

BOARD MEETING MINUTES1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

Open sessions of this Board Meeting were webcasted. Records of the webcasts are available at the following links:

- November 5 (part 1): <https://youtu.be/SsjpXj9Wkbg>
- November 5 (part 2): https://youtu.be/eE6anjFI_58
- November 5 (part 3): https://youtu.be/typj_zeAVhk
- November 6 (part 1): <https://youtu.be/NxScwKeY1PA>
- November 6 (part 2): <https://youtu.be/V7w6iX-zdOQ>

DATE November 5, 2020

MEETING PLATFORM Zoom Video Conference and Phone Conference

Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-25-20, dated March 12, 2020, neither a public location nor teleconference locations are provided.

TIME 8:30 a.m.

ATTENDEES

Members Present: Max Disposti, Chair, Public Member
Christina Wong, Vice Chair, LCSW Member
Ross Erlich, Public Member
Susan Friedman, Public Member
Dr. Diana Herweck, LPCC Member
Jonathan Maddox, LMFT Member
Kelly Ranasinghe, Public Member
John Sovec, LMFT Member

Members Absent: Crystal Anthony, LCSW Member
Deborah Brown, Public Member
Christopher Jones, LEP Member
Wendy Strack, Public Member

1 **Staff Present:** Kim Madsen, Executive Officer
2 Steve Sodergren, Assistant Executive Officer
3 Sabina Knight, Legal Counsel
4 Christina Kitamura, Administrative Analyst
5
6 **Other Attendees:** Wim van Rooyen, Administrative Law Judge
7 Anahita Crawford, Deputy Attorney General
8 Public participation via Zoom video conference/ phone conference
9

12 OPEN SESSION

15 I. Call to Order and Establishment of Quorum

17 Max Disposti, Chair of the Board of Behavioral Sciences (Board), called the
18 meeting to order at 8:34 a.m. Roll was called, and a quorum was established.

20 II. Public Comments for Items Not on the Agenda

22 None

24 III. Suggestions for Future Agenda Items

26 None

28 ***Administrative Law Judge Wim van Rooyen presided over the following petition
29 hearings. Deputy Attorney General Anahita Crawford presented the facts of each
30 case on behalf of the People of the State of California.***

32 *Petitions were heard in the following order: VIII, VII, IV, V, VI.*

34 IV. Shahla Johnson Chapman, LMFT 112173, Petition for Modification of 35 Probation

37 The hearing was opened at 11:50 a.m. Shahla Johnson Chapman represented
38 herself. Ms. Crawford presented the background of Ms. Chapman's probation.

39 Ms. Chapman was sworn in. She presented her request for modification of
40 probation and information to support the request and was cross-examined by
41 Ms. Crawford and Board members. The record was closed at 1:24 p.m.
42
43

1 **V. Sharlamaine Constance Hayes, LCSW 16197, Petition for Reinstatement of**
2 **License**

3
4 The hearing was opened at 2:29 p.m. Sharlamaine Hayes represented herself.
5 Ms. Crawford presented the background of Ms. Hayes' revocation.
6

7 Ms. Hayes was sworn in. She presented her request for reinstatement of
8 licensure and information to support the request and was cross-examined by Ms.
9 Crawford and Board members. The record was closed at 3:49 p.m.
10

11 **VI. Donald Charles Lewis, ASW 80267, Petition for Early Termination of**
12 **Probation**

13
14 The hearing was opened at 4:07 p.m. Donald Lewis represented himself. Ms.
15 Crawford presented the background of Mr. Lewis' probation.
16

17 Mr. Lewis' was sworn in. He presented his request for early termination of
18 probation and information to support the request and was cross-examined by
19 Ms. Crawford and Board members. The record was closed at 5:14 p.m.
20

21 **VII. Ashley Huyen Devine, LMFT 120413 and APCC 5280, Petition for Early**
22 **Termination of Probation**

23
24 The hearing was opened at 10:18 a.m. Ashley Devine represented herself. Ms.
25 Crawford presented the background of Ms. Devine's probation.
26

27 Ms. Devine was sworn in. She presented her request for early termination of
28 probation and information to support the request and was cross-examined by
29 Ms. Crawford and Board members. The record was closed at 11:35 a.m.
30

31 **VIII. Laura J. Tomlinson, LCSW 28337, Petition for Early Termination of**
32 **Probation**

33
34 The hearing was opened at 8:42 a.m. Laura Tomlinson was represented by
35 counsel (Lindsey Johnson). Ms. Crawford presented the background of Ms.
36 Tomlinson's probation. Ms. Johnson gave opening remarks.
37

38 Ms. Tomlinson was sworn in and examined by her counsel. Ms. Tomlinson
39 presented her request for early termination of probation and information to
40 support the request and was cross-examined by Ms. Crawford and Board
41 members. Ms. Johnson provided closing argument. The record was closed at
42 10:02 a.m.
43

1
2
3
4
5
6
7
8
9
10
11
12
13

CLOSED SESSION

IX. 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.

The Board met in closed session at 5:17 p.m.

The Board recessed following the conclusion of the Closed Session at 6:16 p.m. until Friday, November 6, 2020 at 8:30 a.m.

1 **DATE** November 6, 2020

2
3 **MEETING PLATFORM** Zoom Video Conference and Phone Conference

4
5 *Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-25-20,*
6 *dated March 12, 2020, neither a public location nor teleconference locations are*
7 *provided.*

8
9 **TIME** 8:30 a.m.

10
11 **ATTENDEES**

12 **Members Present:** Max Disposti, Chair, Public Member
13 Christina Wong, Vice Chair, LCSW Member
14 Ross Erlich, Public Member
15 Susan Friedman, Public Member (*arrived 8:57 a.m.*)
16 Dr. Diana Herweck, LPCC Member
17 Christopher Jones, LEP Member
18 Kelly Ranasinghe, Public Member
19 John Sovec, LMFT Member
20 Wendy Strack, Public Member (*left at 12:17 p.m.*)

21
22 **Members Absent:** Crystal Anthony, LCSW Member
23 Deborah Brown, Public Member
24 Jonathan Maddox, LMFT Member

25
26 **Staff Present:** Kim Madsen, Executive Officer
27 Steve Sodergren, Assistant Executive Officer
28 Rosanne Helms, Legislative Manager
29 Christy Berger, Regulatory Analyst
30 Christina Kitamura, Administrative Analyst
31 Sabina Knight, Legal Counsel

32
33 **Other Attendees:** Jerilee Mallari, Classification and Recruitment Manager
34 Public participation via Zoom video conference/phone conference
35
36

37
38 **OPEN SESSION**

39
40
41 **X. Call to Order, Establishment of Quorum, and Introductions**

42
43 Meeting called to order at 8:35 a.m. Roll was called, and a quorum was
44 established.
45

1 Disposti: Introduced new Board member, Dr. Diana Herweck, LPCC Member.

2 **XI. Executive Officer Recruitment and Selection Process**

3 **a. Presentation by the Department of Consumer Affairs' Office of Human**
4 **Resources Regarding the Selection Process of an Executive Officer**

5
6 Jerilee Mallari, Department of Consumer Affairs' (DCA) Office of Human
7 Resources, Classification and Recruitment Manager: Presented the
8 executive officer (EO) selection process.
9

10 Two members will participate in the selection process. The Board Chair will
11 appoint those members to a search committee.
12

13 Recruitment announcement advertised for 30 days on California Human
14 Resources (CalHR) platform but may be advertised externally.
15

16 Applicants will be interviewed during a closed session board meeting, and the
17 Board must vote for a chosen applicant.
18

19 **b. Discussion and Possible Appointment of an Executive Officer Search**
20 **Committee**

21
22 Ranasinghe: Recommended Disposti to serve on the search committee.
23

24 Disposti: Appointed Wong and himself to the search committee.
25

26 **c. Review and Possible Amendments to Executive Officer Duty Statement**

27
28 Ms. Mallari: Reviewed the Executive Officer Duty Statement and proposed
29 edits.
30

31 **MOTION:** Move to accept edits for the Executive Officer Duty Statement.
32

33 Ranasinghe moved. Wong seconded. The motion carried: 8 yea, 0 nay, 1
34 abstention.
35

36 Roll call vote:
37

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown				x	
Max Disposti	x				
Ross Erlich	x				
Susan Friedman			x		
Dr. Diana Herweck	x				
Christopher Jones	x				
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack	x				
Christina Wong	x				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

d. Review and Approval of the Executive Officer Recruitment Announcement

Board members requested announcement to be advertised outside of CalHR platform, such as on association sites. Search committee will make selections.

MOTION: Approve the recruitment announcement as written with the addition of discussed amendments regarding policy-making experience in diversity to which then the search committee will have the final authorization to approve any non-substantive technical changes to reflect the Board's desires; approve a 6-page limit for the Statement of Qualifications; approve announcement posting on CalHR website; direct authorization to the search committee to repost and choose where to post externally, including the Capital Morning Report, etc.

Wong moved. Sovec seconded. The motion carried: 9 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown				x	
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones	x				
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack	x				

Christina Wong	x				
----------------	---	--	--	--	--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

The Board moved to closed session at 9:20 a.m.

CLOSED SESSION

XII. Pursuant to Section 11126(a) of the Government Code, the Board Will Meet in Closed Session to Discuss the Executive Officer Recruitment and Selection Process, the Possible Appointment of an Acting Executive Officer or Interim Executive Officer.

OPEN SESSION

The Board returned to open session at 10:05 a.m.

XIII. Board Chair Report

a. Possible Announcement of Appointment of an Acting Executive Officer or Interim Executive Officer

Disposti: Announced the appointment of an Interim Executive Officer effective January 1, 2021. Steve Sodergren was appointed.

b. Possible Announcement of Executive Officer Search Committee Members

Disposti: Announced the members of the Executive Officer Search Committee: Max Disposti and Christina Wong.

c. Recognition of Board Staff Years of Service

Disposti: Presented a Resolution to Kim Madsen for her service to the Board of Behavioral Sciences.

Staff recognized for their service to BBS:

- 5 years: Carl Peralta, Kimberly Covington, Margaret See, Yee Lee, Marlon McManus
- 20 years: Christina Kitamura

XIV. Public Comment for Items Not on the Agenda

1 Caitlyn Conley, advocacy chair for the Council of Social Work Education
2 (CSWE): CSWE has concerns that the social work education at the master’s
3 level is moving away from clinical and becoming more of a general practice and
4 focusing on more mezzo and macro-level social work. CSWE would like to know
5 “what the Board’s role is in informing the CSWE on social work education, and if
6 the Board has a role in advocating for clinical skills in master’s level social work,
7 how can we advocate to improve the clinical education for master’s level social
8 workers?”
9

10 Cathy Atkins, California Association of Marriage and Family Therapists (CAMFT):
11 Awarded Kim Madsen with a plaque in recognition of her work with CAMFT.
12

13 Jen Alley, CAMFT: In 2021, CAMFT will sponsor legislation to centralize the
14 MFT scope of practice language into the body of CAMFT’s scope. The goal is to
15 have CAMFT’s scope in one place. There will be no changes or expansion to the
16 scope of practice. CAMFT is still finalizing the language and will discuss it with
17 the Board at a future meeting.
18

19 Many stakeholders, Board members and staff expressed well wishes to Kim
20 Madsen.
21

22 **XV. Suggestions for Future Agenda Items**
23

24 None
25

26 **XVI. Consent Calendar**

27 **a. Possible Approval of the July 30, 2020 Board Meeting Minutes**

28 **b. Possible Approval of the August 13-14, 2020 Board Meeting Minutes**

29 **c. Possible Approval of the September 11, 2020 Board Meeting Minutes**

30 **d. Possible Approval of the October 8, 2020 Board Meeting Minutes**
31

32 **MOTION:** Approve the Board meeting minutes as written: July 30, 2020,
33 August 13-14, 2020, September 11, 2020, October 8, 2020.
34

35 Strack moved. Erlich seconded. The motion carried: 9 yea, 0 nay.
36

37 Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown				x	
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				

Christopher Jones	x				
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack	x				
Christina Wong	x				

1 **XVII. Examination Presentation by Pearson Vue**

2
3 Tom Magallanes, Executive Director, presented to the Board. Christine Nelson,
4 Program Manager, also presented. Items presented: Overview, solution
5 overview, COVID-19 protocols, and operational statistics.
6

7 Solution overview

- 8 Test development & test publishing
- 9 BBS submits candidate eligibility records
- 10 Examination scheduling
- 11 Testing center network administration
- 12 Results reporting and information services

13
14 Mr. Magallanes responded to questions regarding proctoring exams. Pearson
15 VUE has ability to conduct online proctoring of exams. However, there are risks
16 with high stake exams, specifically security and content becoming compromised.
17 Pearson VUE cannot control the home environment and cannot ensure that
18 candidates are not bringing any sort of electronic devices. Other components
19 that are considered: a chaotic home environment, bandwidth issues. Pearson
20 VUE will continue conversations with Board staff regarding online proctoring.
21

22 Mr. Magallanes addressed concerns regarding safety at test centers and
23 enforcement of COVID-19 protocols. Pearson VUE is in direct contact with
24 Centers for Disease Control and Prevention and are following its guidelines.
25 Test takers are not permitted in a test center without a mask. Each test site is at
26 about 50% reduced capacity to ensure social distancing; however, each site is
27 different based on size and number of work spaces.
28

29 Sodergren addressed concerns regarding scheduling exams. Board staff is
30 closely monitoring the availability of exam sites. Currently, test sites are booking
31 up through February. Exams administered for this quarter is at normal capacity
32 compared to last year, which is about 4,000 exams.
33

34 Exam eligibilities are being extended due to the waivers.
35

36 Mr. Magallanes addressed concerns regarding accommodations. Each of their
37 test sites have an accommodation room. Additional test sites are currently being
38 built with two accommodation rooms. There has been a spike since COVID-19
39 where the demand for accommodations testing has soared and has caused

1 greater capacity challenges. Pearson VUE is trying to work through this. The
2 demand for testing and for accommodations during COVID-19 is challenging.
3

1 **XVIII. Examination Presentation by the Department of Consumer Affairs' Office of**
2 **Professional Examination Services**

3
4 Dr. Tracy Montez, Chief of Division of Programs and Policy Review gave a
5 presentation on examination validation and the process of developing the
6 Board's examinations. This presentation is typically provided when new
7 members join the Board.
8

9 Dr. Montez spoke on DCA's position on online and remote testing. DCA is
10 discouraging its boards from doing online remote proctoring because a candidate
11 may have a camera in the room. DCA has not figured out how to prevent the
12 recording of exams. The security protocols are not high enough yet for DCA's
13 high-stake exams. DCA must also consider candidate security and data
14 transmission of confidential candidate information. Online proctoring of exams
15 may be possible in the future.
16

17 **XIX. Executive Officer Report**

18 **a. Budget Report**

19 2020/2021 Budget

20 The Board's budget for fiscal year (FY) 2020/2021 was \$12,470,000. The
21 Board has expended \$1,531,311 (12%) of its budget.
22

23 Fund Condition

24 The Board's fund condition for FY 2020/2021 currently reflects a negative
25 balance. However, the fund condition does not include the Board's recent fee
26 increase.
27

28 **b. Operations Report**

29 **BOARD STATISTICS: 1st Quarter of FY 2020/2021**

30
31 Licensing Program Applications

- 32 • Licensing applications received increased by 47%
- 33 • 56% increase in initial registration, mostly due to graduation season
- 34 • 38% increase in subsequent registration applications, mostly due to
35 graduation season
36

37 Licensing Population

- 38 • 1,739 initial licenses were issued
- 39 • 122,211 licensees and registrants as of August 8, 2020 (1% gain) from the
40 previous quarter
41

42 Renewal Activity

43 Renewal activity increased by 13%.
44

1 Administrative Applications

2 Administrative application volumes increased by 28%.

3
4 Examination Program

- 5 • 4,806 examinations were administered, a 75% increase from the previous
6 quarter.
7 • 9 examination development workshops were conducted from July 1st to
8 September 30th.

9
10 The Impact of COVID-19

11 Because the continued impact of COVID-19 remains an issue, the Board is
12 estimating that complications with scheduling of exams could continue into
13 2021. Although exam administrations have increased, candidates have
14 expressed concern that they are not able to find exam availability until next
15 year. The Board continues to consult with Pearson VUE, ASWB and NBCC
16 to ensure the availability of exams

17
18 The Board encourages candidates to broaden their location or time choices
19 when scheduling an exam if they would like to take the exam sooner. Since
20 exam availability may fluctuate daily because of cancelation and reschedules,
21 the candidates are encouraged to frequently check Pearson VUE online
22 scheduling site for additional availability. Candidates may have to select a
23 less preferred time or location than if they need to take the exam sooner. The
24 most availability for exams occurs midweek during the day.

25
26 There have been concerns about candidates who are immune-compromised
27 or believe that they have other reasons why they need to take the exam in a
28 private room. This is an option but to exercise this option, candidates must
29 go through the special accommodations process. Availability is limited as
30 each site has only one private room.

31
32 On October 12, 2020, the following waivers enacted pursuant to Governor's
33 Executive Order N-39-20 were extended:

- 34
35 • A twenty-month extension of examination eligibility for exam, Board exam
36 candidates that failed the clinical examination (for LMFT, LCSW, or LPCC
37 applicants) or the written examination (for LEP applicants), and whose
38 one-year eligibility to re-take the examination expired between March 31,
39 2020 and November 30, 2020. The extension is from the date of the initial
40 eligibility or from the last attempted exam date.
41
42 • The waiving of the requirement that associates must pass the California
43 law and ethics examination before a subsequent registration number is
44 issued. The waiver applies to all associates who are in their last year of
45 renewal, if that renewal expires between March 31, 2020 and October 31,
46 2020.

- 1
2
3
4
5
6
- The waiving of the requirement that associates must participate in the California law and ethics exam in order to renew their associate registration. The waiver applies to all associates that have a registration that expires between March 31 and October 31, 2020.

7
8

Enforcement Program

- 9
10
11
12
13
14
15
16
17
18
19
20
21
- 494 consumer complaints received
 - 368 criminal conviction notifications received
 - 636 cases closed
 - 32 cases referred to the Attorney General's (AG) office for formal discipline
 - 117 cases pending at the AG's office as of September 30th
 - 9 accusations and 4 Statement of Issues filed
 - 3 final citations issued
 - 32 final disciplinary orders
 - 487 average number of days to complete Formal Discipline. Performance measure is 540 days.
 - 373 average number of days a case is with the AG's office
 - 31 average number of days to complete all Board investigations

22
23

Continuing Education Audits

Audits are suspended due to the current continuing education waiver.

24
25

Outreach Activity

26
27
28

Board staff engaged in 9 outreach events via telephone or video conference: association meetings, MFT consortium meetings, and a license portability presentation.

29
30
31

COMMUNICATION REPORT: 1st Quarter of FY 2020/2021

32
33
34
35
36
37

There was a substantial increase in inquiries during the 1st quarter. The number of inquiries has increased due to affects that COVID has had on the Board's examination program. The Board has continued with Facebook Fridays and has updated the website by centralizing the Frequently Asked Questions (FAQs).

38

Facebook (FB)

- 39
40
41
- Number of "likes" is 10,402 as of September 30th
 - 11,594 followers as of September 30th

42

Twitter

43

The average number of views per month this quarter:

- 44
45
- 1033 in July
 - 1146 in August

- 1223 in September

DCA Call Center

The call center received 7,096 calls for BBS, a 20% increase from last quarter.

c. Personnel Report

New Employees/Promotions

Staff Services Manager – Registration, Examination and Cashiering Unit

Cynthi Burnett promoted to this position effective September 1, 2020.

Staff Services Manager – Licensing Unit

Cassandra Kearney promoted to this position effective September 1, 2020.

Vacancies

Currently, there are 8 vacancies:

- Enforcement Analyst (2 positions)
- Staff Services Analyst – Registration, Examination & Cashiering
- Management Services Technician (MST) – Licensing
- MST – Registration, Examination & Cashiering
- Office Technician (OT) – Discipline & Probation/Enforcement: Lisa Santolin accepted this position effective November 2, 2020.
- OT – Administration

d. Strategic Plan Update

The Strategic Plan Update was provided for review.

The Board’s Sunset Hearing will be held on November 18th.

XX. Policy and Advocacy Committee Recommendations

- a. Recommendation #1: Support. Proposed Technical Amendments to Business and Professions Code Sections 2290.5, 4980.01, 4980.32, 4980.40, 4980.43.3, 4980.46, 4980.54, 4982, 4983, 4984.7, 4987.5, 4989.17, 4989.20, 4989.24, 4989.32, 4989.34, 4989.36, 4989.38, 4989.40, 4989.54, 4989.66, 4989.68, 4990.30, 4992.3, 4996.2, 4996.3, 4996.12, 4996.14, 4996.17.2, 4996.18, 4996.22, 4996.75, 4998, 4998.2, 4999.22, 4999.42, 4999.46.1, 4999.51, 4999.71, 4999.76, 4999.80, 4999.86, 4999.90, 4999.104, 4999.120, 4999.123. Add Business and Professions Code Sections 4989.47, 4990.07, 4990.27, 4996.61, 4996.62. Repeal Business and Professions Code Section 4999.122. Amend Health and Safety Code Section 1374.72. Amend Insurance Code Section 10144.5**

NEW AMENDMENTS

Not yet approved by the Board.

1
2
3
4
5
6
7
8
9
10
11
12
13

1. Amend BPC §2290.5 – Associates and Telehealth

Recommendation: Include associate clinical social workers and associate professional clinical counselors in the definition of health care providers who may provide services via telehealth in BPC §2290.5.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Disposti seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown				x	
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones	x				
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack				x	
Christina Wong	x				

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

2. Amend BPC §§4980.46 and 4998.2; Add BPC §4989.47 – Fictitious Business Names

Recommendation: Amend BPC §4980.46 (for LMFTs) and §4998.2 (for LCSWs) to use the word “that” instead of “which”, for consistency with other similar statutes pertaining to the use of fictitious business names. Add a fictitious business name statute for LEPs (§4989.47).

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Sovec seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

1

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

3. Amend BPC §§4984.7, 4989.32, 4989.68, 4996.3, and 4999.120 – Clarification of Frequency of Renewal Fees

Recommendation: Amend BPC §§4984.7, 4989.32, 4989.68, 4996.3, and 4999.120 to clarify that associate registrations are renewed annually, and licenses are renewed every two years, as needed.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Erlich seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

17

1 **4. Add BPC §4990.07 – Email Address Requirement for Applicants,**
2 **Registrants, and Licensees**

3
4 Recommendation: Add BPC §4990.07 to the Board’s general
5 administrative code sections, requiring that all applicants, registrants, and
6 licensees who have an email address provide it to the board by July 1,
7 2022. The language also prohibits the Board from disclosing the email
8 address to the public.

9
10 **MOTION:** Direct staff to make any discussed changes and any non-
11 substantive changes and pursue as a legislative proposal.

12
13 Disposti moved. Jones seconded. The motion carried: 6 yea, 1 nay.

14 Roll call vote:

15

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman				X	
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec		X			
Wendy Strack				X	
Christina Wong	X				

16
17
18 **5. Add BPC §4990.27 – Law Waivers During State of Emergency**

19
20 Recommendation: Staff previously asked the Policy and Advocacy
21 Committee (Committee) to consider adding BPC §4990.27 to the Board’s
22 licensing law, allowing the Board the ability to waive statutes or regulations
23 during a state of emergency if the Board believes the waiver will aid public
24 protection or patient care. At its October 2020, the Committee agreed that
25 the Board should consider this.

26
27 However, as the COVID-19 State of Emergency and resulting DCA waiver
28 process is still ongoing and evolving, it may be premature for the Board to
29 pursue its own waiver process.

30
31 The Board did not take action on this item.
32

1
2
3
4
5
6
7
8
9
10
11

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

6. Amend BPC §4996.3(a)(3) – Correction of Maximum Fee Amount

Recommendation: Correct the error in BPC §4996.3(a)(3) to have the maximum LCSW application fee set at \$500 instead of \$400.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Ranasinghe seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

7. Add BPC §§4996.61 and 4996.62; Amend BPC §§4989.38 and 4989.40 – Renewal of Suspended License and Reinstatement of Revoked License

Recommendation: Add the two sections to LCSW law regarding renewal of a suspended license, and reinstatement of a revoked license, so that this process is clear for LCSWs and consistent with the Board’s LMFT and LPCC license types. Amend the two sections in LEP law so that the wording is consistent with corresponding sections for the Board’s other license types.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Sovec moved. Disposti seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

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

8. Amend HSC §1374.72 and IC §10144.5 – Definition of a “Health Care Provider” in SB 855

Recommendation: Staff recommends pursuing an amendment to the definition of a “health care provider” as follows to address the Board’s concerns:

Delete professional clinical counselor trainees from the definition (they cannot count pre-degree hours, and therefore are not necessarily under the supervision of a licensed professional.)

Continue to include marriage and family therapist trainees in the definition but clarify that they are performing activities and services as part of their supervised course of study as set out in BPC §4980.42.

Jen Alley, CAMFT: CAMFT is ok with the change to the MFT trainee.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Disposti seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

FEE RELATED AMENDMENTS

Clean-up previously approved by the Board to run in last year’s fee increase bill

1. Amend BPC §4980.54, 4989.34, 4996.22, 4999.76 – Authority to Charge Continuing Education Provider Fees

Recommendation: Remove obsolete language allowing the Board to charge continuing education provider fees.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Disposti moved. Wong seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

19

1
2
3
4
5
6
7
8
9
10
11
12

2. Amend BPC §§4989.36, 4989.40, 4999.104 – Renewal of Expired License and Reinstatement of License: Accumulated Fees

Recommendation: Amend LEP and LPCC statutes to clarify that charging accrued renewal or delinquency fees is not permitted.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Sovec moved. Jones seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

13
14
15
16
17
18
19
20
21
22
23
24
25
26

3. Repeal BPC §4999.122 – Licensed Professional Clinical Counseling Program Startup Funds

Recommendation: Delete BPC §4999.122 as it is obsolete.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Erlich seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

AMENDMENTS APPROVED BY THE BOARD IN 2019-2020

1. Amend BPC §4987.5, 4998, and 4999.123 – Professional Corporations

Recommendation: Staff recommends striking the list of professions in BPC §§4987.5, 4998, and 4999.123, as they are already listed in the Corporations Code. These sections already state that the shareholders, officers, directors, or professional employees must be in compliance with the Moscone-Knox Act.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Friedman seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

19

1
2
3
4
5
6
7
8
9
10
11

2. Amend BPC §4980.43.3 - Renumbering

Recommendation: Renumber the contents of subdivision (c) in order to correct the error.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Sovec moved. Friedman seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

3. Amend BPC §§4980.43.2, 4996.23.1, 4999.46.2 – Definition of “One Hour of Direct Supervisor Contact”

Recommendation: Defer this item to the Telehealth Committee.

The Board did take action on this item.

4. Amend BPC §§4980.01, 4996.14, 4999.22 – Notice to Clients About Filing a Complaint

Recommendation: Amend the above statement into the notice required by BPC §§4980.01, 4996.14, and 4999.22.

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Jones seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

1
2
3
4
5
6
7
8
9
10
11
12

5. Amend BPC §§4980.01, 4980.32, 4989.17, 4996.14, 4996.75, 4999.22 and 4999.71 – Timing of Providing the Notice to Clients About Filing a Complaint

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Disposti seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

13
14
15
16
17
18
19

6. Amend BPC §4990.30 – Petitions for Reinstatement or Modification of Penalty

MOTION: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

1
2
3

Wong moved. Erlich seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown				x	
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones	x				
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack				x	
Christina Wong	x				

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

- 7. **Amend BPC §4996.22 – Acceptable LCSW Continuing Education Providers**
- 8. **Amend BPC §4999.46.1 – Delete Duplicative Definition of Supervision**
- 9. **Amend BPC §§4983, 4989.66, 4996.12, and 4999.86 – Fines for Licensing Act Violations**
- 10. **Amend BPC §4996.17.2 – Correct Numbering Reference**

MOTION for items 7-10: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Wong moved. Sovec seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AMENDMENTS MADE FOR CONSISTENCY WITH AB 2138

Previously approved by the Board in 2019-2020

1. Amend BPC §§4980.40, 4989.20, 4996.2, 4996.18, 4999.42, 4999.51 – Qualifications for Licensure or Registration
2. Amend BPC §§4980.40, 4989.24, 4996.2, 4999.42, 4999.51 – Reference to Penal Code Section 290
3. Amend BPC §§4982, 4989.54, 4992.3, 4999.90 – Unprofessional Conduct Provisions
4. Amend BPC Section 4999.80 – References to Statutes Governing License Denials, Suspensions, or Revocations

MOTION for items 1-4: Direct staff to make any discussed changes and any non-substantive changes and pursue as a legislative proposal.

Sovec moved. Wong seconded. The motion carried: 8 yea, 0 nay.

Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				X	
Deborah Brown				X	
Max Disposti	X				
Ross Erlich	X				
Susan Friedman	X				
Dr. Diana Herweck	X				
Christopher Jones	X				
Jonathan Maddox				X	
Kelly Ranasinghe	X				
John Sovec	X				
Wendy Strack				X	
Christina Wong	X				

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

b. Recommendation #2: Support. Practice Setting Definitions: Proposed Amendments to Business and Professions Code Sections 4980.01, 4980.43, 4980.43.2, 4980.43.3, 4980.43.4, 4980.46, 4992.10, 4996.13, 4996.14, 4996.15, 4996.23, 4996.23.1, 4996.23.2, 4996.23.3, 4999.22, 4999.46, 4996.46.2, 4996.46.3, 4996.46.4, 4999.72: Add Business and Professions Code Sections 4980.05, 4980.06, and 4996.14.1, 4996.14.2, 4999.25, and 4999.26: Renumber and Amend Business and Professions Code Section 4999.24 (Renumber to 4999.27)

The Exempt Setting Committee was formed to:

1. Examine mental health services provided in exempt settings to determine if consumers are receiving services consistent with the standard of care, and
2. Examine different types of practice settings that offer mental health services to determine if setting definitions need to be refined.

Clarifying Practice Setting Definitions

The proposal provides specific definitions of the various types of practice settings:

- It classifies all settings into two main types: exempt settings and non-exempt settings. The definition of exempt settings remains the same. Non-exempt settings are all settings that do not qualify as exempt settings.
- It carves out definitions of two specific types of non-exempt settings: private practices and professional corporations.
- It reiterates that an individual working in an exempt setting who holds a Board-issued license or registration is under the jurisdiction of the Board.

- 1 • It reiterates that an active license or registration number is required to
2 provide psychotherapeutic services in any non-exempt setting, with two
3 exceptions:
4
 - 5 ○ Specifies that a trainee may provide services in a non-exempt setting
6 as long as it is not a private practice or a professional corporation, and
7 the trainee is under the jurisdiction and supervision of their school.
 - 8 ○ Specifies that an applicant for associate registration following the 90-
9 day rule may provide services in a non-exempt setting as long as it is
10 not a private practice or a professional corporation, if they are in
11 compliance with the laws pertaining to the 90-day rule.
- 12 • It allows supervision of all individuals to be done via videoconferencing in
13 an exempt setting.
- 14 • It specifies that an entity that is licensed or certified by a government
15 regulatory agency to provide health care services is not considered a
16 private practice setting.
- 17 • It limits supervisors in any non-exempt setting to six individual or triadic
18 supervisees at a time.
- 19 • It permits contracted supervisors in a private practice or professional
20 corporation. The supervisor must provide psychotherapeutic services to
21 clients at the same site as the associate.

22
23
24
25
26
27 Helms: An amendment is required to change the term “associate” to
28 “supervisee” in section 4999.46.2(e).

29
30 This item was merged with item XXI for further discussion and action.

31 32 **XXI. Discussion and Possible Action Regarding the Supervision of Associate** 33 **Clinical Social Workers Within an Organization with Multiple Site Settings**

34
35 Kaiser frequently employs associate clinical social workers (ASWs) who are
36 gaining experience toward licensure. According to their 2020 Northern California
37 HMO Provider Manual, Kaiser is split into three employing entities:

- 38
39 • **Kaiser Foundation Health Plan, Inc. (KFHP):** KFHP is a California
40 nonprofit, public benefit corporation that is licensed as a health care service
41 plan. KFHP offers HMO plans. KFHP contracts with Kaiser Foundation
42 Hospitals and The Permanente Medical Group to provide or arrange for the
43 provision of medical services.

44

- 1 • **Kaiser Foundation Hospitals (KFH):** KFH is a California nonprofit public
2 benefit corporation that owns and operates community hospitals and
3 outpatient facilities. KFH provides and arranges for hospital and other facility
4 services.
- 5 • **The Permanente Medical Group, Inc. (TPMG):** TPMG is a professional
6 corporation of physicians in KPNC that provides and arranges for professional
7 medical services.
8

9 ASWs working for The Permanente Medical Group (professional corporation)
10 arm of Kaiser believe it is unfair that they have limits on their required supervision
11 for gaining experience hours toward LCSW licensure that other ASWs working
12 under the Kaiser nonprofit corporations (exempt settings) do not have.
13

14 **Under Current LCSW Law**

- 15 • For those ASWs working at its professional corporation, their supervisor must
16 be employed full-time at the same site as them and perform professional
17 services there. There is a limit of three supervisees per supervisor.
- 18 • For those ASWs working at Kaiser’s nonprofit corporations, the above
19 limitations do not apply – they are considered to be working in an exempt
20 setting.
21

22 **Under the Proposed Law**

- 23 • For those ASWs working at its professional corporation, Kaiser would be able
24 to contract or arrange with outside supervisors for their associates. Those
25 supervisors would not need to be employed full-time at the same site as their
26 associates. However, the supervisors would be required to see clients at the
27 same site as each associate they supervise. There is a limit of six
28 supervisees per supervisor.
- 29 • For those ASWs working at Kaiser’s nonprofit corporations, the above limits
30 do not apply – they are considered to be working in an exempt setting.
31

32 **Board Staff Suggestions**

- 33 a. Delete allowance from the bill. (*“An entity that is licensed or certified by a
34 government regulatory agency to provide health care services shall not be
35 considered a private practice setting.”*)
36
- 37 b. Leave the allowance in the bill.
38
- 39 c. Not run the bill and hold for another year for further discussion.
40

41 Wong: Suggested to move forward with the bill proposal and continue to work
42 with Kaiser.
43

1 Disposti: Reiterated concerns of other Board members to ensure that the Board
2 is not carving out exceptions for specific entities.

3
4 **MOTION:** Direct staff to make the discussed change of the term “associate” to
5 “supervisee” in BPC §4999.46.2(e) and to make any non-substantive changes
6 and pursue as a legislative proposal.

7
8 Wong moved. Disposti seconded. The motion carried: 8 yea, 0 nay.

9
10 Roll call vote:

Member	Yea	Nay	Abstain	Absent	Recusal
Crystal Anthony				x	
Deborah Brown				x	
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Dr. Diana Herweck	x				
Christopher Jones	x				
Jonathan Maddox				x	
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack				x	
Christina Wong	x				

11
12
13 **XXII. Discussion and Possible Action Regarding License Portability for Licensed**
14 **Educational Psychologists**

15
16 **Background on License Portability**

17 The Board recently successfully implemented license portability legislation for its
18 LMFT, LCSW, and LPCC applicants. SB 679 became effective on January 1,
19 2020 and established “licensure by credential” process for LMFT, LCSW, and
20 LPCC applicants who are licensed in another state if they met specified criteria.

21
22 **LEPs and License Portability**

23 SB 679 did not establish a license portability, or “licensure by credential” option
24 for LEPs, because only one other state issues an LEP license (Massachusetts).

25
26 Licensure as an LEP in Massachusetts requires a master’s or doctoral degree in
27 school psychology, including 60 graduate credits and 1,200 practicum hours,
28 current certification as a school psychologist, at least two full-time years post-
29 master’s degree experience in school psychological services, at least 60 hours of
30 post-master’s degree supervised clinical experience, and passage of the National
31 School Psychology Examination.
32

1 Applicants for LEP licensure in California are required to complete the following:
2

- 3 1. A master's degree in psychology, educational psychology, school psychology,
4 counseling and guidance, or a degree deemed equivalent by the board.
5
- 6 2. Completion of 60 semester hours of postgraduate work in pupil personnel
7 services.
8
- 9 3. Two years of full-time, or the equivalent to full-time, experience as a
10 credentialed school psychologist in the public schools.
11
- 12 4. One of the following:
 - 13 a. One year of supervised professional experience in an accredited school
14 psychology program.
15
 - 16 b. One year of full-time, or the equivalent to fulltime, experience as a
17 credentialed school psychologist in the public schools obtained under the
18 direction of a licensed educational psychologist or a licensed psychologist.
19
- 20 5. Passage of an examination specified by the Board.
21

22 If the Board were to receive an application for LEP licensure from someone with
23 a similar license in another state, it would compare the applicant's education and
24 experience with the California LEP licensure requirements.
25

26 Because there is not a common standard for LEP licensure in many other states,
27 it appears that the LEP license type does not lend itself to license portability as
28 well as the Board's other three license types. In addition, accepting a national
29 exam in lieu of the Board's written exam for LEPs could be problematic, because
30 the Board's exam tests applicants on their knowledge specifically about
31 California law and ethics.
32

33 **Recent Related Legislation**

34 A bill proposal last year, AB 3045 would have required DCA boards to issue a
35 license to an honorably discharged military member or the spouse of an active
36 duty military member if they met the specified requirements.
37

38 The Board took an "oppose unless amended" position on AB 3045, requesting
39 that its license types be removed from the bill due to omissions of key licensing
40 requirements necessary to public protection, and due to the fact that the Board
41 had already carefully established a license portability pathway for its LMFT,
42 LCSW, and LPCC license types.
43

44 Although AB 3045 died, staff believes that future legislative efforts for portability
45 are a possibility.
46

1 Staff was directed to bring this item to the Policy and Advocacy Committee in
2 February for further discussion.

3
4 **XXIII. Update on Board-Sponsored, Board-Supported, and Board-Monitored**
5 **Legislation**

6
7 The following bills were signed by the Governor:

8
9 **AB 3330: Department of Consumer Affairs: Boards: Licensees: Regulatory**
10 **Fees**

11 This bill increases the licensing, registration, and examination fees charged by
12 the Board.

13
14 **AB 465: Mental Health Workers: Supervision**

15 This bill requires a licensed mental health professional to supervise any program
16 where mental health professionals respond to emergency calls related to mental
17 health crises in collaboration with, or in place of, law enforcement.

18
19 **AB 1145: Child Abuse: Reportable Conduct**

20 This is a two-year bill that would specify that voluntary acts of sodomy, oral
21 copulation, and sexual penetration are not considered acts of sexual assault that
22 must be reported by a mandated reporter as child abuse if there are no indicators
23 of abuse, unless it is between a person age 21 or older and a minor under age
24 16.

25
26 **AB 2112: Suicide Prevention**

27 This bill authorizes the establishment of the Office of Suicide Prevention within
28 the State Department of Public Health.

29
30 **AB 2113: Refugees, Asylees, and Immigrants: Professional Licensing**

31 This bill would require the Board to expedite the initial licensure process for
32 certain refugee, asylee, and immigrant applicants.

33
34 **SB 803: Mental Health Services: Peer Support Specialist Certification**

35 This bill would require the Department of Health Care Services to establish
36 statewide requirements for counties to use in developing certification programs
37 for the certification of peer support specialists.

38
39 **SB 1474 (Senate Committee on Business, Professions, and Economic**
40 **Development): Business and Professions**

41 This bill would extend the Board's sunset date for one year, until January 1,
42 2022. It also makes changes to other practice acts regulated by the state.

1 **XXIV. Update on Board Rulemaking Proposals**

2
3 **Substantial Relationship & Rehabilitation Criteria (AB 2138 Regulations)**

4 Status: Submitted to OAL for final approval

5
6 **Enforcement Process**

7 Status: On Hold

8
9 This regulation package remains on hold pending passage of the AB 2138
10 regulations.

11
12 **Supervision-Related Requirements**

13 Status: DCA Final Review Process

14
15 **Continuing Education and Additional Training Requirements**

16 Status: DCA Initial Review Process

17
18 **Examination Waiting Periods, Professional Corporations, Accrediting**
19 **Agencies and Equivalent Degrees**

20 Status: Preparation for Initial Review Process

21
22 **XXV. Adjournment**

23
24 The Board adjourned at 5:07 p.m.