of the following:

(i) Six semester units or nine quarter units specifically focused on the theory and application of marriage and family therapy.

(ii) A named specialization or emphasis area on the qualifying degree in marriage and family therapy; marital and family therapy; marriage, family, and child counseling; or couple and family therapy.

(B) No less than 500 hours of documented supervised experience working directly with couples, families, or children.

(C) A minimum of six hours of continuing education specific to marriage and family therapy, completed in each license renewal cycle.

(4) “Professional clinical counseling” does not include the provision of clinical social work services.

(b) “Counseling interventions and psychotherapeutic techniques” means the application of cognitive, affective, verbal or nonverbal, systemic or holistic counseling strategies that include principles of development, wellness, and maladjustment that reflect a pluralistic society. These interventions and techniques are specifically implemented in

the context of a professional clinical counseling relationship and use a variety of counseling theories and approaches.

(c) "Assessment" means selecting, administering, scoring, and interpreting tests, instruments, and other tools and methods designed to measure an individual's attitudes, abilities, aptitudes, achievements, interests, personal characteristics, disabilities, and mental, emotional, and behavioral concerns and development and the use of methods and techniques for understanding human behavior in relation to coping with, adapting to, or ameliorating changing life situations, as part of the counseling process.

"Assessment" shall not include the use of projective techniques in the assessment of personality, individually administered intelligence tests, neuropsychological testing, or utilization of a battery of three or more tests to determine the presence of psychosis, dementia, amnesia, cognitive impairment, or criminal behavior.

(d) Professional clinical counselors shall refer clients to other licensed health care professionals when they identify issues beyond their own scope of education, training, and experience.

ATTACHMENT C DEGREE TITLE REQUIREMENTS IN OTHER STATES

Massachusetts (262 CMR 2.05) (Degree Requirements Post-July 1, 2017)

Applicants must have completed a Master's or Doctoral degree in Mental Health Counseling or a Related Field with a minimum of 60 semester credit hours or 80 quarter credit hours from an integrated, planned and comprehensive program from a Recognized Educational Institution.

Missouri (20 CSR 2095-2.010)

A master's degree must be accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), or the Counseling on Rehabilitation Education, Incorporated (CORE), or be in counseling or the following mental health disciplines:

- Counseling & guidance;
- Counseling psychology;
- Clinical psychology; or
- School psychology

The degree must consist of 48 semester or equivalent quarter hours. The degree must teach counseling principles, theories, techniques, and counseling interventions.

New Jersey (N.J.A.C. 13:34-11.2(a)(3)(i))

The degree awarded is a master's degree or doctorate in counseling. The word "Counseling" or the word "Counselor" shall appear in the title of the graduate degree awarded and the institution offering the degree shall state in the catalog or in another format acceptable to the Committee that the purpose of the graduate degree is to prepare students for the professional practice of counseling

Texas (Texas Administrative Code Title 22, §§681.82 and 681.2(7))

Requires a graduate degree in counseling or related field on at least the master's level.

Texas Administrative Code §681.2(7) specifically defines a "counseling-related field" as *"A mental health discipline utilizing human development, psychotherapeutic, and mental health principles including, but not limited to, clinical or counseling psychology, psychiatry, social work, marriage and family therapy, and counseling and guidance. Non-counseling related fields include, but are not limited to, sociology, education, administration, dance therapy and theology."*

West Virginia (W. VA. Code §27-1-6.1(a))

A master's or doctoral degree from an institution with a program accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP), the National Council on Accreditation for Teacher Education (NCATE), the North Central Association of Colleges and Schools (NCACS), the Southern Association of

Colleges and Schools (SACS), Council on Rehabilitation Education (CORE) or a comparable accrediting body. Acceptable graduate degrees include a specialization in community agency counseling, mental health counseling, pastoral counseling, rehabilitation counseling, school counseling, and substance abuse or addictions counseling. Similar degrees that include the word “counseling” and include the core of coursework as outlined in 6.1.b may be accepted.

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To: Board Members
From: Rosanne Helms
Legislative Analyst
Date: October 30, 2015
Telephone: (916) 574-7897
Subject: MFT Registrants: Discussion of Use of the Title “Intern” versus “Associate”

Summary

This memo discusses whether MFT interns should be re-named associate MFTs.

Background

At the August 28, 2015 Board meeting, Dr. Ben Caldwell of the American Association for Marriage and Family Therapy – California Division (AAMFT-CA) presented a proposal to change the “Marriage and Family Therapist Intern” title to “Associate Marriage and Family Therapist.”

Dr. Caldwell presented the following arguments as reasons the title “associate” may be more appropriate than “intern” for registrants:

- The intern title is more socially understood as referring to someone who is still in school.
- Because of the socially accepted connotations, some employers are more likely to exploit MFT interns by offering them little or no pay for their work.
- Consumers often discount the credibility of MFT interns based on their title.
- Some other states and professions are moving away from the use of the intern title for post-graduates.

The Board directed staff to bring this issue to the Policy and Advocacy Committee for further discussion.

Definition

The Merriam-Webster Dictionary defines the word “associate” as follows:

Associate: 2. having a rank or position that is below the highest level in a group, organization, etc.

(Source: merriam-webster.com, Merriam-Webster, Incorporated, 2015)

Titles in Other States - LMFT Applicants

Attachment B contains a state licensure comparison chart compiled by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB). The chart provides the titles used by each state for marriage and family therapist licensees and pre-licensees.

Findings from the chart include the following:

- Although a few states still use the “intern” title, many more use the “associate” title.
- Some states do not register post-degree graduates who are gaining experience hours toward licensure, making direct comparison with these states difficult.
- Other titles utilized for post-degree applicants include:
 - Certified Marriage and Family Therapist (Tennessee)
 - Resident in Marriage and Family Therapy (Virginia)
 - Unlicensed Marriage and Family Therapist (Washington DC)
 - Provisionally Licensed Marriage and Family Therapist (West Virginia)
 - Training Licensed Marriage and Family Therapist (Wisconsin)
 - Provisional Marriage and Family Therapist (Wyoming)

Staff also looked at the statutes for a sample of high-population states to determine the title given to those gaining experience hours (if any):

Texas: Uses the term “Licensed Marriage and Family Therapist Associate” to refer to someone who performs services for compensation under board- approved supervision. (Texas Administrative Code Title 22, §801.2)

Colorado: Registers “Marriage and Family Therapist Candidates”, which are individuals who have completed their degree but who still need to gain supervised experience and pass an exam. (Colorado Revised Statutes §12-43-504)

Massachusetts: Does not register those still gaining experience. According to the law, private practice settings are not considered acceptable settings for post-masters supervised clinical experience. (Code of Massachusetts Regulations (CMR); 262 CMR 3.03)

New York: New York issues a limited permit for applicants who meet all qualifications for licensure except the examination and/or experience requirements. (New York State Education Law, Title 8, Article 163, §8409)

Titles in Other States - LPCC Applicants

Attachment C contains a partial state licensure comparison chart completed by the American Counseling Association (ACA) in 2014. The chart includes titles used in other states for professional clinical counselors and pre-licensure registrants. (The chart contains extensive

licensure information for each state; therefore, it is quite lengthy and staff has chosen a sampling of states only.)

Here are some key findings from the ACA chart:

- States use a wider variety of terms for pre-licensed LPCCs than they do for pre-licensed LMFTs. They include the following:
 - Licensed Professional Clinical Counselor Candidate (Colorado)
 - Provisional Mental Health Counselor (Florida)
 - Conditional Licensed Clinical Professional Counselor (Maine)
 - Professional Counselor/Clinical Resident (Ohio)
 - Limited Licensed Professional Counselor (Michigan)
 - Counselor-in-Training (Missouri)
 - Licensed Graduate Professional Counselor (Maryland)
- According to the chart, 12 states use “Associate” in their pre-licensed title, while 7 states use “Intern.”

Staff also looked at the statute of the same sample of larger states to determine the title given to those gaining experience hours (if any):

Texas: Uses the term “LPC Intern” to refer to someone who may practice only under the supervision of a Licensed Professional Counselor Supervisor (Texas Administrative Code Title 22, §681.52)

Colorado: Uses the title “Licensed Professional Counselor Candidate” for individuals who have completed their degree but who still need to gain supervised experience and pass an exam. (Colorado Revised Statutes §12-43-603)

Massachusetts: Supervised experience must be gained at a clinical field experience site. A clinical field experience site does not include private practice. (Code of Massachusetts Regulations (CMR); 262 CMR 2.02)

New York: New York issues a limited permit for applicants who meet all qualifications for licensure, except the examination and/or experience requirements. (New York State Education Law, Title 8, Article 163, §8409)

BBS Title History

In the early 1970’s, the Board’s LMFT licensing law made no apparent references to any pre-licensed status. In November 1978, a regulation section was added identifying marriage, family, and child counselor interns and discussed the education required to register as an intern.

Around this same time, social workers had a reference to an “apprentice clinical social worker” in statute, which was defined as a person with a master’s degree working under supervision. This title was deleted in 1976. Social workers also had a “registered social worker” status.

Previous BBS Title Change Legislation

Legislative and regulatory changes will be needed if the Board decides to change LMFT and LPCC registrant titles from “Intern” to “Associate.”

The Board’s last title change was in 1999, when the title “marriage, family and child counselor” was changed to “marriage and family therapist.” AB 1449 (Chapter 108, Statutes of 1998) added §4980.08 to the Business and Professions Code, and stated that any reference in any statute or regulation to a “marriage, family and child counselor” shall be deemed a reference to a “marriage and family therapist.”

AB 1449 had a six-month delayed implementation. The Board then gradually changed the references in statute and regulation, with many (but not all) references being changed in 2003.

Proposed Language

Attachment A shows the suggested language if the Board was to decide to move forward with the title change for LMFT and LPCC registrants.

To start, the language simply states that in any statute or regulation, the “intern” and “associate” titles are equivalent. In subsequent years, the Board would need to change references to “interns” in the law when it runs other bills or regulatory proposals.

The language proposed in **Attachment A** also contains a one-year delayed implementation, to January 1, 2018. This would allow the Board time to update Section 1811 of the regulations, which lists specific titles that registrants may use in advertisements.

Policy and Advocacy Committee Meeting

At its October 30, 2015 meeting, the Policy and Advocacy Committee recommended that the Board sponsor legislation to make the proposed amendments.

Recommendation

Conduct an open discussion about the proposed title changes. If the Board believes the changes are appropriate, direct staff to make any discussed changes, as well as any non-substantive changes, to the proposed language, and submit to the Legislature as a bill proposal.

Attachments

Attachment A: Draft Language

Attachment B: Association of Marital and Family Therapy Regulatory Boards (AMFTRB) State Licensure Comparison Chart (July 2015)

Attachment C: American Counseling Association Licensure Chart (Partial Only), from *“Licensure Requirements for Professional Counselors, A State-by-State Report”* (2014 Edition)

ATTACHMENT A PROPOSED LANGUAGE

LMFT CODE

ADD §4980.09. REGISTRATION TITLE NAME CHANGE

(a) The title “marriage and family therapist intern” or “marriage and family therapist registered intern” is hereby renamed “associate marriage and family therapist” or “registered associate marriage and family therapist,” respectively. Any reference in any statute or regulation to a “marriage and family therapist intern” or “marriage and family therapist registered intern” shall be deemed a reference to an “associate marriage and family therapist” or “registered associate marriage and family therapist”.

(b) Nothing in this section shall be construed to expand or constrict the scope of practice of a person licensed or registered pursuant to this chapter.

(c) This section shall become operative January 1, 2018.

LPCC CODE

ADD §4999.12.5. REGISTRATION TITLE NAME CHANGE

(a) The title “professional clinical counselor intern” or “professional clinical counselor registered intern” is hereby renamed “associate professional clinical counselor” or “registered associate professional clinical counselor,” respectively. Any reference in any statute or regulation to a “professional clinical counselor intern” or “professional clinical counselor registered intern” shall be deemed a reference to an “associate professional clinical counselor” or “registered associate professional clinical counselor”.

(b) Nothing in this section shall be construed to expand or constrict the scope of practice of a person licensed or registered pursuant to this chapter.

(c) This section shall become operative January 1, 2018.

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AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
	Each state may have multiple levels of Marriage and Family Therapists.		Each state has a set of requirements for each level of licensure offered. This column briefly lists those requirements, as well as where to find those requirements outlined in that states rules and/or statute.
Alabama	LMFT, MFT Intern, LMFTA	Licensed Marriage and Family Therapist; Marriage and Family Therapy Intern; Marriage and Family Therapy Associate;	Prior to attaining independent licensure: Completion of a minimum of two (2) years post-degree full time (30 or more clock hours per week) MFT work experience , Completion of two-hundred (200) hours of supervision, one-hundred (100) of which must be individual, Completion of a minimum of one-thousand (1000) post-degree direct client hours completed concurrently with the required ratio of one (1) supervision hour to every ten (10) client contact hours; two hundred-fifty (250) of these direct contact hours must be with couples or families physically present in the therapy room.
Alaska	LMFT, LMFC, LMFTA	Marital and Family Therapist; Marriage and Family Counselor; Marriage and Family Therapist Associate	The board shall issue a four-year license for the supervised practice of marital and family therapy to a person who meets the requirements of AS 08.63.100(a)(1), (2), and (3)(A)—(B). See section Sec. 08.63.110. Supervision must include: practiced marital and family therapy to include 1,500 hours of direct clinical contact with couples, individuals, and families; and clinical contact for at least 200 hours, including 100 hours of individual supervision and 100 hours of group supervision approved by the board.
Arizona	LMFT, LMFTA	Licensed Marriage and Family Therapist; Licensed Marriage and Family Therapist Associate	After completing the degree required in R4-6-601, an applicant for licensure as a marriage and family therapist shall complete a minimum of 3200 hours of supervised work experience in the practice. A minimum of 1000 of the 1600 hours of direct client. During the supervised work experience required in R4-6-603. An applicant for licensure as a marriage and family therapist shall receive a minimum of 200 hours of clinical supervision in no less than 24 months and at least 120 of the hours shall address issues focusing on couples and families. See Section R4-6-604. contact shall be client contact with couples and families. The remaining 600 hours may be with individuals and groups of marriage and family therapy in no less than 24 months. See section R4-6-603.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Arkansas	LMFT, LAMFT	Licensed Marriage and Family Therapist; Licensed Associate Marriage and Family Therapist	Must provide evidence of three years of supervised full-time experience in marriage and family therapy beyond the Master's Degree acceptable to the Board. One year of experience may be gained for each 30 semester hours of graduate work beyond the Master's level, provided the hours are clearly marriage and family therapy in nature and acceptable to the Board. See Section 3.4. Candidate must complete three years of Client Contact Hours (CCH) with supervision. One year equal 1000 hours of client contact. <i>Supervision is provided in Arkansas Year 1</i>
California	LMFT	Licensed Marriage and Family Therapist	must accrue 3,000 hours of supervised work experience and 104 weeks of supervision. Couples, Families, and Children (min 500 credited hours) The first 150 conjoint couples and family hours can be double counted (e.g. 150 actual hours X 2 = 300 credited hours); Group Psychotherapy (max 500 hours); Telehealth Counseling, including telephone counseling (max 375 hours) B. Administrating and evaluating psychological tests, writing clinical reports, writing progress notes or process notes (max 250 hours) C. Other Non-Counseling Work Experience (max 1,000 credited hours; all items below when added together shall not exceed 1,000 credited hours) 1. Workshops, seminars, training sessions, and conferences (max 250 hours) 2. Personal Psychotherapy (max 300 credited hours; e.g. 100 actual hours X 3 = 300 credited hours) You need at least one hour of individual or two hours of group supervision in any week that you claim supervised work experience.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Colorado	LMFT	Licensed Marriage and Family Therapists	Applicant demonstrates that s/he had at least two (2) years of post-master's or one year of post-doctoral practice in individual and marriage and family therapy under supervision prior to licensure, certification, listing or registration in the jurisdiction through which applicant seeks licensure in Colorado; or applicant provides information satisfactory to the Board demonstrating her/his active practice of marriage and family therapy for two (2) years. Active practice of marriage and family therapy" means applicant has engaged in the practice of marriage and family therapy at least twenty (20) hours per week, averaged over the entire time s/he has been in practice, with no more than a six month absence from the practice of marriage and family therapy. If applicant has taught marriage and family therapy, applicant may count the hours spent teaching marriage and family therapy (including time spent in preparation, meeting with students, and related activities) as hours of active practice of marriage and family therapy provided such teaching was in courses in the same or similar field of marriage and family therapy as the
Connecticut	LMFT	Licensed Marriage and Family Therapists	Successful completion of at least 12 months of supervised postgraduate work experience. The postgraduate work experience must include at least 1,000 hours of direct client contact offering marital and family therapy services and 100 hours of post-graduate clinical supervision provided by a licensed marital and family therapist. Of the 100 hours of supervision required, at least 50

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Delaware	LMFT/ LAMFT	Licensed Marriage and Family Therapist; Licensed Marriage and Family Therapist Associate	Individuals who have completed the experience requirements of regulation 5.1.2 and hold an acceptable degree under regulation 6.2, may apply for an LMFT without first obtaining an LAMFT. LMFT applicants under this exception must submit documentation of their experience pursuant to the requirements of regulation 5.1.2 and their educational background pursuant to regulation 6.2. If the submitted documentation is acceptable to the Board, the applicant will receive permission to take the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) exam. If approved to take the exam, an applicant under this exception will receive an LMFT once the Board receives proof that the applicant has passed the exam. A score equal to or greater than the pass point set by the AMFTRB is required to pass the exam. Experience. Applicants must provide documentation of completion of 3,200 hours of marriage and family therapy services, over a period of no less than two (2) but no more than four (4) consecutive years. Of the required 3,200 hours total experience, 1,600
Florida	LMFT	Licensed Marriage and Family Therapist	4. Completed two years of post-master's supervised experience under the supervision of a licensed marriage and family therapist with five years of experience or the equivalent (see 64B4-21.007 F.A.C.) who is qualified as determined by the Board. The supervision experience must have consisted of at least 1,500 hours providing psychotherapy face-to-face with clients for the profession for which licensure is sought, and shall be accrued in no less than 100 weeks. At least 100 hours of supervision per 1,500 hours of psychotherapy face-to-face with clients provided by the intern; At least one (1) hour of supervision every two (2) weeks; at least one (1) hour of supervision per fifteen (15) hours of psychotherapy, with a minimum of one (1) hour of supervision every two (2) weeks.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Georgia	LMFT; LAMFT	Licensed Marriage and Family Therapists; Licensed Marriage and Family Therapy Associate	Licensure as an associate marriage and family therapist and two years of full-time post-master's experience or its equivalent in the practice of marriage and family therapy under direction and supervision as an associate marriage and family therapist, which shall include a minimum of 2,000 hours of direct clinical experience and 100 hours of supervision of such experience and which shall be completed within a period of not less than two years and not more than five years See section 43-10A-13.
Hawaii	LMFT	Licensed Marriage and Family Therapist	-One year practicum with three hundred hours supervised client contact; -1,000 hours of direct marriage and family therapy, and 200 hours clinical supervision in not less than twenty-four months; and
Idaho	LAMFT LMFT	Licensed associate marriage and family therapist Licensed marriage and family therapist	LMFT - 3,000 hr requirement as outlined in Section 54-3405C(3), Idaho Code. A minimum of two thousand (2,000) postgraduate direct client contact hours, in no less than a two (2) year time period shall include a minimum one thousand (1,000) direct client contact hours with couples and families; and 200) hours of supervision. Effective July 1, 2014 a minimum of 100 hrs post-graduate supervision must be obtained from a registered marriage and family therapist supervisor. The remaining 100 hrs of supervision may also be obtained from a
Illinois	LAMFT	Licensed associate marriage and family therapist	An applicant for a license as a marriage and family therapist shall, following receipt of the first qualifying education degree, complete at least 3000 hours of professional work
Indiana	LMFT LMFTA	Licensed Marriage and Family Therapist Licensed Marriage and Family Therapist Associate	An applicant for a license as a marriage and family therapist under section 1 of this chapter must have at least two (2) years of postdegree clinical experience, during which at least fifty percent (50%) of the applicant's clients were receiving marriage and family therapy services. The applicant's clinical experience must include one thousand (1,000) hours of postdegree clinical experience and two hundred (200) hours of postdegree clinical supervision, of which one hundred (100) hours must be individual supervision, under the supervision of a licensed marriage and family therapist who has at least five (5) years of experience or an equivalent supervisor, as determined by the board.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Iowa	LMFT	Licensed Marital and Family Therapist	<p>LMFT - https://www.legis.iowa.gov/docs/ACO/IAC/LI/NC/06-12-2013.Rule.645.31.5.pdf</p> <p>a.Be a minimum of two years or the equivalent of full-time, postgraduate supervised professional work experience in marital and family therapy.</p> <p>b.Be completed following completion of the practicum, internship, and all graduate coursework, with the exception of the thesis.</p> <p>c.Include successful completion of at least 3,000 hours of marital and family therapy that shall include at least 1,500 hours of direct client contact and 200 hours of clinical supervision. Applicants who entered a program of study prior to July 1, 2010, shall include successful completion of 200 hours of clinical supervision concurrent with 1,000 hours of marital and family therapy conducted in person with couples families and individuals.</p> <p>d.Include a minimum of 25 percent of all clinical supervision in person. Up to 75 percent of all supervision may be completed by electronic means with no more than 50</p>
Kansas	LMFT LCMFT	Licensed Marriage and Family Therapist Licensed Clinical Marriage and Family Therapist	<p>Hours of experience for LCMFT - http://www.ksbsrb.org/faq_LMFT-LCMFT.htm#CMFT</p> <p>The total amount to be completed over a minimum of 24 months is 4,000 hours of experience, including 1500 hours of direct client contact providing psychotherapy and assessments and 150 hours of supervision. The supervision shall be provided throughout the entirety of the postgraduate supervised professional experience with at least one hour of clinical supervision each week that the supervisee accrues at least 15 hours of direct client contact. Of the 150 required supervision hours, at least 50 hours must be individual, face-to-face supervision. The remaining 100 hours may be done in either group or individual supervision. There can be no more than 6 supervisees in the group. There must be at least two separate supervision sessions per month, at least one of which shall be one-on-one individual</p>

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Kentucky	LMFT LMFTA	Licensed Marriage and Family Therapist Licensed Marriage and Family Therapist Associate	At least two (2) years' experience in the practice of marriage and family therapy, acceptable to the board and subsequent to being granted a master's degree; and A minimum of two hundred (200) hours of clinical supervision acceptable to the board and subsequent to being granted a master's degree.
Louisiana	LMFT	Licensed Marriage and Family Therapist	Up to 220 of the required 500 hours of supervised direct client contact and 44 of the required 100 hours of face-to-face supervision not completed during a practicum and/or internship during the completion of the qualifying degree program or postgraduate training institute may be completed once an applicant is provisionally licensed as a provisional licensed marriage and family therapist and is under the supervision of an LMFT board-approved supervisor. These hours shall be added to the required 2000 hours of supervised direct client contact required for licensure. Experience Requirements. While maintaining a license in good standing as a LMFT, the applicant must have completed a minimum of two years of professional experience as a marriage and family therapist working with individuals, couples, families or groups from a systemic perspective or working as an academic clinical supervisor utilizing a systemic orientation as determined by the advisory committee.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Maine	LMFT	Licensed Marriage and Family Therapist	Except as set forth in Section 4(2) of this chapter, the applicant shall complete 3000 hours of supervised clinical counseling experience in marriage and family counseling over a period of not less than 2 years following attainment of the qualifying degree. The 3000 hours shall include a minimum of 1000 hours of direct clinical contact hours with couples and families. The conditional licensee must receive a minimum of 200 hours of clinical supervision with the approved supervisor designated by the licensee. Supervision shall occur with substantial regularity throughout this period at the approximate rate of one hour of supervision per 15 hours of experience. Of the minimum 200 hours of clinical supervision, at least 100 hours shall consist of individual supervision. The approved supervisor may participate by live audio conference or live videoconference in lieu of physical presence in up to 50 hours of individual supervision. Unless waived pursuant to Section 4(4) of this chapter, supervised experience must be earned during the applicant's period of conditional licensure.
Maryland	LCMFT	Licensed Clinical Marriage and Family Therapist	To qualify for licensure as a clinical marriage and family therapist, an applicant shall have completed or achieved: A supervised clinical practice that includes at least 60 hours of approved supervision and 300 hours of direct client contact with couples, families, and individuals, at least 100 hours of which are relational therapy. C. Not less than 2 years with a minimum of 2,000 hours of supervised clinical experience in marriage and family therapy obtained under the supervision of an approved marriage and family therapy supervisor after the award of the master's degree, doctoral degree, or its substantial equivalent as determined by the Board, of which: (1) 1,000 hours shall be face-to-face client contact hours; and (2) 100 hours shall be face-to-face clinical
Massachusetts	LMFT	Licensed Marriage and Family Therapist	2 years, 3360 hours, post masters supervised clinical experience under the direction of an approved supervisor. 200 hours of supervision are required, 100 must be individual supervision.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Michigan	LMFT	Licensed Marriage and Family Therapist	1000 direct client contact hours 60 hours of that under supervision concurrent with the 300 hours of supervised direct client contact hours
Minnesota	LMFT and LAMFT	Licensed Marriage and Family Therapist and Licensed Associate Marriage Family Therapist	2 years, 1000 hours of clinical contact including assessment, diagnosis, and treatment of mental illness 200 hours of supervision 500 of those hours must be in: unammried couples, married couples, separating and divorcing couples, and family groups including children
Mississippi	LMFT and LMFTA	Licensed Marriage and Family Therapist and Licensed Marriage and Family Therapy Associate	12 consecutive monthsthat provided him or her face to face clinical practice with individuals, couples and families Minimum of 500 face to face client contact hours
Missouri	LMFT	Licensed Marriage and Family Therapist	Minimum of 24 calendar months of supervised experience Minimum of 3000 hours of supervised experience in marital and family therapy
Montana	LMFT	Licensed Marriage and Family Therapist	3000 hours of supervised experience 1000 hours of face-to-face client contact in the practice of marriage and family therapy 500 may be accumulated while achieving the
Nebraska	CMFT	Certified Marriage and Family Therapist	3000 hours of supervised experience in mental health practice. during the 5 years immediately preceding the application of license
Nevada	MFT and MFT Intern	Marriage and Family Therapist and Marriage and Family	2 years of postgraduate experience in marriage and family therapy 3000 hours of supervised experience in marriage and family therapy, of which at least
New Hampshir	LMFT	Licensed Marriage and Family Therapist	2 years, 1000 hours of supervised practice under supervision approved by the AAMFT or the board 200 hours of face-to-face supervision by a supervisor approved
New Jersey	LMFT	Licensed Marriage and Family Therapist	2 years of supervosed marriage and family therapy experience and one calendat year of counsleing experience. Supervised marriage and family therapy experience for each calendar year shall consist of: - a minimum of 50 hours of face-to-face supervision, of which not more that 25 may be in group supervision - maximum of 1150 of actual marriage and family therapy client contact - maximum of 300 hours of other work-related activities

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
New Mexico	LMFT	Licensed Marriage and family Therapist	A minimum of two years' postgraduate marriage and family therapy experience. 1,000 hours of postgraduate marriage and family clinical client contact. 200 hours of appropriate postgraduate marriage and family supervision, including at
New York	MFT, LMFT	Marriage & Family Therapist, Licensed Marriage & Family Therapist	To meet the experience requirement for licensure as a Marriage and Family Therapist, you must complete at least 1,500 client contact hours in the practice of Marriage and Family Therapy. The experience may only be completed under a limited permit issued by the Department or as part of the licensure qualifying education program, for experience in New York; experience completed in other jurisdictions must be completed legally in accordance with the laws of the jurisdiction. You and your supervisor must submit documentation of completion of a supervised clinical experience of at least 1,500 client
North Carolina	LMFT, LMFTA	Licensed Marriage and family Therapist, Licensed Marriage and family therapy associate	LMFTA: a signed supervision with a AAMFT approved Supervisor must accompany the license application. LMFTA's have up to 3 yrs from the date of initial licensing to acquire the clinical and approved hours required for transition to LMFT. LMFT: At least 1500 hrs clinical experience (face to face therapy) in the practice of marriage and family therapy, not more than 300 hrs of which were obtained while the applicant was a student in degree program, at least 1000 which were obtained after the degree was granted, min of 200 supervision hrs
North Dakota	LAMFT, LMFT	Associate Marriage and family therapist licensee that has completed the educational and exam requirements, and is in the process of completing postgraduate supervision hrs. Licensed Marriage and family therapist	2 yrs, minimum of 1500 hrs Supervised: at least 200 hrs face to face contact with at least 100 hr settings in individual settings. 100 hrs per yr, min of one hr every 2 weeks.
Ohio	MFT, IMFT	Marriage & Family Therapist, Independent Marriage & Family Therapist	at least two calendar years of supervised training while engaged in the practice of marriage and family therapy

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Oklahoma *these regulations are stated as unofficial and	LMFT	Licensed Marriage and family Therapist	(1) Applicants must complete two (2) calendar years of work in marital and family therapy following the receipt of the qualifying degree.(2) These two years must be completed under a supervisor approved by
Oregon	LMFT	Licensed Marriage and family Therapist	LMFT direct method: 2,000 hrs prior to July 1,2002 or from out of state*at least 480 hours of clinical experience must accrue within 5 yrs prior to application. LMFT intern method: 2000 hrs total of 1,000 hrs providing therapy
Pennsylvania	LMFT	Licensed Marriage and Family therapist	masters: 3000 hours under supervision. This must be accomplished in no less than two years. 1500 hours must be clinical, the other 1500 hours are non-clinical work hours. You must complete 600 hours in one year to count any hours.
Rhode Island	MFT	Marriage and family therapist	minimum of 12 semester hours or 18 quarter hours of supervised practicum and a one (1) calendar year of supervised internship consisting of twenty (20) hours per week or its equivalent with emphasis in marriage and family therapy supervised by the department within the college or university granting the requisite degree or by an accredited postgraduate clinical training program, approved by COAMFTE and/or experience which is deemed equivalent by the Board; and a minimum of two (2) years of relevant postgraduate experience, including at least two thousand (2,000) hours of direct client contact offering clinical or counseling or therapy services with emphasis in marriage and family therapy subsequent to being awarded a master's degree or doctorate with a minimum of one hundred (100) hours of post-degree supervised case work spread over two (2) years.
South Carolina	LMFT, LMFT intern	Licensed Marriage and Family therapist, Licensed Marriage and family therapy intern	The clinical experience must include a minimum of three hundred (300) hours of face-to-face client contact, one half (1/2) of which must be relational. A minimum of fifty (50) hours of clinical supervision must be provided by a marriage and family therapy supervisor. LMFT intern: The clinical experience must include a minimum of three hundred (300) hours of face-to-face client contact, one half (1/2) of which must be relational. A minimum of fifty (50) hours of clinical supervision must be provided by a marriage and family therapy supervisor.
Guam	IMFT	Individual Marriage and Family therapist	3000 hours of documented post graduate clinical expereince and 100 hours of supervision, 1500 of the hours must be face to face treatment.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
South Dakota	LMFT	Licensed Marriage & Family Therapist	LMFT: 1,700 hrs of post-graduate experience providing therapy; 200 supervision hrs, 100 of which must be individual; Min of 2 yrs
Tennessee	LMFT, CMFT	Licensed Marriage & Family Therapist, Certified Marriage and Family Therapist	LMFT: 1,000 hrs of post-graduate clinical experience; 200 hrs of direct supervision, 2 yrs post-mater's clinical experience consisting of no less than 10 hrs per week pursuant to rule 0450-02.14 and 0450-02-.05; Passed the Tennessee Jurisprudence Exam for LMFTs as administered by Board Staff; CMFT: Meets
Texas	LMFT, LMFT Associate	Licensed Marriage & Family Therapist, License Marriage & Family Therapist Associate	LMFT: 3,000 hrs of board-approved marriage and family therapy practice, 1,500 hrs of which must be direct clinical experience, of which 750 hrs must be provided to couples and families; At least 200 hrs board-approved supervision, of which at least 100 hrs of individual supervision, no more than 100 hrs being transferred from the graduate program, at least 50 hrs of the post-graduate supervision must be individual supervision, of the 200 hrs, no more than 50 hrs may be by telephonic or electric media, a minimum of 1 hr of supervision every 2 weeks; Minimum of 2 yrs experience; passed Texas Jurisprudence Exam, examination specifics found in Rules-Subchapter H; LMFT Associate: Meets educational requirements and working under supervision, has yet to submit documentation of supervised clinical experience
Utah	MFT, Associate MFT/Extern	Marriage and Family Therapist, Associate Marriage and Family Therapist/Extern	MFT: A minimum of 4,000 hrs of supervised training which shall: (a) be completed in not less than 2 yrs; (b) be completed while the applicant is an employee of a public or private agency engaged in mental health therapy; (c) include at least 100 hrs of direct supervision spread uniformly throughout the training period; (d) include a minimum of 1,000 hrs of mental health therapy of which at least 500 hrs are in couple or family therapy with 2 or more clients participating and at least 1 physically present: Specifics found in R156-
Vermont	MFT	Marriage and Family Therapist	MFT: No supervised practice may occur within the State of Vermont until the prospective license has been entered on the roster of non-licensed and non-certified psychotherapists; 3,000 hrs of supervised individual, couple, family, or group therapy from a systems perspective over a minimum of 2 yrs; 2,000 hrs of which must be direct service, 50% of which must be with couples and/or families;

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Virginia	MFT; Resident in MFT	Marriage and Family Therapist; Resident in Marriage and Family Therapy	MFT: 4,000 hrs of supervised, post-graduate degree work experience in a minimum of 2 yrs, in those 2 yrs an applicant must complete 1,000 hrs of direct client contact of which at least 500 hrs must be with couples and/or families, and 200 hrs of face-to-face supervision with a licensed supervisor receiving a minimum of 1 hr of supervision per 20 hrs of supervised work experience; Resident in MFT: have completed the specified educational requirements; have completed at least 2 yrs of supervised post-graduate degree experience, no fewer than 4,000 hrs of supervised work experience, to include 200 hrs of supervision, received a min of 1 hr and a max of 4 hrs of supervision for every 40 hrs of supervised work experience, no more than 100 hrs of supervision may be acquired through group supervision, at least 2,000 hrs must be acquired in direct client contact of which 1,000 hrs shall be with couples or families or both
Washington	LMFT; LMFTA	Licensed Marriage and Family Therapist; Licenced Marriage and Family Therapist Associate	LMFT: 3,000 hrs of experience, 1,000 hrs of which must be direct client contact, 500 hrs must be gained in diagnosing and treating couples and families in a min of 2 calendar yrs of full-time marriage and family therapy; at least 200 hrs of qualified supervision, 100 of which must be one-on-one supervision, and the remaining hours may be in one-on-one or group supervision; of the total supervision, 100 hrs must be with a licensed marriage and family therapist (LMFT) who has at least five yrs clinical experience, the other 100 hrs may be with a equally qualified licensed mental health practitioner; LMFTA: pre-licensure candidate with a graduate degree in a mental health field that is gaining the experience necessary to become a licensed marriage and family therapist under supervision

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Washington D.	LMFT; Unlicensed MFT	Licensed Marriage and Family Therapist; Unlicensed Marriage and Family Therapist	LMFT: 2,000 hrs of supervised practice in marriage and family therapy, 1,000 hrs of which must be face-to-face direct client contact hours, 1 hr of direct supervision required for every 20 hrs of direct client contact, all of which must be in a minimum of 2 yrs and within 5 yrs after the day the first qualifying degree was conferred and the practicum completed; Unlicensed MFT: has completed the educational requirements for a degree in marriage and family therapy but has not met the clinical requirements for licensure and is engaged in the practice of marriage and family therapy pursuant to § 7712.
West Virginia	MFT: Provisionally LMFT	Marriage and Family Therapist; Provisionally Licensed Marriage and Family Therapist	M.A. degrees: 3,000 hrs of supervised marriage and family therapy post-graduate work experience in a min of 2 yrs; Doctoral degree: 1500 hrs of supervised marriage and family therapy work experience after earning degree in a min of 1 yr; Both M.A. and Doctoral degrees: at least 50% of the supervised marriage and family therapy experience must be in the direct provision of therapy to individuals, couples or families, 1 hr of direct individual supervision per 20 hrs of practice; Provisionally LMFT: Meets education requirements and is working under supervision, has yet to submit documentation of supervised experience, provisional license is valid for 36 months and may be renewed once for an additional 24 months
Wisconsin	LMFT; Temporarily Licensed MFT; Training Licensed MFT	Licensed Marriage and Family Therapist; Temporarily Licensed Marriage and Family Therapist; Training Licensed Marriage and Family Therapist	LMFT: 3000 hrs of post-graduate supervised experience including at least 1000 hrs of face-to-face client contact in a min of 24 months, applicant must apply for a training license in order to accrue experience hrs; passed the state and national exam with specifics found in MPSW 18.01; Temp LMFT: completed educational and supervised practice requirements and is waiting for the next available examination, temp license is valid for 9 months; Training LMFT: satisfies the education requirements found in 457.06 and is working under supervision to fulfill experience requirements, training license valid for 48 months.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	Title(s)	Title(s) Meaning	Post-Graduate Experience Needed
Wyoming	LMFT; PMFT	Licensed Marriage and Family Therapist; Provisional Marriage and Family Therapist	LMFT: 3,000 hrs of supervised clinical training/work post-graduate experience in individual, couple, marriage and family therapy, 1,200 hrs of which msuch be direct client contact hours, and 500 of those hrs must be direct clinical services to couples and families; PMFT: educational requirements have been met, individual may continue progress, under the supervision of a designated qualified clinical supervisor and under the administrative supervision of an employer, towards satisfactory completion of the education, experience and examination requirements established in these rules, provisional license is not renewable but may be extended upon a showing of good cause

Source: Association of Marital and Family Therapy Regulatory Boards (AMFTRB).

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Attachment C

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>ARIZONA</p> <p>AZ Board of Behavioral Health Examiners 3443 N. Central Avenue, Suite 1700 Phoenix, AZ 85012 602/542-1882 602/364-0890 (fax) Counseling Contact: Pamela Osborn <u>Pamela.Osborn@azbbhe.us</u> (602) 542-1895</p> <p>information@azbbhe.us <u>http://azbbhe.us/</u></p> <p>Application fee: \$250</p> <p>LPC License fee: \$250 LAC License fee: \$100</p> <p>Temporary License fee: \$50</p> <p>Fingerprint Background Check: \$29</p>	<p>Licensed Professional Counselor (LPC)</p> <p>Licensed Associate Counselor (LAC) LACs shall practice only under direct supervision as prescribed by the board and shall not engage in independent practice.</p>	<p>Master's degree or higher in counseling or a related field from a program that is either CACREP or CORE accredited or includes a minimum of 60 semester hours and completion of coursework in 14 content areas.</p> <p>As of October 31, 2015: If a program is not accredited by CACREP or CORE, it must require 700 clinical supervision hours and a minimum of 24 semester hours in 8 content areas.</p>	<p>2 years/3,200 hours of full-time post-master's supervised work experience in psychotherapy, including assessment, diagnosis, and treatment.</p> <p>100 hours of clinical supervision and 1,600 hours of direct client contact are required. No more than 400 of the additional hours can be psychoeducational.</p> <p>Applicant must receive a minimum of 10 hours of clinical supervision obtained during direct observation or a review of audiotapes/videotapes by the clinical supervisor while applicant is providing treatment and evaluation services to a client.</p>	<p>NCE, NCMHCE or CRCE</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>COLORADO</p> <p>CO Division of Professions and Occupations 1560 Broadway, Suite 1350 Denver, CO 80202 303/894-7768 303/894-7764 (fax)</p> <p>Contact: Karin Gleichauf Karin.gleichauf@state.co.us</p> <p>mentalhealth@dora.state.co.us www.dora.state.co.us/mental-health</p> <p>LPC License: \$160</p> <p>Provisional License: \$100</p> <p>LPC Candidate: \$160</p>	<p>Licensed Professional Counselor (LPC)</p> <p>Licensed Professional Counselor Candidate (LPCC)* An applicant who has completed the education requirements and is under a licensed supervisor; valid for 4 years.</p> <p>(if not registered as a LPCC, must register as a Registered Psychotherapist in the Registered Psychotherapist Board Database)</p>	<p>Master's degree or higher in professional counseling from a CACREP accredited program, or equivalent program from a regionally accredited college/ university consisting of 48 semester hours, completion of coursework in core areas and a practicum and/or internship. *If enrolled after August 31, 2014, the program must consist of 60 graduate semester hours..</p>	<p>2 years/2,000 hours of post-master's practice in applied psychotherapy under board approved supervision. (Doctoral degree can be 1,000 in 12 months) 100 hours of supervision is required, 70 of which must be face to face individual supervision.</p> <p>The teaching of psychotherapy can count up to 600 hours and 30 hours of required supervision</p> <p>*Electronic supervision is allowed – initial 2 hour meeting must be in person and every six (6) months an in person meeting must be had and the electronic supervision must be audio and visual (as of July 20, 2012)</p>	<p>NCE and CO Jurisprudence Exam</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>FLORIDA</p> <p>FL Board of Clinical Social Work, Marriage & Family Therapy, and Mental Health Counseling 4052 Bald Cypress Way, BIN C-08 Tallahassee, FL 32399-3258 850/245-4474 850/921-5389 (fax) mqa_491@doh.state.fl.us www.doh.state.fl.us/mqa/491</p> <p>Application fee: \$100 Initial License fee: \$105</p> <p>Registered Mental Health Counselor Intern Application fee: \$150</p>	<p>Licensed Mental Health Counselor (LMHC)</p> <p>Provisional Mental Health Counselor A person provisionally licensed to provide mental health counseling under supervision; valid for 24 months. Issued to licensure applicants who have completed their clinical experience requirement intending to provide services in Florida while satisfying coursework and/or exam requirements.</p>	<p>Master's degree or higher from a CACREP accredited mental health counseling program that includes 60 semester hours, a course in human sexuality, and a course in substance abuse.</p> <p>OR</p> <p>Master's degree or higher from a program related to the practice of mental health counseling from an accredited institution that includes 60 semester hours, 12 specific course content areas, and 1,000 hours of a supervised practicum, internship, or field experience.</p> <p><u>AND for both options:</u> Completion of an 8 hour laws and rules course, a 2 hour prevention of medical errors course from a board approved provider;</p> <p>And within 6 months of licensure have to complete from a board approved provider:</p> <p>3 hour course on human immunodeficiency virus and acquired immune deficiency syndrome 2 hour domestic violence course from a board approved provider.</p>	<p>2 years of supervised post-master's clinical experience in mental health counseling that consists of at least 1,500 hours providing psychotherapy face-to-face with clients and at least 100 face-to-face hours of supervision (50 of which can be group supervision).</p> <p>Supervision must be under an LMHC or equivalent.</p>	<p>NCMHCE</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>IDAHO</p> <p>ID State Licensing Board of Professional Counselors and Marriage & Family Therapists Physical address: 700 W. State St. Boise, ID 83702 Contact: Deborah Sexton Deborah.Sexton@ibd.idaho.gov Mailing address: PO Box 83720 Boise, ID 83720-0063 208/334-3233 208/334-3945 (fax) cou@ibol.idaho.gov http://www.ibol.idaho.gov</p> <p>LPC/LCPC Application fee: \$75</p> <p>LPC/LCPC License fee: \$75</p> <p>Counselor Intern Application fee: \$25</p>	<p>Licensed Clinical Professional Counselor (LCPC)</p> <p>Licensed Professional Counselor (LPC)</p> <p>Registered Counselor Intern A counselor performing under supervision as a part of the supervised experience requirement.</p>	<p>Master's degree or higher in a counseling field from an accredited college/university, with 60 semester hours and completion of a 6 semester hour advanced counseling practicum.</p>	<p>LCPC Hold a valid LPC license; and</p> <p>2 years/2,000 hours of supervised direct client contact experience accumulated after licensure in any state.</p> <p>1,000 hours must be under supervision of an LCPC.</p> <p>Minimum of 1 hour face-to-face, one-on-one supervision for every 30 hours of direct client contact.</p> <p>Successful completion of a Diagnostic Evaluation graduate course or equivalent training/experience acceptable to the board.</p> <p>LPC 1,000 hours is defined as one thousand clock hours of experience working in a counseling setting, 400 hours of which shall be direct client contact. Supervised experience in practica and/or internships taken at the graduate level may be utilized. The supervised experience shall include a minimum of 1 hour of face-to-face or one-to-one or one-to-two consultation</p>	<p>LCPC NCMHCE</p> <p>LPC NCE</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>MARYLAND</p> <p>MD Board of Examiners of Professional Counselors and Therapists 4201 Patterson Avenue Baltimore, MD 21215 Contact: Anna Sullivan Anna.sullivan@maryland.gov 410/764-4732 410/358-1610 (fax) www.dhmh.state.md.us/bopc</p> <p>Application Processing: \$75</p> <p>Credentials Evaluation fee: \$25</p> <p>Certification and Licensure fee: \$100</p>	<p>Licensed Clinical Professional Counselor (LCPC)</p> <p>Licensed Graduate Professional Counselor Title used while fulfilling the supervised clinical experience requirement.</p>	<p>Master's degree or higher in professional counseling or related field from an accredited educational institution, with a minimum of 60 graduate semester hours in specific coursework, including completion of an alcohol and drug counseling course and supervised field experience.</p> <p>OR</p> <p>Doctoral degree with a minimum of 90 graduate semester hours in counseling training approved by the board.</p>	<p>3 years/3,000 hours of supervised clinical experience in professional counseling (2 years/2,000 hours must be post-masters).</p> <p>1,500 hours must be face-to-face client contact and 100 hours minimum of face-to-face clinical supervision.</p> <p>Supervision must be under a board approved supervisor. At least half of hours need to be accumulated under the supervision of an LCPC approved by the board.</p> <p>If obtained a doctoral degree: 2 years/2,000 hours of supervised clinical experience in professional counseling (1 year/1,000 hours must be post-doctorate).</p> <p>1,000 hours must be face-to-face client contact and 50 hours minimum of face-to-face clinical supervision.</p> <p>Supervision must be under a board approved supervisor.</p>	<p>NCE</p> <p>and</p> <p>Maryland Professional Counselors and Therapists Act Exam</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>MISSOURI</p> <p>MO Committee for Professional Counselors 3605 Missouri Boulevard P.O. Box 1335 Jefferson City, MO 65102 573/751-0018 800/735-2966 TTY 573/751-0735 (fax) profcounselor@pr.mo.gov http://pr.mo.gov/counselors.asp</p> <p>Contact: Loree Kessler Loree.Kessler@pr.mo.gov</p> <p>Application fee: \$150</p> <p>Registration of Supervision fee: \$100</p> <p>Background Fingerprint Check (if done electronically through L-1 Enrollment Services): \$52.20 www.l1id.com</p>	<p>Licensed Professional Counselor (LPC)</p> <p>Counselor-in-Training Issued automatically when supervision is registered and approved and all other requirements are met.</p>	<p>Master's degree or higher in counseling, counseling psychology, clinical psychology, or school psychology from a regionally accredited college/university, with at least 48 semester hours reflecting the CACREP or CORE curriculum and a practicum, internship, or field experience consisting of 6 semester hours in the practice of counseling.</p>	<p>2 years/3,000 hours of post-master's continuous counseling experience (full or part-time), to be completed within 60 months. 1,200 hours must be direct client contact.</p> <p>30 hours of post-master's study may be substituted for 1,500 of the 3,000 hours.</p> <p>If obtained a doctorate or specialist's degree: 1 year/1,500 hours of counseling experience (full or part-time), to be completed within 36 months. 600 hours must be direct client contact.</p> <p>For both degree paths: 15 hours of supervised counseling experience per week is required, with 1 hour a week of face-to-face supervision. If electronic supervision is continuously interactive, it can count towards required hours. Supervision must be under an LPC or licensed psychologist or psychiatrist approved and registered with the board.</p>	<p>NCE</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>NEVADA</p> <p>NV Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors P.O. Box 370130 Las Vegas NV 89134-0130 702/486-7388 702/486-7258 (fax) nvmftbd@mftbd.nv.gov http://marriage.state.nv.us/</p> <p>Initial Application fee: \$75</p> <p>Issuance of Initial License: \$50</p>	<p>Licensed Clinical Professional Counselor (LCPC)</p> <p>Licensed Clinical Professional Counselor Intern</p> <p>Required before beginning supervised experience after obtaining valid master's degree; valid for 3 years.</p>	<p>Master's degree or higher in mental health counseling or community counseling from a program approved by CACREP, or equivalent program of at least 48 semester hours and completion of the minimum required coursework, including three semester hour courses or four quarter hour courses in Supervised Clinical Practice by way of either practicum or internship in mental health counseling; accomplished over a period of one academic year.</p>	<p>2 years/3,000 hours of post-master's supervised counseling experience.</p> <p>To include 1,500 hours of direct client contact, 1,200 hours in the practice of clinical professional counseling and 100 hours of direct supervision under an approved supervisor of which at least 1 hour per week was completed for each work setting at which the applicant provided counseling.</p>	<p>NCMHCE</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>NORTH CAROLINA</p> <p>NC Board of Licensed Professional Counselors P.O. Box 1369 Garner, NC 27529 919/661-0820 919/779-5642 (fax) ncblpc@mgmt4u.com www.ncblpc.org</p> <p>Application fee (if mailed): \$5</p> <p>Application processing fee: \$100</p>	<p>Licensed Professional Counselor (LPC)</p> <p>Licensed Professional Counselor Associate (LPCA) Individuals who are pursuing the LPC license but still need to complete the supervised experience requirements.</p>	<p>Master's degree or higher in counseling from a regionally accredited institution of higher education that includes coursework in 9 areas of study and meets the following additional requirements:</p> <p>-If enrolled prior to July 1, 2009 48 semester hours (or 72 quarter hours) are required. -If enrolled prior to July 1, 2013 but after June 30, 2009 54 semester hours (or 81 quarter hours) are required. -If enrolled after June 30, 2013 60 semester hours (or 90 quarter hours) are required.</p> <p>A practicum and internship must be completed as part of the graduate course of study: -must cover at least a combined total of 17 hours of graduate counseling supervision; -must consist of a combined minimum of 300 hours of supervised graduate counseling experience at a rate of not less than 1 hour of clinical supervision per 40 hours of graduate counseling experience; and -at least 60% of this counseling experience shall be direct graduate counseling experience.</p>	<p>3,000 hours of supervised professional practice; 2,000 hours must be direct counseling.</p> <p>No hours can be applied from the practicum/internship.</p> <p>Not less than 8 hours per week but no more than 40 hours per week.</p> <p>100 hours of clinical supervision required. 75 hours must be individual supervision. Must have a minimum of 1 hour of clinical supervision for every 40 hours of professional practice. Supervision shall be based on direct (live) observation, co-therapy, audio and video recordings, and live supervision. Supervisor must be approved by the board.</p>	<p>LPC/LPCA NCE, NCMHCE, or CRCE</p> <p>and NC jurisprudence exam</p> <p>LPCA NCE, NCMHCE, or CRCE</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>OREGON</p> <p>OR Board of Licensed Professional Counselors and Therapists 3218 Pringle Road SE, Suite 250 Salem, OR 97302-6312 503/378-5499 503/373-1427 (fax) lpc.lmft@state.or.us www.oregon.gov/oblpc</p> <p>Application fee: \$125</p>	<p>Licensed Professional Counselor (LPC)</p> <p>Registered Intern An applicant registered to obtain post-degree supervised work experience toward licensure.</p>	<p>Master's degree or higher in counseling, with 48 semester hours (or 72 quarter hours) in a CACREP or CORE accredited program, or the content equivalent, from a regionally accredited institution.</p> <p>Completion of an internship/practicum consisting of 600 clock hours.</p> <p>If Graduating after October 1, 2014:</p> <p>Master's degree or higher in counseling, with 60 semester hours (or 90 quarter hours) in a CACREP or CORE accredited program, or the content equivalent, from a regionally accredited institution.</p>	<p>3 years of full-time supervised experience in counseling, to include 2,400 hours of direct client contact.</p> <p>The supervision must take place concurrently with the direct client contact hours and must total no less than 2 hours of supervision for months where 45 or less direct client contact hours are completed; or total no less than 3 hours of supervision for months where 46 or more direct client contact hours are completed. Up to 75% of the individual supervision can be electronic and 50% of total supervision can be group.</p> <p>An approved supervisor must provide supervision.</p> <p>600 (from 48 credit hours) or 700 (from 60 credit hours) client contact hours may be obtained during the clinical portion of the qualifying degree program.</p>	<p>NCE, NCMHCE, CRCE, or other exam, as approved by the board</p> <p>and</p> <p>Oregon Law and Rules Exam</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>TEXAS</p> <p>TX State Board of Examiners of Professional Counselors P.O. Box 149347, MC 1982 Austin, TX 78714 512/834-6658 512/834-6677 (fax) lpc@dshs.state.tx.us www.dshs.state.tx.us/counselor/</p> <p>Application fee: \$200</p>	<p>Licensed Professional Counselor (LPC)</p> <p>Licensed Professional Counselor Intern (LPC-I) An applicant practicing under supervision; valid for 5 years.</p>	<p>Master's degree or higher in professional counseling or related field from an accredited college/university consisting of 48 graduate semester hours.</p> <p>Completion of specific coursework and a 300 clock hour supervised practicum with at least 100 hours of direct client contact.</p> <p>Counseling related field: a mental health discipline utilizing human development, psychotherapeutic, and mental health principles including, but not limited to, psychology, psychiatry, social work, marriage and family therapy, and guidance and counseling. Non-counseling related fields include, but are not limited to, sociology, education, administration, dance therapy and theology.</p>	<p>3,000 hours of post-master's supervised experience, including 1,500 hours of direct client contact.</p> <p>Supervision must be under a board approved LPC.</p>	<p>NCE</p> <p>and</p> <p>Texas Jurisprudence Exam</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>UTAH</p> <p>UT Professional Counselor Licensing Board P.O. Box 146741 Salt Lake City, UT 84114 801/530-6628 866/275-3675 (Utah toll-free number) 801/530-6511 (fax) http://dopl.utah.gov/licensing/professional_counseling.html</p> <p>LPC Application fee: \$120</p> <p>CPC Intern Application fee: \$85</p>	<p>Licensed Clinical Mental Health Counselor (LCMHC)</p> <p>Licensed Associate Clinical Mental Health Counselor (LACMHC Credential required before starting the supervised experience requirement; valid for 3 years.</p>	<p>Master's degree or higher in mental health counseling from a CACREP accredited program, including a minimum of 60 graduate semester hours (or 90 quarter hours) in specific coursework.</p> <p>A minimum of 3 semester hours or 4 ½ quarter hours of a practicum.</p> <p>A minimum of 6 semester hours or 9 quarter hours of an internship.</p>	<p>Must already possess the LACMHC</p> <p>4,000 hours of post-master's supervised professional counseling experience.</p> <p>1,000 hours must be supervised experience in mental health therapy.</p> <p>100 hours of face-to-face supervision required.</p> <p>Supervision must be under a licensed mental health therapist on site on with a contract.</p>	<p>NCE, NCMHCE, and the Utah Professional Counselor Law, Rules and Ethics Exam</p>

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
<p>WASHINGTON</p> <p>WA Licensed Mental Health Counselors, Marriage & Family Therapists and Social Workers Advisory Committee P.O. Box 47877 Olympia, WA 98504-7877 360/236-4700 360/236-4818 (fax) hpqa.csc@doh.wa.gov www.doh.wa.gov/licensing/</p> <p>LMHC Application fee: \$150 LMHC Initial License fee: \$125</p> <p>LMHCA Application fee: \$50</p> <p>Certified Counselor application and certification fee: \$110 Examination or re-examination fee: \$85</p> <p>Certified Adviser application and certification fee: \$80 Examination or re-examination fee: \$85</p> <p>Agency Affiliated Counselor application and registration fee: \$50</p>	<p>Licensed Mental Health Counselor (LMHC)</p> <p>Licensed Mental Health Counselor Associate (LMHCA)* A pre-licensure candidate who has a graduate degree in mental health counseling or related field and is working toward meeting the supervised experience requirements (may renew annually up to 6 times)</p>	<p>LMHC/LMHCA Master's degree or higher in mental health counseling or related field from a regionally accredited college or university that includes a supervised counseling practicum or internship. Individuals who are certified as NCC or CCMHC are considered to meet educational requirements.</p> <p>ALL professionals must complete 4 hours of HIV/AIDS education and training.</p>	<p>LMHC 3 years of full-time counseling or 3,000 hours of postgraduate supervised mental health counseling in an approved setting.</p> <p>To include 1,200 hours of direct counseling with individuals, couples, groups, or families and 100 hours of immediate supervision by a board approved supervisor.</p> <p>Graduates from CACREP-accredited programs can count up to 50 hours of supervision and 500 hours of experience from their practicum/internship.</p>	<p>LMHC NCE or NCMHCE</p> <p>LMHCA None</p>

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To: Board Members
From: Rosanne Helms
Legislative Analyst
Date: November 2, 2015
Telephone: (916) 574-7897
Subject: Proposed 2016 Omnibus Legislation

Upon review, staff has determined that several sections of the Business and Professions Code (BPC) pertaining to the Board of Behavioral Sciences require amendments. These amendments are as follows:

- 1. Delete BPC Sections 4980.40, 4980.50, 4980.80, 4980.90, 4984.01, 4984.7, 4984.72, 4992.1, 4996.1, 4996.3, 4996.4, 4999.45, 4999.46, 4999.50, 4999.52, 4999.57, 4999.58, 4999.59, 4999.100 - Expired Examination Restructure Provisions and Out-of-State Applicant Provisions**

Background: The Board's examination restructure, affecting the exam process for LMFT, LCSW, and LPCC applicants, takes effect on January 1, 2016. The Board's new out-of-state application requirements for LMFT and LPCC applicants also take effect on January 1, 2016. At this time, several Business and Professions Code sections defining the old processes and requirements become inoperative.

Recommendation: Delete the above-referenced BPC sections, as they are no longer operative.

- 2. Amend BPC Sections 4980.43(b), 4996.23, and 4999.47(a) – Experience Gained as an Independent Contractor**

Background: The law allows LMFT, LCSW, and LPCC applicants to gain experience hours as a W-2 employee or a volunteer, but not as an independent contractor. However, the Board gets a significant number of applications for exam eligibility from individuals who are contracting and receiving a 1099 tax form. Some applicants think that because the statute says "employed", they can be 1099 employees, which is incorrect.

Recommendation: Amend the law to clarify that interns, trainees, and associates may not be employed as independent contractors, and that they may not gain any experience hours for work performed as an independent contractor, reported on an IRS Form 1099, or both.

3. Amend BPC Section 4992.05 – Associate Clinical Social Worker Reference

Background: The statute refers to registrants gaining hours to be an LCSW as “associate clinical social workers.” Subsection 4992.05(b) references “associate social workers.”

Recommendation: Replace the term “associate social worker” in Section 4992.05(b) with the term “associate clinical social worker.”

4. Amend BPC Section 4996.18 – LCSW Applicants: School Accreditation and Exam Eligibility

Background: This statute states that an LCSW applicant is not eligible for examination until his or her school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

The purpose of this statute is to keep an LCSW applicant from becoming licensed until it is confirmed that his or her school obtains the accreditation required for licensure. However, the wording of this requirement could be problematic when the timing of the exams changes with the exam restructure.

Under the exam restructure, associates must take a law and ethics exam within the first year of registration in order to renew that registration. This new requirement results in the first examination being taken much sooner after graduation than the previous requirement did (previously, both required exams were taken at the end of gaining hours). Since accrediting a school sometimes takes several years, the language could cause a first year associate to be unable to take the law and ethics exam, and consequently, be unable to renew his or her associate registration.

To remedy this situation, staff proposes allowing registrants to take the law and ethics exam so that they may continue renewing their registrations. Instead, they would be prohibited from taking the clinical exam (which is taken later, at the end of gaining hours) until the school has achieved accreditation.

Recommendation: Amend BPC §4996.18(c) as follows:

“...The applicant shall not, however, be eligible ~~to~~ take the clinical examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.”

5. Amend BPC Sections 4999.40, 4999.60, 4999.61 – Program Certification Requirement for LPCC Applicants

Background: LMFT law (BPC §4980.38) requires that an applicant for registration or licensure must submit a certification from his or her educational institution that the institution’s required curriculum for graduation meets either the education requirements specified in BPC §4980.36 (for graduate degrees begun after August 1, 2012) or BPC §§ 4980.37 and 4980.41 (for graduate degrees begun before August 1, 2012).

There is no requirement in law that LPCC applicants submit this type of certification, although it is required in the application. Such a certification is a crucial piece of

information as it assists the Board's evaluators in determining whether an individual's degree meets all education requirements. Even though the information is currently being obtained through the application, staff believes it important to have such a requirement in LPCC law in case provision of the information is ever challenged.

Recommendation: Add a subsection in BPC §4999.40 requiring LPCC applicants to provide a program certification to the Board, just as LMFT applicants are required to do. Change references to section 4999.40 in sections 4999.60 and 4999.61.

6. Delete BPC Section 4999.54, Amend BPC Sections 4999.52, 4999.120 – Expired LPCC Grandparenting Provision

Background: This section established a grandparenting period at the beginning of the LPCC licensing program. The Board accepted applications for licensure via grandparenting between January 1, 2011 and December 31, 2011.

Until this time, it was necessary to keep the grandparenting provision in law because there were applicants who were still in the one-year remediation period if they had deficiencies in their education and experience, and there were still applicants in the exam cycle attempting to pass the grandparenting-required exams.

As of summer 2015, all remediation periods have expired and the final grandparenting exam has been administered. Therefore, this section is no longer necessary.

Recommendation: Delete BPC §4999.54, as it is no longer necessary. Amend BPC §§4999.52 and 4999.120 to remove references to BPC §4999.54.

Policy and Advocacy Committee Meeting

At its October 30, 2015 meeting, the Policy and Advocacy Committee discussed this proposal. It recommended minor changes to the amendments proposed in Item 2. It requested further research of the specific names of the 1099 form referenced in Item 2. Staff was then directed to submit this language to the Board for consideration as a legislative proposal.

Recommendation

Conduct an open discussion about the proposed amendments. Direct staff to make any discussed changes, and any non-substantive changes, and submit to the Board for consideration as a bill proposal.

Attachments

Attachment: Proposed language

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**2016 OMNIBUS BILL
PROPOSED LANGUAGE**

Delete §4980.40.

To qualify for a license, an applicant shall have all of the following qualifications:

~~(a) Meet the educational requirements of Section 4980.36 or both Sections 4980.37 and 4980.41, as applicable.~~

~~(b) Be at least 18 years of age.~~

~~(c) Have at least two years of experience that meet the requirements of Section 4980.43.~~

~~(d) Pass a board administered written or oral examination or both types of examinations, except that an applicant who passed a written examination and who has not taken and passed an oral examination shall instead be required to take and pass a clinical vignette written examination.~~

~~(e) Not have committed acts or crimes 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 a 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.~~

~~(f) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Amend BPC §4980.43.

(a) Prior to applying for licensure examinations, each applicant shall complete experience that shall comply with the following:

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

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

(3) Not less than 1,700 hours of supervised experience completed subsequent to the granting of the qualifying master's or doctoral degree.

(4) Not more than 1,300 hours of supervised experience obtained prior to completing a master's or doctoral degree.

The applicant shall not be credited with more than 750 hours of counseling and direct supervisor contact prior to completing the master's or doctoral degree.

(5) No hours of experience may be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction and becoming a trainee except for personal psychotherapy.

(6) 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.

(7) Not more than a combined total of 1,000 hours of experience in the following:

(A) Direct supervisor contact.

(B) Professional enrichment activities. For purposes of this chapter, "professional enrichment activities" include the following:

(i) Workshops, seminars, training sessions, or conferences directly related to marriage and family therapy attended by the applicant that are approved by the applicant's supervisor. An applicant shall have no more than 250 hours of verified attendance at these workshops, seminars, training sessions, or conferences.

(ii) Participation by the applicant in personal psychotherapy, which includes group, marital or conjoint, family, or individual psychotherapy by an appropriately licensed professional. An applicant shall have no more than 100 hours of participation in personal psychotherapy. The applicant shall be credited with three hours of experience for each hour of personal psychotherapy.

(8) Not more than 500 hours of experience providing group therapy or group counseling.

(9) For all hours gained on or after January 1, 2012, not more than 500 hours of experience in the following:

(A) Experience administering and evaluating psychological tests, writing clinical reports, writing progress notes, or writing process notes.

(B) Client centered advocacy.

(10) Not less than 500 total hours of experience in diagnosing and treating couples, families, and children. For up to 150 hours of treating couples and families in conjoint therapy, the applicant shall be credited with two hours of experience for each hour of therapy provided.

(11) Not more than 375 hours of experience providing personal psychotherapy, crisis counseling, or other counseling services via telehealth in accordance with Section 2290.5.

(12) 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) 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 interns and trainees 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 interns or trainees as an independent contractor. Interns and trainees shall not be employed as independent contractors, and shall not gain experience for work performed as an independent contractor, reported on an IRS Form 1099, or both.~~

(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.

(c) Except for experience gained pursuant to subparagraph (B) of paragraph (7) 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.

(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 five 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.

(d)(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 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.

(e)(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 (d), 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 the requirements of 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.

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

(g) Except when employed in a private practice setting, all 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.

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

(i) 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. 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.

(j) 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 an employee and not an independent contractor. 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.

(k) 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.

Delete §4980.50.

~~(a) Every applicant who meets the educational and experience requirements and applies for a license as a marriage and family therapist shall be examined by the board. The examinations shall be as set forth in subdivision (d) of Section 4980.40. The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine. The board shall examine the candidate with regard to his or her knowledge and professional skills and his or her judgment in the utilization of appropriate techniques and methods.~~

~~(b) The board shall not deny any applicant, who has submitted a complete application for examination, admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.~~

~~(c) The board shall not deny any applicant, whose application for licensure is complete, admission to the standard written examination, nor shall the board postpone or delay any applicant's standard written examination or delay informing the candidate of the results of the standard written examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.~~

~~(d) If an applicant for examination who has passed the standard written examination is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the clinical vignette written examination for licensure, but may withhold the results of the examination or notify the applicant that licensure will not be granted pending completion of the investigation.~~

~~(e) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the standard written or clinical vignette written examination permission to retake either examination pending completion of the investigation of any complaints against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Sections 11503 and 11504 of the Government Code, respectively, or the applicant has been denied in accordance with subdivision (b) of Section 485.~~

~~(f) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.~~

~~(g) On or after January 1, 2002, no applicant shall be eligible to participate in a clinical vignette written examination if his or her passing score on the standard written examination occurred more than seven years before.~~

~~(h) An applicant who has qualified pursuant to this chapter shall be issued a license as a marriage and family therapist in the form that the board may deem appropriate.~~

~~(i) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4980.80.

~~(a) This section applies to persons who apply for licensure between January 1, 2010, and December 31, 2015, inclusive.~~

~~(b) The board may issue a license to a person who, at the time of application, holds a valid license issued by a board of marriage counselor examiners, marriage therapist examiners, or corresponding authority of any state, if all of the following requirements are satisfied:~~

~~(1) The person has held that license for at least two years immediately preceding the date of application.~~

~~(2) The education and supervised experience requirements are substantially the equivalent of this chapter. If an applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a marriage and family therapist shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.~~

~~(3) The person complies with Section 4980.76, if applicable.~~

~~(4) The person successfully completes the board administered licensing examinations as specified by subdivision (d) of Section 4980.40 and pays the fees specified.~~

~~(5) The person completes all of the following coursework or training:~~

~~(A) (i) An applicant who completed a two semester or three quarter unit course in law and professional ethics for marriage and family therapists that does not meet the requirements of Section 4980.41 as part of his or her qualifying degree shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, the following subjects: 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 relating to the 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, and therapist disclosures to patients.~~

~~(ii) An applicant who has not completed a two semester or three quarter unit course in law and professional ethics for marriage and family therapists that included areas of study as specified in Section 4980.41 as part of his or her qualifying degree, shall complete a two semester or three quarter unit course in California law and professional ethics that includes, at minimum, the areas of study specified in Section 4980.41.~~

~~(B) 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.~~

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

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

~~(E) (i) Instruction in spousal or partner abuse assessment, detection, and intervention. This instruction may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

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

~~(F) A minimum of a two semester or three quarter unit survey course in psychological testing. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(G) A minimum of a two semester or three quarter unit survey course in psychopharmacology. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(H) With respect to human sexuality, alcoholism and other chemical substance dependency, spousal or partner abuse assessment, detection, and intervention, psychological testing, and psychopharmacology, the board may accept training or coursework acquired out of state.~~

~~(c) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4980.90.

~~(a) This section applies to persons who apply for licensure between January 1, 2010, and December 31, 2015, inclusive.~~

~~(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4980.76, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure by that state as a marriage and family therapist. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a marriage and family therapist shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.~~

~~(c) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed all of the following:~~

~~(1) A two semester or three quarter unit course in California law and professional ethics for marriage, family, and child counselors that shall include areas of study as specified in Section 4980.41.~~

~~(2) 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.~~

~~(3) A minimum of 10 contact hours of training or coursework in sexuality as specified in Section 25 and any regulations promulgated thereunder.~~

~~(4) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency as specified by regulation.~~

~~(5) (A) Instruction in spousal or partner abuse assessment, detection, and intervention. This instruction may be taken either in fulfillment of other educational requirements for licensure or in a separate course.~~

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

~~(6) A minimum of a two semester or three quarter unit survey course in psychological testing. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(7) A minimum of a two semester or three quarter unit survey course in psychopharmacology. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(8) With respect to human sexuality, alcoholism and other chemical substance dependency, spousal or partner abuse assessment, detection, and intervention, psychological testing, and psychopharmacology, the board may accept training or coursework acquired out of state.~~

~~(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant meets both of the following requirements:~~

~~(1) The applicant has been granted a degree in a single integrated program primarily designed to train marriage and family therapists.~~

~~(2) The applicant's education meets the requirements of Section 4980.37. The degree title need not be identical to that required by subdivision (b) of Section 4980.37. If the applicant's degree does not contain the content or the overall units required by Section 4980.37, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:~~

~~(A) The applicant's degree contains the required number of practicum units and coursework required in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment as specified in Section 4980.37.~~

~~(B) The applicant remediates his or her specific deficiency by completing the course content and the units required by Section 4980.37.~~

~~(C) The applicant's degree otherwise complies with this section.~~

~~(e) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4984.01.

~~(a) The marriage and family therapist intern registration shall expire one year from the last day of the month in which it was issued.~~

~~(b) To renew the 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 against him or her by a regulatory or licensing board in this or any other state subsequent to the last renewal of the registration.~~

~~(c) The registration may be renewed a maximum of five times. No registration shall be renewed or reinstated beyond six years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a new intern registration if the applicant meets the educational requirements for registration in effect at the time of the application for a new intern registration. An applicant who is issued a subsequent intern registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.~~

~~(d) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4984.7.

~~(a) The board shall assess the following fees relating to the licensure of marriage and family therapists:~~

~~(1) The application fee for an intern registration shall be seventy five dollars (\$75).~~

- ~~(2) The renewal fee for an intern registration shall be seventy five dollars (\$75).~~
- ~~(3) The fee for the application for examination eligibility shall be one hundred dollars (\$100).~~
- ~~(4) The fee for the standard written examination shall be one hundred dollars (\$100). The fee for the clinical vignette 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 fee.~~
- ~~(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 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 eighty dollars (\$180).~~
- ~~(7) The fee for license renewal shall be a maximum of one hundred eighty dollars (\$180).~~
- ~~(8) The fee for inactive license renewal shall be a maximum of ninety dollars (\$90).~~
- ~~(9) The renewal delinquency fee shall be a maximum of ninety dollars (\$90). 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 remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4984.72.

~~(a) An applicant who fails a standard or clinical vignette written examination may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all requirements in effect on the date of application, and pays all required fees.~~

~~(b) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Amend §4992.05.

(a) Effective January 1, 2016, an applicant for licensure as a clinical social worker shall pass the following two examinations as prescribed by the board:

(1) A California law and ethics examination.

(2) A clinical examination.

(b) Upon registration with the board, an associate clinical social worker registrant shall, within the first year of registration, take an examination on California law and ethics.

(c) A registrant may take the clinical examination only upon meeting all of the following requirements:

(1) Completion of all education requirements.

(2) Passage of the California law and ethics examination.

(3) Completion of all required supervised work experience.

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

Delete §4992.1.

~~(a) Only individuals who have the qualifications prescribed by the board under this chapter are eligible to take the examination.~~

~~(b) Every applicant who is issued a clinical social worker license shall be examined by the board.~~

~~(c) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.~~

~~(d) The board shall not deny any applicant, whose application for licensure is complete, admission to the standard written examination, nor shall the board postpone or delay any applicant's standard written examination or delay informing the candidate of the results of the standard written examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.~~

~~(e) If an applicant for examination who has passed the standard written examination is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the clinical vignette written examination for licensure, but may withhold the results of the examination or notify the applicant that licensure will not be granted pending completion of the investigation.~~

~~(f) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the standard written or clinical vignette written examination permission to retake either examination pending completion of the investigation of any complaint against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, or the applicant has been denied in accordance with subdivision (b) of Section 485.~~

~~(g) On or after January 1, 2002, no applicant shall be eligible to participate in a clinical vignette written examination if his or her passing score on the standard written examination occurred more than seven years before.~~

~~(h) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4996.1.

~~(a) The board shall issue a clinical social worker license to each applicant who qualifies pursuant to this article and successfully passes a board-administered written or oral examination or both examinations. 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 remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §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 standard written examination shall be a maximum of one hundred fifty dollars (\$150). The fee for the clinical vignette 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 remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4996.4.

~~(a) An applicant who fails a standard or clinical vignette written 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 remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Amend §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 ~~to~~ [take the clinical](#) 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.

Amend BPC §4996.23

The experience required by subdivision (c) of Section 4996.2 shall meet the following criteria:

(a) All persons registered with the board on and after January 1, 2002, shall have at least 3,200 hours of post-master's degree supervised experience providing clinical social work services as permitted by Section 4996.9. 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. This experience shall consist of the following:

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

(2) A maximum of 1,200 hours in client-centered advocacy, consultation, evaluation, and research.

(3) Of the 2,000 clinical hours required in paragraph (1), 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.

(4) 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.

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

(b) "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.

(c) (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 five hours of supervision, whether individual or group, shall be credited during any single week.

(4) 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.

(5) 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.

(6) 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.

(d) 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.

(e) 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.

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

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

(h) 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 physician and surgeon, or a professional corporation of any of those licensed professions.

(i) Associates shall not be employed as independent contractors, and shall not gain experience for work performed as an independent contractor, reported on an IRS Form 1099, or both.

~~(j)~~(i) 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.

~~(j)~~(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.

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

~~(l)~~(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.

~~(m)~~(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.

~~(n)~~(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.

Amend §4999.40.

(a) Each educational institution preparing applicants to qualify for licensure shall notify

each of its students by means of its public documents or otherwise in writing that its degree program is designed to meet the requirements of Section 4999.32 or 4999.33 and shall certify to the board that it has so notified its students.

(b) An applicant for registration or licensure shall submit to the board a certification by the applicant's educational institution that the institution's required curriculum for graduation and any associated coursework completed by the applicant does one of the following:

(1) Meets all of the requirements set forth in Section 4999.32.

(2) Meets all of the requirements set forth in Section 4999.33.

~~(b)~~(c) An applicant trained at an educational institution outside the United States shall demonstrate to the satisfaction of the board that he or she possesses a qualifying degree that is equivalent to a degree earned from an institution of higher education that is accredited or approved. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services and shall provide any other documentation the board deems necessary.

Delete §4999.45.

~~An intern employed under this chapter shall:~~

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

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

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

~~(d) 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 new intern registration if the applicant meets the educational requirements for registration in effect at the time of the application for a new intern registration. An applicant issued a subsequent intern registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.~~

~~(f) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4999.46.

~~(a) To qualify for the licensure examinations specified in subdivision (c) of Section 4999.52, applicants shall complete clinical mental health experience under the general supervision of an approved supervisor as defined in Section 4999.12.~~

~~(b) The experience shall include a minimum of 3,000 postdegree hours of supervised clinical mental health experience related to the practice of professional clinical counseling, performed over a period of not less than two years (104 weeks), which shall include:~~

~~(1) Not more than 40 hours in any seven consecutive days.~~

~~(2) 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.~~

~~(3) Not more than 500 hours of experience providing group therapy or group counseling.~~

~~(4) Not more than 375 hours of experience providing personal psychotherapy, crisis counseling, or other counseling services via telehealth in accordance with Section 2290.5.~~

~~(5) 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.~~

~~(6) Not more than a combined total of 1,250 hours of experience in the following related activities:~~

~~(A) Direct supervisor contact.~~

~~(B) Client centered advocacy.~~

~~(C) Not more than 250 hours of experience administering tests and evaluating psychological tests of clients, writing clinical reports, writing progress notes, or writing process notes.~~

~~(D) Not more than 250 hours of verified attendance at workshops, seminars, training sessions, or conferences directly related to professional clinical counseling that are approved by the applicant's supervisor.~~

~~(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 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 pursuant to subparagraph (D) of paragraph (6) of subdivision (b), 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 remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Amend BPC §4999.47

(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. Interns and trainees shall not be employed as independent contractors, and shall not gain experience for work performed as an independent contractor, reported on an IRS Form 1099, or both.~~

(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.

Delete §4999.50.

~~(a) The board may issue a professional clinical counselor license to any person who meets all of the following requirements:~~

~~(1) He or she has received a master's or doctoral degree described in Section 4999.32 or 4999.33, as applicable.~~

~~(2) He or she has completed at least 3,000 hours of supervised experience in the practice of professional clinical counseling as provided in Section 4999.46.~~

~~(3) He or she provides evidence of a passing score, as determined by the board, on examinations designated by the board pursuant to Section 4999.52.~~

~~(b) An applicant who has satisfied the requirements of this chapter shall be issued a license as a professional clinical counselor in the form that the board may deem appropriate.~~

~~(c) The board shall begin accepting applications for examination eligibility on January 1, 2012.~~

~~(d) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4999.52.

~~(a) Except as provided in Section 4999.54, every applicant for a license as a professional clinical counselor shall be examined by the board. The board shall examine the candidate with regard to his or her knowledge and professional skills and his or her judgment in the utilization of appropriate techniques and methods.~~

~~(b) The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine.~~

~~(c) (1) It is the intent of the Legislature that national licensing examinations, such as the National Counselor Examination for Licensure and Certification (NCE) and the National Clinical Mental Health Counselor Examination (NCMHCE), be evaluated by the board as requirements for licensure as a professional clinical counselor.~~

~~(2) The board shall evaluate various national examinations in order to determine whether they meet the prevailing standards for the validation and use of licensing and certification tests in California.~~

~~(3) The Department of Consumer Affairs' Office of Professional Examination Services shall review the occupational analysis that was used for developing the national examinations in order to determine if it adequately describes the licensing group and adequately determines the tasks, knowledge, skills, and abilities the licensed professional clinical counselor would need to perform the functions under this chapter.~~

~~(4) Examinations shall measure knowledge and abilities demonstrably important to the safe, effective practice of the profession.~~

~~(5) If national examinations do not meet the standards specified in paragraph (2), the board may require a passing score on either of the following:~~

~~(A) The national examinations plus one or more board developed examinations.~~

~~(B) One or more board developed examinations.~~

~~(6) If the board decides to require a national examination specified in paragraph (1), a passing score on this examination shall be accepted by the board for a period of seven years from the date the examination was taken.~~

~~(7) If the board decides to require the examinations specified in paragraph (5), a passing score on these examinations shall be accepted by the board for a period of seven years from the date the examination was taken.~~

~~(8) The licensing examinations shall also incorporate a California law and ethics examination element that is acceptable to the board, or, as an alternative, the board may develop a separate California law and ethics examination.~~

~~(d) The board shall not deny any applicant who has submitted a complete application for examination admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.~~

~~(e) The board shall not deny any applicant whose application for licensure is complete admission to the examinations, nor shall the board postpone or delay any applicant's examinations or delay informing the candidate of the results of the examinations, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.~~

~~(f) If an applicant for examination is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the~~

~~examinations, but may notify the applicant that licensure will not be granted pending completion of the investigation.~~

~~(g) Notwithstanding Section 135, the board may deny any applicant who has previously failed an examination permission to retake that examination pending completion of the investigation of any complaints against the applicant.~~

~~(h) Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, respectively, or the application has been denied in accordance with subdivision (b) of Section 485.~~

~~(i) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.~~

~~(j) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Amend §4999.52.

(a) ~~Except as provided in Section 4999.54, every~~Every applicant for a license as a professional clinical counselor shall be examined by the board. The board shall examine the candidate with regard to his or her knowledge and professional skills and his or her judgment in the utilization of appropriate techniques and methods.

(b) The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine.

(c) The board shall not deny any applicant who has submitted a complete application for examination admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.

(d) The board shall not deny any applicant whose application for licensure is complete admission to the examinations specified by paragraph (2) of subdivision (a) of Section 4999.53, nor shall the board postpone or delay this examination for any applicant or delay informing the candidate of the results of this examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.

(e) If an applicant for the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, who has passed the California law and ethics examination, is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take this examination, but may notify the applicant that licensure will not be granted pending completion of the investigation.

(f) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the California law and ethics examination, or the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, permission to retake either examination pending completion of the investigation of any complaints against the applicant.

(g) Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, respectively, or the application has been denied in accordance with subdivision (b) of Section 485.

(h) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.

(i) On and after January 1, 2016, the examination specified by paragraph (2) of subdivision (a) of Section 4999.53 shall be passed within seven years of an applicant's initial attempt.

(j) A passing score on the clinical examination shall be accepted by the board for a period of seven years from the date the examination was taken.

(k) No applicant shall be eligible to participate in the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, if he or she fails to obtain a passing score on this examination within seven years from his or her initial attempt. If the applicant fails to obtain a passing score within seven years of initial attempt, he or she shall obtain a passing score on the current version of the California law and ethics examination in order to be eligible to retake this examination.

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

Delete §4999.54.

~~(a) Notwithstanding Section 4999.50, the board may issue a license to any person who submits an application for a license between January 1, 2011, and December 31, 2011,~~

provided that all documentation is submitted within 12 months of the board's evaluation of the application, and provided he or she meets one of the following sets of criteria:

(1) He or she meets all of the following requirements:

(A) Has a master's or doctoral degree from a school, college, or university as specified in Section 4999.32, that is counseling or psychotherapy in content. If the person's degree does not include all the graduate coursework in all nine core content areas as required by paragraph (1) of subdivision (c) of Section 4999.32, a person shall provide documentation that he or she has completed the required coursework prior to licensure pursuant to this chapter. Except as specified in clause (ii), a qualifying degree must include the supervised practicum or field study experience as required in paragraph (3) of subdivision (c) of Section 4999.32.

(i) A counselor educator whose degree contains at least seven of the nine required core content areas shall be given credit for coursework not contained in the degree if the counselor educator provides documentation that he or she has taught the equivalent of the required core content areas in a graduate program in counseling or a related area.

(ii) Degrees issued prior to 1996 shall include a minimum of 30 semester units or 45 quarter units and at least six of the nine required core content areas specified in paragraph (1) of subdivision (c) of Section 4999.32 and three semester units or four and one-half quarter units of supervised practicum or field study experience. The total number of units shall be no less than 48 semester units or 72 quarter units.

(iii) Degrees issued in 1996 and after shall include a minimum of 48 semester units or 72 quarter units and at least seven of the nine core content areas specified in paragraph (1) of subdivision (c) of Section 4999.32.

(B) Has completed all of the coursework or training specified in subdivision (e) of Section 4999.32.

(C) Has at least two years, full time or the equivalent, of postdegree counseling experience, that includes at least 1,700 hours of experience in a clinical setting supervised by a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, a licensed physician and surgeon specializing in psychiatry, a professional clinical counselor or a person who is licensed in another state to independently practice professional clinical counseling, as defined in Section 4999.20, or a master's level counselor or therapist who is certified by a national certifying or registering organization, including, but not limited to, the National Board for Certified Counselors or the Commission on Rehabilitation Counselor Certification.

(D) Has a passing score on the following examinations:

~~(i) The National Counselor Examination for Licensure and Certification or the Certified Rehabilitation Counselor Examination.~~

~~(ii) The National Clinical Mental Health Counselor Examination.~~

~~(iii) A California jurisprudence and ethics examination, when developed by the board.~~

~~(2) Is currently licensed as a marriage and family therapist in the State of California, meets the coursework requirements described in subparagraph (A) of paragraph (1), and passes the examination described in subdivision (b).~~

~~(3) Is currently licensed as a clinical social worker in the State of California, meets the coursework requirements described in subparagraph (A) of paragraph (1), and passes the examination described in subdivision (b).~~

~~(b) (1) The board and the Office of Professional Examination Services shall jointly develop an examination on the differences, if any differences exist, between the following:~~

~~(A) The practice of professional clinical counseling and the practice of marriage and family therapy.~~

~~(B) The practice of professional clinical counseling and the practice of clinical social work.~~

~~(2) If the board, in consultation with the Office of Professional Examination Services, determines that an examination is necessary pursuant to this subdivision, an applicant described in paragraphs (2) and (3) of subdivision (a) shall pass the examination as a condition of licensure.~~

~~(c) Nothing in this section shall be construed to expand or constrict the scope of practice of professional clinical counseling, as defined in Section 4999.20.~~

Delete §4999.57.

~~(a) This section applies to a person who applies for examination eligibility or registration between January 1, 2011, and December 31, 2015, inclusive, who does not hold a license described in subdivision (a) of Section 4999.58.~~

~~(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4999.40, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board.~~

~~(c) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.~~

~~(2) An applicant who completed a course that meets the requirements of subparagraph (1) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.~~

~~(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:~~

~~(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.~~

~~(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.~~

~~(3) The applicant's degree otherwise complies with this section.~~

~~(e) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4999.58.

~~(a) This section applies to a person who applies for examination eligibility between January 1, 2011, and December 31, 2015, inclusive, and who meets both of the following requirements:~~

~~(1) At the time of application, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States.~~

~~(2) Has held the license described in paragraph (1) for at least two years immediately preceding the date of application.~~

~~(b) The board may issue a license to a person described in subdivision (a) if all of the following requirements are satisfied:~~

~~(1) The education and supervised experience requirements of the other jurisdiction are substantially the equivalent of this chapter, as described in subdivision (c) and in Section 4999.46.~~

~~(2) The person complies with subdivision (b) of Section 4999.40, if applicable.~~

~~(3) The person successfully completes the examinations required by the board pursuant to paragraph (3) of subdivision (a) of Section 4999.50. An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:~~

~~(A) The applicant obtained a passing score on the national licensing examination that is required by the board.~~

~~(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.~~

~~(4) The person pays the required fees.~~

~~(c) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure by that state as a licensed professional clinical counselor. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a licensed professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.~~

~~(d) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.~~

~~(2) An applicant who completed a course that meets the requirements of subparagraph (1) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.~~

~~(e) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:~~

~~(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.~~

~~(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.~~

~~(3) The applicant's degree otherwise complies with this section.~~

~~(f) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.~~

Delete §4999.59.

~~(a) This section applies to a person who applies for examination eligibility or registration between January 1, 2011, and December 31, 2015, inclusive, who meets both of the following requirements:~~

~~(1) At the time of application, holds a valid license described in paragraph (1) of subdivision (a) of Section 4999.58.~~

~~(2) Has held the license described in paragraph (1) for less than two years immediately preceding the date of application.~~

~~(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4999.40, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure in that state as a professional clinical counselor. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a licensed professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.~~

~~(c) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.~~

~~(2) An applicant who completed a course that meets the requirements of subparagraph (1) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.~~

~~(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:~~

~~(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.~~

~~(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.~~

~~(3) The applicant's degree otherwise complies with this section.~~

~~(e) An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:~~

~~(1) The applicant obtained a passing score on the national licensing examination that is required by the board.~~

~~(2) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.~~

~~(f) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.~~

Amend §4999.60.

(a) This section applies to persons who are licensed outside of California and apply for examination eligibility on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4999.63.

(2) The applicant complies with subdivision ~~(b)~~(c) of Section 4999.40, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours if the applicant's degree meets the practicum requirement described in subparagraph (C) of paragraph (1) of subdivision (b) of Section 4999.63 without exemptions or remediation.

(4) The applicant passes the examinations required to obtain a license under this chapter. 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 if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

Amend §4999.61.

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision ~~(b)~~(c) of Section 4999.40, if applicable.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

Delete §4999.100.

~~(a) An intern registration shall expire one year from the last day of the month in which it was issued.~~

~~(b) To renew a registration, the registrant shall, on or before the expiration date of the registration, do the following:~~

~~(1) Apply for a 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, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the registrant's last renewal.~~

~~(c) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.~~

Amend §4999.120.

The board shall assess fees for the application for and the issuance and renewal of licenses and for the registration of interns to cover administrative and operating expenses of the board related to this chapter. Fees assessed pursuant to this section shall not exceed the following:

(a) The fee for the application for examination eligibility shall be up to two hundred fifty dollars (\$250).

(b) The fee for the application for intern registration shall be up to one hundred fifty dollars (\$150).

(c) The fee for the application for licensure shall be up to one hundred eighty dollars (\$180).

(d) The fee for the board-administered clinical examination, if the board chooses to adopt this examination in regulations, shall be up to two hundred fifty dollars (\$250).

(e) The fee for the law and ethics examination shall be up to one hundred fifty dollars (\$150).

~~(f) The fee for the examination described in subdivision (b) of Section 4999.54 shall be up to one hundred dollars (\$100).~~

~~(g)~~ The fee for the issuance of a license shall be up to two hundred fifty dollars (\$250).

~~(h)~~ The fee for annual renewal of an intern registration shall be up to one hundred fifty dollars (\$150).

~~(i)~~ The fee for two-year renewal of licenses shall be up to two hundred fifty dollars (\$250).

~~(j)~~ The fee for issuance of a retired license shall be forty dollars (\$40).

~~(k)~~ The fee for rescoring an examination shall be twenty dollars (\$20).

~~(l)~~ The fee for issuance of a replacement license or registration shall be twenty dollars (\$20).

~~(m)~~ The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

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To: Board Members

Date: November 7, 2015

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: Acceptance of Accreditation Agencies

Background

Current LMFT licensing law (Business and Professions Code (BPC) §§ 4980.36 and 4980.37) require the qualifying degree be obtained from a school, college or university that is approved by the state Bureau for Private Postsecondary Education, or accredited by either the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) or by a regional accrediting agency that is recognized by the United States Department of Education (USDE).

LPCC licensing law also requires the qualifying degree be obtained from an accredited or approved school. It defines “accredited” as a school, college, or university that is accredited by the Western Association of Schools and Colleges, or its equivalent regional accrediting association. (BPC §4999.12(b))

Both LMFT and LPCC law gives the Board the discretion to make the final determination as to whether a degree meets all requirements, regardless of accreditation or approval. (BPC §§4980.36(b), 4980.37(b), 4999.32(d), 4999.33(f))

Summary of the Problem

Board staff believes that it may be helpful to revise the definition of an “accredited” school in statute.

Currently, the statute references a regional accrediting agency recognized by the USDE as acceptable. However, the USDE does not recognize a specific category of regional-only accrediting agencies. Instead, the USDE recognizes two basic categories of accreditation, as follows:

1. Regional and National Institutional Accrediting Agencies; and
2. Specialized Accrediting Agencies.

Recently, the Board received an application from The Seattle School of Theology and Psychology (The Seattle School), which offers a Masters of Arts in Counseling Psychology. The degree program meets the Board's educational requirements. However, the school is accredited by the Commission on Accrediting of the Association of Theological Schools (ATS) and the Transnational Association of Christian Colleges and Schools (TRACS).

Historically, the Board would have rejected the application, due to the fact that BPC §§4980.36 and 4980.37 state that the degree program must be accredited by a regional accrediting agency that is recognized by the USDE. The Board has interpreted this phrase to mean that the school must be accredited by a regional accrediting agency such as the Western Association of Schools and Colleges (WASC) or a similar regional entity.

Upon further research, staff learned that TRACS is recognized by USDE as a "regional and national institutional accrediting agency," and ATS is recognized by USDE as a "specialized accrediting agency." Due to that and the fact that the degree met all educational requirements, the application was ultimately accepted using the Board's "discretion to make the final determination" clause in law.

However, this case demonstrates that the law could be clarified by better aligning the definition of an "accredited" school with USDE's definition.

USDE Accreditation

Attachment B contains the USDE's FAQs about accreditation. It explains that there are two types of accreditation, "institutional" accreditation (categorized by USDE as "regional and national institutional accrediting agencies") and "specialized" or "programmatic" accreditation (categorized by USDE as "specialized accrediting agencies").

"Institutional" accreditation usually applies to the entire educational institution, while "specialized" accreditation usually applies to specific programs within an institution.

Attachment C contains the USDE's listing of its recognized regional and national institutional accrediting agencies. This list includes the regional accrediting agencies, such as WASC, but also includes agencies that do not fit the definition of "regional" entities, such as TRACS.

Attachment D contains the USDE's listing of its recognized specialized accrediting agencies. This list is much more extensive, and contains agencies that accredit programs for various specialized professions.

Proposed Amendments

Staff recommends that the Board consider accepting a degree from a program accredited by a "regional or national institutional accrediting agency" that is recognized by the USDE, rather than simply referring to a USDE-recognized regional accrediting entity. This amendment would make Board's statute consistent with the categories that USDE recognizes.

The amendment would need to be made in BPC sections 4980.36 and 4980.37 (LMFT degree program requirements), BPC sections 4980.78 and 4980.79 (LMFT education requirements for out-of state applicants) and BPC section 4999.12 (LPCC definition of an accredited school).

In addition, staff recommends deleting BPC section 4980.40.5. This section was put in place in 2009 when the State of California's Bureau for Private Postsecondary Education (BPPE) had been sunset. The BPPE is no longer sunsetted, and therefore this section is no longer used.

The proposed amendments are shown in **Attachment A**.

Policy and Advocacy Committee

At its October 30, 2015 meeting, the Policy and Advocacy Committee recommended that the Board sponsor legislation to make the proposed changes.

Recommendation

Conduct an open discussion about the proposed language shown in **Attachment A**. Direct staff to make any discussed changes, as well as any non-substantive changes to the proposed language, and submit to the Legislature as a bill proposal.

Attachments

Attachment A: Proposed Language

Attachment B: U.S. Department of Education: FAQs about Accreditation

Attachment C: U.S. Department of Education Regional and National Institutional Accrediting Agencies

Attachment D: U.S. Department of Education Specialized Accrediting Agencies

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ATTACHMENT A PROPOSED LANGUAGE

AMEND §4980.36 QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; BEGINNING GRADUATE STUDY AFTER AUGUST 1, 2012 OR COMPLETING GRADUATE STUDY AFTER DECEMBER 31, 2018

(a) This section shall apply to the following:

(1) Applicants for licensure or registration who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018.

(2) Applicants for licensure or registration who begin graduate study before August 1, 2012, and who graduate from a degree program that meets the requirements of this section.

(3) Applicants for licensure or registration who begin graduate study on or after August 1, 2012.

(b) To qualify for a license or registration, applicants shall possess a doctoral or master's degree meeting the requirements of this section in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university approved by the Bureau for Private Postsecondary Education, or accredited by either the Commission on Accreditation for Marriage and Family Therapy Education, or a regional [or national institutional](#) accrediting agency that is recognized by the United States Department of Education. 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 accreditation or approval.

(c) A doctoral or master's degree program that qualifies for licensure or registration shall do the following:

(1) Integrate all of the following throughout its curriculum:

(A) Marriage and family therapy principles.

(B) The principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, among others.

(C) An understanding of various cultures and the social and psychological implications of socioeconomic position, and an understanding of how poverty and social stress impact an individual's mental health and recovery.

(2) Allow for innovation and individuality in the education of marriage and family therapists.

(3) Encourage students to develop the personal qualities that are intimately related to effective practice, including, but not limited to, integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(4) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(5) Provide students with the opportunity to meet with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(d) The degree described in subdivision (b) shall contain no less than 60 semester or 90 quarter units of instruction that includes, but is not limited to, the following requirements:

(1) Both of the following:

(A) No less than 12 semester or 18 quarter units of coursework in theories, principles, and methods of a variety of psychotherapeutic orientations directly related to marriage and family therapy and marital and family systems approaches to treatment and how these theories can be applied therapeutically with individuals, couples, families, adults, including elder adults, children, adolescents, and groups to improve, restore, or maintain healthy relationships.

(B) Practicum that involves direct client contact, as follows:

(i) A minimum of six semester or nine quarter units of practicum in a supervised clinical placement that provides supervised fieldwork experience.

(ii) A minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(iii) A student must be enrolled in a practicum course while counseling clients, except as specified in subdivision (c) of Section 4980.42.

(iv) The practicum shall provide training in all of the following areas:

(l) Applied use of theory and psychotherapeutic techniques.

(II) Assessment, diagnosis, and prognosis.

(III) Treatment of individuals and premarital, couple, family, and child relationships, including trauma and abuse, dysfunctions, healthy functioning, health promotion, illness prevention, and working with families.

(IV) Professional writing, including documentation of services, treatment plans, and progress notes.

(V) How to connect people with resources that deliver the quality of services and support needed in the community.

(v) Educational institutions are encouraged to design the practicum required by this subparagraph to include marriage and family therapy experience in low income and multicultural mental health settings.

(vi) In addition to the 150 hours required in clause (ii), 75 hours of either of the following, or a combination thereof:

(I) Client centered advocacy, as defined in Section 4980.03.

(II) Face-to-face experience counseling individuals, couples, families, or groups.

(2) Instruction in all of the following:

(A) Diagnosis, assessment, prognosis, and treatment of mental disorders, including severe mental disorders, evidence-based practices, psychological testing, psychopharmacology, and promising mental health practices that are evaluated in peer reviewed literature.

(B) Developmental issues from infancy to old age, including instruction in all of the following areas:

(i) The effects of developmental issues on individuals, couples, and family relationships.

(ii) The psychological, psychotherapeutic, and health implications of developmental issues and their effects.

(iii) Aging and its biological, social, cognitive, and psychological aspects. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(iv) A variety of cultural understandings of human development.

(v) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.

(vi) The understanding of human behavior within the social context of a representative variety of the cultures found within California.

(vii) The understanding of the impact that personal and social insecurity, social stress, low educational levels, inadequate housing, and malnutrition have on human development.

(C) The broad range of matters and life events that may arise within marriage and family relationships and within a variety of California cultures, including instruction in all of the following:

(i) 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.

(ii) Spousal or partner abuse assessment, detection, intervention strategies, and same gender abuse dynamics.

(iii) Cultural factors relevant to abuse of partners and family members.

(iv) Childbirth, child rearing, parenting, and stepparenting.

(v) Marriage, divorce, and blended families.

(vi) Long-term care.

(vii) End of life and grief.

(viii) Poverty and deprivation.

(ix) Financial and social stress.

(x) Effects of trauma.

(xi) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (x), inclusive.

(D) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.

(E) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.

(F) The effects of socioeconomic status on treatment and available resources.

(G) Resilience, including the personal and community qualities that enable persons to cope with adversity, trauma, tragedy, threats, or other stresses.

(H) Human sexuality, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment and treatment of psychosexual dysfunction.

(I) Substance use disorders, co-occurring disorders, and addiction, including, but not limited to, instruction in all of the following:

(i) The definition of substance use disorders, co-occurring disorders, and addiction. For purposes of this subparagraph, “co-occurring disorders” means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.

(ii) Medical aspects of substance use disorders and co-occurring disorders.

(iii) The effects of psychoactive drug use.

(iv) Current theories of the etiology of substance abuse and addiction.

(v) The role of persons and systems that support or compound substance abuse and addiction.

(vi) Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including, but not limited to, best practices.

(vii) Legal aspects of substance abuse.

(viii) Populations at risk with regard to substance use disorders and co-occurring disorders.

(ix) Community resources offering screening, assessment, treatment, and followup for the affected person and family.

(x) Recognition of substance use disorders, co-occurring disorders, and addiction, and appropriate referral.

(xi) The prevention of substance use disorders and addiction.

(J) California law and professional ethics for marriage and family therapists, including instruction in all of the following areas of study:

(i) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the scope of practice of marriage and family therapy.

(ii) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including, but not limited to, family law.

(iii) The current legal patterns and trends in the mental health professions.

(iv) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(v) 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.

(vi) Differences in legal and ethical standards for different types of work settings.

(vii) Licensing law and licensing process.

(e) The degree described in subdivision (b) shall, in addition to meeting the requirements of subdivision (d), include instruction in case management, systems of care for the severely mentally ill, public and private services and supports available for the severely mentally ill, community resources for persons with mental illness and for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. This instruction may be provided either in credit level coursework or through extension programs offered by the degree-granting institution.

(f) The changes made to law by this section are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice, and are not intended to expand or restrict the scope of practice for marriage and family therapists.

AMEND §4980.37. QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; BEGINNING GRADUATE STUDY BEFORE AUGUST 1, 2012 AND COMPLETING GRADUATE STUDY BEFORE DECEMBER 31, 2018

(a) This section shall apply to applicants for licensure or registration who begin graduate study before August 1, 2012, and complete that study on or before December 31, 2018. Those applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4980.36.

(b) To qualify for a license or registration, applicants shall possess a doctor's or master's degree in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university accredited by a regional [or national institutional](#) accrediting agency that is recognized by the United

States Department of Education or approved by the Bureau for Private Postsecondary Education. 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 accreditation or approval. In order to qualify for licensure pursuant to this section, a doctor's or master's degree program shall be a single, integrated program primarily designed to train marriage and family therapists and shall contain no less than 48 semester or 72 quarter units of instruction. This instruction shall include no less than 12 semester units or 18 quarter units of coursework in the areas of marriage, family, and child counseling, and marital and family systems approaches to treatment. The coursework shall include all of the following areas:

- (1) The salient theories of a variety of psychotherapeutic orientations directly related to marriage and family therapy, and marital and family systems approaches to treatment.
- (2) Theories of marriage and family therapy and how they can be utilized in order to intervene therapeutically with couples, families, adults, children, and groups.
- (3) Developmental issues and life events from infancy to old age and their effect on individuals, couples, and family relationships. This may include coursework that focuses on specific family life events and the psychological, psychotherapeutic, and health implications that arise within couples and families, including, but not limited to, childbirth, child rearing, childhood, adolescence, adulthood, marriage, divorce, blended families, stepparenting, abuse and neglect of older and dependent adults, and geropsychology.
- (4) A variety of approaches to the treatment of children.

The board shall, by regulation, set forth the subjects of instruction required in this subdivision.

(c) (1) In addition to the 12 semester or 18 quarter units of coursework specified in subdivision (b), the doctor's or master's degree program shall contain not less than six semester or nine quarter units of supervised practicum in applied psychotherapeutic technique, assessments, diagnosis, prognosis, and treatment of premarital, couple, family, and child relationships, including dysfunctions, healthy functioning, health promotion, and illness prevention, in a supervised clinical placement that provides supervised fieldwork experience within the scope of practice of a marriage and family therapist.

(2) For applicants who enrolled in a degree program on or after January 1, 1995, the practicum shall include a minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(3) The practicum hours shall be considered as part of the 48 semester or 72 quarter unit requirement.

(d) As an alternative to meeting the qualifications specified in subdivision (b), the board shall accept as equivalent degrees those master's or doctor's degrees granted by educational institutions whose degree program is approved by the Commission on Accreditation for Marriage and Family Therapy Education.

(e) In order to provide an integrated course of study and appropriate professional training, while allowing for innovation and individuality in the education of marriage and family therapists, a degree program that meets the educational qualifications for licensure or registration under this section shall do all of the following:

(1) Provide an integrated course of study that trains students generally in the diagnosis, assessment, prognosis, and treatment of mental disorders.

(2) Prepare students to be familiar with the broad range of matters that may arise within marriage and family relationships.

(3) Train students specifically in the application of marriage and family relationship counseling principles and methods.

(4) Encourage students to develop those personal qualities that are intimately related to the counseling situation such as integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(5) Teach students a variety of effective psychotherapeutic techniques and modalities that may be utilized to improve, restore, or maintain healthy individual, couple, and family relationships.

(6) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(7) Prepare students to be familiar with cross-cultural mores and values, including a familiarity with the wide range of racial and ethnic backgrounds common among California's population, including, but not limited to, Blacks, Hispanics, Asians, and Native Americans.

(f) Educational institutions are encouraged to design the practicum required by this section to include marriage and family therapy experience in low income and multicultural mental health settings.

(g) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

DELETE §4980.40.5. EDUCATIONAL REQUIREMENTS FOR MARRIAGE AND FAMILY THERAPIST; BUREAU FOR PRIVATE POSTSECONDARY EDUCATION AND EQUIVALENT DEGREES

~~(a) A doctoral or master's degree in marriage, family, and child counseling, marital and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling, or marriage and family therapy, obtained from a school, college, or university approved by the Bureau for Private Postsecondary Education as of June 30, 2007, shall be considered by the board to meet the requirements necessary for licensure as a marriage and family therapist and for registration as a marriage and family therapist intern provided that the degree is conferred on or before July 1, 2010.~~

~~(b) As an alternative to meeting the qualifications specified in subdivision (a) of Section 4980.40, the board shall accept as equivalent degrees those doctoral or master's degrees that otherwise meet the requirements of this chapter and are conferred by educational institutions accredited by any of the following associations:~~

~~(1) Northwest Commission on Colleges and Universities.~~

~~(2) Middle States Association of Colleges and Secondary Schools.~~

~~(3) New England Association of Schools and Colleges.~~

~~(4) North Central Association of Colleges and Secondary Schools.~~

~~(5) Southern Association of Colleges and Schools.~~

AMEND §4980.78. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS NOT LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by ~~an~~ regional or national institutional accrediting agency that is recognized by the United States Department of Education and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester units or 72 quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, or a combination of face-to-face counseling and client-centered advocacy.

(D) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) The applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81, that did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, 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 relating 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 licensing process. This coursework shall be completed prior to registration as an intern.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or

from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in his or her education while registered as an intern, unless otherwise specified.

(6) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

AMEND §4980.79. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.72, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by [ana regional or national institutional](#) accrediting agency recognized by the United States Department of Education and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester or 72 quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, or a combination of face-to-face counseling and client-centered advocacy.

(i) An out-of-state applicant who has been licensed for at least two years in clinical practice, as verified by the board, is exempt from this requirement.

(ii) An out-of-state applicant who has been licensed for less than two years in clinical practice, as verified by the board, who does not meet the practicum requirement, shall remediate it by obtaining 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, or a combination of face-to-face counseling and client-centered advocacy. These hours are in addition to the 3,000 hours of experience required by this chapter, and shall be gained while registered as an intern.

(D) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) An applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 that did not include instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, 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 relating 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 licensing process. This coursework shall be completed prior to registration as an intern.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall include content specific to California law and ethics. An applicant shall complete this coursework prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an

accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) above, from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate coursework shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction pertaining to the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

(6) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in his or her education while registered as an intern, unless otherwise specified.

AMEND §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 a regional accrediting association or national institutional accrediting agency that is recognized by the United States Department of Education.](#)

(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.

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The Database of Accredited Postsecondary Institutions and Programs

OFFICE OF POSTSECONDARY EDUCATION

FAQs about Accreditation

[Back to Home](#)

What is accreditation?

Accreditation is the recognition that an institution maintains standards requisite for its graduates to gain admission to other reputable institutions of higher learning or to achieve credentials for professional practice. The goal of accreditation is to ensure that education provided by institutions of higher education meets acceptable levels of quality.

What are accrediting agencies?

Accrediting agencies are organizations (or bodies) that establish operating standards for educational or professional institutions and programs, determine the extent to which the standards are met, and publicly announce their findings.

Are there different types of accreditation?

There are two basic types of educational accreditation, one identified as "institutional" and one referred to as "specialized" or "programmatic." Institutional accreditation normally applies to an entire institution, indicating that each of an institution's parts is contributing to the achievement of the institution's objectives, although not necessarily all at the same level of quality. Specialized accreditation normally applies to the evaluation of programs, departments, or schools which usually are parts of a total collegiate or other postsecondary institution. The unit accredited may be as large as a college or school within a university or as small as a curriculum within a discipline. Most of the specialized accrediting agencies review units within a postsecondary institution which is accredited by one of the regional accrediting commissions. However, certain of the specialized accrediting agencies accredit professional schools and other specialized or vocational or other postsecondary institutions which are free-standing in their operations. Thus, a "specialized" or "programmatic" accrediting agency may also function in the capacity of an "institutional" accrediting agency. In addition, a number of specialized accrediting agencies accredit educational programs within non-educational settings, such as hospitals.

Can the institutional accreditation system be used to determine whether my credit hours will transfer or what courses will satisfy my professional license renewal?

Accreditation does not provide automatic acceptance by an institution of credit earned at another institution, nor does it give assurance of acceptance of graduates by employers. Acceptance of students or graduates is always the prerogative of the receiving institution or employer. For these reasons, besides ascertaining the accredited status of a school or program, students should take additional measures to determine, prior to enrollment, whether or not their educational goals will be met through attendance at a particular institution. These measures should include inquiries to institutions to which transfer might be desired or to prospective employers and, if possible, personal inspection of the institution at which enrollment is contemplated.

Is every accrediting agency included in the database?


Only agencies that are recognized by the U.S. Department of Education are included in this database.

[Click here for more information about Accreditation in the U.S.](#)

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Accreditation in the United States

Regional and National Institutional Accrediting Agencies

The following regional and national accrediting agencies are recognized by the Secretary as reliable authorities concerning the quality of education or training offered by the institutions of higher education or higher education programs they accredit.

The dates specified for each entry are (1) the date of initial listing as a nationally recognized accrediting agency, (2) the date of the most recent review for renewed recognition of the agency by Department staff and by the NACIQI, and (3) the date of the next scheduled review of the agency's compliance report or full petition for renewal of recognition. (Note: S=Spring NACIQI meeting; F=Fall NACIQI meeting; C= Compliance Report)

Unless otherwise noted in a Title IV note after the agency's name, accreditation by an agency listed below may be used by an institution accredited by the agency to establish eligibility to participate in Title IV programs. Since December 1999, the Department has been routinely including distance education (defined at the time to include correspondence education) in its in-depth review of all agencies seeking initial or continued recognition. Consequently, all recognition decisions made after December 1, 1999 and prior to July 2010 include a determination as to whether an agency's scope of recognition includes the accreditation of distance education. Beginning in July 2010, at each review for renewal of recognition, an agency will be expected to demonstrate its evaluation of distance education and/or correspondence education in order to retain distance education and/or correspondence education in its scope of recognition.

Accrediting Commission of Career Schools and Colleges

1967/2011/S2016

Scope of recognition: the accreditation of postsecondary, non-degree-granting institutions and degree-granting institutions in the United States, including those granting associate, baccalaureate and master's degrees, that are predominantly organized to educate students for occupational, trade and technical careers, and including institutions that offer programs via distance education.

How Do I Find...

- Student loans, forgiveness (<http://www2.ed.gov/fund/grants-college.html?src=rn>)
- College accreditation (<http://ope.ed.gov/accreditation/>)
- No Child Left Behind (<http://www2.ed.gov/nclb/landing.jhtml?src=rn>)
- FERPA (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>)
- FAFSA (<http://fafsa.ed.gov/>)
- 2015 Budget Proposal (<http://www.ed.gov/budget15>)

More >

(<http://www2.ed.gov/about/top-tasks.html?src=rn>)

Information About...

- Transforming Teaching (<http://www.ed.gov>)

Michale McComis, Executive Director
 2101 Wilson Boulevard, Suite 302
 Arlington, Virginia 22201
 Tel. (703) 247-4212, Fax (703) 247-4533
 E-mail address: mccomis@accsc.org (<mailto:mccomis@accsc.org>)
 Web address: <http://www.accsc.org/> (<http://www.accsc.org/>)

Accrediting Council for Continuing Education and Training

1978/2013/S2018

Scope of recognition: the accreditation throughout the United States of institutions of higher education that offer continuing education and vocational programs that confer certificates or occupational associate degrees, including those programs offered via distance education.

Title IV Note: *Only those institutions classified by this agency as "vocational " may use accreditation by the agency to establish eligibility to participate in Title IV programs.*

William V. Larkin, Executive Director
 1722 N Street, NW
 Washington, DC 20036
 Tel. (202) 955-1113, Fax (202) 955-1118
 E-mail address: wvlarkin@accet.org (<mailto:wvlarkin@accet.org>)
 Web address: <http://www.accet.org/> (<http://www.accet.org/>)

Accrediting Council for Independent Colleges and Schools

1956/2013/S2016

Scope of recognition: the accreditation of private postsecondary institutions offering certificates or diplomas, and postsecondary institutions offering associate, bachelor's, or master's degrees in programs designed to educate students for professional, technical, or occupational careers, including those that offer those programs via distance education.

Albert C. Gray
 Executive Director and Chief Executive Officer
 750 First Street, NE, Suite 980
 Washington, DC 20002-4242
 Tel. (202) 336-6780, Fax (202) 842-2593
 E-mail address: agray@acics.org (<mailto:agray@acics.org>)
 Web address: <http://www.acics.org/> (<http://www.acics.org/>)

Council on Occupational Education

1969/2013/S2016

Scope of recognition: the accreditation and preaccreditation ("Candidacy Status") throughout the United States of postsecondary occupational education institutions offering non-degree and applied associate degree programs in specific career and technical education fields, including institutions that offer programs via distance education.

Gary Puckett, Executive Director
 7840 Roswell Road, Building 300, Suite 325
 Atlanta, Georgia 30350
 Tel. (770) 396-3898, (800) 917-2081, Fax (770) 396-3790
 E-mail address: puckettg@council.org (<mailto:puckettg@council.org>)
 Web address: <http://www.council.org/> (<http://www.council.org/>)

/teaching)

- Family and Community Engagement (<http://www.ed.gov/family-and-community-engagement>)
- Early Learning (<http://www.ed.gov/early-learning>)
- K-12 Reforms (<http://www.ed.gov/k-12reforms>)

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(<http://www.ed.gov/priorities>)

Related Topics

No Related Topics Found

Distance Education Accrediting Commission

1959/2012/S2017

Scope of recognition: the accreditation of postsecondary institutions in the United States that offer degree and/or non-degree programs primarily by the distance or correspondence education method up to and including the professional doctoral degree, including those institutions that are specifically certified by the agency as accredited for Title IV purposes.

Title IV Note: *Only accredited institutions that are certified by the agency as accredited for Title IV purposes may use accreditation by this agency to establish eligibility of its degree and/or non-degree programs to participate in Title IV programs.*

Leah K. Matthews, Executive Director

1101 17th Street NW, Suite 808

Washington, DC 20036

Tel. (202) 234-5100, Fax (202) 332-1386

E-mail address: info@deac.org (<mailto:info@deac.org>)

Web address: <http://www.deac.org/> (<http://www.deac.org/>)

Middle States Commission on Higher Education

1952/2012/F2017

Scope of recognition: the accreditation and preaccreditation ("Candidacy status") of institutions of higher education in Delaware, the District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, and the U.S. Virgin Islands, including distance and correspondence education programs offered at those institutions.

Elizabeth H. Sibolski, President

3624 Market Street

Philadelphia, Pennsylvania 19104

Tel. (267) 284-5000, Fax (215) 662-5950

E-mail address: info@msche.org (<mailto:info@msche.org>)

Web address: <http://www.msche.org/> (<http://www.msche.org/>)

Middle States Commission on Secondary Schools

2004/2014/S2017

Scope of recognition: the accreditation of institutions with postsecondary, non-degree granting career and technology programs in Delaware, Maryland, New Jersey, New York, Pennsylvania, the Commonwealth of Puerto Rico, the District of Columbia, and the U.S. Virgin Islands to include the accreditation of postsecondary, non-degree granting institutions that offer all or part of their educational programs via distance education modalities..

Title IV Note: *Only those vocational/technical schools accredited by this agency that offer non-degree, postsecondary education may use that accreditation to establish eligibility to participate in Title IV programs.*

Henry Cram, President

3624 Market Street, 2 West

Philadelphia, Pennsylvania 19104-2680

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Web address: <http://www.msa-cess.org/> (<http://www.msa-cess.org/>)

New England Association of Schools and Colleges, Commission on Institutions of Higher Education

1952/2015/F2017

Scope of recognition: the accreditation and pre-accreditation ("Candidacy status") of

institutions of higher education in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont that award bachelor's, master's, and/or doctoral degrees and associate degree-granting institutions in those states that include degrees in liberal arts or general studies among their offerings, including the accreditation of programs offered via distance education within these institutions..

Barbara E. Brittingham, President
 3 Burlington Woods Drive, Suite 100
 Burlington, Massachusetts 01803-4514
 Tel. (781) 425-7700, Fax (781) 425-1001
 E-mail address: bbrittingham@neasc.org (<mailto:bbrittingham@neasc.org>)
 Web address: <https://cihe.neasc.org/> (<https://cihe.neasc.org/>)

New York State Board of Regents, and the Commissioner of Education

1952/2012/F2017

Scope of recognition: the accreditation of those degree-granting institutions of higher education in New York, including distance education offered by those institutions, that designate the agency as their sole or primary nationally recognized accrediting agency for purposes of establishing eligibility to participate in HEA programs.

Elizabeth Berlin, Acting Commissioner of Education
 State Education Department
 The University of the State of New York
 89 Washington Avenue
 Albany, New York 12234
 Tel. (518) 474-5844 Fax (518) 473-4909
 E-Mail address: beth.berlin@nysed.gov (<mailto:beth.berlin@nysed.gov>)
 Web address: <http://www.nysed.gov/> (<http://www.nysed.gov/>)

North Central Association of Colleges and Schools, The Higher Learning Commission

1952/2013/S2015-C

Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of degree-granting institutions of higher education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Wyoming, including the tribal institutions and the accreditation of programs offered via distance education and correspondence education within these institutions. This recognition extends to the Institutional Actions Council jointly with the Board of Trustees of the Commission for decisions on cases for continued accreditation or reaffirmation, and continued candidacy, and to the Appeals Body jointly with the Board of Trustees of the Commission for decisions related to initial candidacy or accreditation or reaffirmation of accreditation.

Barbara Gellman-Danley, President
 230 South LaSalle Street, Suite 7-500
 Chicago, Illinois 60604-1413
 Tel. (312) 263-0456, (800) 621-7440, Fax (312) 263-7462
 E-mail address: bgdanley@hlcommission.org (<mailto:bgdanley@hlcommission.org>)
 Web address: <http://www.hlcommission.org/> (<http://www.hlcommission.org/>)

Northwest Commission on Colleges and Universities

1952/2013/F2015-C

Scope of recognition: the accreditation and pre-accreditation ("Candidacy status") of

postsecondary degree-granting educational institutions in Alaska, Idaho, Montana, Nevada, Oregon, Utah, and Washington, and the accreditation of programs offered via distance education within these institutions.

Sandra E. Elman, President
8060 165th Avenue, NE, Suite 100
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Southern Association of Colleges and Schools, Commission on Colleges

1952/2014/S2017

Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of degree-granting institutions of higher education in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia, including the accreditation of programs offered via distance and correspondence education within these institutions. This recognition extends to the SACSCOC Board of Trustees and the Appeals Committee of the College Delegate Assembly on cases of initial candidacy or initial accreditation and for continued accreditation or candidacy.

Belle S. Wheelan, President
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Web address: <http://www.sacscoc.org/> (<http://www.sacscoc.org/>)

Transnational Association of Christian Colleges and Schools, Accreditation Commission

1991/2013/S2016

Scope of recognition: the accreditation and preaccreditation ("Candidate" status) of Christian postsecondary institutions in the United States that offer certificates, diplomas, and associate, baccalaureate, and graduate degrees, including institutions that offer distance education.

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15935 Forest Road
Forest, Virginia 24551
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Web address: <http://www.tracs.org/> (<http://www.tracs.org/>)

Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges

1952/2013/F2015-C

Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of community and other colleges with a primarily pre-baccalaureate mission located in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and the Republic of the Marshall Islands, which offer certificates, associate degrees, and the first baccalaureate degree by means of a substantive change review offered by institutions that are already

accredited by the agency, and such programs offered via distance education and correspondence education at these colleges. This recognition also extends to the Committee on Substantive Change of the Commission, for decisions on substantive changes, and the Appeals Panel.

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 Novato, California 94949
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 E-mail address: accjc@accjc.org (<mailto:accjc@accjc.org>)
 Web address: <http://www.accjc.org/> (<http://www.accjc.org/>)


Western Association of Schools and Colleges, Senior Colleges and University Commission

1952/2012/F2017

Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of senior colleges and universities in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands and the Republic of the Marshall Islands, including distance education programs offered at those institutions.

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 Web address: <http://www.wascsenior.org/> (<http://www.wascsenior.org/>)

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Accreditation in the United States

Specialized Accrediting Agencies

The dates specified for each entry are the date of initial listing as a recognized agency, the date of the Secretary's most recent grant of renewed recognition, and the date of the agency's next scheduled review for renewal of recognition by the National Advisory Committee on Institutional Quality and Integrity. (Note: S = Spring meeting; F = Fall meeting; C=Compliance Report)

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ARTS AND HUMANITIES

National Association of Schools of Art and Design, Commission on Accreditation

1966/2014/F2017

Scope of recognition: for the accreditation throughout the United States of freestanding institutions and units offering art/design and art/design-related programs (both degree- and non-degree-granting), including those offered via distance education.

Title IV Note: *Only freestanding schools or colleges of art and design may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Karen P. Moynahan, Executive Director

11250 Roger Bacon Drive, Suite 21

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Tel. (703) 437-0700, Fax (703) 437-6312

E-mail address: info@arts-accredit.org (<mailto:info@arts-accredit.org>)

Web address: <http://www.arts-accredit.org/> (<http://www.arts-accredit.org/>)

National Association of Schools of Dance, Commission on Accreditation

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- 2015 Budget Proposal (<http://www.ed.gov/budget15>)

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(<http://www2.ed.gov/about/top-tasks.html?src=rn>)

Information About...

- Transforming Teaching (<http://www.ed.gov>)

1983/2015/S2019

Scope of recognition: the accreditation throughout the United States of freestanding institutions that offer dance and dance-related programs (both degree and non-degree-granting), including those offered via distance education.

Title IV Note: *Only freestanding schools or colleges of dance may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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National Association of Schools of Music, Commission on Accreditation,

1952/2015/S2019

Scope of recognition: the accreditation throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting), including those offered via distance education.

Title IV Note: *Only freestanding schools or colleges of music may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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National Association of Schools of Theatre, Commission on Accreditation

1982/2015/S2019
> Scope of recognition: the accreditation throughout the United States of freestanding institutions that offer theatre and theatre-related programs (both degree and non-degree-granting), including those offered via distance education.

Title IV Note: *Only freestanding schools or colleges of theatre may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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EDUCATION TRAINING

Montessori Accreditation Council for Teacher Education

1995/2013/F2015

Scope of recognition: The accreditation of Montessori teacher education institutions and programs throughout the United States, including those offered via distance education.

Title IV Note: *Only freestanding Montessori teacher education schools may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

/teaching)

- Family and Community Engagement (<http://www.ed.gov/family-and-community-engagement>)
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Rebecca Pelton, President
 Montessori Accreditation Council for Teacher Education
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 E-mail address: rebecca@macte.org (mailto:rebecca@macte.org)
 Web address: <http://www.macte.org/> (<http://www.macte.org/>)

National Council for Accreditation of Teacher Education

1952/2006/S2014

Scope of recognition: the accreditation throughout the United States of professional education units providing baccalaureate and graduate degree programs for the preparation of teachers and other professional personnel for elementary and secondary schools, including programs offering distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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 Tel. (202) 466-7496, Fax (202) 296-6620
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 Web address: [ncate.org](http://www.ncate.org/) (<http://www.ncate.org/>)

Teacher Education Accreditation Council, Accreditation Committee

2003/2005/S2014

Scope of recognition: for the accreditation and pre-accreditation throughout the United States of professional teacher education programs in institutions offering baccalaureate and graduate degrees for the preparation of K-12 teachers.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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LEGAL

American Bar Association, Council of the Section of Legal Education and Admissions to the Bar

1952/2013/S2016

Scope of recognition: the accreditation throughout the United States of programs in legal education that lead to the first professional degree in law, including those offered via distance education, as well as freestanding law schools offering such programs.

This recognition also extends to the Accreditation Committee of the Section of Legal Education (Accreditation Committee) for decisions involving continued accreditation (referred to by the agency as "approval") of law schools.

Title IV Note: *Only freestanding law schools may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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 Managing Director, Accreditation and Legal Education
 ABA Section of Legal Education and Admissions to the Bar
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 Tel. (312) 988-6744, Fax (312) 988-5681
 E-mail address: barry.currier@americanbar.org
 (<mailto:barry.currier@americanbar.org>)
 Web address: www.abanet.org/legaled/ (<http://www.abanet.org/legaled/>)

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COMMUNITY AND SOCIAL SERVICES

Association for Biblical Higher Education, Commission on Accreditation

1952/2014/S2017

Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation"), at the undergraduate level, of institutions of biblical higher education in the United States offering both campus-based and distance education instructional programs.

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 Director, Commission on Accreditation
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 Web address: [abhe.abhe.org](http://www.abhe.org/) (<http://www.abhe.org/>)

Association for Clinical Pastoral Education, Inc., Accreditation Commission

1969/2013/S2017

Scope of recognition: the accreditation of both clinical pastoral education (CPE) centers and CPE and Supervisory CPE programs located within the United States and territories.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

Trace Haythorn, Executive Director
 One West Court Square, Suite 325
 Decatur, Georgia 30030
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 E-mail address: acpe@acpe.edu (<mailto:acpe@acpe.edu>)
 Web address: <http://www.acpe.edu/> (<http://www.acpe.edu/>)

Association of Advanced Rabbinical and Talmudic Schools, Accreditation Commission

1974/2015/F2017

Scope of recognition: the accreditation and preaccreditation ("Correspondent" and "Candidate") within the United States of advanced rabbinical and Talmudic schools.

Bernard Fryshman, Director
 11 Broadway, Suite 405
 New York, New York 10004
 Tel. (212)363-1991, Fax (212) 533-5335
 E-mail address: bfryshma@nyit.edu (<mailto:bfryshma@nyit.edu>)

Commission on Accrediting of the Association of Theological Schools

1952/2013/S2016

Scope of recognition: The accreditation of theological schools and seminaries, as well as schools or programs that are parts of colleges or universities, in the United States, offering post baccalaureate degrees in professional and academic theological education, including delivery via distance education.

Title IV Note: *Only freestanding institutions, colleges, or seminaries of theology may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Daniel O. Aleshire, Executive Director
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Pittsburgh, Pennsylvania 15275-1103
Tel. (412) 788-6505, Fax (412) 788-6510
E-mail address: ats@ats.edu (mailto:ats@ats.edu)
Web address: <http://www.ats.edu/> (<http://www.ats.edu/>)

Commission on English Language Program Accreditation

2003/2013/F2016

Scope of recognition: the accreditation of postsecondary, non-degree-granting English language programs and institutions in the United States.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

Mary Reeves, Executive Director
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Web address: <http://www.cea-accredit.org/> (<http://www.cea-accredit.org/>)

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PERSONAL CARE AND SERVICES**American Board of Funeral Service Education, Committee on Accreditation**

1972/2010/F2015

Scope of recognition: the accreditation of institutions and programs within the United States awarding diplomas, associate degrees and bachelor's degrees in funeral service or mortuary science, including the accreditation of distance learning courses and programs offered by these programs and institutions.

Title IV Note: *Only freestanding schools or colleges of funeral service or mortuary science may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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3414 Ashland Avenue, Suite G
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Web address: <http://www.abfse.org/> (<http://www.abfse.org/>)

Commission on Massage Therapy Accreditation

2002/2010/F2015

Scope of recognition: The accreditation of institutions and programs in the United States that award postsecondary certificates, postsecondary diplomas, academic Associate degrees and occupational Associate degrees, in the practice of massage therapy, bodywork, and aesthetics/esthetics and skin care, including components of programs which are offered through distance learning modalities.

Title IV Note: *Only freestanding schools or colleges of massage therapy, body work and aesthetics/esthetics may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Kate Zulaski
Executive Director
Commission on Massage Therapy Accreditation
5335 Wisconsin Avenue, NW, Suite 440
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Web address: <http://www.comta.org/> (<http://www.comta.org/>)

National Accrediting Commission of Career Arts and Sciences, Inc.

1970/2010/F2015

Scope of recognition: The accreditation throughout the United States of postsecondary schools and departments of cosmetology arts and sciences and massage therapy.

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Web address: <http://www.naccas.org/> (<http://www.naccas.org/>)

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HEALTHCARE

Academy of Nutrition and Dietetics, Accreditation Council for Education in Nutrition and Dietetics

1974/2012/F2017

Scope of recognition: the accreditation and pre-accreditation, within the United States, of Didactic and Coordinated Programs in Dietetics at both the undergraduate and graduate level, post-baccalaureate Dietetic Internships, and Dietetic Technician Programs at the associate degree level, and for its accreditation of such programs offered via distance education.

Title IV Note: *Only postbaccalaureate dietetic internship programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Accreditation Commission for Acupuncture and Oriental Medicine

1988/2013/S2016

Scope of recognition: the accreditation and preaccreditation ("Candidacy" status) throughout the United States of first-professional master's degree and professional master's level certificate and diploma programs in acupuncture and Oriental Medicine and professional post-graduate doctoral programs in acupuncture and in Oriental Medicine (DAOM), as well as freestanding institutions and colleges of acupuncture or Oriental Medicine that offer such programs.

Title IV Note: *Only freestanding institutions or colleges of acupuncture or Oriental medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Accreditation Commission for Education in Nursing, Inc. – May 6, 2013

Formerly: National League for Nursing Accrediting Commission

1952/2014/S2015-C

Scope of recognition: Accreditation of nursing education programs and schools, both postsecondary and higher degree, which offer a certificate, diploma, or a recognized professional degree including clinical doctorate, masters, baccalaureate, associate, diploma, and practical nursing programs in the United States and its territories, including those offered via distance education.

Title IV Note: *Practical, diploma, associate, baccalaureate, and higher degree nursing education programs that are not located in a regionally accredited institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Accreditation Commission for Midwifery Education

1982/2014/S2017

Scope of recognition: the accreditation and pre-accreditation of basic certificate, basic graduate nurse-midwifery, direct entry midwifery, and pre-certification nurse-midwifery education programs, including those programs that offer distance education.

Title IV Note: *Only freestanding institutions of midwifery education may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Heather L. Maurer

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Accreditation Commission for Midwifery Education

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Accreditation Council for Pharmacy Education

1952/2014/S2017

Scope of recognition: the accreditation and preaccreditation within the United States of professional degree programs in pharmacy leading to the degree of Doctor of Pharmacy, including those programs offered via distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Accrediting Bureau of Health Education Schools

1969/2011/S2016

Scope of recognition: the accreditation of private, postsecondary institutions in the United States offering predominantly allied health education programs and the programmatic accreditation of medical assistant, medical laboratory technician and surgical technology programs, leading to a certificate, diploma, Associate of Applied Science, Associate of Occupational Science, Academic Associate degree, or Baccalaureate degree, including those offered via distance education.

Title IV Note: *Only freestanding allied health education institutions and institutions that offer predominantly allied health programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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American Dental Association, Commission on Dental Accreditation

1952/2013/S2017

Scope of recognition: the accreditation of predoctoral dental education programs (leading to the D.D.S. or D.M.D. degree), advanced dental education programs, and allied dental education programs that are fully operational or have attained "Initial Accreditation" status, including programs offered via distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

Sherin Tookss, Director

Commission on Dental Accreditation

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American Occupational Therapy Association, Accreditation Council for

Occupational Therapy Education

1952/2012/S2017

Scope of recognition: the accreditation of occupational therapy educational programs offering the professional master's degree, combined baccalaureate/master's degree, and occupational therapy doctorate (OTD) degree; the accreditation of occupational therapy assistant programs offering the associate degree or a certificate; and the accreditation of these programs offered via distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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E-mail address: nharvison@aota.org (<mailto:nharvison@aota.org>)Web address: <http://www.acoteonline.org/> (<http://www.acoteonline.org/>)**American Optometric Association, Accreditation Council on Optometric Education**

1952/2015/F2017

Scope of recognition: the accreditation in the United States of professional optometric degree programs, optometric technician (associate degree) programs, and optometric residency programs, and for the pre-accreditation category of Preliminary Approval for professional optometric degree programs.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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1952/2011/S2016

Scope of recognition: : the accreditation and preaccreditation ("Provisional Accreditation") throughout the United States of freestanding institutions of osteopathic medicine and of osteopathic medical programs leading to the degree of Doctor of Osteopathy or Doctor of Osteopathic Medicine..

Title IV Note: : *Only freestanding schools or colleges of osteopathic medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Alissa Craft, DO

Vice President of Accreditation and Secretary to the Commission on Osteopathic College Accreditation

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American Physical Therapy Association, Commission on Accreditation in Physical Therapy Education

1977/2014/S2017

Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") in the United States of physical therapist education programs leading to the first professional degree at the master's or doctoral level and physical therapist assistant education programs at the associate degree level and for its accreditation of such programs offered via distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Podiatric Medical Association, Council on Podiatric Medical Education

1952/2013/F2016

Scope of recognition: the accreditation and preaccreditation ("Provisional Accreditation") throughout the United States of freestanding colleges of podiatric medicine and programs of podiatric medicine, including first professional programs leading to the degree of Doctor of Podiatric Medicine.

Title IV Note: *Only freestanding schools or colleges of podiatric medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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American Psychological Association, Commission on Accreditation

1970/2013/S2016

Scope of recognition: the accreditation in the United States of doctoral programs in clinical, counseling, school and combined professional-scientific psychology; doctoral internship programs in health service psychology; and postdoctoral residency programs in health service psychology. The preaccreditation in the United States of doctoral internship programs in health service psychology and postdoctoral residency programs in health service psychology.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Speech-Language-Hearing Association, Council on Academic Accreditation in Audiology and Speech-Language Pathology

1967/2010/F2015

Scope of recognition: The accreditation and preaccreditation (Accreditation Candidate) throughout the United States of education programs in audiology and speech-language pathology leading to the first professional or clinical degree at the master's or doctoral level, and the accreditation of these programs offered via distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Veterinary Medical Association, Council on Education

1952/2012/S2016-C

Scope of recognition: the accreditation and preaccreditation ("Provisional Accreditation") in the United States of programs leading to professional degrees (D.V.M. or D.M.D.) in veterinary medicine.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Commission on Collegiate Nursing Education

2000/2014/S2017

Scope of recognition: the accreditation of nursing education programs in the United States, at the baccalaureate, masters, and doctoral levels, including programs offering distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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/accreditation/index.htm)

Council on Accreditation of Nurse Anesthesia Educational Programs

1955/2013/F2015-C

Scope of recognition: The accreditation of institutions and programs of nurse anesthesia at the post master`s certificate, master`s, or doctoral degree levels in the United States, and its territories, including programs offering distance education.

Title IV Note: *Only hospital-based nurse anesthesia programs and freestanding nurse anesthesia institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs*

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The Council on Chiropractic Education

1974/2013/F2016

Scope of recognition: the accreditation of programs leading to the Doctor of Chiropractic degree and single-purpose institutions offering the Doctor of Chiropractic program.

Title IV Note: *Only freestanding schools or colleges of chiropractic may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Council on Education for Public Health

1974/2013/F2018

Scope of recognition: the accreditation within the United States of schools of public health and public health programs outside schools of public health, at the baccalaureate and graduate degree levels, including those offered via distance education.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Council on Naturopathic Medical Education

2003/2010/F2015

Scope of recognition: The accreditation and preaccreditation throughout the United States of graduate-level, four-year naturopathic medical education programs leading to the Doctor of Naturopathic Medicine (NMD) or Doctor of Naturopathy (ND).

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Joint Review Committee on Education in Radiologic Technology

1957/2013/F2016

Scope of recognition: the accreditation of educational programs in radiography, magnetic resonance, radiation therapy, and medical dosimetry, including those offered via distance education, at the certificate, associate, and baccalaureate levels.

Title IV Note: *Only hospital-based radiologic technology programs and freestanding radiologic technology institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Liaison Committee on Medical Education

1952/2014/F2017

Scope of recognition: the accreditation of medical education programs within the United States leading to the M.D. degree.

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

The LCME is administered in odd-numbered years, beginning each July 1, by:

Barbara Barzanski, Interim Secretary
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The LCME is administered in even-numbered years, beginning each July 1, by:

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Web address: <http://www.lcme.org/> (<http://www.lcme.org/>)

Midwifery Education Accreditation Council

2001/2012/F2015

Scope of recognition: the accreditation and pre-accreditation throughout the United States of direct-entry midwifery educational institutions and programs conferring degrees and certificates, including the accreditation of such programs offered via distance education and correspondence education.

Title IV Note: *Only freestanding direct-entry midwifery educational institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Loan Forgiveness
(<http://studentaid.ed.gov/repay-loans/forgiveness-cancellation?src=ft>)

Loan Servicers (<https://studentaid.ed.gov/repay-loans/understand/servicers?src=ft#who-is-my-loan-servicer>)

Laws & Guidance

(<http://www2.ed.gov/policy/?src=ft>)

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Grants Forecast (<http://www2.ed.gov/fund/grant/find/edlite-forecast.html?src=ft>)

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Eligibility for Grants (<http://www2.ed.gov/programs/find/elig/index.html?src=ft>)

Postsecondary Education Data

(<http://nces.ed.gov/ipeds/?src=ft>)

State Education Data

(<http://eddataexpress.ed.gov/?src=ft>)

Nation's Report Card (<http://nces.ed.gov/nationsreportcard/?src=ft>)

What Works Clearinghouse

(<http://ies.ed.gov/ncee/wwc/?src=ft>)

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To: Board Members **Date:** November 7, 2015
From: Rosanne Helms **Telephone:** (916) 574-7897
Legislative Analyst
Subject: Review of Board Sponsored and Monitored Legislation

BOARD-SPONSORED LEGISLATION

The Board sponsored the following legislative proposals:

1. **SB 531 (Bates) Board of Behavioral Sciences Enforcement Process**

This bill makes two separate amendments to the law governing the enforcement process:

- a) It modifies the Board's requirements for an individual to petition for a termination of probation or modification of penalty. Under the proposal, the Board may deny a petition without hearing if the petitioner is not in compliance with the terms of his or her probation.
- b) It clarifies that the Board has jurisdiction to investigate and take disciplinary action even if the status of a license or registration changes or if the license or registration expires.

The goal of these changes is to increase the efficiency of the enforcement process.

This bill proposal was approved by the Board at its November 20, 2014 meeting.

Signed by the Governor (Chapter 261, Statutes of 2015).

2. **SB 620 (Block) Board of Behavioral Sciences: Licensure Requirements**

This bill streamlines the experience requirements for LMFT and LPCC applicants. It eliminates the complex assortment of minimum and maximum hours of differing types of experience required for licensure (also known as the "buckets" of experience) and instead requires 1,750 hours of the experience to be direct clinical counseling hours. The remaining required 1,250 hours may be non-clinical experience.

The bill also makes amendments to LCSW law to allow LCSW applicants to count some direct supervisor contact hours, as well as some hours spent attending workshops, trainings, conferences, and seminars, toward their required experience.

This bill proposal was approved by the Board at its November 20, 2014 meeting.

Signed by the Governor (Chapter 262, Statutes of 2015).

3. **SB 800 (Senate Business, Professions, and Economic Development Committee) Healing Arts (Omnibus Bill)**

This bill proposal, approved by the Board at its November 20, 2014 meeting, makes minor, technical, and non-substantive amendments to add clarity and consistency to current licensing law.

Signed by the Governor (Chapter 426, Statutes of 2015).

BOARD-SUPPORTED LEGISLATION

AB 250 (Olberholte): Telehealth: Marriage and Family Therapist Interns and Trainees

This bill would clarify that MFT interns and trainees may practice via telehealth.

At its May 21, 2015 meeting, the Board took a “support” position on this bill.

Signed by the Governor; Chapter 50, Statutes of 2015.

AB 858/690 (Wood): Medi-Cal: Federally Qualified Health Centers: Rural Health Clinics

AB 690 bill would allow Medi-Cal reimbursement for covered mental health services provided by a marriage and family therapist employed by a federally qualified health center or a rural health clinic.

At its May 21, 2015 meeting, the Board took a “support” position on AB 690.

Status: The provisions of AB 690 were amended into another bill, AB 858, on May 28, 2015. However, the Governor vetoed AB 858. AB 690 is a two-year bill, and therefore may still reappear next legislative session.

AB 832 (Garcia): Child Abuse: Reportable Conduct

This bill would specify that voluntary acts of sodomy, oral copulation, and sexual penetration are not considered acts of sexual assault that must be reported by a mandated reporter, unless it is between a person age 21 or older and a minor under age 16.

At its May 21, 2015 meeting, the Board took a “support if amended” position on this bill, and asked for an amendment to clarify that only non-abusive sexual conduct would not be reportable.

Status: The Board’s requested amendment was made, however this is a two-year bill.

AB 1001 (Maienschein): Child Abuse: Reporting

This bill clarifies that it is illegal for anyone, including a supervisor, to impede or interfere with the making of a mandated report of suspected child abuse or neglect.

At its May 21, 2015 meeting, the Board took a “support” position on this bill.

Status: This is a two-year bill.

AB 1140 (Bonta): California Victim Compensation and Government Claims Board

This bill contains language that clarifies that a violence peer counselor may not perform services that fall under the scope of practice of any of the professions which the Board regulates, unless those services take place in an exempt setting.

At its June 12, 2015 meeting, the Board reviewed and took a “support if amended” position on this language, asking for one minor clarifying amendment.

Signed by the Governor (Chapter 569, Statutes of 2015).

THE BOARD MONITORED THE FOLLOWING LEGISLATION:

AB 85 (Wilk): Open Meetings

This bill would make an advisory body consisting of less than three members subject to the Bagley-Keene Open Meeting Act if a member of the state body is serving on it in his or her official capacity, and if the advisory body is supported, wholly or partially, by funds from the state body.

At its May 21, 2015 meeting, the Board took an “oppose” position on this bill.

The Governor vetoed this bill.

AB 333 (Melendez): Healing Arts: Continuing Education

This bill would allow a healing arts licensee who takes coursework toward, and becomes a certified instructor of, CPR or AED use, to count one unit of credit toward his or her continuing education requirement. The CE credit would only count if the licensee’s licensing board laws or regulations do not exclude counting such courses or activities.

At its May 21, 2015 meeting, the Board took an “oppose unless amended” position on this bill, and asked that the Board be removed from the provisions of the bill.

This bill was amended on June 24, 2015 to require a licensing board’s laws or regulations to allow CPR or AED continuing education courses in order for the provisions of this bill to apply. Therefore, this bill no longer affects Board licensees, as the Board’s statutes and regulations do not permit this type of CE coursework. The Board’s position is now “neutral.”

Signed by the Governor (Chapter 360, Statutes of 2015).

AB 796 (Nazarian): Health Care Coverage: Autism and Pervasive Developmental Disorders

This bill modifies the definition of “qualified autism service professional” and “qualified autism service paraprofessional” to allow insurance coverage for types of behavioral health treatment other than applied behavior analysis.

At its May 21, 2015 meeting, the Board opted to remain neutral on this bill.

Status: This is a two-year bill.

AB 1279 (Holden): Music Therapy

This bill seeks to define music therapy in statute and to provide guidance to consumers and agencies regarding the education and training requirements of a qualified music therapist.

At its May 21, 2015 meeting, the Board opted to remain neutral on this bill.

The Governor vetoed this bill.

SB 479 (Bates): Healing Arts: Behavior Analysis: Licensing

This bill establishes licensure for behavior analysts and assistant behavior analysts under the Board of Psychology.

At its June 12, 2015 meeting, the Board opted to remain neutral on this bill.

Status: This is a two-year bill.

SB 614 (Leno): Medi-Cal: Mental Health Services: Peer and Family Support Specialist Certification

This bill would require the State Department of Health Care Services to develop a peer and family support specialist certification program.

At its May 21, 2015 meeting, the Board took an “Oppose unless Amended” position on this bill, requesting amendments that specified certain information in statute, rather than designating that information to be defined in regulations. The amendments the Board requested in statute are as follows:

- Inclusion of a clear definition of a peer and family support specialist;
- Inclusion of a defined scope of practice for a peer and family support specialist;
- Specification of the required hours of supervision for a peer and family support specialist, and identification of who may provide this supervision;
- Specification of the training requirements for a peer and family support specialist; and
- Addition of a fingerprinting requirement for peer and family support specialists.

This bill was amended on July 6, 2015. The amended version provides a definition of a peer and family support specialist, as the Board requested. However, the Board’s remaining requested amendments are either not addressed or are only partially addressed.

Status: This is a two-year bill.

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Sacramento, CA 95834
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www.bbs.ca.gov

To: Board Members **Date:** November 5, 2015
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: Status of Board Rulemaking Proposals

APPROVED REGULATIONS

Disciplinary Guidelines and SB 1441: Uniform Standards for Substance Abuse: Amend Title 16, CCR Section 1888

This is a regulatory proposal that the Department of Consumer Affairs (DCA) and the state Legislature have asked all healing arts licensing boards to pursue. It creates uniform standards for discipline that the boards must follow in cases of licensee or registrant substance abuse. This proposal was prompted by a concern at the Legislature that there is a lack of a consistent policy across DCA's healing arts boards for handling cases that involve licensees or registrants who abuse drugs or alcohol.

These regulations were approved by the Secretary of state on June 23, 2015 and took effect October 1, 2015.

CURRENT REGULATORY PROPOSALS

Implementation of SB 704 (Examination Restructure): Amend Title 16, CCR Sections 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877; Add Sections 1805.01, 1822.5, 1822.6, 1830, 1878

This proposal would revise Board regulations for consistency with statutory changes made by SB 704¹, which restructures the examination process for LMFT, LCSW, and LPCC applicants effective January 1, 2016.

¹ Chapter 387, Statutes of 2011

The proposal was approved by the Board at its meeting in August 2014. It was published in its California Regulatory Notice Register on November 14, 2014, and the public comment period has ended. This proposal is under concurrent review by the Office of Administrative Law and the Department of Finance, and is expected to take effect January 1, 2016.

Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families: Amend Title 16, CCR Sections 1820.5 and 1822; Add Sections 1820.6 and 1820.7

This proposal clarifies requirements for LPCCs to treat couples and families, and outlines a process by which LPCCs and PCC Interns would receive Board confirmation that they have met the requirements to treat couples and families.

The final proposal was approved by the Board at its meeting in May 2014. It was published in the California Regulatory Notice Register on March 6, 2015, and the public comment period has ended. This proposal is under concurrent review by the Office of Administrative Law and the Department of Finance, and is expected to take effect January 1, 2016.

Standards of Practice for Telehealth: Add Title 16, CCR Section 1815.5

This proposal addresses the use of telehealth in the provision of psychotherapy, and clarifies questions, such as when a California license is needed, actions a licensee must take in order to protect the client in a telehealth setting, and that failure to follow telehealth requirements is considered unprofessional conduct.

The final proposal was approved by the Board at its meeting in May 2015. It was published in the California Regulatory Notice Register on July 10, 2015. The 45-day public comment period has ended, and the public hearing was held on August 25, 2015. In response to comments received, modifications were made to the proposal and the 15-day public comment period ended on September 24, 2015. This proposal is currently under review by the Department of Consumer Affairs.

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To: Board Members **Date:** October 28, 2015
From: Kim Madsen **Telephone:** (916) 574-7841
Executive Officer
**Subject: Requests From the American Association of State Counseling Boards
and the American Counseling Association**

**First Request June 8, 2015 Letter From the American Association of State Counseling
Boards and the American Counseling Association**

On June 8, 2015, the Board of Behavioral Sciences received a letter from the Presidents of the American Association of State Counseling Boards (AASCB) and the American Counseling Association (ACA). The purpose of the letter was to request that the Board consider adoption of the consensus licensure title and scope of practice for professional counseling.

The licensure title and scope of practice was developed through the Building Blocks to Portability Project of *20/20: A Vision for the Future of Counseling (20/20)*. 20/20 was created to develop a strategic plan for the growth and sustainability of the counseling profession. This group is comprised of 31 counseling organizations and is co-sponsored by the AASCB and the ACA. A list of participating organizations is provided for your review.

The Building Blocks to Portability project identified three issues for discussion in order to promote licensure portability and advancement of a uniform and consistent identity for the counseling professions.

- Development of a consensus licensure title to recommend to all state licensing boards.
- Development of a consensus scope of practice to recommend to all state licensing boards.
- Development of consensus of education requirements to recommend to all state licensing boards.

Two of the three issues were completed. The group was not able to achieve consensus for the educational requirements. Therefore, this item will be addressed at another time.

Twenty-nine of the thirty-one organizations participating in 20/20 voted. One organization abstained (American School Counselor Association) and one organization (National Employment Counseling Association) did not vote. Twenty-eight organizations voted to endorse the licensure title *Licensed Professional Counselor*. The American Mental Health Counselors Association voted not to endorse this licensure title.

Twenty-seven of the twenty-nine organizations voted to endorse the *Scope of Practice*. The American Rehabilitation Counseling Association and the National Rehabilitation Counseling Association both voted not to endorse the suggested *Scope of Practice*.

The following licensure title and scope of practice was developed to propose to state boards for adoption.

Licensure title: *Licensed Professional Counselor*.

Licensure Scope of Practice:

The independent practice of counseling encompasses the provision of professional counseling services to individuals, groups, families, couples, and organizations through the application of accepted and established mental health counseling principles, methods, procedures, and ethics.

Counseling promotes mental health wellness, which includes the achievement of social, career, and emotional development across the life span, as well as prevents and treats mental disorders and provides crisis intervention.

Counseling includes, but is not limited to, psychotherapy, diagnosis, and evaluation; administration of assessments, tests, and appraisals; referral; and the establishment of counseling plans for the treatment of individuals, couples, groups, and families with emotional, mental, addiction, and physical disorders.

Counseling encompasses consultation and program evaluation; program administration within and to schools and organizations; and training and supervision of interns, trainees, and prelicensed professional counselors through accepted and established principles, methods, procedures, and ethics of counselor supervision.

The practice of counseling does not include functions or practices that are not within the professional's training or education.

Second Request From the American Association of State Counseling Boards

On August 17, 2015, the Board received a letter from AASCB. The purpose of the letter was to suggest a proposal that defines criteria for out-of-state licensees that will be accepted for licensure. The AASCB explained that licensure portability is a “huge dilemma” for state licensing boards and licensed counselors in the United States. At the annual AASCB conference, state licensing boards identify license portability as one of the top issues they face.

AASCB identified the following criteria for licensure that are required by all state licensing boards.

- A Master’s degree in counseling and in some cases, a related degree.
- The Master’s degree must be from an accredited university, or in some cases, an accredited program.
- The majority of the states require a 60-hour graduate degree.
- An examination that tests knowledge. Either the National Counselor Examination for Licensure and Certification (NCE) or the National Clinical Mental Health Counselor Examination (NCMHCE).
- Average number of experience hours required is around 3000.

For those in graduate programs or new graduates, AASCB acknowledges it is the graduate’s responsibility to ensure state licensure requirements are met. Yet, AASCB expressed concern for the professional counselor who is already licensed in one or several jurisdictions; has successfully worked in a practice setting for a number of years; and who may or may not have fulfilled all of the current state requirements. This concern resulted in the following proposal for the Board’s consideration.

A fully-licensed counselor, who is licensed at the highest level of licensure available in his or her state, and who is in good standing with his or her licensure board, with no disciplinary record, and who has been in active practice for a minimum of five years post-receipt of licensure, and who has taken and passed the NCE or the NCMHCE, shall be eligible for licensure in a state to which he or she is establishing residence. The state to which the licensed counselor is moving may require a jurisprudence examination based on the rules and statutes of said state. An applicant who meets these criteria will be accepted for licensure without further review of education, supervision, and experiential hours.

AASCB noted recent proposals from other entities established a two year requirement. Further, AASCB believes that eight states and the District of Columbia currently have five year proposals. AASCB strongly supports the five-year proposal while remaining open to research that supports a shorter period of time. AASCB requested the Board carefully consider this proposal.

Discussion Regarding Licensure Title and Scope of Practice and Criteria for Out-of-State Licensees

California Business and Professions Code section 4999.12(e) defines Licensed Professional Clinical Counselor or LPCC as a person licensed... to practice professional clinical counseling, as defined in Business and Professions Code section 4999.20.

The LPCC Scope of Practice is established in Business and Professions Code section 4999.20.

(a) (1) “Professional clinical counseling” means the application of counseling interventions and psychotherapeutic techniques to identify and remediate cognitive, mental, and emotional issues, including personal growth, adjustment to disability, crisis intervention, and psychosocial and environmental problems, and the use, application, and integration of the coursework and training required by Sections 4999.32 and 4999.33. “Professional clinical counseling” includes conducting assessments for the purpose of establishing counseling

goals and objectives to empower individuals to deal adequately with life situations, reduce stress, experience growth, change behavior, and make well-informed, rational decisions.

(2) “Professional clinical counseling” is focused exclusively on the application of counseling interventions and psychotherapeutic techniques for the purposes of improving mental health, and is not intended to capture other, nonclinical forms of counseling for the purposes of licensure. For purposes of this paragraph, “nonclinical” means nonmental health.

A review of the ACA’s *Licensure Requirements for Professional Counselors, A State by State Report* reveals a variety of licensure titles are used by state boards. Some examples are Licensed Professional Counselor, Licensed Professional Counselor of Mental Health, Licensed Mental Health Counselor, Licensed Clinical Mental Health Counselor, and Licensed Clinical Professional Counselor. Arizona, Oregon, and Utah all use the title Licensed Professional Counselor.

At the time licensure of professional counselors in California was proposed, the determination of what title should be used in California was discussed by various parties. The parties considered the often used title of Licensed Professional Counselor. However, there was a strong desire to clarify that the new license was intended to be an additional license to provide psychotherapy. And that the new license would not be a license providing non-clinical services. Therefore, the title Licensed Professional Clinical Counselor was established.

A scope of practice establishes what a licensee can or cannot do for a patient. This information is beneficial to consumers and other practitioners in that a scope of practice sets forth the practice of the licensed profession.

California’s LPCC scope of practice clearly establishes that an LPCC will provide psychotherapeutic services to a patient to improve mental health. Moreover, the scope of practice specifies that professional clinical counseling does not include “nonclinical” services, meaning nonmental. California’s LPCC scope of practice aligns with the intent that LPCC licensure would be an additional mental health professional providing psychotherapeutic services and not a broad or all-encompassing license.

A review of the ACA’s *Licensure Requirements for Professional Counselors, A State by State Report* reveals a wide range of state board’s scope of practice. Some states have different scopes of practice for professional counseling and clinical counseling and/or mental health counseling. Other states provide one scope of practice for professional counseling.

Board Efforts to Improve Licensure Portability

In the past several years, the Board has discussed potential barriers to licensure in California for out-of-state applicants. In 2013 the Board established the Out-of-State Education Review Committee to develop recommendations to improve license portability without compromising consumer protection.

The Committee’s recommendations, following approval by the Board, were proposed in AB 2213 (Eggman, Chapter 387, Statutes of 2014). This bill makes changes to the practicum requirements for out-of-state applicants, as well as allows them to remediate certain

coursework through continuing education, instead of requiring all coursework to be from a graduate program. The bill also allows certain coursework to be remediated while registered as an intern. These changes become effective January 1, 2016.

Beginning January 1, 2016, the Board will be using two licensure examinations for licensure in California. Specifically, LPCCs are required to take and pass the NCMHCE and LCSWs are required to take and pass the ASWB Clinical examination.

Prior to the determination to use these examinations in California, the Board reviewed the process to develop the examination for both examinations; ensuring the examinations met prevailing licensure examination standards as well California's requirements pursuant to Business and Professions Code section 139.

One component of this review was to determine if the examinations tested for clinical competency. There were two examinations to consider for LPCCs – the NCE and the NCMHCE. The Board's review of these examinations determined that the NCMHCE had a higher clinical content than the NCE. For this reason, the Board determined that the NCMHCE examination was appropriate to use as a licensure examination in California.

ASWB also had different examinations to consider – a Bachelor's or Master's examination and the Advanced Generalist or Clinical examination. Following the Board's review, the Board determined that the Advanced Clinical examination was appropriate to use as a licensure examination in California.

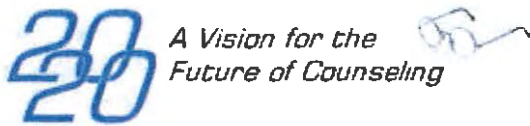
Recommendation

Board members should discuss the requests from ACA and AASCB to determine if they wish to revise the licensure title, scope of practice, and out-of-state requirements for LPCCs. If so, direct staff to draft language to propose the legislative change. If the Board decides not to adopt the proposals, determine if a response to the requests is appropriate and direct staff to send a written response to the requests.

Attachments:

- June 8, 2015 letter from the Presidents of ACA and AASCB
- August 17, 2015 letter from AASCB
- List of organizations participating in 20/20 (source: counseling.org – *20/20: A Vision for the Future of Counseling*)
- Letter to 20/20 participating organizations and delegates with voting results (source: counseling.org – *20/20: A Vision for the Future of Counseling*)
- License Titles by State (source: *ACA Licensure Requirements for Professional Counselors, A State by State Report*)
- Scope of Practice by State (source: *ACA Licensure Requirements for Professional Counselors, A State by State Report*)

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June 8, 2015

Dear Kim,

As Presidents of the American Association of State Counseling Boards (AASCB) and the American Counseling Association (ACA), we are writing you to request that the California Board of Behavioral Sciences adopt the consensus licensure title and scope of practice approved by the profession of counseling through the Building Blocks to Portability Project of *20/20: A Vision for the Future of Counseling*.

Background

20/20: A Vision for the Future of Counseling has been an ongoing and systematic collaboration of 31 organizations representing the profession of counseling. Cosponsored since 2006 by AASCB and ACA, 20/20 represents the maturation of a profession that is acting collectively and proactively to engage in long-term strategic planning. In a sense, 20/20 has been the United Nations of professional counseling. For a thorough discussion of the development of 20/20, please review the *Journal of Counseling & Development* article “A Vision for the Future of Counseling: The 20/20 Principles for Unifying and Strengthening the Profession” by clicking:

www.counseling.org/docs/licensure/principles-for-unifying-and-strengthening-the-profession.pdf?sfvrsn=0
and visiting the 20/20 website:

www.counseling.org/knowledge-center/20-20-a-vision-for-the-future-of-counseling

The Building Blocks to Portability Project

The decision to work on the Building Blocks to Portability Project grew out of the need for a profession-wide initiative to address one of the most troublesome problems for practicing professional counselors—the lack of licensure portability. ACA receives about 12 calls each week from experienced professional counselors who are licensed in their home state, need to move to another state, and are unable to obtain a license in their new home jurisdiction.

The 31 counseling organizations participating in *20/20: A Vision for the Future of Counseling* recognized that the lack of licensure portability is as much a crisis for the public as for professional counselors. Dr. David Kaplan spoke in his role as the 20/20 administrative coordinator before state counseling boards at the AASCB conference in 2012. Dr. Kaplan pointed out that there are currently over 45 titles used by state counseling boards, that no two scopes of practice are the same, that the number of graduate credits required range from an unstated amount to 60 credits with stops along the way at 42 and 48 credits, and that the number of postgraduate supervision hours range from 500 to 4,500. He made the case that this confusing stew of titles, scopes of practice, and education requirements confuses the public. Dr. Kaplan also stated that facilitating licensure portability is a public protection issue for three distinct reasons: It will help address the documented dire shortage of counselors in rural areas, it will help licensing boards to better meet the needs of underserved populations, and it would help to standardize professional counseling for the 7.6 million people who move to a different state each year. To read the complete AASCB speech about the need for state counseling boards to address portability, please click on the following link: <http://ct.counseling.org/2012/01/licensure-reciprocity-a-critical-public-protection-issue-that-needs-action/>

The practice of counseling does not include functions or practices that are not within the professional's training or education.

Request for Adoption

On behalf of the counseling profession through *20/20: A Vision for the Future of Counseling*, we request that your licensing board adopt the licensure title *Licensed Professional Counselor* and the licensure scope of practice as stated previously. We believe that this is a win-win situation for everyone; it will benefit professional counselors by helping to resolve the portability crisis in the United States, and it is in the best interest of the public because it will help address counselor shortages in rural areas, will allow a better migration of counselors who can meet the needs of underserved populations, and will help citizens to have a better understanding of professional counselors.

Correspondence

Correspondence regarding this request should be sent to the 20/20 Administrative Coordinator, Dr. David Kaplan, at dkaplan@counseling.org. If a telephone conversation would be helpful at any time, please call Dr. Kaplan at 800-347-6647, ext. 397. Please do not hesitate to request any needed clarification or additional information.

In closing, this is a historic moment for the profession of counseling. The 20/20 process has spanned over 7 years, has consumed countless hours and efforts of voluntary service by an unbelievably dedicated cohort of delegates and leaders from over 30 counseling organizations, and culminates now with this request. We are honored to have been a part of this process.

Sincerely,



Dr. Susan Hammonds-White, President
American Association of State Counseling Boards



Dr. Robert L. Smith, President
American Counseling Association

Organizations Endorsing the 20/20 Scope of Practice:

- *American Association of State Counseling Boards*
- *American College Counseling Association*
- *American Counseling Association*
- *ACA Midwest Region*
- *ACA North Atlantic Region*
- *ACA Southern Region*
- *ACA Western Region*
- *American Mental Health Counselors Association*
- *American Rehabilitation Counseling Association*
- *Association for Adult Development and Aging*
- *Association for Assessment and Research in Counseling*
- *Association for Counselor Education and Supervision*
- *Association for Counselors and Educators in Government*
- *Association for Creativity in Counseling*
- *Association for Humanistic Counseling*
- *Association for Lesbian, Gay, Bisexual, and Transgender Issues in Counseling*
- *Association for Multicultural Counseling and Development*
- *Association for Specialists in Group Work*
- *Association for Spiritual, Ethical, and Religious Values in Counseling*
- *Chi Sigma Iota*
- *Commission on Rehabilitation Counselor Certification*
- *Council for Accreditation of Counseling and Related Educational Programs*
- *Council on Rehabilitation Education*
- *Counselors for Social Justice*
- *International Association of Addictions and Offender Counselors*
- *International Association of Marriage and Family Counselors*
- *National Board for Certified Counselors*
- *National Career Development Association*

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AUG 21 2015

BOARD OF BEHAVIORAL SCIENCES

August 17, 2015

Tracy Rhine
California Board of Behavioral Sciences
1625 N Market Blvd., Suite S-200
Sacramento, CA 95834

Dear Tracy:

The American Association of State Counseling Boards, an organization composed of State Boards from across the country, has been grappling with the problem of licensure portability for a number of years. This letter comes to you in the form of an initiative supported by AASCB that we believe will further the portability process.

The issue of portability of licensure continues to be a huge dilemma for most licensure boards and for licensed counselors across the United States and its territories. Because of the process by which licensure was gained, state boards have a patchwork of statutes and rules that often preclude the possibility of licensed counselors in one state having the mobility to improve their lives through a job change to another state, of following a spouse whose work requires a transfer to another state, or of providing distance counseling to a client who has moved to another venue and desires to continue an already established counseling relationship. Licensure Board members at the annual AASCB conferences over the last several years always name the issue of portability as one of the top problems they face in dealing with public protection.

A significant focus of AASCB over the last several years has been that of identifying where statute and rules agree rather than that of looking at where they disagree. All states require a Master's degree in counseling; in some cases a degree in a related field is also accepted. This degree must come from an accredited university or, in some cases, an accredited program. The majority of states now require a 60-hour graduate degree. An examination that tests knowledge (either the NCE, the NCMHCE, or both) are used by the majority of states. The average number of experiential hours required for licensure hovers around 3000.

Analysis of all of these issues for a newly-minted graduate of a counseling master's program and/or for an individual who has just completed accruing experiential hours requires a licensure board, whose mandate is the protection of the public, to be vigilant in making sure that all requirements have been appropriately met.

However, what about the practitioner who has received a license in one jurisdiction, has successfully worked in an agency or a private practice setting for a number of years, and who may or may not have fulfilled every single idiosyncratic requirement that a state to which the counselor wishes to move may have? Is there a way to establish a more respectful relationship with other state boards? AASCB proposes the following:

A fully-licensed counselor, who is licensed at the highest level of licensure available in his or her state, and who is in good standing with his or her licensure board, with no disciplinary record, and who has been in active practice for a minimum of five years post-receipt of licensure, and who has taken and passed the NCE or the NCMHCE, shall be eligible for licensure in a state to which he or she is establishing residence. The state to which the licensed counselor is moving may require a jurisprudence examination based on the rules and statutes of said state. An applicant who meets these criteria will be accepted for licensure without further review of education, supervision and experiential hours.

AASCB is aware of the recent proposal endorsed by ACES, NBCC and AMIICA that suggests allowing portability of license after two years of practice. AASCB appreciates ongoing efforts from these and other organizations in striving toward portability. Given the number of states already implementing this five-year proposal, AASCB continues to encourage this proposal. It is our understanding that eight states and the District of Columbia currently have five year rules or policies. Other states have the policy under advisement. AASCB's proposal honors the reality of experience as a way to level the differences in state licenses that have plagued the portability issue. A counselor who has been licensed, based on the statutes and rules valid in his or her state, and who has actively practiced for a minimum of five years, has been tempered by experience. Given our mandate as regulators to protect the public, at this time we will stand by the five-year proposal.

AASCB is open to research supporting a shorter time period if the research indicates no difference in disciplinary issues with those licensees who have less experience.

Portability of licensure is a need that the profession must deal with now. Taking this step would protect the public and add to the strategies through which licensed professional counselors across the country may provide the critical services for which they are trained, while at the same time creating a network of reciprocal relationships across the country. AASCB respectfully requests that the members and directors of your state board carefully consider this direction.

Please place this correspondence on the agenda of your state board's next meeting for discussion. Should you wish to patch in a conference call during the board meeting concerning the initiative, please contact the Managing Director of AASCB, Deneen Pennington, at (918) 994-4413, to discuss this process.

If AASCB can answer any questions or be of service in any way, please let us know. We hope to see you at the annual conference in Tampa in 2016.

With best regards,

AASCB Executive Committee

Karen Enegess, MA, LMHC, President
Susan Hammonds-White, EdD, LPC/MHSP, Past-President
Susan Meyerle, PhD, President-elect
Mary Guth, MS, LPC-MH, LMFT, Treasurer
Erik Oosteninck, MA, LMHC Secretary
Mary Alice Olsan, Executive Directors Representative

CC: David Kaplan

ATTACHMENT A

The following organizations participated in *20/20: A Vision for the Future of Counseling*.

- American Association of State Counseling Boards (AASCB)
- American College Counseling Association (ACCA)
- American Counseling Association (ACA)
- ACA Midwest Region
- ACA North Atlantic Region
- ACA Southern Region
- ACA Western Region
- American Mental Health Counselors Association (AMHCA)
- American Rehabilitation Counseling Association (ARCA)
- American School Counselor Association (ASCA)
- Association for Adult Development and Aging (AADA)
- Association for Assessment and Research in Counseling (AARC)
- Association for Counselor Education and Supervision (ACES)
- Association for Counselors and Educators in Government (ACEG)
- Association for Creativity in Counseling (ACC)
- Association for Humanistic Counseling (AHC)
- Association for Lesbian Gay Bisexual and Transgender Issues in Counseling (ALGBTIC)
- Association for Multicultural Counseling and Development (AMCD)
- Association for Specialists in Group Work (ASGW)
- Association for Spiritual, Ethical, and Religious Values in Counseling (ASERVIC)
- Chi Sigma Iota (CSI)
- Commission on Rehabilitation Counselor Certification (CRCC)
- Council for Accreditation of Counseling and Related Educational Programs (CACREP)
- Council on Rehabilitation Education (CRE)
- Counselors for Social Justice (CSJ)
- International Association of Addictions and Offender Counselors (IAAOC)
- International Association of Marriage and Family Counselors (IAMFC)
- National Board for Certified Counselors (NBCC)
- National Career Development Association (NCDA)
- National Employment Counseling Association (NECA)
- National Rehabilitation Counseling Association (NRCA)

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Dear 20/20: *A Vision for the Future of Counseling* participating organizations and organizational delegates,

I have wonderful news to share. The 20/20 Building Blocks to Portability Project has concluded with a successful outcome. **Endorsement by over 90% of the participating organizations voting has been achieved for both the licensure title and the scope of practice for professional counseling:**

Our endorsed licensure title: *Licensed Professional Counselor*

Our endorsed scope of practice for professional counseling:

The independent practice of counseling encompasses the provision of professional counseling services to individuals, groups, families, couples and organizations through the application of accepted and established mental health counseling principles, methods, procedures and ethics.

Counseling promotes mental health wellness, which includes the achievement of social, career, and emotional development across the lifespan, as well as preventing and treating mental disorders and providing crisis intervention.

Counseling includes, but is not limited to, psychotherapy, diagnosis, evaluation; administration of assessments, tests and appraisals; referral; and the establishment of counseling plans for the treatment of individuals, couples, groups and families with emotional, mental, addiction and physical disorders.

Counseling encompasses consultation and program evaluation, program administration within and to schools and organizations, and training and supervision of interns, trainees, and pre-licensed professional counselors through accepted and established principles, methods, procedures, and ethics of counselor supervision.

The practice of counseling does not include functions or practices that are not within the professional's training or education.

Here are the specifics:

- Twenty-Nine of the 31 organizations participating in **20/20: A Vision for the Future of Counseling** voted. Their votes are shared below. One organization (ASCA) abstained and one organization (NECA) did not vote.
- The licensure title ***Licensed Professional Counselor*** received endorsement from 28 of the 29 (96%) voting organizations.
 - **Voting to endorse the licensure title *Licensed Professional Counselor*:**
 - *American Association of State Counseling Boards*
 - *American College Counseling Association*
 - *American Counseling Association*
 - *ACA Midwest Region*
 - *ACA North Atlantic Region*

- *ACA Southern Region*
 - *ACA Western Region*
 - *American Rehabilitation Counseling Association*
 - *Association for Adult Development and Aging*
 - *Association for Assessment and Research in Counseling*
 - *Association for Counselor Education and Supervision*
 - *Association for Counselors and Educators in Government*
 - *Association for Creativity in Counseling*
 - *Association for Humanistic Counseling*
 - *Association for Lesbian Gay Bisexual and Transgender Issues in Counseling*
 - *Association for Multicultural Counseling and Development*
 - *Association for Specialists in Group Work*
 - *Association for Spiritual, Ethical, and Religious Values in Counseling*
 - *Chi Sigma Iota*
 - *Commission on Rehabilitation Counselor Certification*
 - *Council for Accreditation of Counseling and Related Educational Programs*
 - *Council on Rehabilitation Education*
 - *Counselors for Social Justice*
 - *International Association of Addictions and Offender Counselors*
 - *International Association of Marriage and Family Counselors*
 - *National Board for Certified Counselors*
 - *National Career Development Association*
 - *National Rehabilitation Counseling Association*
- **Voting not to endorse the licensure title *Licensed Professional Counselor*:**
 - *American Mental Health Counselors Association*
- **The Scope of Practice** received endorsement from 27 of the 29 (93%) voting organizations.
 - **Voting to endorse the scope of practice:**
 - *American Association of State Counseling Boards*
 - *American College Counseling Association*
 - *American Counseling Association*
 - *ACA Midwest Region*
 - *ACA North Atlantic Region*
 - *ACA Southern Region*
 - *ACA Western Region*
 - *American Mental Health Counselors Association*
 - *Association for Adult Development and Aging*
 - *Association for Assessment and Research in Counseling*
 - *Association for Counselor Education and Supervision*
 - *Association for Counselors and Educators in Government*
 - *Association for Creativity in Counseling*
 - *Association for Humanistic Counseling*
 - *Association for Lesbian Gay Bisexual and Transgender Issues in Counseling*

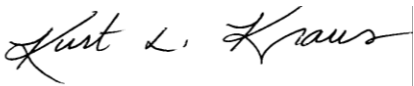
- *Association for Multicultural Counseling and Development*
 - *Association for Specialists in Group Work*
 - *Association for Spiritual, Ethical, and Religious Values in Counseling*
 - *Chi Sigma Iota*
 - *Commission on Rehabilitation Counselor Certification*
 - *Council for Accreditation of Counseling and Related Educational Programs*
 - *Council on Rehabilitation Education*
 - *Counselors for Social Justice*
 - *International Association of Addictions and Offender Counselors*
 - *International Association of Marriage and Family Counselors*
 - *National Board for Certified Counselors*
 - *National Career Development Association*
- **Voting not to endorse the scope of practice:**
 - *American Rehabilitation Counseling Association*
 - *National Rehabilitation Counseling Association*

The next steps – how to ensure that these products are available to those who make major decisions about licensure of professional counselors across the country – are not yet established. I look forward to innovative methods from all of our participating organizations to utilize all of the consensus outcomes resulting from the 20/20 to continue to shape the future of the profession of counseling.

I sincerely thank each and every one of the delegates (those who began the Building Blocks Project and all who followed) whose efforts to give voice to their organizational affiliates were consistent and clear. The products of your labor have the potential to dramatically support interstate (and district) portability of professional licensure for counselors in the future.

As this correspondence marks the overall conclusion of an exhilarating and exhaustive 8-year process, the efforts and successes of everyone involved with the *20/20: A Vision for the Future of Counseling* I hope feel their time was well spent. I am honored to have had the opportunity to work so closely with you all for the past 4 years. I am proud of our accomplishments. Please accept my deep appreciation. Thank you.

Most sincerely,



Kurt L. Kraus
Facilitator
20/20: A Vision for the Future of Counseling

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APPENDIX G:
Practice Act / Title Act Chart
Year Original Certification/Licensure Law Passed
State Counselor Counts

States	Law Passed	Credentials		Practice/Title	Counselor Counts
Alabama	1979	Licensed Professional Counselor Associate Licensed Counselor	LPC ALC	Practice and Title	1,600 280
Alaska	1998	Licensed Professional Counselor	LPC	Title	497
Arizona	1988	Licensed Professional Counselor Licensed Associate Counselor	LPC LAC	Practice	2412 919
Arkansas	1979	Licensed Professional Counselor Licensed Associate Counselor	LPC LAC	Practice and Title	900 455
California	2009	Licensed Professional Clinical Counselor	LPCC	Practice and Title	0*
Colorado	1988	Licensed Professional Counselor Provisional Licensed Professional Counselor	LPC	Title	4,432 90
Connecticut	1997	Licensed Professional Counselor	LPC	Practice and Title	As of 2012 1932
Delaware	1987	Licensed Professional Counselor of Mental Health Licensed Associate Counselor of Mental Health	LPCM LACMH	Title	304 3
District of Columbia	1992	Licensed Professional Counselor	LPC	Practice and Title	1,111
Florida	1981	Licensed Mental Health Counselor Provisional Mental Health Counselor Registered Mental Health Counselor Intern	LMHC	Practice	8813 71 3990
Georgia	1984	Licensed Professional Counselor Associate Professional Counselor	LPC ALPC	Practice and Title	5252 1228
Hawaii	2004	Licensed Mental Health Counselor	LMHC	Practice and Title	268
Idaho	1982	Licensed Clinical Professional Counselor Licensed Professional Counselor Registered Counselor Intern	LCPC LPC	Practice	750 895 11
Illinois	1993	Licensed Clinical Professional Counselor Licensed Professional Counselor	LCPC LPC	Practice	5,590 2,720
Indiana	1997	Licensed Mental Health Counselor	LMHC	Practice and Title	1853

Licensure Requirements for Professional Counselors – 2014

States	Law Passed	Credentials		Practice/Title	Counselor Counts
Iowa	1991	Licensed Mental Health Counselor	LMHC	Practice	1010
Kansas	1997**	Licensed Clinical Professional Counselor	LCPC	Practice and Title	359
		Licensed Professional Counselor	LPC		429
Kentucky	1996	Licensed Professional Clinical Counselor	LPCC	Practice and Title	1223
		Licensed Professional Counselor Associate	LPCA		599
Louisiana	1987	Licensed Professional Counselor	LPC	Practice	2810
		Counselor Intern	CI		914
Maine	1989	Licensed Clinical Professional Counselor	LCPC	Practice	1,453
		Licensed Professional Counselor	LPC		211
		Licensed Clinical Professional Counselor – Conditional		Practice	469
		Licensed Professional Counselor – Conditional Registered Counselor	RC		93
			634		
Maryland	1985	Licensed Clinical Professional Counselor	LCPC CPC LGPC	Practice and Title	3000
Massachusetts	1987	Licensed Mental Health Counselor	LMHC	Practice	5446
Michigan	1988	Licensed Professional Counselor Limited Licensed Professional Counselor	LPC LLPC	Practice and Title	9,069 total
Minnesota	2007	Licensed Professional Clinical Counselor	LPCC	Practice and Title	391
		Licensed Professional Counselor	LPC	Practice and Title	465
Mississippi	1985	Licensed Professional Counselor	LPC	Practice and Title	954
Missouri	1985	Licensed Professional Counselor	LPC	Practice and Title	3,531
		Provisional Licensed Professional Counselor	PLPC		693
Montana	1985	Licensed Clinical Professional Counselor	LCPC	Practice and Title	954
Nebraska	1986	Licensed Independent Mental Health Practitioner	LIMHP	Practice and Title	682****
		Licensed Mental Health Practitioner	LMHP	Practice and Title	2,615****
		Certified Professional Counselor	CPC	Title	1,106
		Provisional Licensed Mental Health Practitioner	PLMHP	Practice and Title	935****

States	Law Passed	Credentials		Practice/Title	Counselor Counts
Nevada	2007	Licensed Clinical Professional Counselor Licensed Clinical Professional Counselor Intern	LCPC	Practice and Title	25* 13*
New Hampshire	1998	Licensed Clinical Mental Health Counselor	LCMHC	Practice and Title	737
New Jersey	1993	Licensed Professional Counselor Licensed Associate Counselor	LPC LAC	Title	3217 1061
New Mexico	1993	Licensed Professional Clinical Mental Health Counselor Licensed Professional Mental Health Counselor Licensed Mental Health Counselor	LPCC LPC LMHC	Practice	1862 279 802
New York	2002	Licensed Mental Health Counselor Limited Permit	LMHC	Practice and Title	4996 --
North Carolina	1983	Licensed Professional Counselor Licensed Professional Counselor Associate Licensed Professional Counselor Supervisor	LPC LPCA LPCS	Practice and Title	4,307 0* 0*
North Dakota	1989	Licensed Professional Clinical Counselor Licensed Professional Counselor Licensed Associate Professional Counselor	LPCC LPC LAPC	Practice and Title	152 198 49
Ohio	1984	Licensed Professional Clinical Counselor Licensed Professional Counselor Professional Counselor/Clinical Resident Registered Counselor Trainee	LPCC LPC CR RCT	Practice and Title	4858 3933 1003 690
Oklahoma	1985	Licensed Professional Counselor	LPC	Practice and Title	2,926
Oregon	1985	Licensed Professional Counselor Registered Intern	LPC	Title	1,694 434
Pennsylvania	1998	Licensed Professional Counselor	LPC	Title	3,986
Puerto Rico	2002	Licensed Professional Counselor Professional Counselor with a Provisional License	LPC PCPL	Practice and Title	2,474 75
Rhode Island	1987	Licensed Clinical Mental Health Counselor	LCMHC	Practice and Title	363
South Carolina	1985	Licensed Professional Counselor Professional Counselor Intern	LPC LPC/I	Practice	1,777 311

Licensure Requirements for Professional Counselors – 2014

States	Law Passed	Credentials		Practice/Title	Counselor Counts
South Dakota	1990	Licensed Professional Counselor – Mental Health	LPC-MH	Practice	211
		Licensed Professional Counselor	LPC		471
Tennessee	1984	Licensed Professional Counselor – Mental Health Service Provider	LPC/MHSP	Practice and Title	1458
		Licensed Professional Counselor	LPC		355
Texas	1981	Licensed Professional Counselor	LPC	Practice and Title	14,982
		Licensed Professional Counselor Intern			2,800
Utah	1994	Licensed Professional Counselor	LPC	Practice	578
		Certified Professional Counselor Intern			310
		Certified Professional Counselor Extern			34
Vermont	1988	Licensed Clinical Mental Health Counselor	LCMHC	Practice and Title	667
Virginia	1976	Licensed Professional Counselor	LPC	Practice and Title	3,227
Washington	2001	Licensed Mental Health Counselor	LMHC	Practice and Title	5,133
		Licensed Mental Health Counselor Associate	LMHCA		1,235
		Certified Counselor	CC		717
		Certified Advisor	CA		9
		Agency Affiliated Counselors	AAC		5,996
West Virginia	1986	Licensed Professional Counselor	LPC	Practice and Title	1,060
Wisconsin	1992	Licensed Professional Counselor	LPC	Practice and Title	5158
		Licensed Professional Counselor Trainee			582
Wyoming	1987	Licensed Professional Counselor	LPC	Practice and Title	714
		Provisional Professional Counselor	PPC		161

Note: Please see page 4 for information on practice vs. title acts.

*The state is still in the process of implementing the law for this credential.

**Kansas began registering counselors in 1987; the law licensing professional counselors passed in 1997.

***Count includes professional counselors, marriage and family therapists, and social workers. Those holding the CPC credential also hold either the LMHP or LIMHP credential and can use the title LPC.

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APPENDIX I:

Scope of Practice

Licensure Requirements for Professional Counselors – 2014

ALABAMA

“PRIVATE PRACTICE OF COUNSELING” means rendering or offering to render to individuals, groups, organizations or the general public counseling services, in settings of individual or group practice, for a fee, salary, or other compensation, involving the application of principles, methods or procedures of the counseling profession which include, but are not restricted to:

- a. Counseling. To render evaluation and therapy that includes, but is not limited to, providing individual counseling, family counseling, marital counseling, group therapy, school counseling, play therapy, rehabilitation counseling, art therapy, human growth and development counseling, couples counseling, chemical abuse or dependency counseling, career counseling, and vocational disability counseling. The use of specific methods, techniques, or modalities within the practice of a licensed professional counselor is restricted to counselors appropriately trained in the use of these methods, techniques, or modalities. A licensed professional counselor or associate licensed counselor may diagnose and develop treatment plans but shall not attempt to diagnose, prescribe for, treat, or advise a client with reference to problems or complaints falling outside the boundaries of counseling services.
- b. Appraisal Activities. Selecting, administering, scoring and interpreting instruments designed to assess an individual's aptitudes, attitudes, abilities, achievements, interests and personal characteristics, but shall not include the use of projective techniques in the assessment of personality.
- c. Counseling, Guidance and Personnel Consulting. Interpreting or reporting upon scientific fact or theory in counseling, guidance and personal services to provide assistance in solving some current or potential problems of individuals, groups or organizations.
- d. Referral Activities. The evaluating of data to identify problems and to determine advisability of referral to other specialists.
- e. Research Activities. The designing, conducting and interpreting of research with human subjects.

ALASKA

“PRACTICE OF PROFESSIONAL OF COUNSELING” means, subject to (C) of this paragraph, the application of principles, methods, or procedures of the counseling profession to diagnose or treat, other than through the use of projective testing or individually administered intelligence tests, mental and emotional disorders that are referenced in the standard diagnostic nomenclature for individual, group, and organizational therapy, whether cognitive, affective, or behavioral, within the context of human relationships and systems; if otherwise within the scope of this ~~256~~ paragraph, “practice of professional counseling” includes:

- b. Assessment, which means selecting, administering, scoring, and interpreting instruments designed to assess an individual's aptitudes, attitudes, abilities, achievement, interests, and personal characteristics and using nonstandardized methods and techniques for understanding human behavior in relation to coping with, adapting to, or changing life situations;
- c. Counseling treatment intervention, which means those cognitive, affective, behavioral, and systemic counseling strategies, techniques, and methods common to the behavioral sciences that are specifically implemented in the context of a therapeutic relationship. Other treatment interventions include developmental counseling, guidance, and consulting to facilitate normal growth and development, including educational and career development; and
- d. Referral, which means evaluating information to identify needs or problems of an individual and to determine the advisability of referral to other specialists, informing the individual of the judgment, and communicating as requested or considered appropriate with the referral sources.

NEBRASKA

LIMHP

“INDEPENDENT MENTAL HEALTH PRACTICE” means the provision of treatment, assessment, psychotherapy, counseling, or equivalent activities to individuals, couples, families, or groups for behavioral, cognitive, social, mental, or emotional disorders, including interpersonal or personal situations. This includes diagnosing major mental illness or disorder, using psychotherapy with individuals suspected of having major mental or emotional disorders, or using psychotherapy to treat the concomitants of organic illness, with or without consultation with a qualified physician or licensed psychologist. Independent mental health practice does not include the practice of psychology or medicine, prescribing drugs or electroconvulsive therapy, treating physical disease, injury, or deformity, or measuring personality or intelligence for the purpose of diagnosis or treatment planning.

LMHP

“MENTAL HEALTH PRACTICE” means the provision of treatment, assessment, psychotherapy, counseling, or equivalent activities to individuals, couples, families, or groups for behavioral, cognitive, social, mental, or emotional disorders, including interpersonal or personal situations; and includes the initial assessment of organic mental or emotional disorders for the purpose of referral or consultation. Mental health practice does not include:

- a. the practice of psychology or medicine;
- b. prescribing drugs or electroconvulsive therapy;
- c. treating physical disease, injury, or deformity;
- d. diagnosing major mental illness or disorder except in consultation with a qualified physician, licensed clinical psychologist or licensed independent mental health practitioner;
- e. measuring personality or intelligence for the purpose of diagnosis or treatment planning;

Licensure Requirements for Professional Counselors – 2014

- f. using psychotherapy with individuals suspected of having major mental or emotional disorders except in consultation with a qualified physician, licensed clinical psychologist or licensed independent mental health practitioner; or using psychotherapy to treat the concomitants of organic illness except in consultation with a qualified physician or licensed clinical psychologist.

“PROFESSIONAL COUNSELING” means the assessment and treatment of mental and emotional disorders within the context of professional counseling theory and practice of individuals, couples, families, or groups for remuneration and includes, but is not limited to:

- a. Assisting individuals or groups through the counseling relationship to develop understanding, define goals, plan action, and change behavior with the goal of reflecting interests, abilities, aptitudes, and needs as they are related to personal and social concerns, educational progress, and occupations;
- b. Appraisal activities which means selecting, administering, scoring, and interpreting instruments designed to assess a person's aptitudes, attitudes, abilities, achievements, interests, and personal characteristics, except that nothing in this subdivision authorizes a certified professional counselor to engage in the practice of clinical psychology as defined in the Psychology Practice Act;
- c. Referral activities which evaluate data to identify which persons or groups may better be served by other specialists;
- d. Research activities which means reporting, designing, conducting, or consulting on research in counseling with human subjects;
- e. Therapeutic, vocational, or personal rehabilitation in relationship to adapting to physical, emotional, or intellectual disability; and
- f. Consulting on any activity listed in this section.

NEVADA

“PRACTICE OF CLINICAL PROFESSIONAL COUNSELING” means the treatment, assessment and counseling or equivalent activities, to a person or group of persons to achieve mental, emotional, physical and social development and adjustment. The term, as defined by legislation, includes counseling interventions to prevent, diagnose and treat emotional or behavioral disorders which interfere with mental health. The term does not include:

1. The practice of psychology or medicine;
2. The assessment or treatment of couples or families;

3. The prescription of drugs or electroconvulsive therapy;
4. The treatment of physical disease, injury or deformity;
5. The diagnosis or treatment of a psychotic disorder;
6. The use of projective techniques in the assessment of personality;
7. The use of psychological, neuropsychological or clinical tests designed to identify or classify abnormal or pathological human behavior;
8. The use of individually administered intelligence tests, academic achievement tests or neuropsychological tests; or
9. The use of psychotherapy to treat the concomitants of organic illness except in consultation with a qualified physician or licensed clinical psychologist.

NEW HAMPSHIRE

“**MENTAL HEALTH PRACTITIONER**” means persons licensed under this chapter as psychologists, pastoral psychotherapists, clinical social workers, clinical mental health counselors, or marriage and family therapists. For purposes of this chapter, the term clinical social worker shall include independent clinical social worker.

“**MENTAL HEALTH PRACTICE**” means the observation, description, evaluation, interpretation, diagnosis, and modification of human behavior by the application of psychological and systems principles, methods, and procedures for the purpose of preventing or eliminating symptomatic, maladapted, or undesirable behavior and of enhancing interpersonal relationships, work and life adjustments, personal effectiveness, behavioral health, and mental health, as well as the diagnosis and treatment of the psychological and social aspects of physical illness, accident, injury, or disability. Mental health practice may include, but shall not be limited to, those services based on diagnosis and treatment of mental and emotional disorders and psycho-educational or consultative techniques integral to the treatment of such disorders when diagnosis is specified in the most current edition of the *Diagnostic and Statistical Manual of Mental Disorders*, published by the American Psychiatric Association, or an equivalent of such manual as determined by the board. Notwithstanding any other provision to the contrary, no person licensed or registered under this chapter shall assess the need for medications, prescribe medications, or otherwise practice medicine as defined in RSA 329.

“**SCOPE OF PRACTICE**” means assessment, diagnosis, consultation, treatment recommendations and treatment of a person with a diagnosis or a concern specified in the current edition of the *Diagnostic and Statistical Manual* of the American Psychiatric Association (DSM) in accordance with RSA 330-A: 1.

NEW JERSEY

“**PROFESSIONAL COUNSELING SERVICES**” means the application of mental health and human development principles in order to facilitate human development and adjustment throughout the lifespan; clinically assess and evaluate mental, emotional, and

associated distresses which interfere with mental health and development; conduct assessments and evaluations for the purpose of establishing goals and objectives; and plan, implement, and evaluate counseling interventions.

“SCOPE OF PRACTICE”

The scope of practice of a licensed professional counselor includes, but is not limited to, counseling, counseling interventions, appraisal and assessment, consulting, referral and research activities.

NEW MEXICO

“PRACTICE OF PROFESSIONAL CLINICAL MENTAL HEALTH COUNSELING” means the application of mental health, psychotherapeutic and human development principles through a therapeutic relationship to:

- a. achieve the mental, emotional, physical, social, moral, educational, spiritual or career-related development and adjustment of the client throughout the client's life;
- b. diagnose, evaluate, prevent and treat mental, emotional or behavioral disorders and associated distresses that interfere with mental health;
- c. conduct appraisal, assessments and evaluations to establish treatment goals and objectives; and
- d. plan, implement and evaluate treatment plans using counseling treatment interventions and strategies.

NEW YORK

“PRACTICE OF MENTAL HEALTH COUNSELING”

The practice of the profession of mental health counseling is defined as:

- a. The evaluation, assessment, amelioration, treatment, modification, or adjustment to a disability, problem, or disorder of behavior, character, development, emotion, personality or relationships by the use of verbal or behavioral methods with individuals, couples, families or groups in private practice, group, or organized settings; and
- b. The use of assessment instruments and mental health counseling and psychotherapy to identify, evaluate and treat dysfunctions and disorders for purposes of providing appropriate mental health counseling services.

NORTH CAROLINA

“**PRACTICE OF COUNSELING**” means holding oneself out to the public as a professional counselor offering counseling services that include, but are not limited to, the following:

- a. Counseling. --Assisting individuals, groups, and families through the counseling relationship by evaluating and treating mental disorders and other conditions through the use of a combination of clinical mental health and human development principles, methods, diagnostic procedures, treatment plans, and other psychotherapeutic techniques, to develop an understanding of personal problems, to define goals, and to plan action reflecting the client's interests, abilities, aptitudes, and mental health needs as these are related to personal-social-emotional concerns, educational progress, and occupations and careers.
- b. Appraisal Activities. --Administering and interpreting tests for assessment of personal characteristics.
- c. Consulting. --Interpreting scientific data and providing guidance and personnel services to individuals, groups, or organizations.
- d. Referral Activities. --Identifying problems requiring referral to other specialists.
- e. Research Activities. --Designing, conducting, and interpreting research with human subjects.

NORTH DAKOTA

“**CLINICAL COUNSELING**” means providing clinical mental health counseling services involving the application of principles of human development, learning theory, psychotherapy, group dynamics, and the etiology of mental illness and dysfunctional behavior to individuals, couples, families, and groups for the purpose of promoting optimal mental health, dealing with normal problems of living, and treating psychopathic disorders. Clinical counseling includes diagnosis and treatment of emotional and mental disorders; psycho-educational techniques aimed at the prevention of emotional and mental disorders; consultations to individuals, couples, families, groups, organizations, and communities; and clinical research into more effective psycho-therapeutic modalities.

“**COUNSELING**” means the application of human development and mental health principles in a therapeutic process and professional relationship to assist individuals, couples, families, and groups in achieving more effective emotional, mental, marital, family, and social or educational development and adjustment. The goals of professional counseling are to:

- a. Facilitate human development and adjustment throughout the life span;
- b. Prevent, assess, and treat emotional, mental, or behavioral disorder and distress which interferes with mental health;

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- c. Conduct assessments for the purpose of establishing treatment goals and objectives; and
- d. Plan, implement, and evaluate treatment plans using professional counseling strategies and interventions.

OHIO

“SCOPE OF PRACTICE FOR A PROFESSIONAL CLINICAL COUNSELOR”

A professional clinical counselor may for a fee, salary, or other considerations:

- a. Engage in all practices, principles, methods, and procedures permitted under the scope of practice for a Professional Counselor.
- b. Engage, as a private practitioner, in the unsupervised diagnosis and treatment of mental and emotional disorders as defined in division (F) of section 4757.01 of the Revised Code.
- c. Independently, as an employee of an agency, without supervision, perform or approve a diagnosis and/or develop or approve a treatment plan as required for record keeping, insurance purposes, accreditation, or governmental requirements.
- d. Provide work supervision for professional counselors, social workers, social worker temporaries, assistant social workers, and marriage and family therapists; and supervision of chemical dependency counselors and prevention specialists as specified in chapter 4758 of the Revised Code; and training supervision for students, registered counselor trainees and registered clinical residents.

“CLINICAL COUNSELING PRINCIPLES, METHODS, OR PROCEDURES” means an approach to counseling that emphasizes the counselor’s role in systematically assisting clients through all of the following: assessing and analyzing background and current information, diagnosing mental and emotional disorders, exploring possible solutions, and developing and providing a treatment plan for mental and emotional adjustment or development. “Clinical counseling principles, methods, or procedures” includes at least counseling, appraisal, consulting, and referral.

“SCOPE OF PRACTICE FOR A PROFESSIONAL COUNSELOR”

A professional counselor as a private practitioner or an employee of an agency may for a fee, or salary, or other considerations:

- a. “Engage in the practice of professional counseling,” means to render to individuals, groups, organizations, or the general public counseling services involving the application of clinical counseling principles, methods, or procedures to assist individuals in achieving more effective personal, social, educational, or career development and adjustment. The practice of professional counseling does not include the diagnosis and treatment of mental and emotional disorders unless the individual is

licensed as a professional clinical counselor or is supervised by a professional clinical counselor, a psychologist, psychiatrist, or an independent social worker.

- b. “Apply clinical counseling principles, methods, and procedures,” means an approach to counseling that emphasizes the counselor’s role in systematically assisting clients through all of the following: Assessing and analyzing emotional conditions, exploring possible solutions, and developing and providing a treatment plan for mental and emotional adjustment or development. It may include counseling, appraisal, consulting, supervision, administration and referral.
- c. Provide diagnosis and treatment of mental and emotional conditions not attributable to mental and emotional disorders as defined in division (F) of section 4757.01 of the Revised Code.
- d. Engage in the diagnosis and treatment of mental and emotional disorders as the employee of a private practitioner or an agency when under the supervision of a professional clinical counselor, psychologist, psychiatrist, or independent social worker.
- e. Provide training supervision for students and registered counselor trainees when services are within their scope of practice, which does not include supervision of the diagnosis and treatment of mental and emotional disorders.

OKLAHOMA

“**COUNSELING**” means the application of mental health and developmental principles in order to:

- a. Facilitate human development and adjustment throughout the life span;
- b. Prevent, diagnose or treat mental, emotional or behavioral disorders or associated distress which interfere with mental health;
- c. Conduct assessments or diagnoses for the purpose of establishing treatment goals and objectives; and
- d. Plan, implement or evaluate treatment plans using counseling treatment interventions.

OREGON

“**PROFESSIONAL COUNSELING**” means counseling services provided to individuals, couples, families, children, groups, organizations or the general public through the therapeutic relationship, developing understanding of personal problems, defining goals and planning action reflecting interests, abilities, aptitudes and needs as these relate to problems and concerns in personal, social, educational, rehabilitation and career adjustments. “Professional counseling” includes, but is not limited to:

- a. Application of counseling theories and techniques designed to assist clients with current or potential problems and to facilitate change in thinking, feeling and behaving.

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- b. Research activities including reporting, designing, conducting or consulting on research in counseling with human subjects.
- c. Referral activities including the referral to other specialists.
- d. Consulting activities which apply counseling procedures and interpersonal skills to provide assistance in solving problems that a client may have in relation to an individual, group or organization.
- e. Record keeping activities, including documentation of counseling treatment or therapeutic services.

PENNSYLVANIA

“PRACTICE OF PROFESSIONAL COUNSELING” includes all of the following:

- a. The application of principles and practices of counseling, mental health and human development to evaluate and facilitate human growth and adjustment throughout the life span and to prevent and treat mental, emotional or behavioral disorders and associated stresses which interfere with mental health and normal human growth and development.
- b. The evaluation and assessment of normal and abnormal mental, emotional, social, educational, vocational, family and behavioral functioning throughout the life span; individual, group, family counseling and psychotherapy; crisis intervention, career counseling and educational and vocational counseling; functional assessment of persons with disabilities; and professional consulting.
- c. Professional counselors' utilization of verbal and nonverbal approaches and specialization in the use of arts-based therapeutic approaches, such as art, dance, music or drama, to accomplish treatment objectives.

PUERTO RICO

“PRACTICE OF PROFESSIONAL COUNSELING” refers to dedicating oneself to exercising the profession by way of the use of methods and strategies that include, but are not limited to:

- a. Counseling, which signifies the process of helping, which occurs through an instant personal relationship in which one utilizes theories, principles, methods, and strategies based on scientific knowledge to promote the integral well-being of the people.
- b. Evaluation, which signifies the selection, administration, and interpretation of developed tools for evaluating personal characteristics and the utilization of technical methods for observation, measurement, and understanding human behavior in relation to the way to confront, adapt to, and alter life situations.

- c. Consultation, which signifies the application of theories, principles, and scientific processes of counseling and human development to provide help and understand and resolve the real or potential situations that a person creates in relation to another person or a group or organization.
- d. Referral, which signifies the recommendation to consult other specialists, after having identified and evaluated the needs of a client in order to determine the convenience of having verbal consultation and the coordination with the chosen specialist.
- e. Investigation, which signifies the systematic work of compilation, analysis, and interpretation of information or data using scientific, quantitative, or qualitative methods to describe the social characteristics, the behavior, and the interactions between people or organizations.

RHODE ISLAND

“THE PRACTICE OF CLINICAL MENTAL HEALTH COUNSELING” means the rendering of professional services to individuals, families or groups for monetary compensation. These professional services would include:

- a. Applying the principals, methods and theories of counseling and/or psychotherapeutic techniques to define goals and develop a treatment plan of action aimed toward the prevention, treatment and resolution of social, mental, and emotional dysfunction and intra- or interpersonal disorders in persons diagnosed at intake as nonpsychotic and not presenting medical problems; and
- b. Engaging in psychotherapy of a nonmedical nature utilizing supervision when appropriate and making referrals to other psychiatric, psychological or medical resources when the person is diagnosed as psychotic or presenting a medical problem.

SOUTH CAROLINA

“PRACTICE OF PROFESSIONAL COUNSELING” means functioning as a psycho-therapist and may include, but is not limited to, providing individual therapy, family counseling, group therapy, marital counseling, play therapy, couples counseling, chemical abuse or dependency counseling, vocational counseling, school counseling, rehabilitation counseling, intervention, human growth and development counseling, behavioral modification counseling, and hypnotherapy. The practice of professional counseling may include assessment, crisis intervention, guidance and counseling to facilitate normal growth and development, including educational and career development; utilization of functional assessment and counseling for persons requesting assistance in adjustment to a disability or handicapping condition; and consultation and research. The use of specific methods, techniques, or modalities within the practice of licensed professional counseling is restricted to professional counselors appropriately trained in the use of these methods, techniques, or modalities.

“ASSESSMENT” in the practice of counseling and therapy means selecting, administering, scoring, and interpreting evaluative or standardized instruments; assessing, diagnosing, and treating, using standard diagnostic nomenclature, a client’s attitudes, abilities, achievements, interests, personal characteristics, disabilities, and mental, emotional, and behavioral problems that are typical of the developmental life cycle; and the use of methods and techniques for understanding human behavior in relation to, coping with, adapting to, or changing life situations. A counselor may assess more serious problems as categorized in standard diagnostic nomenclature but only if the counselor has been specifically trained to assess and treat that particular problem. If a client presents with a problem which is beyond the counselor’s training and competence, the counselor must refer that problem to a licensed professional who has been specifically trained to diagnose and treat the presenting problem. In all cases, ethical guidelines as established by the board must be followed.

SOUTH DAKOTA

LPC

“PRACTICE OF PROFESSIONAL COUNSELING” means the application of mental health, psychological, and human development principles in order to:

- a. facilitate human development and adjustment throughout the lifespan;
- b. prevent, diagnose, and treat mental, emotional, or behavioral disorders and associated distresses which interfere with mental health;
- c. conduct assessments and diagnoses for the purpose of establishing treatment goals and objectives; and
- d. plan, implement, and evaluate treatment plans using counseling treatment interventions.

LPC-MH

“MENTAL HEALTH COUNSELING” means the practice of mental health counseling includes diagnosis and treatment of mental illness or mental and emotional disorders; individual, group, and marriage and family counseling, and psychotherapy; assessment; crisis intervention; counseling and consulting to facilitate normal growth and development; psychoeducational techniques aimed at the prevention of mental and emotional disorders; consultations to individuals, couples, families, groups, organizations, and communities; and clinical research.

TENNESSEE

“PRACTICE OF PROFESSIONAL COUNSELING” (without the designation as a mental health service provider) means the rendering or offering to render to individuals, groups, organizations, or the general public any service involving the application of principles, techniques, methods, or procedures of the counseling profession, including appraisal activities, as defined by the law, counseling, consulting and referral activities. Nothing in this section shall be construed to permit the treatment of any mental, emotional or adjustment disorder other than marital problems, parent-child problems, child, and adolescent antisocial behavior, adult

antisocial behavior, other specified family circumstances, other interpersonal problems, phase of life problems, other life circumstance problems, occupational problems, and uncomplicated bereavement.

“PRACTICE OF COUNSELING AS A MENTAL HEALTH SERVICES PROVIDER” means the application of mental health and human development principles in order to:

- a. facilitate human development and adjustment throughout the life span;
- b. prevent, diagnose, and treat mental, emotional or behavioral disorders and associated disorders which interfere with mental health;
- c. conduct assessments and diagnoses for the purpose of establishing treatment goals and objectives within the limitations prescribed in T.C.A. § 63-22-150(1); and
- d. plan, implement, and evaluate treatment plans using counseling treatment interventions. Counseling treatment interventions shall mean the application of cognitive, affective, behavioral and systemic counseling strategies which include principles of development, wellness, and pathology that reflect a pluralistic society. Nothing in this definition shall be construed to permit the performance of any act which licensed professional counselors designated as mental health service providers are not educated and trained to perform, nor shall it be construed to permit the designation of testing reports as “psychological”.

“SCOPE OF PRACTICE”

(1) The following shall be considered necessary when addressing the scope of practice for professional counselors:

- a. Assisting an individual, through the counseling relationship, in a manner intended to facilitate normal human growth and development, using a combination of mental health and human development principles, methods and techniques, to achieve mental, emotional, physical, social, moral, educational, spiritual and/or career development and adjustment through the lifespan.
- b. Rendering or offering to render to individuals, groups, organizations, or the general public any service involving the application of principles, techniques, methods or procedures of the counseling profession, including appraisal activities, counseling, consulting and referral activities. Nothing in this section shall be construed to permit the treatment of any mental, emotional or adjustment disorder other than marital problems, parent-child problems, child and adolescent antisocial behavior, adult antisocial behavior, other specified family circumstances, other interpersonal problems, phase of life problems, other life circumstance problems, occupational problems, and uncomplicated bereavement.
- c. Selecting, administering, scoring, and interpreting instruments designed to assess an individual’s aptitudes, achievements, or interests, which are used to understand, measure or facilitate such individual’s normal human growth and development, but shall not include the use of projective techniques in the assessment of personality, nor the use of psychological or clinical tests

Licensure Requirements for Professional Counselors – 2014

designed to identify or classify abnormal or pathological human behavior, nor the use of individually administered intelligence tests. Consistent with each counselor's formal education and training, licensed or certified professional counselors may administer and utilize appropriate assessment instruments which measure and/or diagnose problems and/or dysfunctions within the context of human growth and development as part of the counseling process or in the development of a treatment plan.

(2) In addition to the provisions of paragraph (1), the following shall be considered necessary when addressing the scope of practice for professional counselors as a mental health service provider:

- a. Facilitate human development and adjustment throughout the life span;
- b. Prevent, diagnose, and treat mental, emotional or behavioral disorders and associated disorders which interfere with mental health;
- c. Conduct assessments and diagnoses for the purpose of establishing treatment goals and objectives within the limitations prescribed in T.C.A. § 63-22-150(1); and
- d. Plan, implement, and evaluate treatment plans using counseling treatment interventions. "Counseling treatment interventions" means the application of cognitive, affective, behavioral and systemic counseling strategies which include principles of development, wellness, and pathology that reflect a pluralistic society. Nothing in this definition shall be construed to permit the performance of any act which licensed professional counselors designated as mental health service providers are not educated and trained to perform, nor shall it be construed to permit the designation of testing reports as "psychological."

(3) Any person who engages in any unlawful act enumerated in these rules and T.C.A. §§ 63-22-101, et seq., is guilty of a Class B misdemeanor.

(4) Nothing in these rules shall be construed as permitting individuals registered with the board to administer or prescribe drugs or in any manner engage in the practice of medicine as defined by Tennessee law.

TEXAS

"PRACTICE OF PROFESSIONAL COUNSELING" means the application of mental health, psychotherapeutic, and human development principles to:

- a. Facilitate human development and adjustment throughout life;
- b. Prevent, assess, evaluate, and treat mental, emotional, or behavioral disorders and associated distresses that interfere with mental health;
- c. Conduct assessments and evaluations to establish treatment goals and objectives;

d. Plan, implement, and evaluate treatment plans using counseling treatment interventions.

The use of specific methods, techniques, or modalities within the practice of professional counseling is limited to professional counselors appropriately trained and competent in the use of such methods, techniques or modalities. Authorized counseling methods techniques and modalities may include, but are not restricted to, the following:

(1) individual counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, and affective methods and strategies to achieve mental, emotional, physical, social, moral, educational, career, and spiritual development and adjustment through the life span;

(2) group counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, and affective methods and strategies to achieve mental, emotional, physical, social, moral, educational, spiritual, and career development and adjustment through the life span;

(3) marriage counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, affective and family systems methods and strategies to achieve resolution of problems associated with cohabitation and interdependence of adults living as couples;

(4) family counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, affective and family systems methods and strategies with families to achieve mental, emotional, physical, moral, social, educational, spiritual, and career development and adjustment through the life span;

(5) chemical dependency counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, affective methods and strategies, and 12-step methods to achieve abstinence from the addictive substances and behaviors by the client;

(6) rehabilitation counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, and affective methods and strategies to achieve adjustment to a disabling condition and to reintegrate the individual into the mainstream of society;

(7) education counseling which utilizes formal and informal counseling methods and assessments and appraisal instruments for the purpose of determining strength, weakness, mental condition, emotional stability, intellectual ability, interest, skill, aptitude, achievement, and other personal characteristics of individuals for the selection of and placement in educational settings, preschool through postdoctoral study;

(8) career development counseling which utilizes formal and informal counseling methods and appraisal instruments for the purpose of determining intellectual ability, interest, skill, aptitude, achievement, mental condition, emotional fitness, and other personal

Licensure Requirements for Professional Counselors – 2014

characteristics for occupational, vocational, and career selection and placement throughout the life span;

(9) sexual issues counseling which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, and affective methods and strategies in the resolution of sexual disorders;

(10) referral counseling which utilizes the processes of evaluating and identifying needs of clients to determine the advisability of referral to other specialists, informing the client of such judgment and communicating as requested or deemed appropriate to such referral sources;

(11) psychotherapy which utilizes interpersonal, cognitive, cognitive-behavioral, behavioral, psychodynamic, and affective methods and strategies to assist clients in their efforts to recover from mental or emotional illness;

(12) play therapy which utilizes play and play media as the child's natural medium of self-expression, and verbal tracking of the child's play behaviors as a part of the therapist's role in helping children overcome their social, emotional, and mental problems;

(13) hypnotherapy which utilizes the principles of hypnosis and post-hypnotic suggestion in the treatment of mental and emotional disorders and addictions;

(14) expressive therapies which utilize therapeutic modalities in the treatment of interpersonal, emotional or mental health issues, chemical dependency, or human developmental issues, including, but not limited to, music therapy, art therapy, dance or movement therapy, hippotherapy, or the use of other techniques employing animals in providing therapy as described previously;

(15) biofeedback which utilizes electronic equipment to monitor and provide feedback regarding an individual's physiological responses. The counselor who uses biofeedback must be able to prove academic preparation and supervision in the use of the equipment as a part of the counselor's academic program or the substantial equivalent provided through approved continuing education;

(16) assessing and appraising, in compliance with §681.43 of this title (relating to testing), which utilizes formal and informal instruments and procedures, for which the counselor has received appropriate training and supervision, in individual and group settings for the purposes of determining the client's strengths and weaknesses, mental condition, emotional stability, intellectual ability, interests, aptitudes, achievement level and other personal characteristics for a better understanding of human behavior, and for diagnosing mental problems; but does not permit the diagnosis of a physical condition or disorder; and

(17) consulting which utilizes the application of specific principles and procedures in counseling to provide assistance in

understanding and solving current or potential problems that the consultee may have in relation to a third party, whether individuals, groups, or organizations.

UTAH

“PRACTICE OF PROFESSIONAL COUNSELING” means the practice of mental health therapy by means of observation, description, evaluation, interpretation, intervention, and treatment to effect modification of human behavior by the application of generally recognized professional counseling principles, methods, and procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunction, symptoms of any of these, or maladaptive behavior.

“PRACTICE OF MENTAL HEALTH THERAPY” means treatment or prevention of mental illness, including:

- a. conducting a professional evaluation of an individual's condition of mental health, mental illness, or emotional disorder consistent with standards generally recognized in the professions of mental health therapy;
- b. establishing a diagnosis in accordance with established written standards generally recognized in the professions of mental health therapy;
- c. prescribing a plan for the prevention or treatment of a condition of mental illness or emotional disorder; and
- d. engaging in the conduct of professional intervention, including psychotherapy by the application of established methods and procedures generally recognized in the professions of mental health therapy.

VERMONT

“THE PRACTICE OF CLINICAL MENTAL HEALTH COUNSELING” means providing, for a consideration, professional counseling services that are primarily drawn from the theory and practice of psychotherapy and the discipline of clinical mental health counseling, involving the application of principles of psychotherapy, human development, learning theory, group dynamics, and the etiology of mental illness and dysfunctional behavior to individuals, couples, families, and groups, for the purposes of treating psychopathology and promoting optimal mental health. The practice of clinical mental health counseling includes diagnosis and treatment of mental and emotional disorders, psychoeducational techniques aimed at the prevention of such disorders, consultations to individuals, couples, families, groups, organizations and communities and clinical research into more effective psychotherapeutic treatment modalities.

“PSYCHOTHERAPY” means the provision of treatment, diagnosis, evaluation or counseling services to individuals or groups, for a consideration, for the purpose of alleviating mental disorders. “Psychotherapy” involves the application of therapeutic techniques to understand unconscious or conscious motivation, resolve emotional, relationship or attitudinal conflicts, or modify behavior which interferes with effective emotional, social or mental functioning. “Psychotherapy” follows a systematic procedure of psychotherapeutic intervention which takes place on a regular basis over a period of time, or, in the case of evaluation and brief

psychotherapies, in a single or limited number of interventions. If a person is employed by or under contract with the agency of human services, this definition does not apply to persons with less than a master's degree, to persons providing life skills training or instruction, such as learning to make friends, to handle social situations, to do laundry and to develop community awareness, or interactions of employees or contracted individuals with clients whose job description or contract specifications do not specifically mention "psychotherapy" as a job responsibility or duty.

VIRGINIA

"PRACTICE OF COUNSELING" means rendering or offering to render to individuals, groups, organizations, or the general public any service involving the application of principles, methods or procedures of the counseling profession, which shall include appraisal, counseling, and referral activities.

"COUNSELING" means the therapeutic process of: (i) conducting assessments and diagnoses for the purpose of establishing treatment goals and objectives and (ii) planning, implementing, and evaluating treatment plans using treatment interventions to facilitate human development and to identify and remediate mental, emotional or behavioral disorders and associated distresses which interfere with mental health.

"COUNSELING TREATMENT INTERVENTION" means those cognitive, affective, behavioral and systemic counseling strategies, techniques and methods common to the behavioral sciences that are specifically implemented in the context of a therapeutic relationship. Other treatment interventions include developmental counseling, guidance, and consulting to facilitate normal growth and development, including educational and career development.

WASHINGTON

"MENTAL HEALTH COUNSELING" means the application of principles of human development, learning theory, psychotherapy, group dynamics, and etiology of mental illness and dysfunctional behavior to individuals, couples, families, groups, and organizations, for the purpose of treatment of mental disorders and promoting optimal mental health and functionality. Mental health counseling also includes, but is not limited to, the assessment, diagnosis, and treatment of mental and emotional disorders, as well as the application of a wellness model of mental health.

"PSYCHOTHERAPY" means the practice of counseling using diagnosis of mental disorders according to the fourth edition of the diagnostic and statistical manual of mental disorders, published in 1994, and the development of treatment plans for counseling based on diagnosis of mental disorders in accordance with established practice standards.

“CERTIFIED COUNSELOR”

The scope of practice of certified counselors consists exclusively of the following:

(1) Appropriate screening of the client's level of functional impairment using the global assessment of functioning as described in the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders*. Recognition of a mental or physical disorder or a global assessment of functioning score of sixty or less requires that the certified counselor refer the client for diagnosis and treatment to a licensed healthcare practitioner.

(2) If the client has a global assessment of functioning score greater than sixty, a certified counselor may counsel and guide the client in adjusting to life situations, developing new skills, and making desired changes, in accordance with the theories and techniques of a specific counseling method and established practice standards.

(3) If the client has a global assessment of functioning score of sixty or less, a certified counselor may counsel and guide the client in adjusting to life situations, developing new skills, and making desired changes, in accordance with the theories and techniques of a specific counseling method and established practice standards if:

(a) The client has been referred to the certified counselor by a licensed healthcare practitioner and care is provided as part of a plan of treatment developed by the referring practitioner who is actively treating the client. The certified counselor must adhere to any conditions related to the certified counselor's role as specified in the plan of care; or

(b) The certified counselor referred the client for diagnosis and treatment from a licensed healthcare practitioner and the client refused, in writing, to seek diagnosis and treatment from the other provider. The certified counselor may provide services to the client consistent with a treatment plan developed by the certified counselor and the consultant or supervisor with whom the certified counselor has a written consultation or supervisory agreement.

(4) A certified counselor must not be the sole treatment provider for a client with a global assessment of functioning score of less than fifty.

“CERTIFIED ADVISER”

The scope of practice of certified advisers consists exclusively of the following:

(1) Appropriate screening of the client's level of functional impairment using the global assessment of functioning as described in the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders*. Recognition of a mental or physical disorder or a global assessment of functioning score of sixty or less requires that the certified adviser refer the client to a licensed healthcare practitioner.

(2) If the client has a global assessment of functioning score greater than sixty, a certified adviser may counsel and guide the client in adjusting to life situations, developing new skills, and making desired changes, in accordance with the theories and techniques of a specific counseling method and established practice standards.

“AGENCY AFFILIATED COUNSELOR” scope of practice:

(1) An agency affiliated counselor may only provide counseling services as part of his or her employment as an agency affiliated counselor for a recognized agency.

(2) An applicant for an agency affiliated counselor must be employed by, or have an offer of employment from, an agency or facility identified in WAC 246-810-016.

WEST VIRGINIA

“PROFESSIONAL COUNSELING” means the assessment, diagnosis, treatment and prevention of mental, emotional or addiction disorders through the application of clinical counseling procedures. Professional counseling includes the use of psychotherapy, assessment instruments, counseling, consultation, treatment planning, and supervision in the delivery of services to individuals, couples, families and groups.

“CLINICAL COUNSELING PROCEDURES” means an approach to counseling that emphasizes the counselor’s role in systematically assisting clients through all of the following including, but are not limited to, observing, assessing and analyzing background and current information; utilizing assessment techniques useful in appraising aptitudes, abilities, achievements, interests or attitudes; diagnosing; and developing a treatment plan. The goal of these procedures is the prevention and elimination of symptomatic, maladaptive, or undesired behavior, cognitions, or emotions in order to integrate a wellness, preventative, pathology and multicultural model of human behavior to assist an individual, couple, family, group of individuals, organization, institution or community to achieve mental, emotional, physical, social, moral, educational, spiritual, vocational or career development and adjustment through the life span of the individual, couple, family, group of individuals, organization, institution or community.

The licensee’s areas of competence in counseling and the services provided, based on training and experience, from the following list, as is appropriate: career counseling, consultation, diagnosis and treatment of mental and emotional disorders, employee assistance counseling, family counseling, human resources counseling, marriage counseling, mental health counseling, rehabilitation counseling, school counseling, substance abuse and addictions counseling, supervision, and vocational counseling.

WISCONSIN

“PROFESSIONAL COUNSELING” means applying a combination of human development, rehabilitation and either psychosocial or psychotherapeutic principles, procedures or services that integrate a wellness, pathology and multicultural model of human behavior in order to assist an individual, couple, family, group of individuals, organization, institution or community to achieve mental, emotional, physical, social, moral, educational, spiritual, vocational or career development and adjustment through the life span of the individual, couple, family, group of individuals, organization, institution or community.

WYOMING

“PRACTICE OF COUNSELING” means rendering to individuals, couples, families, groups, organizations, corporations, institutions, government agencies or the general public a service that integrates a wellness, pathology and multicultural model of human behavior. This model applies a combination of mental health, psychotherapeutic, and human development principles and procedures to help clients achieve effective mental, emotional, physical, social, moral, educational, spiritual or career development and adjustment throughout the life span, and includes the diagnostic description and treatment of mental disorders or disabilities within the range of the professional's preparation.

“MENTAL HEALTH PROCEDURES” means engaging in methods and techniques which include, but are not restricted to:

- a. "Counseling" means assisting clients through the counseling relationship, using a combination of mental health, psychotherapy and human development principles, methods and techniques, to achieve mental, emotional, physical, social, moral, educational, spiritual or career development and adjustment through the life span, but shall not include religious instruction;
- b. "Appraisal" means selecting, administering, scoring and interpreting instruments designed to assess an individual's attitudes, abilities, achievements, interests and personal characteristics and the use of methods and techniques for understanding human behavior in relation to coping with, adapting to, or changing life situations;
- c. "Consulting" means the application of scientific principles and procedures in counseling and human development to provide assistance in understanding and solving current or potential problems that the client may have in relation to a third party, be it an individual, a group or an organization;
- d. "Referral" means evaluating and identifying needs of a client to determine the advisability of referral to other specialists, informing the client of such judgment and communicating as requested or deemed appropriate to such referral sources;
- e. "Research" means systematic efforts to collect, evaluate, interpret and apply procedures related to improving the understanding and delivery of counseling services to clients.

“PSYCHOTHERAPY” means the treatment, diagnosis, testing, assessment or counseling in a professional relationship to assist individuals or groups to alleviate mental disorders, understand unconscious or conscious motivation, resolve emotional relationships, or attitudinal conflicts, or modify behaviors which interfere with effective emotional, social or intellectual functioning.

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www.bbs.ca.gov

To: Board Members

Date: October 28, 2015

From: Kim Madsen
Executive Officer

Telephone: (916) 574-7841

Subject: North Carolina State Board of Dental Examiners v. Federal Trade Commission

Department of Consumer Affairs Legal Counsel, Dianne Dobbs, will provide information regarding the February 25, 2015 North Carolina State Board of Dental Examiners v. Federal Trade Commission case Supreme Court decision.

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To: Board Members

Date: October 28, 2015

From: Kim Madsen
Executive Officer

Telephone: (916) 574-7841

Subject: November 2016 Meeting Date

Recently, the Board became aware that the Association of Social Work Boards (ASWB) will be holding their annual delegate meeting in San Diego, California on November 17-19, 2016. This meeting occurs at the same time as the November Board meeting.

So that the LCSW Board Members, the Executive Officer, and Assistant Executive Officer may attend this annual meeting, staff is suggesting an alternative meeting date for the November meeting. Two possible dates are suggested. These dates allow the Board to keep the September 30, 2015 Policy and Advocacy Committee as scheduled.

- November 3-4, 2016
- December 1-2, 2016

Recommendation

Board Members should discuss the alternative dates and advise staff of their preference.

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To: Board Members

Date: August 12, 2015

From: Kim Madsen
Executive Officer

Telephone: (916) 574-7841

Subject: 2016 Board and Committee Meeting Dates

BOARD MEETINGS

March 2-4, 2016* Sacramento, California
May 12-13, 2016 Southern California
August 24-26, 2016 * Sacramento, California
November 17-18, 2016 Southern California

** Extra date is for disciplinary cases, if needed. If not, the meeting will be 2 days beginning on Thursday.*

POLICY & ADVOCACY COMMITTEE

January 29, 2016 Sacramento, California
April 15, 2016 Sacramento, California
August 5, 2016 Sacramento, California
September 30, 2016 Sacramento, California

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