



BOARD OF BEHAVIORAL SCIENCES
1625 N. Market Blvd., Suite S-200, Sacramento, CA 95834
Telephone (916) 574-7830
TDD (916) 322-1700
Website Address: <http://www.bbs.ca.gov>



MEETING NOTICE

February 15-16, 2007

Mission Inn Hotel
3649 Mission Inn Avenue
Riverside, CA 92501
(951) 784 - 0300

Thursday, February 15
9:00 a.m.

FULL BOARD OPEN SESSION - Call to Order & Establishment of a Quorum

- I. Chairperson's Report
- II. Executive Officer's Report
 - A. Personnel Update
 - B. Examination Update
 - C. Miscellaneous Matters
- III. Approval of November 16-17, 2006 Board Meeting Minutes
- IV. Report of the Communications Committee
 - A. Review and Possible Adoption of Board Logo
 - B. Strategic Plan Update
- V. Report of the Consumer Protection Committee
 - A. Recommendation #1 – Amend Business and Professions Code Sections 4980.01 and 4996.14 Regarding Exempt Practice Settings
 - B. Recommendation #2 – Amend California Code of Regulations Section 1887.2 Regarding Exceptions to Continuing Education Requirements
 - C. Strategic Plan Update
 - D. Enforcement Statistics
 - E. Examination Statistics
- VI. Presentation by Donna DeAngelis, Executive Director of the Association of Social Work Boards regarding licensure examinations.
- VII. Discussion and Possible Action to Review the National Examination for Licensure as a Clinical Social Worker
- VIII. Report of the Marriage and Family Therapist Education Committee

1:00 p.m.

FULL BOARD OPEN SESSION -- PUBLIC HEARING ON PROPOSED AMENDMENTS TO REGULATIONS

- IX. Regulations subject to proposed amendment:
- Amend Section 1887.2 – Exceptions From Continuing Education Requirements
 - Amend Section 1887.3 – Continuing Education Course Requirements

FULL BOARD OPEN SESSION

- X. Review and Possible Action on Proposed Amendments to Sections 1833.1 & 1870 Regarding Supervisor Qualifications
- XI. Review and Possible Action on Proposed Amendments to Sections 1816.7, 1887.7, 1887.75 & 1887.77 Regarding Continuing Education Providers
- XII. Review and Possible Action on Proposed Amendments to Sections 1805, 1806, 1833.3, 1816, 1816.1, 1816.2, 1816.4, 1816.6, 1854, 1855, 1856, 1857 & 1858 Regarding Application Files, Fees, and Licensed Educational Psychologists
- XIII. Discussion and Possible Action to Sponsor Legislation to Accept Degrees Conferred by Bureau of Private Post-secondary and Vocational Education approved schools as Qualification for Licensure as a Marriage and Family Therapist
- XIV. Report of the Policy and Advocacy Committee
- A. Recommendation #1 – Amend Sections 4980.80 and 4980.90 to increase portability of marriage and family therapist licenses
 - B. Recommendation #2 – Repeal Section 4980.40(i) relating to registration as a marriage and family therapist intern
 - C. Recommendation #3 – Sponsor Legislation to increase Health Professions Education Foundation surcharge and reduce license renewal fees
 - D. Recommendation #4 – Amend board policy on succession of officers
 - E. Recommendation #5 – Establish a board position on legislation to establish licensure for professional counselors
 - F. Preliminary Results from demographic survey of board registrants and licensees
 - G. Regulation Update
 - H. Legislation Update
 - I. Strategic Plan Update
 - J. Budget Update
 - K. Quarterly Licensing Statistics
- XV. Public Comment for Items Not on the Agenda

Friday, February 16
8:30 a.m.

FULL BOARD OPEN SESSION - Call to Order & Establishment of a Quorum

- XVI. Petition for Reinstatement
 - A. Peggy Reid LCS 18337

FULL BOARD CLOSED SESSION

- XVII. Pursuant to Government Code Section 11126(c)(3) to Deliberate on Disciplinary Decisions

Public Comment on items of discussion will be taken during each item. Time limitations will be determined by the Chairperson. Items will be considered in the order listed. Times 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 facilities are accessible to persons with disabilities. Please make requests for accommodations to the attention of Christina Kitamura at the Board of Behavioral Sciences, 1625 N. Market Blvd., Suite S-200, Sacramento, CA 95834, or by phone at (916) 574-7835, no later than one week prior to the meeting. If you have any questions please contact the Board at (916) 574-7830.

Blank Page

**State of California
Board of Behavioral Sciences**

Memorandum

To: Board Members

Date: January 31, 2007

From: Paul Riches
Executive Officer

Telephone: (916) 574-7840

Subject: Agenda Item II. Personnel Update

New Hires

- Michelle Eernisse joined the BBS in December filling the vacant MFT evaluator position. Michelle was previously employed with the Davis Police Department.
- Karrmyne Williams joined the BBS in December filling the vacant Cashier position. Karrmyne was previously employed with California Land Title Company of Nevada County.
- Cynthia Finan joined the BBS in January filling the vacant Office Assistant position in the Administration Unit.

Vacant Positions

- Licensing-Office Technician (Typing): This position, in the Licensing Unit, is vacant due to a re-assignment of duties. A new duty statement will be drafted for future recruitment.

Blank Page

**State of California
Board of Behavioral Sciences**

Memorandum

To: Board Members **Date:** February 2, 2007
From: Mona C. Maggio **Telephone:** (916) 574-7841
Assistant Executive Officer
Subject: Agenda Item IV. Communications Committee Report

Action Item

#A -- Review and Possible Adoption of Board Logo

The committee recommends that the Board review and select a Board logo from the logo designs provided by BP Cubed.

Other Committee Items

The Communications Committee met on Wednesday, January 10, 2007 in Sacramento.

- The committee conducted a review of progress on achieving the strategic objectives under Goal 1 [Item B]
- Lindle Hatton of Hatton Management Consultants provided a presentation on the Board's Strategic Planning Process
- The committee reviewed the first drafts of the Marriage and Family Therapist and Licensed Clinical Social Worker Student Handbooks
- The committee reviewed the results of the Customer Satisfaction Survey

The next meeting of the committee is scheduled for April 11, 2007 in Southern California.

Blank Page

EUREKA - PMS 295 & 1245



NAPA - PMS 347 & 1245



SAN DIEGO - PMS 300 & 347



BLACK & WHITE



NOT A PERFECT CIRCLE



EUREKA - PMS 295 & 1245



NAPA - PMS 347 & 1245



SAN DIEGO - PMS 300 & 347



BLACK & WHITE



EUREKA - PMS 295 & 1245



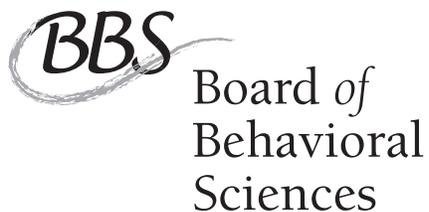
NAPA - PMS 347 & 1245



SAN DIEGO - PMS 300 & 347



BLACK & WHITE



Blank Page

State of California
Board of Behavioral Sciences

Memorandum

To: Board Members

Date: February 2, 2007

From: Mona C. Maggio
Assistant Executive Officer

Telephone: (916) 574-7841

Subject: **Agenda Item IV. Attachment B - Strategic Plan Goal #1: Report on Progress**

Goal #1 - Communicate Effectively With the Public and Mental Health Professionals.

Objective 1.1 -- Provide Six Educational Opportunities for Stakeholders and Staff on BBS Budget by July 30, 2006.

Background

In an effort to demystify the state budget process, staff will present updates as part of its educational opportunities to its stakeholders.

Update

Ms. Gershon prepared an article *Understanding the Board's Budget* for the Spring 2006 newsletter. A presentation tailored to the public is included during outreach presentations such as student and educator forums. Ms. Gershon also gave a budget overview presentation before the Board at its November 2005 and 2006 Board meetings.

Staff has identified this objective as being met.

Objective 1.2 -- Distribute a Handbook Outlining Licensing Requirements by December 31, 2006 to 100% of California Schools Offering Qualifying Degrees.

Background

The Board identified a need to provide students and educators with an outline of examination and licensing requirements to assist students in their education and career development.

Update

Staff has completed the first draft of the Student Handbooks. The handbooks were created for students in marriage and family therapy and social work programs. The handbooks were developed from the "Frequently Asked Questions" handouts and by the questions and comments heard at outreach and student presentation events. The committee reviewed both handbooks and will provide suggested edits and comments to staff prior to the next meeting. Audience participants were also encouraged to provide feedback.

Objective 1.3 -- Distribute Consumer Publication Regarding Professions Licensed by the Board by June 30, 2007.

Background

The Board identified a need to provide information to its stakeholders regarding various services, i.e., complaint process, licensing process, examinations, how to select a therapist, etc.

Update

As part of the continuing development of an Outreach Program, the Board contracted with BP Cubed, a public relations firm to assist in the development of brochures, handouts, PowerPoint presentations and restructuring of the Board's Web site, as well as identify the Board's primary constituency groups and their needs. BP Cubed is performing a communication audit of the Board's current materials that are distributed to the public and conducting a thorough review of the Board's Website to assist in its redesign.

BP Cubed meets on an ongoing basis with the Board's Outreach Coordinator Sean O'Connor and has made a presentation before the Communications Committee in September 2006 and before the Board at its November 2006 meeting.

Objective 1.4 - Achieve 60% On Customer Service Satisfaction Surveys by June 30, 2008.

Background

At the Strategic Planning meetings, it was determined that good customer service is essential in meeting goal #1: to Communicate Effectively With the Public and Mental Health Professionals. This objective was created to measure the level of customer satisfaction with Board activities. The purpose of the surveys is to aid in the Board's goal of improving customer satisfaction levels.

Status

In June 2006, the Board created a customer satisfaction survey accessible from the Board's website. Since August 2006, licensing evaluators have been sending out a Licensing Survey to all new registrants and exam candidates, and Enforcement analysts have been sending out a survey to all newly closed cases. Objective 1.4 of the Board's Strategic Plan sets a goal of 60% customer satisfaction by June 30, 2008. A satisfied customer is a person who indicates a rating of either Excellent or Good in his or her survey response.

Website Customer Satisfaction Survey

Since implementation, website survey responses have indicated an overall satisfaction level either at or exceeding 60%

In recent months, responses to the website survey indicate an increased level of satisfaction with the Board's customer service. For the month of November, overall customer satisfaction was 75%.

When factoring in all responses to the website survey since implementation in June 2006, the overall satisfaction is 61%.

Another trend is a higher level of satisfaction with the Board's accessibility. Accessibility statistics have risen from 54% for June 12, 2006 – August 31, 2006, to 68% for November 1, 2006 – November 30, 2006.

Responsiveness satisfaction has also risen from 57% for June 12 2006 – August 31 2006 to 66% for November 1 2006 – November 30 2006.

Satisfaction with staff knowledge and courtesy has consistently hovered between the high 60 to low 70 percentiles since implementation of the survey.

Responsiveness satisfaction has also risen from 57% for June 12 2006 – August 31 2006 to 66% for November 1 2006 – November 30 2006.

Additionally, an increasing amount of comments submitted with the survey indicate a noticeable improvement in BBS customer service.

Licensing Survey

The Board has received 216 responses to the Licensing Survey as of October 31 2006. The BBS received additional responses in November, but due to recent personnel changes, the surveys received in November have yet to be entered into the database. This survey reflects recent experiences with Board staff as it is sent out to new registrants and examination

candidates.

Overall satisfaction as of October 31 2006 is 82% as indicated on this survey. Satisfaction with courtesy, responsiveness, knowledge, and accessibility all rank at 86%, 80%, 88%, and 72%, respectively.

96% of these respondents were new registrants (63% IMF and 33% ASW).

Enforcement Survey

As of early January 2007 the Board has received only 20 responses to the Enforcement Survey. Due to the aforementioned personnel changes, the Enforcement statistical data is not available at this time.

In general, staff reviewing the incoming Enforcement Surveys notice that the satisfaction indicated on the survey typically has more to do with the outcome of the case as opposed to the level of customer service received.

Objective 1.5 --

Participate Four Times Each year in Mental Health Public Outreach Events Through June 30, 2010.

Background

In an effort to expand its outreach and provide effective communication to the public and mental health professionals, the Board determined that it should participate in mental health public outreach events four or more times per year.

Status

Part of the PR firms' responsibilities will be to help identify the appropriate mental health outreach events. In 2006, staff participated in the following events that has provided an opportunity to communicate the Board's mission and vision with its various stakeholders:

- April 21-22, 2006 - NASW Conference in Los Angeles.
- May 4-7, 2006 - CAMFT Annual Conference in Palm Springs.
- April 28, 2006 the Board hosted "California's Diverse Consumers: Implications for Licensure – A Working Conference."

Additionally, Mr. Riches and staff participate in the quarterly MFT Consortiums with educators and students; and Staff and Board Members are participating on the various workforce groups as part of the Mental Health Services Act.

Events scheduled for 2007

- April 26 – 27, 2007 ASWB Annual Meeting, Mobile, Alabama
- May 4 –5, 2007 NASW, San Francisco
- May 17 – 19, 2007, Santa Clara

Objective 1.6 --

Review and Revise Website Content Four Times Per Year.

Staff has identified this as an ongoing objective and recommends the "review and revise website content" be completed every six months rather four times per year. This will be completed so that it coincides with effective dates on legislation that may impacts board operations, procedures, contents, processes, forms, etc.

▪
Background

One of the goals of the 2005 Strategic Plan is to communicate effectively with the public and mental health professionals. The Board's Website provides valuable information regarding various Board services, regulatory functions, examinations, enforcement, licensing, licensee status, etc.

Status

Since the quarterly schedule for this objective was implemented and completed in December, we have found that the leads and various staff responsible for various content areas of the website have been forwarding necessary updates to the webmaster on a regular basis rather than waiting till the quarterly time frame to have revisions made to the website.

Since the last update was completed in December, the next "bi-annual" review of the overall website is in progress during the month of June.

BP Cubed is currently working with BBS staff on revising the BBS website. The project's goal is to make the website more "user friendly." The revision encompasses both the content and organization of the website. Executive staff has begun discussion regarding the new layout and staff will be working on review of content and making recommendations to streamline the content.

Objective 1.7

Student Outreach

Staff determined that the success of the Board's Student Outreach Program warranted consideration for the adoption of a new student outreach objective to the Strategic Plan.

At its May 18, 2006 meeting, the Board adopted a new Strategic Plan Objective 1.7 – Student Outreach.

Status

From January 31, 2006 – December 4, 2006, Mr. O'Connor made presentations to 25 marriage and family therapy programs, six presentations to social work programs, and three agencies presentations throughout the state.

2007 Schedule:

The success of BBS outreach during 2006 has led to an increasing demand from schools, agencies, and associations for the Board's presence at events in 2007. Events already scheduled for 2007 include the following:

January 22, 2007 – Agency Presentation: Laura's House, Orange County

January 23, 2007 – LCSW School Presentation: USC

January 23, 2007 – MFT School Presentation: Antioch University, Los Angeles

January 29, 2007 – LCSW School Presentation: UC Berkeley

February 6, 2007 – MFT School Presentation: Azusa Pacific University

February 8, 2007 – MFT School Presentation: Azusa Pacific University

February 9, 2007 – MFT School Presentation: San Diego State University

February 13, 2007 – LCSW School Presentation: USC, Orange County

February 21, 2007 – LCSW School Presentation: CSU

East Bay

March 6, 2007 – MFT School Presentation: Pepperdine University, W. LA

Campus

March 7, 2007 – MFT School Presentation:

Pepperdine University, Irvine Campus

April 13, 2006 – LCSW School Presentation: CSU, Chico

May 4-5, 2006 – NASW Annual Conference

May 17-20, 2006 – CAMFT Annual Conference

**State of California
Board of Behavioral Sciences**

M e m o r a n d u m

To: Board Members

Date: February 2, 2007

From: Mona C. Maggio
Assistant Executive Officer

Telephone: (916) 574-7841

Subject: Agenda Item V. Consumer Protection Committee Report

Action Item

#A – Exempt Practice Settings

The committee recommends that the Board sponsor legislation to amend Business and Professions Code Sections 4980.01 and 4996.14 to standardize exempt settings between the Licensed Clinical Social Worker (LCSW) and Marriage and Family Therapist (MFT) statutes.

#B – Exceptions to Continuing Education Requirements

The committee recommends that the Board review the proposed regulatory language and request for exception form and provide preliminary approval so that staff may pursue the regulatory change process to amend California Code of Regulations Section 1887.2 to clarify and/or better facilitate the request for exception from the CE requirement process.

Other Committee Items

The Consumer Protection Committee met on Wednesday, January 10, 2007 in Sacramento.

- The committee conducted a review of progress on achieving the strategic objectives under Goal 1 [Item B]
- Lindle Hatton of Hatton Management Consultants provided a presentation on the Board's Strategic Planning Process
- The committee reviewed the first drafts of the Marriage and Family Therapist and Licensed Clinical Social Worker Student Handbooks
- The committee reviewed the results of the Customer Satisfaction Survey

The next meeting of the committee is scheduled for April 11, 2007 in Southern California.

Blank Page

**State of California
Board of Behavioral Sciences**

Memorandum

To: Board Members **Date:** February 5, 2007
From: Christy Berger **Telephone:** (916) 574-7847
Legislation Analyst
**Subject: Agenda Item V. A. Recommendation #1 - Amend Business and Professions
Code Sections 4980.01 and 4996.14 Regarding Exempt Practice Settings**

Background

The Licensed Clinical Social Worker (LCSW) and Marriage and Family Therapist (MFT) statutes specify certain types of organizations, referred to here as “exempt settings,” whose employees are not required to have a license or a registration in order to perform clinical social work or marriage and family therapy within the scope of their employment.

When comparing the LCSW and MFT statutes, they have some exempt settings in common, but there are some differences. The MFT statute lists fewer exemptions and is more narrow. The Licensed Educational Psychologist statute does not specify any exempt settings.

History

Exempt settings have been listed in statute from the time the Board began licensing clinical social workers in 1968. This statute has remained virtually the same throughout the years. Just two types of exempt settings were listed in the MFT statute when the Board began licensing MFTs, also in the late 1960’s. These were institutions both nonprofit and charitable, and accredited educational institutions. However, such institutions were required to apply to the Board for a biennial waiver, and had to demonstrate adequate supervision of non-licensed counseling personnel, as well as a community or training need. In 1976, governmental agencies were added to the list of exempt settings in the MFT statute. These agencies were not required to obtain a waiver from the Board. In 1986, the MFT statute was amended to remove the need for any setting to obtain a waiver.

Discussion

The MFT statute is somewhat narrower and better defined, and has been used as the basis for the proposed language. The proposed changes would remove the following as exempt settings in the LCSW practice act:

- Family or children services agencies
- Private psychiatric clinics
- Nonprofit organizations engaged in research and education

There are several reasons to standardize exempt settings. The scopes of practice for MFTs and LCSWs are very comparable, so why should exempt settings differ? For purposes of administrative simplicity, standardization and better-defined exemptions would be very helpful. Additionally, most exempt settings require licensure anyway for reimbursement reasons. This proposal would also enhance consumer protection by requiring licensure for persons in additional settings.

Recommendation

At its meeting on January 10, 2007, the Consumer Protection Committee voted to recommend that the Board sponsor legislation to standardize exempt settings between the LCSW and MFT statutes.

Attachments:

Proposed Language

Blank Page

BOARD OF BEHAVIORAL SCIENCES
PROPOSED LANGUAGE
EXEMPT SETTINGS

MFT: § 4980.01.

(a) Nothing in this chapter shall be construed to constrict, limit, or withdraw the Medical Practice Act, the Social Work Licensing Law, the Nursing Practice Act, or the Psychology Licensing Act.

(b) This chapter shall not apply to any priest, rabbi, or minister of the gospel of any religious denomination when performing counseling services as part of his or her pastoral or professional duties, or to any person who is admitted to practice law in the state, or who is licensed to practice medicine, when providing counseling services as part of his or her professional practice.

(c) This chapter shall not apply to an employee of a governmental entity or of a school, college, or university, or of an institution both nonprofit and charitable or volunteer working in any of the following settings if his or her practice is performed solely under the supervision of the entity, school, or organization by which he or she is employed, and if he or she performs those functions as part of the position for which he or she is employed. employer:

(1) A governmental entity

(2) A school, college, or university

(3) An institution both nonprofit and charitable

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

(e) Notwithstanding subdivisions (b) and (c) all persons registered as interns or licensed under this chapter shall not be exempt from this chapter or the jurisdiction of the board.

LCSW: § 4996.14.

~~(a) Nothing in this chapter shall restrict or prevent activities of a psychosocial nature or the use of the official title of the position for which they are employed on the part of the following persons, if those persons are performing those activities as part of the duties for which they are employed or solely within the confines or under the jurisdiction of the organization in which they are employed. However, they shall not offer to render clinical social work services, as defined in Section 4996.9, to the public for a fee, monetary or otherwise, over and above the salary they receive for the performance of their official duties with the organization in which they are employed. This chapter shall not apply to an employee or volunteer working in any of the following settings if his or her practice is performed solely under the supervision of the employer:~~

~~(a) Persons employed by the United States Department of Health and Human Services.~~

~~(b) Persons employed in family or children services agencies.~~

~~(c) Individuals employed in proprietary or nonproprietary private psychiatric clinics.~~

~~(d) Individuals employed in accredited colleges, junior colleges, or universities.~~

~~(e) Individuals employed in federal, state, county or municipal governmental organizations, or nonprofit organizations which are engaged in research, education, and services which services are defined by a board composed of community representatives and professionals.~~

(1) A governmental entity

(2) A school, college, or university

(3) An institution both nonprofit and charitable

~~(f), (b) This chapter shall not apply to Persons utilizing persons using hypnotic techniques by referral from any of the following persons if his or her practice is performed solely under the supervision of the employer: persons licensed to practice medicine, dentistry, or psychology, or persons utilizing hypnotic techniques which offer a vocational or vocational self-improvement and do not offer therapy for emotional or mental disorders.~~

(1) Persons licensed to practice medicine

(2) Persons licensed to practice dentistry

(3) Persons licensed to practice psychology

(4) Persons using hypnotic techniques which offer a vocational or vocational self-improvement and not performing therapy for emotional or mental disorders.

**State of California
Board of Behavioral Sciences**

Memorandum

To: Board Members **Date:** January 26, 2007
From: Justin Sotelo **Telephone:** (916) 574-7836
Regulations Analyst
**Subject: Agenda Item V. B. Recommendation to Amend 16 CCR 1887.2 Regarding
Exceptions to Continuing Education Requirements**

Background

Section 1887.2 of Title 16, Division 18 of the California Code of Regulations sets forth continuing education (CE) exception criteria for Marriage and Family Therapist and Licensed Clinical Social Worker license renewals.

Subdivision (a) of the regulation sets forth the eighteen (18) hours (min.) of CE requirement for initial licensees, while subdivision (b) sets forth the CE exemption for those whose licenses are in inactive status.

However, in reviewing the language under subdivision (c), staff has recommended the following changes in order to clarify and/or better facilitate the request for exception from the CE requirement process:

- Adding language requiring that a written request for exception be submitted to the board a minimum of sixty (60) days prior to the expiration date of the license
- Adding language stating that, if approved by the board, a request for exception shall be valid for only one renewal period
- Similar to subdivisions (c)(1) and (c)(2), adding language under subdivision (c)(3) requiring that a licensee or immediate family member had a disability for at least one year in order to be granted an exception
- After the "disability" definition under subdivision (c)(3), adding additional language that defines "major life activities" and "substantially limiting impairment"
- Adding language requiring that an explanation of how the disability substantially limits one or more major life activities be provided
- Adding additional clarifying language

In addition, staff has drafted a request for continuing education exception form (attached) in order to better facilitate the request process.

On January 10, 2007, the Consumer Protection Committee reviewed the proposed regulatory language (attached) and request for exception form and recommended that these items go forward to the Board for review and approval.

Recommendation

Staff recommends that the Board review the proposed regulatory language and request for exception form and provide preliminary approval so that staff may pursue the regulatory change process.

Attachments

Proposed Language
Request for Continuing Education Exception Form

Blank Page

**BOARD OF BEHAVIORAL SCIENCES
PROPOSED LANGUAGE
Title 16, California Code of Regulations**

Amend §1887.2. as follows:

§1887.2. Exceptions from Continuing Education Requirements

(a) An initial licensee shall complete at least eighteen (18) hours of continuing education, of which no more than six (6) hours may be earned through self-study courses, prior to his or her first license renewal.

(b) A licensee is exempt from the continuing education requirement if ~~their~~his or her license is inactive pursuant to Sections 4984.8 and 4997 of the Code.

(c) A licensee may submit a ~~written~~ request for exception from the continuing education requirement, on a form prescribed by the board, for any of the reasons listed below. The request must be submitted to the board at least sixty (60) days prior to the expiration date of the license. The board will notify the licensee, within thirty (30) working days after receipt of the request for exception, whether the exception was granted. If the request for exception is denied, the licensee is responsible for completing the full amount of continuing education required for license renewal. If the request for exception is approved, it shall be valid for one renewal period. The board shall grant the exception if the licensee can provide evidence, satisfactory to the board, that:

(1) For at least one year during the licensee's previous license renewal period the licensee was absent from California due to military service;

(2) For at least one year during the licensee's previous license renewal period the licensee resided in another country; or

(3) ~~During~~ For at least one year during the licensee's previous license renewal period, the licensee or an immediate family ~~member, member, including a domestic partner,~~ where the licensee ~~has is the~~ primary responsibility for the care of caregiver for that family member, ~~was suffering from or suffered~~ had a disability. A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, reaching, sleeping, thinking, concentrating and interacting with others. An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity. The disability must be verified by a licensed physician or psychologist with special expertise in the area of the disability. Verification of the disability must include:

(A) the nature and extent of the disability;

(B) an explanation of how the disability substantially limits one or more major life activities;

~~(B)~~ (C) an explanation of how the disability would hinder the licensee from completing the continuing education requirement given that such courses can be completed in the classroom, online or via home study; and

~~(C)~~ (D) the name, title, address, telephone number, professional license or certification number, and original signature of the licensed physician or psychologist verifying the disability.

Note: Authority Cited: Sections 4980.54, 4980.60, 4990.14, and 4996.22, Business and Professions Code.
Reference: Sections 4980.54 and 4996.22, Business and Professions Code.

Blank Page

STATE OF CALIFORNIA
**REQUEST FOR CONTINUING EDUCATION
 EXCEPTION**

1800 37A-208 (NEW. 8/06)

BOARD OF BEHAVIORAL SCIENCES
 1625 NORTH MARKET BLVD., SUITE S200, SACRAMENTO, CA 95834
 TELEPHONE: (916) 574-7830 TDD: (916) 322-1700
 WEB SITE ADDRESS: <http://www.bbs.ca.gov>

For Office Use Only:

Date Received _____
 Date Approved _____ Denied _____
 Date of Audit (if applicable) _____
 Enforcement Approval Yes No Date: _____

READ REVERSE SIDE BEFORE COMPLETING THIS FORM
Any unanswered item will cause this request to be incomplete. Incomplete requests will not be processed.

(Please type or print clearly in ink)

Part 1 To be completed by applicant/licensee

*NAME: Last		First	Middle	
BUSINESS TELEPHONE:			RESIDENCE TELEPHONE:	
ADDRESS OF RECORD: Number and Street		City	State	Zip Code
SOCIAL SECURITY NUMBER:	LICENSE NUMBER:	RENEWAL PERIOD REQUESTING EXCEPTION FOR: _____/_____/_____ TO ____/____/_____		

REASON FOR EXCEPTION: (Check one box only)

Health (Complete Part 2) **Health-Family** (Complete Part 2) **Military** (submit proof) **Out of Country** (submit proof)

Part 2 To be completed by attending physician/psychologist

Provide a description of the physical or mental disability and an explanation as to how the disability interferes with one or more major life activities, including the licensee's ability to complete 36 hours of Continuing Education through classroom/seminar attendance, home study, Internet courses over a two-year period. Please attach additional sheets, if necessary.

Approximate date disability began: _____ disability is Temporary Permanent
 If temporary, approximate date licensee will be able to continue his/her Continuing Education: _____

Is licensee limited in working in his/her licensed capacity? Yes No
 If yes, please explain limitations: _____

Attending Physician's/Psychologist's Name	License Number	Business Telephone	
Attending Physician's/Psychologist's Address	City	State	Zip Code

I declare under penalty of perjury under the laws of the State of California that I have read and understand the foregoing and that I meet all of the criteria stated herein and the information submitted on this form is true and correct. Providing false information or omitting required information are grounds for disciplinary action.

 Date

 Signature of Licensee

 Date

 Signature of Physician/Psychologist

* Business and Professions Code Sections 4982(b) and 4992.3(b) gives the board the right to refuse issuance of any registration or license, or to suspend or revoke the registration or license of any registrant or licensee if the applicant secures the registration or license by fraud, deceit, or misrepresentation on any application for registration or licensure submitted to the board.

EXCEPTIONS FROM THE CE REQUIREMENT

Section 1887.2(c) of the California Code of Regulations outlines three reasons for which the board will grant exception and the board's procedure for processing these requests.

Exception Regulation

(c) A licensee may submit a ~~written~~ request for exception from the continuing education requirement, on a form prescribed by the board, for any of the reasons listed below. The request must be submitted to the board at least sixty (60) days prior to the expiration date of the license. The board will notify the licensee, within thirty (30) working days after receipt of the request for exception, whether the exception was granted. If the request for exception is denied, the licensee is responsible for completing the full amount of continuing education required for license renewal. If the request for exception is approved, it shall be valid for one renewal period. The board shall grant the exception if the licensee can provide evidence, satisfactory to the board, that:

- (1) For at least one year during the licensee's previous license renewal period the licensee was absent from California due to military service;
- (2) For at least one year during the licensee's previous license renewal period the licensee resided in another country; or
- (3) ~~During~~ For at least one year during the licensee's previous license renewal period, the licensee or an immediate family member, including a domestic partner, where the licensee ~~has is~~ is the primary responsibility for the care of caregiver for that family member, was suffering from or suffered had a disability. A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, reaching, sleeping, thinking, concentrating, and interacting with others. An impairment is substantially limiting if it prohibits or significantly restricts an individual's ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity. The disability must be verified by a licensed physician or psychologist with special expertise in the area of the disability. Verification of the disability must include:
 - (A) the nature and extent of the disability
 - (B) an explanation of how the disability substantially limits one or more major life activities;
 - ~~(B)~~ (C) an explanation of how the disability would hinder the licensee from completing the continuing education requirement given that such courses can be completed in the classroom, on-line, or via home study; and
 - ~~(C)~~ (D) the name, title, address, telephone number, professional license or certification number, and original signature of the licensed physician or psychologist verifying the disability;

How to Request Exception

To request an exception, complete the form on the reverse side and submit to the board, along with sufficient proof. The board will accept any documentation establishing the validity of your request, including military orders that demonstrate service outside California, a passport or visa showing the dates you resided out-of-country, a doctor's note, etc. **Please remember that the documentation must supply all of the information required by Section 1887.2(c) above.** After the board's review, you will be notified whether your request was granted.

Exceptions Cannot be Granted Before the Fact

The board can only grant exceptions when provided with proof that you have met the minimum criteria outlined in Section 1887.2(c). You may request exception after the situation has occurred, or during the situation as long as you have met the minimum criteria. *For example, if your license expiration date is July 31, 2006, and you are going to live out of the country from May 2005 through November 2006, you can submit your request for exception due to living out of the country anytime after May 2006.*

Renewal Application

Please send in your request for exception prior to submitting your renewal application. Courtesy renewal applications are mailed out 90 days prior to the expiration date. It takes 30 business days to process an application for exception. **Do not submit your renewal application until you have received a written decision regarding your request for exception. If your request is denied, you will be required to complete the mandatory coursework and hours of continuing education prior to renewing your license in active status.**

If you have any questions, please contact the board's CE program at (916) 574-7830.

State of California
Board of Behavioral Sciences

Memorandum

To: Consumer Protection Committee

Date: February 2, 2007

From: Mona C. Maggio
Assistant Executive Officer

Telephone: (916) 574-7841

Subject: **Agenda Item V. Attachment C - Strategic Plan Goal #3: Promote Higher Professional Standards Through Rigorous Enforcement and Public Policy Changes – Report on Progress**

Goal #3 – Promote higher professional standards through rigorous enforcement and public policy changes.

Objective 3.1 -- Complete Revisions for Continuing Education Laws by December 31, 2006.

Background

The Board's strategic plan identifies the need to "Complete Revisions for Continuing Education Laws by December 31, 2006."

Update

Title 16, CCR, Sections 1816.7 and 1887.7, 1887.75, and 1887.77, Delinquency Fees for Continuing Education Providers

This proposal would allow a registered provider of continuing education (PCE) a period of one year from the registration's expiration date in order to renew an expired PCE registration with a \$100 delinquency fee. Currently, when a PCE does not renew the registration prior to its expiration date, the registration is cancelled and a new registration must be obtained. At its June 21, 2006 meeting, the Board's Budget and Efficiency Committee recommended that the Board adopt these proposed regulations. The Board approved this proposal at its meeting on July 27, 2006. Staff completed the required regulatory documents and the notice was published by the Office of Administrative Law (OAL) on September 29, 2006. The required regulatory documents were also mailed to the Board's interested party list and posted on the Board's web site; the Board received written comments regarding the proposal. The regulatory hearing was held on November 16, 2006; no public comments were received. On December 22, 2006, staff distributed a 15-day notice to the public to incorporate minor modifications into the language and will present the modified language to the Board for final approval at its February 2007 meeting.

Title 16, CCR, Sections 1887.2(a) and 1887.3(a), Continuing Education

Licensees are currently permitted to take an unlimited amount of continuing education (CE) by conventional or online means. However, hours earned through “self-study” courses are limited to one-third of the total required CE hours. The original intent of this proposal was to delete the definition of a “self-study course” and delete the limitations regarding self-study hours. The Consumer Protection Committee approved this proposal at its September 20, 2006 meeting. The proposal went before the Board for preliminary approval at its November 16, 2006 meeting; however, the Board recommended modifications to the proposed language – to retain the definition of a “self-study course” and to increase the self-study course limitations to one-half of the total required CE hours. Staff completed the required regulatory documents for noticing which were submitted to OAL on December 18, 2006. The notice was published on December 29, 2006, which initiated the 45-day public comment period. A public hearing will be held at the Board’s next meeting on February 15, 2007.

Title 16, CCR Section 1886, Citation and Fine of Continuing Education Providers

This proposal would provide the Board with the authority to issue a citation and fine to a continuing education provider. This proposal is currently on hold due to staff workload considerations.

Board staff will continue to monitor changes regarding the continuing education law and will bring any issues to the attention of the Policy and Advocacy Committee.

Objective 3.2 --

Establish a Standard to Measure Quality of Continuing Education by June 30, 2007.

Background

The Board’s strategic plan identifies the need to ensure high professional standards for Marriage and Family Therapists (MFT) and Licensed Clinical Social Workers (LCSW). In an effort to meet this objective, the board must develop a way to measure the quality of continuing education (CE) courses and thereby establish a minimum standard that all CE courses must meet to be or continue to be approved as a Board of Behavioral Sciences (BBS) approved provider.

Update

Staff has identified the basic tasks to begin researching this objective. Staff is completing the analysis of the data collection from other six identified entities (BAR Association, California Association of Marriage and Family Therapists (CAMFT), California Society for Clinical Social Work (CSCSW), National Association of Social Workers (NASW), UC Davis Continuing Medical Education, American Association of State Social Work Boards (AASWB) and DCA boards and bureaus). Team members will meet to determine methodologies to measure to the quality of CE courses and minimum uniform standards.

Objective 3.3 --

Complete 12 Substantive Changes in Laws and Regulations by January 1, 2008.

Background

The Board's strategic plan identifies the need to "Complete 12 substantive changes in laws and regulations by January 1, 2008."

Update

The Board sponsored Senate Bill 1475 (Figueroa), *Reorganization of Licensed Educational Psychologists (LEP) and Administrative Statutes; Portability of Licensure for Licensed Clinical Social Workers*. This bill, which takes effect on January 1, 2007, reorganizes and revises the Board's Administration statutes for clarity, removes obsolete provisions, and makes some minor refinements. This bill also reorganizes and revises the LEP statutes to remove obsolete provisions, modernize statutes relating to licensure, scope of practice, continuing education, and enforcement, and creates better consistency with the Board's other practice acts. This bill also facilitates portability of licensure for clinical social workers licensed in another state. Additionally, this bill extends the Board's sunset date by one year to July 1, 2009.

STATUS: This bill became effective January 1, 2007,

The Board sponsored Assembly Bill 1852 (Yee). This bill allows marriage and family therapist interns and associate clinical social workers to be eligible to apply for educational loan repayment under the Licensed Mental Health Service Provider Education Program. The Health Professions Education Program, a division of the Office of Statewide Health Planning and Development, (OSHPD) administers this program.

STATUS: This bill became effective January 1, 2007.

Proposed legislation for 2007 will be discussed at the February 2007 Board Meeting under Agenda Item XIV Attachment H.

The Board has also approved several substantive regulatory changes, currently in process:

Title 16, CCR Section 1803, Delegation of Authority to the Executive Officer This proposal would allow the Board's executive officer to sign orders to compel a physical or mental evaluation of a Board licensee or registrant as part of an investigation of a complaint. A regulatory hearing was held on October 4, 2006; no public comments were received at the hearing. The Board gave final approval to this proposal at its meeting on November 16, 2006. The regulatory packet is pending DCA approval. Once approved staff will submit the final regulatory packet to the Office of Administrative Law (OAL) for final approval.

Title 16, CCR Sections 1833.3 and 1870, Supervisor Qualifications Supervisors of registrants

Supervisors of registrants are currently required to have practiced psychotherapy for two out of the five years preceding any supervision.

This proposal would allow supervisors to count time spent directly supervising persons who perform psychotherapy toward this requirement and delete the requirement that supervisors of MFT Interns and Trainees average 5 hours of client contact per week for two out of the five years prior to supervising. At its April 19, 2006 meeting, the Board's Policy and Advocacy Committee voted to recommend this language to the Board. The Board reviewed the proposal at its May 18, 2006 meeting and sent it back to the Committee for further work. At its June 28, 2006 meeting, the Committee recommended to the Board that the original language of the proposal be retained and additionally recommended to delete the requirement that supervisors of MFT Interns average 5 hours of client contact per week for two out of the five years prior to supervising. The Board approved this proposal at its meeting on July 27, 2006. Staff completed the required regulatory documents, and the notice was published by OAL on September 29, 2006. The required regulatory documents were also mailed to the Board's interested party list and posted on the Board's web site; the Board received written comments regarding the proposal. The regulatory hearing was held on November 16, 2006; no public comments were received. Staff distributed a 15-day notice to the public to incorporate minor modifications into the language and will present the modified language to the Board for final approval at its February 2007 meeting.

Objective 3.4 --

Advocate for Five Laws that Protect the Privacy of Client/Therapist Relationships by December 31, 2010.

Background

The Board's strategic plan identifies the need to "Advocate for five laws that protects the privacy of client/therapist relationships by December 2010."

Update

The Board voted to support Assembly Bill 3013 (Koretz), *Medical Information: Disclosures*. This bill strengthens patient confidentiality laws by conforming California law to provisions of the Health Insurance Portability and Accountability Act (HIPAA) which limit the release of patient information, provide the patient the opportunity to prohibit such a release, and permit the health care provider to make judgments regarding releases in emergency situations.

STATUS: Became effective on January 1, 2007.

- Assembly Bill 2257 (Committee on Business and Professions) – This bill would require a psychologist to retain patient records for 7 years from the patient's discharge date. This bill became effective on January 1, 2007.

The bill adds Section 2919 to the Business and Professions Code, to read:

2919. A licensed psychologist shall retain a patient's health service records for a minimum of seven years from the patient's discharge date.

If the patient is a minor, the patient's health service records shall be retained for a minimum of seven years from the date the patient reaches 18 years of age.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Objective 3.5 --

Provide Four Educational Opportunities for Division of Investigation (DOI) and The Office of the Attorney General (AG) Regarding the Board of Behavioral Sciences (BBS) and It's Licensees by June 30, 2008.

Background

Team members identified the educational opportunities as training for DOI investigators and the Deputy Attorneys General regarding the Board's scope of authority, licensee scope of practice and the necessary requirements to conduct investigations and prosecute cases. The training will be conducted by the Executive Officer, representatives from the Department of Justice and the Board's Enforcement Unit.

Current Status:

Team members have received training material samples from other boards to assist in developing the training program for DOI investigators and the Deputy Attorneys General.

Objective 3.6 --

Reduce time in which BBS cases are investigated and processed by DOI and AG by 30% by June 30, 2010.

Background

Cases sent to DOI for formal investigation take an average of 9 months to one year for completion. The Administrative Hearing process averages another year for a proposed decision to be rendered and come before the Board. It is the goal of this objective to shorten the processing time for investigation and prosecution of cases to meet the Board's mandate to protect the public health, safety and welfare.

Status

Staff continues to monitor the case aging of cases assigned to DOI. DOI senior administrators Kathy Door and Bill Holland have left DOI for promotional opportunities elsewhere within state government. Ms. Maggio met with Rex Cowart, Acting Chief; however, there is no positive news on when DOI will be able to fill its vacancies. In an effort to handle more complaints in-house, Enforcement Staff, Rosanna Webb-Flores, Mary Hanifen, Pearl Yu and Cheree Lasley completed The Council on Licensure, Enforcement and Regulation's (CLEAR) Basic National Certified (NCIT) Investigator/Inspector Training Program and are designated as "Certified Investigator/Inspector." Mary Hanifen,

Peal Yu and Cheree Lasley also completed the NCIT Advanced Investigative Analysis, Advanced Investigative Report Development, and Advanced Interviewing as part of the NCIT specialized program. Ms. Flores is scheduled to take the advanced NCIT training course and Julie McAuliffe is scheduled to take the basic course NCIT.

Enforcement staff has begun a review of the cases that are currently at DOI and may request some be returned to the office for handling in-house.

Objective 3.7 --

Complete Annual Review of Examination Program and report the Results at a Public Meeting.

Background/Status

- Staff is currently working with the Office of Examination Resources (OER) on the MFT occupational analysis.
- A presentation on the Board's Licensing and Examination Programs is given annually at a public Board meeting.
- Staff meets regularly with the OER to discuss the Board's current examination program, pass rates, examination development workshops and the examination vendor Thompson/Prometric.

BOARD OF BEHAVIORAL SCIENCES
BREAKDOWN OF ENFORCEMENT COMPLAINT ACTIVITY BY LICENSEE POPULATION
2006 - 2007
FISCAL YEAR ⁽¹⁾

	OPENED	COMPLAINTS CLOSED	PENDING	Licenses In Effect (2)	% of Licenses to Pending Complaints
UNLICENSED	55	45	33	n/a	n/a
APPLICANTS	172	175	38	n/a	n/a
CE PROVIDERS	2	2	2	2262	0.09
DUAL LICENSEES (3)	7	7	5	n/a	n/a
DUAL W/BOP (3)	5	7	5	n/a	n/a
ASW	23	24	29	7032	0.41
LCSW	60	56	66	16438	0.40
IMF	38	45	49	10225	0.48
MFT	147	141	146	28228	0.52
LEP	2	2	2	1721	0.12
TOTAL	511	504	375	65906	0.57

- Note:
- (1) Activity is from July 1, 2006 through November 30, 2006. Pending as of November 30, 2006.
 - (2) Licenses in effect as of November 1, 2006. Does not include cancelled, revoked, or voluntary surrender of licenses.
 - (3) Dual licensees are those that hold dual licenses with BBSE. Dual w/BOP are licensed with BBSE and the Board of Psychology.

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

BOARD OF BEHAVIORAL SCIENCES
BREAKDOWN OF ENFORCEMENT COMPLAINT CLOSURES BY TYPE
2006 - 2007
FISCAL YEAR ⁽¹⁾

	Unactionable (2)	Mediated (3)	Citation (4)	Violation (5)	Inv. (6)	District Attorney (7)	Rfrd Disp. (8)	Other (9)	TOTAL
UNLICENSED	40	0	0	3	1	0	0	1	45
APPLICANTS	0	0	0	169	0	0	2	4	175
CE PROVIDER	1	0	0	1	0	0	0	0	2
DUAL LICENSEES (10)	3	0	4	0	0	0	0	0	7
DUAL W/BOP (10)	5	0	1	0	0	0	1	0	7
ASW	12	0	0	4	0	0	2	6	24
LCSW	38	0	13	3	1	0	0	1	56
IMF	22	0	2	15	1	0	1	4	45
MFT	82	0	33	10	6	0	4	6	141
LEP	0	0	0	0	0	0	2	0	2
TOTAL	203	0	53	205	9	0	12	22	504

40% Unactionable

60% Actionable

Note:

- (1) Closure activity is from July 1, 2006 through November 30, 2006.
- (2) Unactionable: Complaints which after review are closed no violation, insufficient evidence, no jurisdiction etc.
- (3) Mediated: Complaints which have no violation, but where a resolution was reached between parties.
- (4) Citation: Complaints in which after review, violations have been found and the complaint was closed upon the issuance of a citation.
- (5) Violation: Complaints which after review, violations have been found and were closed upon the issuance of a cease and desist or warning letter.
- (6) Inv.: Complaints which were closed after an investigation was conducted.
- (7) District Attorney: Complaints which, after review, a determination is made that the matter should be referred to the DA's office.
- (8) Rfrd Disp: Complaints which are referred directly to the Attorney General's office for disciplinary action (no investigation was required).
- (9) Other: Complaints closed in any manner which does not fit within one of the other categories.
- (10) Dual licensees are those that hold dual licenses with BBSE. Dual w/BOP are licensed with BBSE and the Board of Psychology.

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

BOARD OF BEHAVIORAL SCIENCES
CATEGORY OF PENDING COMPLAINTS
As of November 30, 2006

AGENCY CATEGORY	CE	UL	AP	DL	DP	AS	LC	IM	MF	LEP	TOTAL
Fraud	0	0	0	0	0	0	2	0	1	0	3
Fraudulent License	0	0	1	0	0	0	0	0	0	0	1
Insurance, Medi-Cal	0	0	0	0	0	0	0	0	0	0	0
Non-Jurisdictional	0	0	0	0	1	0	0	1	3	0	5
Custody	0	3	0	0	1	0	6	0	21	0	31
Fee Disputes	0	0	0	0	1	0	0	0	1	0	2
Exempt from licensure	0	1	0	1	0	1	0	1	4	0	8
Negligence	0	0	0	0	0	0	0	0	2	0	2
Beyond Scope	0	0	0	0	0	0	1	0	1	0	2
Dual Relationship	0	0	0	0	0	0	0	0	1	0	1
Abandonment	0	0	0	0	0	0	2	0	1	0	3
Improper Supervision	0	0	0	0	1	1	3	0	4	0	9
Misdiagnosis	0	0	0	0	0	0	0	0	1	0	1
Failure/Report Abuse	0	0	0	0	0	0	0	0	1	0	1
Aiding & Abetting	0	0	0	0	1	0	0	0	1	0	2
Other	0	0	0	0	0	0	0	0	0	0	0
Mental Illness	0	0	0	0	0	1	1	0	1	0	3
Self Use Drugs/Alcohol	0	0	0	0	0	5	2	6	2	0	15
Conviction of Crime	0	0	0	0	0	13	6	10	12	0	41
Unprofessional Conduct	1	0	0	1	0	2	20	11	46	2	83
Sexual Misconduct	0	0	0	1	0	0	0	4	7	0	12
Breach of Confidentiality	0	0	0	0	0	2	4	1	8	0	15
Emotional/Phys. Harm	0	0	0	0	0	0	1	1	2	0	4
Advertising / Misrepresentation	0	2	0	0	0	1	1	5	4	0	13
Unlicensed Practice	1	25	0	0	0	2	0	3	0	0	31
Repressed Memory	0	0	0	0	0	0	0	0	0	0	0
Third Party Complaint	0	2	0	1	0	1	7	3	7	0	21
Unsafe/Sanitary Conditions	0	0	0	0	0	0	0	0	0	0	0
Discipline by Another State	0	0	1	0	0	0	0	0	0	0	1
Criminal Convictions - Renewal Reported	0	0	0	0	0	0	2	2	0	0	4
Non Compliance with CE Audit	0	0	0	1	0	0	8	0	15	0	24
Applicant Referral for Criminal Conviction	0	0	36	0	0	0	0	1	0	0	37
Subvert Licensing Exam	0	0	0	0	0	0	0	0	0	0	0
TOTAL	2	33	38	5	5	29	66	49	146	2	375

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

BOARD OF BEHAVIORAL SCIENCES
BREAKDOWN OF ENFORCEMENT ACTIVITY - CASES AT THE AG'S OFFICE
BY LICENSEE POPULATION
2006 - 2007 FISCAL YEAR ⁽¹⁾

	PENDING	Licenses In Effect (2)	% of Licenses to Pending Cases
UNLICENSED	0	n/a	n/a
APPLICANTS	5	n/a	n/a
SUSEQUENT DISP. (3)	3	n/a	n/a
DUAL LICENSEES (4)	1	n/a	n/a
DUAL W/BOP (4)	4	n/a	n/a
CE PROVIDERS	0	2262	0.00
ASW	4	7032	0.06
LCSW	8	16438	0.05
IMF	8	10225	0.08
MFT	28	28228	0.10
LEP	1	1721	0.06
TOTAL	62	65906	0.09

Note: (1) Pending as of November 30, 2006.

(2) Licenses in effect as of November 1, 2006. Does not include cancelled, revoked, or voluntary surrender of licenses.

(3) Subsequent Discipline for violation of probation.

(4) Dual licensees are those that hold dual licenses with BBSE. Dual w/BOP are licensed with BBSE and the Board of Psychology.

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

BOARD OF BEHAVIORAL SCIENCES
CATEGORY TYPES OF DISCIPLINARY ACTION TAKEN
2006 - 2007
FISCAL YEAR *

		MFT IMF	LCSW AWS	LEP	APPLICANT
REVOC. STAYED: PROB ONLY					
Unprofessional Conduct		1	1		
Aiding and Abetting					
Sexual Misconduct					
Discipline by Another State Agency					
Conviction of a Crime		1			
Subtotal	3	2	1	0	0
REVOC. STAYED: PROB, SUSPENSION					
Conviction of a Crime			1		
Fraud		1			
Subtotal	2	1	1	0	0
REVOKED					
Improper Supervision					
Discipline by Another State Agency					
Conviction of a Crime		1	1		
Sexual Misconduct					
Subtotal	2	1	1	0	0
SURRENDER OF LICENSE					
Unprofessional Conduct			1		
Mental Illness					
Emotional / Physical Harm					
Sexual Misconduct					
Conviction of a Crime					
Subtotal	1	0	1	0	0
OTHER DISCIPLINE					
Discipline by Another State Agency				1	
Subtotal	1			1	
TOTAL	9	4	4	1	0

* Time frame: July 1, 2006 through November 30, 2006

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

1/8/2007

BOARD OF BEHAVIORAL SCIENCES CITATIONS ISSUED BY CATEGORY

Agency Category Types	02/03	03/04	04/05	05/06	06/07*
Sexual Misconduct					1
Improper Supervision	1	1	2		4
Aiding & Abetting				1	
Failure/Report Abuse	1	1			
Breach of Confidence	2	6	5	5	2
Advertising/Misrepresentation	1	1	1		
Unlicensed Practice	4	3	7	2	
Failure Report Conviction on Renewal	2				1
Non Compliance with CE Audit	12	6	44	148	44
Failure Report Conviction on Application	1		1	1	
Subvert Licensing Exam		1			
Practicing Beyond Scope			1		
Client Abandonment				1	
Unprofessional Conduct			2	2	2
TOTAL	24	19	63	160	54

	02/03	03/04	04/05	05/06	06/07*
Number Citations Ordered	24	19	63	160	54
Fines Assessed				\$61,650.00	\$24,200.00
Fines Collected (1)				\$37,150.00	\$18,700.00

(1) May reflect collection of fines ordered in previous fiscal years.

* 06/07 Fiscal Year through: November 30, 2006

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

**BOARD OF BEHAVIORAL SCIENCES
RECOVERY COSTS**

	02/03	03/04	04/05	05/06	06/07*
Number Cases Ordered	12	9	12	11	7
Total Amount Ordered	\$36,258.50	\$25,497.50	\$73,791.25	\$47,751.25	\$38,536.00
Stipulation - Revocation (1)				\$1,320.00	\$1,350.50
Stipulation - Voluntary Surrender (2)				\$36,008.25	\$11,286.50
Stipulation - Probation				\$1,500.00	\$25,899.00
Decision - Revocation				\$6,410.50	
Decision - Probation				\$2,512.50	
Total Amount Collected (3)	\$57,867.25	\$20,600.08	\$23,791.89	\$15,168.57	\$4,426.33
Intercepted by FTB Program				\$314.73	
Cost Collected in Payments				\$8,058.34	\$2,386.83
Cost Collected in Lump Sum				\$6,795.50	\$2,039.50

(1) Cost recovery only required if the respondent pursues reinstatement (may never be recovered).

(2) Cost recovery only required if the respondent reapplies for licensure (may never be recovered).

(3) May reflect collection of cost recovery ordered in previous fiscal years.

* 06/07 Fiscal Year through: November 30, 2006

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

**BOARD OF BEHAVIORAL SCIENCES
REIMBURSEMENT OF PROBATION PROGRAM**

	02/03	03/04	04/05	05/06	06/07 *
# Cases Ordered		1	3	4	4
Amount Ordered Per Year (\$1,200)		\$6,000.00	\$16,800.00	\$19,200.00	\$24,000.00
Amount Collected		0	\$1,900.00	\$3,800.00	\$2,700.00

* 06/07 Fiscal Year through: November 30, 2006

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

**BOARD OF BEHAVIORAL SCIENCES
ENFORCEMENT AGING DATA
2006 - 2007 FISCAL YEAR ⁽¹⁾**

	0-3 mo	4-6 mo	7-9 mo	10-12 mo	1-2 years	2-3 years	Over 3 Years	Total
Pending Complaints ⁽²⁾	188	76	39	14	10	0	0	327
Pending Investigations ⁽³⁾	9	18	3	9	8	0	0	47
Total Pending Complaints (Includes Inv) ⁽⁴⁾	197	94	42	23	18	0	0	374
Pending Cases at the AG - Pre Accusation ⁽⁵⁾	11	9	4	2	0	1	0	27
Pending Cases at the AG - Post Accusation ⁽⁶⁾	7	12	5	5	4	0	2	35
Total Pending Cases at the AG's Office	18	21	9	7	4	1	2	62

(1) Pending as of November 30, 2006.

(2) Pending Complaints are those complaints which are not currently being investigated by the Division of Investigation.

(3) Pending Investigations are those complaints which are being investigated by the Division of Investigation.

(4) Total Pending Complaints includes pending complaints and pending investigations.

(5) Pre Accusation are those pending cases at the AG's office where an accusation or statement of issues has not been filed yet.

(6) Post Accusation are those pending cases at the AG's office where a accusation or statement of issues has been filed.

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

BOARD OF BEHAVIORAL SCIENCES

Overview of Enforcement Activity

Fiscal Years	01/02	02/03	03/04	04/05	05/06	06/07*
Complaints / Cases Opened						
Complaints Received	493	514	560	626	801	318
Criminal Convictions Received	397	384	383	384	455	194
Total Complaints Received	890	898	943	1010	1256	512
Investigations Opened	42	25	11	25	44	25
Cases Sent to AG	31	41	17	25	55	15
Filings						
Citations Issued	30	24	19	63	160	54
Accusations Filed	27	17	22	17	29	12
Statement of Issues (SOI's) filed	7	4	4	2	1	3
Temporary Restraining Order	0	0	0	0	0	0
Interim Suspension Orders	0	0	1	0	1	0
Withdrawals/Dismissals						
Accusations Withdrawn or Dismissed	3	1	0	1	1	1
SOI's Withdrawn or Dismissed	1	1	0	0	0	0
Declined by the AG	0	7	3	1	3	1
Disciplinary Decision Outcomes						
Revoked	14	4	10	4	7	2
Revoked, Stayed, Susp & Probation	2	2	1	2	0	2
Revoked, Stayed, Probation	12	6	5	2	4	3
Surrender of License	6	7	7	7	9	1
Suspension	0	0	0	0	0	0
Susp., Stayed, Susp & Prob	0	0	0	0	0	0
Susp., Stayed Probation	0	1	0	0	0	0
Susp & Prob Only	0	0	0	0	0	0
License Probation Only	1	0	0	0	0	0
Reprimand / Repeval	0	1	0	0	0	0
Other Decisions	0	0	0	0	0	1
Total Decisions	35	21	23	15	20	9
Decisions (By Violation Type)						
Fraud	1	1	0	1	0	1
Health & Safety	0	0	0	1	2	0
Sexual Misconduct	13	5	5	5	5	0
Competence / Negligence	1	2	9	2	2	0
Personal Conduct	7	7	3	4	7	5
Unprofessional Conduct	8	4	4	2	4	3
Unlicensed Activity	0	0	0	0	0	0
Other	0	0	0	0	0	0
Violation of Probation	5	2	2	0	0	0

* Fiscal Year Period: 7/1/06 through 11/30/06.

Note: These statistics are for informational purposes only and should not be used as the the sole source to analyze the Board's enforcement program.

BOARD OF BEHAVIORAL SCIENCES
LCSW WRITTEN EXAMINATION STATISTICS
7/1/06-12/31/06

TOTAL EXAMINEES	1ST TIME TAKERS	2ND TIME TAKERS	3RD TIME TAKERS	4TH + TIME TAKERS
753 Participated	433 Participated	152 Participated	67 Participated	101 Participated
466 Passed (62%)	316 Passed (73%)	89 Passed (59%)	32 Passed (48%)	29 Passed (29%)
287 Failed (38%)	117 Failed (27%)	63 Failed (41%)	35 Failed (52%)	72 Failed (71%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

BOARD OF BEHAVIORAL SCIENCES LCSW WRITTEN EXAMINATION STATISTICS

7/1/06-12/31/06

ACCREDITED UNIVERSITIES	PASS	FAIL	% PASSED	1ST TIME TAKERS		% PASSED 1ST TIME
				PASS	FAIL	
CSU, Bakersfield	4	1	80%	4	0	100%
CSU, Fresno	13	22	37%	8	5	62%
CSU, Long Beach	48	31	61%	29	12	71%
CSU, Los Angeles	10	4	71%	7	4	64%
CSU, Sacramento	42	36	54%	24	16	60%
CSU, San Bernardino	17	14	55%	10	5	67%
CSU, Stanislaus	6	10	38%	4	5	44%
San Diego State University	37	9	80%	27	4	87%
San Francisco State University	22	12	65%	13	3	81%
San Jose State University	31	27	53%	21	9	70%
UC, Berkeley	19	4	83%	12	3	80%
UC, Los Angeles	30	5	86%	25	1	96%
Loma Linda University	7	7	50%	3	3	50%
University of Southern California	52	40	57%	35	20	64%
OUT-OF-STATE UNIVERSITIES	118	59	67%	90	25	78%
OUT-OF-COUNTRY UNIVERSITIES	10	6	63%	4	2	67%

753 PARTICIPATED
466 PASSED (62%)
287 FAILED (38%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

BOARD OF BEHAVIORAL SCIENCES
LCSW WRITTEN CLINICAL VIGNETTE
7/1/06 – 12/31/06

TOTAL EXAMINEES	1ST TIME TAKERS	2ND TIME TAKERS	3RD TIME TAKERS	4TH + TIME TAKERS
622 Participated	350 Participated	128 Participated	82 Participated	62 Participated
332 Passed (53%)	195 Passed (56%)	77 Passed (60%)	36 Passed (44%)	24 Passed (39%)
290 Failed (47%)	155 Failed (44%)	51 Failed (40%)	46 Failed (56%)	38 Failed (61%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

BOARD OF BEHAVIORAL SCIENCES LCSW WRITTEN CLINICAL VIGNETTE

7/1/06 – 12/31/06

UNIVERSITIES	Total Pass	Total Fail	% PASSED	1 st Time Takers		% Passed 1 st Time
				Pass	Fail	
CSU, Bakersfield	0	2	0%	0	1	0%
CSU, Fresno	13	9	59%	8	2	80%
CSU, Long Beach	34	32	52%	21	15	58%
CSU, Los Angeles	4	5	44%	3	3	50%
CSU, Sacramento	35	21	63%	18	10	64%
CSU, San Bernardino	16	13	55%	6	7	46%
CSU, Stanislaus	4	5	44%	1	3	25%
San Diego State	28	25	53%	17	14	55%
San Francisco State	6	13	31%	5	8	38%
San Jose State	16	15	52%	7	6	54%
UC, Berkeley	13	3	81%	10	2	83%
UCLA	26	21	55%	19	12	61%
Loma Linda University	7	6	54%	4	5	44%
USC	41	33	55%	19	16	54%
Out-of-State	88	83	52%	57	47	56%
Out-of-Country	1	4	20%	1	3	25%

622 PARTICIPATED
332 PASSED (53%)
290 FAILED (47%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

**BOARD OF BEHAVIORAL SCIENCES
MFT WRITTEN EXAMINATION STATISTICS
7/01/06 – 12/31/06**

TOTAL EXAMINEES	1ST TIME TAKERS	2ND TIME TAKERS	3RD TIME TAKERS	4TH + TIME TAKERS
1,013 Participated	681 Participated	143 Participated	70 Participated	119 Participated
625 Passed (62%)	517 Passed (76%)	63 Passed (44%)	26 Passed (37%)	19 Passed (16%)
388 Failed (38%)	164 Failed (24%)	80 Failed (56%)	44 Failed (63%)	100 Failed (84%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

MFT WRITTEN EXAMINATION STATISTICS
7/1/06-12/31/06

ACCREDITED UNIVERSITIES	PASS	FAIL	% PASSED	1ST TIME TAKERS		% PASSED 1ST TIME
				PASS	FAIL	
California Polytechnic State University	3	1	75%	3	1	75%
CSU, Bakersfield	5	2	71%	3	1	75%
CSU, Chico	4	2	67%	2	2	50%
CSU, Dominguez Hills	8	6	57%	8	1	89%
CSU, Fresno	11	7	61%	9	1	90%
CSU, Fullerton	20	6	77%	16	3	84%
CSU, Hayward	13	13	50%	12	7	63%
CSU, Long Beach	6	1	86%	6	0	100%
7CSU, Los Angeles	5	5	50%	5	3	63%
CSU, Northridge	22	18	55%	15	7	68%
CSU, Sacramento	9	4	69%	7	2	78%
CSU, San Bernardino	3	1	75%	2	1	67%
CSU, Stanislaus	0	1	0%	0	0	0%
Humboldt State University	2	2	50%	2	1	67%
San Diego State University	8	7	53%	7	2	78%
San Francisco State University	22	8	73%	18	3	86%
San Jose State University	1	0	100%	1	0	100%
Sonoma State University	6	2	75%	5	1	83%
California State Polytechnic Univ.	2	0	100%	2	0	100%
Azusa Pacific University	8	7	53%	5	1	83%
California Baptist College	10	4	71%	8	3	73%
Phillips Graduate Institute	35	27	56%	28	11	72%
California Inst. of Integral Studies	21	3	88%	21	3	88%
California Lutheran University	2	2	50%	2	1	67%
Alliant International University	4	2	67%	4	2	67%
Chapman University	17	11	61%	14	7	67%
College of Notre Dame	15	7	68%	10	3	77%
Dominican University of California	6	3	67%	6	2	75%
Fuller Theological Seminary	8	2	80%	6	0	100%
Holy Names University	2	3	40%	2	1	67%
John F. Kennedy University	38	21	64%	29	9	76%
Loma Linda University	3	6	33%	3	1	75%
Loyola Marymount University	12	2	86%	11	1	92%
Mennonite Brethren Biblical Seminary	2	0	100%	2	0	100%
Mount St. Mary's College	1	1	50%	1	0	100%
National University	37	62	37%	23	32	42%
New College of California	15	6	71%	13	3	81%
Hope International University	3	7	30%	3	2	60%

Pacific Oaks College	3	11	21%	3	6	33%
Pepperdine University	31	25	55%	25	12	68%
St. Mary's College of California	4	2	67%	4	1	80%
Saybrook Institute	1	0	100%	1	0	100%
University of La Verne	2	3	40%	2	1	67%
University of San Diego	6	3	67%	6	1	86%
University of San Francisco	19	12	61%	18	6	75%
Santa Clara University	17	1	94%	16	0	100%
University of Southern California	4	2	67%	1	1	50%
University of the Pacific*	0	2	0%	0	1	0%
Golden Gate University	0	1	0%	0	1	0%
Bethel Theological Seminary	4	2	67%	3	1	75%
Pacifica Graduate Institute	12	1	92%	11	1	92%
Institute for Transpersonal Psych.	2	4	33%	2	2	50%
Vanguard University	3	1	75%	3	0	100%
APPROVED UNIVERSITIES	PASS	FAIL	% PASSED	1ST TIME TAKERS PASS	FAIL	% PASSED 1ST TIME
Trinity College of Graduate Studies	3	3	50%	3	0	100%
California Graduate Institute	5	4	56%	5	2	71%
Argosy University	3	0	100%	3	0	100%
International College*	0	1	0%	0	0	0%
Professional School of Psychology	2	2	50%	1	0	100%
Rosebridge Graduate School*	0	1	0%	0	0	0%
Ryokan College	6	0	100%	5	0	100%
Sierra University*	0	2	0%	0	0	0%
Western Institute for Social Research	1	0	100%	1	0	100%
World University	0	1	0%	0	0	0%
Institute of Imaginal Studies	3	0	100%	3	0	100%
Western Seminary	8	3	73%	5	0	100%
American Behavioral Studies Institute	2	2	50%	1	1	50%
University of Phoenix, San Diego	4	2	67%	2	1	67%
Southern California Seminary	3	2	60%	2	1	67%
University of Phoenix, Sacramento	5	3	63%	3	1	75%
Remington College*	2	1	67%	2	0	100%
University of Santa Monica	4	1	80%	4	1	80%
Antioch University, Marina Del Rey	32	14	70%	29	4	88%
Antioch University, Santa Barbara	10	4	71%	9	2	82%
OUT-OF-STATE UNIVERSITIES	34	10	77%	30	8	79%
OUT-OF-COUNTRY UNIVERSITIES	1	0	100%	0	0	0%

1,013 PARTICIPATED
625 PASSED (62%)
388 FAILED (38%)

*No longer has MFT program

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

**BOARD OF BEHAVIORAL SCIENCES
MFT WRITTEN CLINICAL VIGNETTE
7/1/06 – 12/31/06**

TOTAL EXAMINEES	1ST TIME TAKERS	2ND TIME TAKERS	3RD TIME TAKERS	4TH + TIME TAKERS
959 Participated	605 Participated	202 Participated	95 Participated	57 Participated
782 Passed (82%)	515 Passed (85%)	159 Passed (79%)	67 Passed (71%)	41 Passed (72%)
177 Failed (18%)	90 Failed (15%)	43 Failed (21%)	28 Failed (29%)	16 Failed (28%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

**MFT WRITTEN CLINICAL VIGNETTE
7/1/06-12/31/06**

ACCREDITED UNIVERSITIES			TOTAL % PASSED	1ST TIME TAKERS		% PASSED 1ST TIME
	PASS	FAIL		PASS	FAIL	
California Polytechnic State University	3	0	100%	2	0	100%
CSU, Bakersfield	8	1	89%	3	0	100%
CSU, Chico	9	1	90%	6	1	86%
CSU, Dominguez Hills	5	7	42%	3	5	38%
CSU, Fresno	13	4	76%	9	1	90%
CSU, Fullerton	24	11	69%	17	2	89%
CSU, Hayward	20	4	83%	11	2	85%
CSU, Long Beach	10	2	83%	5	1	83%
CSU, Los Angeles	13	2	87%	5	2	71%
CSU, Northridge	21	5	81%	17	3	85%
CSU, Sacramento	15	3	83%	9	3	75%
CSU, San Bernardino	4	0	100%	3	0	100%
CSU, Stanislaus	0	2	0%	0	1	0%
Humboldt State University	1	0	100%	0	0	0%
San Diego State University	12	1	92%	10	0	100%
San Francisco State University	18	1	95%	14	0	100%
San Jose State University	3	0	100%	2	0	100%
Sonoma State University	7	1	88%	7	0	100%
California State Polytechnic University	4	0	100%	0	0	0%
Azusa Pacific University	11	3	79%	8	2	80%
Calif. Baptist University	9	2	92%	5	0	100%
Phillips Graduate Institute	38	9	81%	28	4	88%
Calif. Institute of Integral Studies	27	1	96%	21	1	95%
Calif. Lutheran University	6	1	86%	2	0	100%
Chapman University	16	7	70%	10	5	67%
College of Notre Dame	15	4	79%	9	1	90%
Dominican University of California	3	0	100%	3	0	100%
Fuller Theological Seminary	12	1	92%	8	1	89%
Holy Names College	2	0	100%	1	0	100%
John F. Kennedy University	43	7	84%	25	5	83%
Loma Linda University	6	1	86%	2	0	100%
Loyola Marymount	7	2	78%	5	1	83%
Mennonite Brethren Biblical Seminary	4	0	100%	3	0	100%
Mount St. Mary's College	3	2	60%	0	2	0%
National University	58	15	79%	32	9	78%
New College of California	12	5	71%	10	2	83%

Hope International University	8	3	73%	4	3	57%
Pacific Oaks College	10	3	77%	4	0	100%
Pepperdine University	35	8	81%	22	6	79%
St. Mary's College of California	4	1	80%	3	0	100%
Alliant International University	10	3	77%	9	2	92%
University of La Verne	3	3	50%	2	2	50%
University of San Diego	8	1	89%	7	1	88%
University of San Francisco	28	6	82%	17	2	89%
Santa Clara University	25	4	86%	21	2	91%
University of Southern California	9	1	90%	6	0	100%
University of the Pacific*	0	1	0%	0	0	0%
Golden Gate University	1	0	100%	1	0	100%
Bethel Theological Seminary	3	0	100%	3	0	100%
Pacifica Graduate Institute	12	3	80%	10	1	91%
Institute of Transpersonal Psych.	4	0	100%	3	0	100%
Vanguard University of Southern California	4	1	80%	3	0	100%
APPROVED UNIVERSITIES	PASS	FAIL	TOTAL % PASSED	1ST TIME TAKERS PASS	FAIL	% PASSED 1ST TIME
Trinity College of Graduate Studies	6	1	86%	3	0	100%
California Graduate Institute	7	2	78%	6	1	86%
Argosy University	3	0	100%	1	0	100%
Professional School of Psychology	3	0	100%	2	0	100%
Ryokan College	5	4	56%	4	0	100%
University for Humanistic Studies*	1	0	100%	1	0	100%
Western Graduate School of Psychology*	1	0	100%	1	0	100%
Western Institute for Social Research	1	0	100%	1	0	100%
Institute for Imaginal Studies	3	2	60%	3	2	60%
Western Seminary	6	2	75%	2	1	67%
San Francisco School of Psychology*	3	0	100%	1	0	100%
American Behavioral Studies Institute	4	0	100%	2	0	100%
University of Phoenix, San Diego	4	0	100%	3	0	100%
Southern California Seminary	0	1	0%	0	0	0%
University of Phoenix, Sacramento	7	4	64%	3	2	60%
Remington College*	1	0	100%	1	0	100%
University of Santa Monica	5	1	83%	4	1	80%
Antioch University, Marina Del Rey	46	9	84%	30	4	88%
Antioch University, Santa Barbara	11	2	85%	8	0	100%
OUT-OF-STATE UNIVERSITIES	39	6	87%	27	4	77%

*No longer has MFT Program

959 Participated
782 Passed (82%)
177 Failed (18%)

The Examination Statistics are for informational purposes only and should not be the sole source used to analyze a school program. A statistical analysis can only be derived when there are significant numbers of candidates. Please contact each school for specific information on their degree program.

**BOARD OF BEHAVIORAL SCIENCES
LEP WRITTEN EXAMINATION STATISTICS
7/1/06 – 12/31/06**

TOTAL EXAMINEES	1ST TIME TAKERS	2ND TIME TAKERS	3RD TIME TAKERS	4TH + TIME TAKERS
64 Participated	47 Participated	12 Participated	3 Participated	2 Participated
38 Passed (59%)	33 Passed (70%)	4 Passed (33%)	0 Passed (0%)	1 Passed (50%)
26 Failed (41%)	14 Failed (30%)	8 Failed (67%)	3 Failed (100%)	1 Failed (50%)

BOARD OF BEHAVIORAL SCIENCES LEP WRITTEN EXAM STATS

7/1/06-12/31/06

SCHOOL	PASS	FAIL	TOTAL % PASSED	1ST TIME TAKERS		% PASSED 1ST TIME
				PASS	FAIL	
CSU, Dominguez Hills	1	1	50%	0	0	0%
CSU, Fresno	1	0	100%	1	0	100%
CSU, Hayward	5	1	83%	5	0	100%
CSU, Long Beach	2	0	100%	2	0	100%
CSU, Los Angeles	2	1	67%	2	1	67%
CSU, Northridge	9	4	69%	8	1	89%
CSU, Sacramento	0	2	0%	0	1	0%
CSU, San Bernardino	0	2	0%	0	1	0%
Humboldt State University	0	1	0%	0	1	0%
San Diego State University	0	1	0%	0	1	0%
San Francisco State University	2	0	100%	2	0	100%
UC, Davis	2	0	100%	2	0	100%
UC, Riverside	1	0	100%	1	0	100%
UC, Santa Barbara	1	0	100%	1	0	100%
Azusa Pacific University	1	1	50%	1	0	100%
California Lutheran University	1	0	100%	0	0	0%
Chapman University	1	0	100%	1	0	100%
Loyola Marymount University	3	1	75%	2	0	100%
National University	1	7	13%	1	6	14%
Alliant International University	0	1	0%	0	0	0%
University of San Diego	0	1	0%	0	0	0%
University of Redlands	2	0	100%	1	0	100%
Out-of-State Universities	3	2	60%	3	2	60%

64 PARTICIPATED
38 PASSED (59%)
26 FAILED (41%)

**State of California
Board of Behavioral Sciences**

Memorandum

To: Board Members

Date: January 30, 2007

From: Christy Berger
Legislation Analyst

Telephone: (916) 574-7847

Subject: Agenda Item VII National Exam for Clinical Social Workers

In February 2006, the Board of Behavioral Sciences (Board) received a letter from Roger A. Kryzaneck, MSW, LCSW and President of the Association of Social Work Boards (ASWB), formerly known as the American Association of State Social Work Boards (AASSWB). The purpose of Mr. Kryzaneck's letter is to ask the Board to consider rejoining the ASWB and to require candidates for clinical social work licensure to take ASWB's national examination.

Background

The Board was a member of ASWB from October 1991 through March 1999, and required the ASWB Clinical level examination, along with a state-constructed oral examination for licensure of clinical social workers. However, around 1998, the Board and the Department of Consumer Affairs, Office of Examination Resources (OER) began having concerns regarding the ASWB examination. These concerns included:

- The practice analysis conducted by ASWB did not include a representative number of licensees in California, just 16 participants.
- The sampling of participants in the practice analysis did not include demographics representative of California's population.
- The pass rate for California's first-time examination participants was very high at 89%.

Based on these concerns, and the results of a new California occupational analysis, the Board determined that there was a need for a state-constructed written examination. The new California written examination was administered beginning in late Spring 1999.

About ASWB

Currently, ASWB is comprised of social work regulatory boards in 49 states, the District of Columbia, the Virgin Islands, and seven Canadian provinces. Presently, California is the only U.S. state that is not a member of ASWB and not participating in its examination program. ASWB contracts with ACT, Inc. to administer its examinations at test centers on or near college campuses, and also for psychometric and other support services.

ASWB last completed a practice analysis in 2003 which included 75 surveys returned by California social workers, for 2.1% of the total responses. ASWB has five examination categories for social work, each consisting of 170 items (including 20 pre-test items). All examinations are administered over a four-hour period and cost the candidate \$175, and are as follows:

- *Associate* – Appropriate for paraprofessional social workers. This level uses the Bachelor's examination with a lower pass point.
- *Bachelors* – Appropriate for those who hold a Bachelor's degree in Social Work.
- *Masters* – Appropriate for those who hold a Master's degree in Social Work (MSW).

- *Advanced Generalist* – Appropriate for those who hold a MSW with a minimum of two years of post-degree experience in non-clinical practice.
- *Clinical* – Appropriate for those who hold an MSW with a minimum of two years of post-degree experience in clinical practice. This would be the examination evaluated for possible use in California for LCSWs.

Issues for Consideration

1. The Board would need to determine if the current ASWB national examination meets the standards of examination development and administration currently used by the Board and OER. This would require an in-depth comparison and analysis of the examinations as well as examination policies and procedures.
2. Participation in the national examination may remove a barrier to portability of licensure for clinical social workers, a growing concern since the enactment of the Mental Health Services Act (MHSA) which is increasing demand for all types of mental health workers.
3. Membership in ASWB would give California a voice and vote in setting national standards for clinical social work licensure.

Attachments

- A. Letter from Roger A. Kryzanek
- B. Letter from Donna DeAngelis
- C. ASWB Examination Outlines
- D. February 4, 1999 Examination Committee Meeting Minutes



BOARD OF
BEHAVIORAL SCIENCES

2006 FEB 24 AM 11:02

February 17, 2006

Mr. Paul Riches, Executive Officer
California Board of Behavioral Sciences
1625 North Market Boulevard, Suite S-200
Sacramento, California 95834

Dear Mr. Riches:

I am the President of the Association of Social Work Boards (ASWB) a nonprofit organization made up of social work regulatory boards in 49 states, the District of Columbia, the Virgin Islands, and seven Canadian provinces. At the present time California is the only state that is not a member of ASWB and not using our examination program. I am writing to ask that the California Board of Behavioral Sciences consider rejoining ASWB.

The California Board of Behavioral Sciences was a valued member of ASWB from 1991 through March, 1999, and provided a number of social workers who were involved with the examination program and other committees. It is my hope that, once again, all 50 states can stand together to ensure that the regulated practice of social work is based on sound national standards and that all involved in regulation can share information, learn from one another, and promote best practices within the regulatory arena.

The mission of the Association of Social Work Boards is to support social work licensing boards and promote regulation of social workers according to uniform standards in order to protect the public. ASWB develops and administers the licensing examinations used by the jurisdictions to determine whether a social work applicant for licensure has the minimum competence necessary to practice. The examination program is one of the most important services provided to regulatory boards by ASWB. There are five categories of examination: Associate for those who do not hold a formal social work degree; Bachelors for social workers with a baccalaureate degree; Masters for those with Masters of Social Work (MSW) degrees upon graduation; Advanced Generalist for MSWs with two or more years of general social work experience; and Clinical for MSWs with two or more years of clinical social work experience. Last year, ASWB tested over 25,000 candidates for social work licensure.

The ASWB licensing examinations are constructed according to the guidelines of the American Psychological Association, the Joint Commission on Standards for Educational and Psychological Testing, the American Educational Research Association, the National Council on Measurement in Education, and the Equal

Board of Directors

President

Roger Kryzanek, LCSW
Oregon

Past President

Delfino Trujillo, MSW, LISW
New Mexico

Secretary

Ginny Dickman, LSW
Idaho

Treasurer

Jonathan D. Finck, LCSW
Missouri

Directors at Large

Charlotte McConnell, LICSW, MSW
Washington, D.C.

Sandra Starks, Ed.D., LCSW
Kentucky

Suzan D. Turley
Oregon

Executive Director

Donna DeAngelis, LICSW, ACSW

Mr. Paul Riches, Executive Officer
February 17, 2006
Page Two

Employment Opportunity Commission, with psychometric guidance from ACT, a national testing company. First, the examination questions are based on knowledge statements developed through a nationwide practice analysis survey in which social workers were asked to identify and rank the tasks they must know how to perform on the first day of their job. The data from this survey are analyzed by social work subject matter experts, who then construct the content outline. The survey sample and respondents statistically reflect the make-up of the profession, as does the composition of the group of subject matter experts who analyze the data. The most recent survey was conducted in 2001 – 2003. The examinations that began being administered on May 17, 2004 contain test content that was determined by the results from the survey information.

The final return rate for the usable surveys delivered in this most recent practice analysis was 42 percent overall, with a return rate of 40 percent of responses specifically for the Clinical examination. California social workers were included in this practice analysis. There were 442 surveys distributed to social workers in California, of which the return was 75 surveys, 17 percent of those sent in California and 2.1 percent of the total responses.

Social workers are trained every year to be item writers, and they are the people who develop the specific examination questions. The items that are written are reviewed by Item Development Consultants who either return them to the writer for changes, or approve them to go on to the Examination Committee for review.

The ASWB Examination Committee has 16 members from social work practice and education who are also diverse by race, ethnicity, culture, gender, and geography. This committee reviews every new item and must reach consensus on each item before it is pretested on the social work examinations. The committee specifically looks for only one correct answer for each item. If the committee cannot come to consensus, the question is either discarded or changed.

Items are pretested before they can be used as scored items. When an item is being pretested, it means that the item appears on the examination, but does not count toward the passing score. An item is approved for use as a scored item only if its statistical performance is acceptable. That means that statistically it performs a valid measure of the test taker's knowledge in a particular content area. The system of pretesting questions protects examination candidates by using only questions that have been proven effective in testing relevant knowledge. The answers to pretest items are never counted toward an examinee's score.

There are several versions of each ASWB examination category given at the same time. The members of the Examination Committee review all the items again on each version of the examination before it goes on-line to the test centers to be administered. The questions on each of these versions are different, but the content that is being tested is the same. Candidates are given a different version of the examination if they must retest.

Mr. Paul Riches, Executive Officer
February 17, 2006
Page Three

You can see from the work and care that goes into developing, monitoring, and maintaining the ASWB examination program, that we do not take this responsibility lightly. We perform our duties with adherence to social work ethics and psychometric standards. In 2000, ASWB had an independent psychometric evaluation of its examinations. The results of that evaluation were that the ASWB examinations are valid, reliable, and defensible.

The ASWB examinations are delivered electronically at 230 ACT test centers nationwide, with nine test centers located within California and ACT plans to expand the number of test centers there.

The examinations contain 150 questions that count toward the score and 20 pretest questions. They are given by computer over a four hour period. Prior to the examination, candidates are given the opportunity to learn how the test functions on the computer and practice making responses. There is also a satisfaction survey given at the end of the examination.

In addition to providing valid and defensible social work licensing examinations, ASWB provides its members with relevant, timely information and publications about professional regulation, as well as services such as continuing education meetings and new board member training. Each year ASWB has two meetings, a spring educational meeting and a fall business meeting of the Delegate Assembly, the governing body of the association. There is no charge to members or invited guests to attend these meetings. ASWB pays travel and lodging expenses for one delegate from each member jurisdiction to attend the fall business meeting. Members and staff of social work regulatory boards that are not ASWB members may attend without charge, but no travel or lodging expenses will be paid. Attendees at the spring educational meeting must pay for their own transportation, lodging, and some meals. The association usually provides a continental breakfast each day, and lunch on the full day of the meeting.

The 2006 Spring Education Meeting will be held in Portland, Oregon, April 27 – 30. The Annual Meeting is scheduled for Baltimore, Maryland, November 10 – 12.

Three new board member training sessions are held each year for members who have been recently appointed to their boards. As a service to our member boards, the association pays for one member from each jurisdiction to attend, on a space-available basis. We usually accommodate 15 to 20 trainees.

Through the ASWB publications, as well as these meetings, members are afforded the opportunity to learn about legal regulation of the profession, and to network with others involved with regulatory boards. Most of our members rate networking as the most important benefit of association membership. There is growing electronic communication among members to keep the networking going. We have a board administrators listserv and a listserv for board members.

Dues paid to the association are based on the number of licensees in the jurisdiction. The maximum amount of annual dues charged is \$2,000.00 for 10,001 or more licensees.

Mr. Paul Riches, Executive Officer
February 17, 2006
Page four

As you can see I feel that we have much to offer any jurisdiction who chooses to be one of our members. I also believe that our association has much to gain from having California once again become one of our members. I hope that you and the board members will favorably consider rejoining ASWB. Please let me know if you have any questions or need more information. More information can also be found on our website, www.aswb.org. I live in Bend, Oregon, which is not that far away. If you so desire, I would be pleased to come to Sacramento to talk with you and the members of the California Board of Behavioral Science Examiners. Thanks for your time and I will look forward to hearing from you.

Sincerely

A handwritten signature in black ink, appearing to read "Roger Kryzanek". The signature is fluid and cursive, with the first name "Roger" being more prominent than the last name "Kryzanek".

Roger Kryzanek, LCSW
President

cc: Ms. Charlene Zettel, Director
California Department of Consumer Affairs



Board of Directors

President

Roger Kryzaneck, LCSW
Oregon

Past President

Delfino Trujillo, MSW, LISW
New Mexico

Secretary

Ginny Dickman, LSW
Idaho

Treasurer

Jonathan D. Finck, LCSW
Missouri

Directors at Large

Charlotte McConnell, LICSW, MSW
Washington, D.C.

Saundra Starks, Ed.D., LCSW
Kentucky

Suzan D. Turley
Oregon

Executive Director

Donna DeAngelis, LICSW, ACSW

May 2, 2006

Mr. Paul Riches
Executive Officer
Board of Behavioral Sciences
1625 North Market Boulevard, Suite S200
Sacramento, California 95834

Dear Mr. Riches:

I was very pleased to hear that the California Board of Behavioral Sciences is considering once again joining with 58 other social work regulatory boards in the United States and Canada in membership in the Association of Social Work Boards (ASWB). The ASWB Communications Director, Mr. Troy Elliott, today sent a membership application and a document describing member benefits to Ms. Christina Kitamura, Administrative Assistant in your office. I am enclosing with this letter a copy of the ASWB Bylaws and other materials about its Approved Continuing Education program, the Social Work Registry, and the report of the most recent practice analysis on which the content of the licensing examinations are determined. Additional publications relevant to examination development and other subjects of interest to social work regulatory boards are also enclosed. Please let me know if you would like to receive additional copies of these material to share with your board members and staff.

According to the ASWB Bylaws, an application for membership reinstatement in the association from a regulatory board that qualifies may be approved by the ASWB Board of Directors, "upon appropriate reapplication and compliance with all conditions set forth by the Board of Directors." Also according to the ASWB Bylaws:

Article III. Definitions, Section 3. Member Board, a "Member Board" shall mean any Board as defined above which is duly accepted into the Association pursuant to these Bylaws, and enters into a contract for the use of the Association's examinations, if applicable.

"If applicable" applies to all social work regulatory boards that use an examination to assess knowledge for minimum competency.

Mr. Paul Riches
May 2, 2006
Page two

Whether or not your board decides to apply for reinstated membership in ASWB, members of the board are welcome to attend the Annual Meeting of the ASWB Delegate Assembly, November 10 – 12, 2006 in Baltimore, Maryland.

If the California Board of Behavioral Sciences makes application for reinstatement, I will keep you informed of the results of each step in the process as it goes along. In the meantime, please let me know if you have any questions or need more information. I hope to meet you in person at the November meeting.

Sincerely,

A handwritten signature in cursive script that reads "Donna DeAngelis". The signature is written in dark ink and is positioned above the typed name and title.

Donna DeAngelis, LICSW, ACSW
Executive Director

Enclosures

BACHELORS EXAMINATION CONTENT OUTLINE

Content Area	Items
I. Human Development and Behavior in the Environment	14%
A. Theoretical approaches to understanding individuals, families, groups, communities, and organizations	
B. Human growth and development	
C. Human behavior in the social environment	
D. Impact of crises and changes	
E. Addictive behaviors	
F. Dynamics of abuse and neglect	
II. Issues of Diversity	7%
III. Assessment in Social Work Practice	20%
A. Social history and collateral data	
B. Use of assessment instruments	
C. Problem identification	
D. Effects of the environment on client system behavior	
E. Assessment of client system's strengths and weaknesses	
F. Assessment of mental and behavioral disorders	
G. Indicators of abuse and neglect	
H. Indicators of danger to self and others	
I. Indicators of crisis	
IV. Direct and Indirect Practice	21%
A. Models of practice	
B. Intervention techniques	
C. Components of the intervention process	
D. Matching intervention with client system needs	
E. Professional use of self	
F. Use of collaborative relationships in social work practice	
V. Communication	10%
A. Communication principles	
B. Communication techniques	
VI. Professional Relationships	5%
A. Relationship concepts	
B. Relationship in practice	
VII. Professional Values and Ethics	13%
A. Responsibility to the client system	
B. Responsibility to the profession	
C. Confidentiality	
D. Self-determination	
VIII. Supervision in Social Work	2%
A. Educational functions of supervision	
B. Administrative functions of supervision	
IX. Practice Evaluation and the Utilization of Research	2%
A. Methods of data collection	
B. Research design and data analysis	
X. Service Delivery	5%
A. Client system rights and entitlements	
B. Implementation of organizational policies and procedures	
XI. Social Work Administration	1%
A. Staffing and human resource management	
B. Social work program management	

MASTERS EXAMINATION CONTENT OUTLINE

Content Area	Items
I. Human Development and Behavior in the Environment	18%
A. Theories and concepts	
B. Application of knowledge	
II. Diversity and Social/Economic Justice	7%
A. Diversity	
B. Social/economic justice and oppression	
III. Assessment, Diagnosis, and Treatment Planning	11%
A. Biopsychosocial history and collateral data	
B. Assessment methods and techniques	
C. Assessment indicators, components, and characteristics	
D. Indicators of abuse and neglect	
E. Intervention planning	
IV. Direct and Indirect Practice	22%
A. Intervention models and methods	
B. The intervention process	
C. Intervention techniques	
D. Intervention with couples and families	
E. Intervention with groups	
F. Intervention with communities and larger systems	
G. Consultation and interdisciplinary collaboration	
V. Communication	7%
A. Communication principles	
B. Communication techniques	
VI. Professional Relationships	5%
A. Relationship concepts	
B. Social worker and client roles	
C. Ethical issues within the relationship	
VII. Professional Values and Ethics	11%
A. Professional values	
B. Legal and ethical issues	
C. Confidentiality	
VIII. Supervision, Administration, and Policy	8%
A. Supervision and staff development	
B. Human resource management	
C. Finance and administration	
IX. Practice Evaluation and the Utilization of Research	2%
A. Data collection	
B. Data analysis	
C. Utilization of research	
X. Service Delivery	9%
A. Service delivery systems	
B. Obtaining services	
C. Effects of policies and procedures on service delivery	

ADVANCED GENERALIST EXAMINATION CONTENT OUTLINE

Content Area	Items
I. Human Development and Behavior in the Environment	10%
A. Theories and models	
B. Human growth and development	
C. Family functioning	
II. Issues of Diversity	5%
III. Assessment, Diagnosis, and Intervention Planning	24%
A. Social history	
B. Use of assessment instruments	
C. Problem identification	
D. Effects of the environment on client behavior	
E. Impact of life stressors on systems	
F. Evaluation of client strengths and weaknesses	
G. Evaluation of mental and behavioral disorders	
H. Abuse and neglect	
I. Indicators of danger to self and others	
J. General assessment issues	
K. Intervention planning	
IV. Direct and Indirect Practice	16%
A. Theories	
B. Methods and processes	
C. Intervention techniques	
D. Intervention with couples and families	
E. Intervention with groups	
F. Intervention with communities	
V. Communication	7%
A. Communication principles	
B. Communication techniques	
VI. Relationship Issues	5%
A. Concepts of social worker - client relationship	
B. Effects of social and psychological factors	
VII. Professional Values and Ethics	12%
A. Values and ethics	
B. Confidentiality	
C. Self-determination	
VIII. Supervision and Professional Development	3%
IX. Practice Evaluation and the Utilization of Research	4%
A. Data collection	
B. Data analysis and utilization	
X. Service Delivery	11%
A. Service delivery systems and processes	
B. Effects of policies, procedures, and legislation	
C. Methods of social work advocacy	
D. Interdisciplinary collaboration	
XI. Administration	3%
A. Management	
B. Human resource management	
C. Financial management	

CLINICAL EXAMINATION CONTENT OUTLINE

Content Area	Items
I. Human Development and Behavior in the Environment	22%
A. Theories of human development and behavior	
B. Human development in the life cycle	
C. Human behavior	
D. Impact of crises and changes	
E. Family functioning	
F. Addictions	
G. Abuse and neglect	
II. Issues of Diversity	6%
A. Effects of culture, race, and/or ethnicity	
B. Effects of sexual orientation and/or gender	
C. Effects of age and/or disability	
III. Diagnosis and Assessment	16%
A. Assessment	
B. Information gathering	
C. Diagnostic classifications	
D. Indicators of abuse and neglect	
E. Indicators of danger to self and others	
IV. Psychotherapy and Clinical Practice	16%
A. Intervention theories and models	
B. The intervention process	
C. Treatment planning	
D. Intervention techniques	
E. Intervention with couples and families	
F. Intervention with groups	
V. Communication	8%
A. Communication principles	
B. Communication techniques	
VI. The Therapeutic Relationship	7%
A. Relationship theories	
B. Relationship practice	
VII. Professional Values and Ethics	10%
A. Value issues	
B. Legal and ethical issues	
C. Confidentiality	
VIII. Clinical Supervision, Consultation, and Staff Development	4%
A. Social work supervision	
B. Consultation and interdisciplinary collaboration	
C. Staff development	
IX. Practice Evaluation and the Utilization of Research	1%
A. Evaluation techniques	
B. Utilization of research	
X. Service Delivery	5%
A. Policies and procedures of service delivery	
B. Processes of service delivery	
XI. Clinical Practice and Management	5%
A. Advocacy	
B. Finance	
C. Management and human resource issues	



BOARD OF BEHAVIORAL SCIENCES
400 R STREET, SUITE 3150, SACRAMENTO, CA 95814
TELEPHONE: (916) 445-4933 TDD: (916) 322-1700
WEBSITE ADDRESS: <http://www.bbs.ca.gov>



(approved June 4, 1999)

**BOARD OF BEHAVIORAL SCIENCES
EXAMINATION COMMITTEE
MEETING MINUTES**

FEBRUARY 4, 1999

**UNIVERSITY OF CALIFORNIA LOS ANGELES
BRADLEY HALL
LOS ANGELES, CA**

MEMBERS PRESENT

Marsena Buck, LCSW Member, Committee Chair
Selma Fields, MFCC Member
Lorie Rice, Public Member
Christina Chen, Public Member

MEMBERS ABSENT

STAFF PRESENT

Sherry Mehl, Executive Officer
Denise Pellerin, Assistant Executive Officer
Dan Buntjer, Legal Counsel
Julie McAuliffe, Administrative Analyst

GUEST LIST ON FILE

The meeting was called to order at 10:45 a.m.

1. APPROVAL OF MINUTES

LORIE RICE MOVED, SELMA FIELDS SECONDED, AND THE COMMITTEE CONCURRED TO APPROVE THE MINUTES OF AUGUST 6, 1998.

LORIE RICE MOVED, SELMA FIELDS SECONDED, AND THE COMMITTEE CONCURRED TO APPROVE THE MINUTES OF OCTOBER 29, 1998.

2. PRESENTATION REGARDING THE EXAMINATION PROCESS

Ms. Mehl introduced Dr. Norman Hertz from the Office of Examination Resources (OER) and stated that OER is under the Department of Consumer Affairs and provides oversight for all the examinations administered by the Board. In addition, the Board contracts with OER to assist in all of the development of our examinations. They are also responsible for analyzing all of the Board's statistical information. Dr. Hertz explained that OER is considered an independent agency. Their mission is to advocate for the candidates and for the consumers by building

examinations that test candidates ability to practice safely, which provides protection to the consumer.

Examination development and preparation for the Board are continual. OER and the Board have made great strides in examination redevelopment in the last two years. Occupational analysis for the MFCC and the LCSW professions were recently conducted. The results of the analysis define current practice in California, and are used as a basis for the development of the current written and oral examinations. The data showed that ethical and legal issues should be tested as separate areas. The data also indicated that the area of human diversity should be tested as a separate area also. Subject matter experts were able to design the examinations to test this issue sensitively.

The Board and OER has had concerns with the American Association of State Social Work Boards (AASSWB) national clinical written examination. Concerns included the job analysis survey conducted by the AASSWB which did not include a representative number of licensees in California and the fact that the first time pass rate is 89% for California candidates. Based on these concerns as well as the completion of the current occupational analysis, there was a determination made that there was a need for a new state constructed written examination. The examination has been developed and constructed and will begin to be administered in late April 1999. The work involved in developing an examination includes subject matter experts and numerous workshops.

The Master Service Agreement is in place and the vendor offers the written examinations electronically on a continuous basis. The MFT examination went on line on February 1, 1999, and ran very smoothly. The vendor has also been able to accommodate candidates who wish to take the written examination before the final filing date for the next oral examination. The Board was the first board within the Department to begin contracting with this vendor. All boards may eventually administer their examinations through this vendor. Ms. Mehl stated that this vendor has been very responsive to all of our needs. A modem is set up in the office and we are now able to know the results of candidates daily. Also, we will eventually be paperless in the written examination process.

Dr. Hertz added that examination security includes photographs of all candidates to ensure to actual person is participating in the examination. He then thanked Ms. Mehl for all of her interest and positive efforts in the implementation of this process.

Dr. Hertz stated that he feels very positive about the vignette development process. Also, the oral examination rating scale has been expanded and has been working very well. Another rating level has been added which allows examiners to make some distinctions in relation to minimum competency. The process of determining minimum competency includes a critical incident methodology workshop. Behaviors that represent performance are identified and how this behavior relates to subject matter areas in the examinations are determined. A questionnaire is created and mailed to licensees asking them to identify the content area where the identified behavior belongs and the level of effectiveness on a scale of one to nine. If there was a deviation of the survey determination the behavior was not used in the examination process. The data is also used to set the passing scores. Subject matter experts assist in this process.

Dr. Hertz feels that more work is needed in the written examination process. A larger item pool needs to be created. He explained every item written goes back to a reference book and has asked schools to assist in identifying which text books are currently being used in their programs.

Ms. Mehl stated that we have received quite a lot of information and OER and the Board are in the process of compiling this information. The Board now has its own library and hopes that we will eventually be able to provide a current reference list.

Dr. Hertz suggested creating more versions of the written examination. A Budget Change Proposal will be submitted for further written examination development. There is a need to create another complete examination in case there is ever a breach of examination security.

Dr. Hertz stated that he and Ms. Mehl work collaboratively together and it is a pleasure to work with her.

Ms. Mehl stated that the examination statistics continue to be strong and the inter rater reliability continues to be consistent.

Abby Franklin, LCSW and representing the California Society of Clinical Social Work, stated that as a person involved in the examination construction process, it has been very exciting and has been a privilege to be a part of this process. She then questioned about the provisions for security for the written examination. Ms. Mehl explained that photographs are taken of the candidate and are compared with the photograph included in the candidate's file and candidates are required to sign a security agreement. The Examination Unit and Board staff are located in a secure office and the examination materials are kept in a locked room.

The new contractor has assured Ms. Mehl that they have been offering examinations for quite a long time and are familiar with current possible examination confidentiality breaches. There is also specific examiner training that relates to security and examiners are trained on what to look for.

Ms. Mehl cautioned future candidates that the preparation materials currently offered by independent companies may contain inaccurate information.

Dr. Hertz indicated that OER provides a more secure item writing environment. One staffperson and one back up staffperson are the only two staff members in OER that have accessibility to the materials and all materials are kept in a locked room. Also, examination questions are scrambled for each examination so there is no possibility that two candidates can take the same examination.

Jan Lee Wong, Executive Director of the National Association of Social Workers, questioned the surveys that were sent by the AASSWB to California LCSW's. Ms. Mehl indicated that only twelve California LCSW's were surveyed by AASSWB and this is not a representative number of the current practice. Over 2,000 LCSW's were surveyed during the Board's 1998 occupational analysis. There were also questions on the AASSWB survey in relation to independent and private practice and their understandings of these practices are different than independent California practice. She then indicated that we did survey licensees in various types of settings to grasp a better understanding of the current practice. We also have compared the AASSWB examination outline and our outline and it is very easy to recognize the differences. Mr. Wong

questioned what will happen to licensees from out of state who apply for licensure in California and have taken the AASSWB clinical level examination. Ms. Mehl stated that we would accept passing AASSWB examination scores from an applicant so long as the examination was taken during the period of time the Board participated in the examination. After we begin administering the state constructed written examination, we will require an out of state application to take this examination. Mr. Wong then commented on the possibility of offering the examination in other languages in the future.

David Fox, MFCC, complimented the Board and Dr. Hertz on the current examination process. He then asked that the Board review the last MFT oral examination vignettes to determine if the issue of diversity is addressed throughout the vignettes.

Francine Neely from Pepperdine University complemented the Board and the Office of Examination Resources on the examination process. She offered to meet with Ms. Mehl and OER to assist in the book reference collaboration.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists, stated that the association was very excited and appreciative of the current MFT examination process and the statistical results.

Ms. Buck thanked Dr. Hertz for providing all of the information to the Committee.

3. EXAMINATION STATISTICS

The statistics were provided in the meeting binder. Ms. Mehl stated that the oral statistics were printed prior to the appeal results and pointed out that the pass rate for the first time takers has increased.

4. ORAL EXAMINATION APPEAL INFORMATION

Ms. Mehl stated that the Committee had requested to review this information. The appeal process has been streamlined within the office and has been working very smoothly.

The meeting adjourned at 11:50 a.m.

**TITLE 16 DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BEHAVIORAL SCIENCES
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the Board of Behavioral Sciences (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the **Mission Inn, 3649 Mission Inn Avenue, Riverside, CA 92501** on **February 15, 2007** at **1:00 p.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **February 14, 2007** or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 4980.54, 4980.60, 4990.14, and 4996.22 of the Business and Professions Code, and to implement, interpret, or make specific Sections 29, 32, 4980.54, and 4996.22 of the Business and Professions Code, the Board is considering changes to Division 18 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

**Amend Section 1887.2 – Exceptions From Continuing Education Requirements
Amend Section 1887.3 – Continuing Education Course Requirements**

The Board governs the practice of marriage and family therapy, licensed clinical social work, and licensed educational psychology. In order to continuously improve the competence of licensed professionals, the aforementioned statutes require that licensees accrue continuing education (CE) hours during each license renewal period. Section 1887.3 sets forth the specific requirements with respect to the CE hours, course content, etc., while Section 1887.2 sets forth exceptions from the standard CE requirements.

With respect to the context of this proposal, Section 1887.2(a) requires that an initial licensee complete at least eighteen (18) hours of continuing education (CE) prior to his or her first license renewal, of which no more than six (6) hours may be earned through self-study courses. Section 1887.3(a) requires that a licensee complete at least thirty-six (36) hours of CE during each subsequent license renewal period, of which no more than twelve (12) hours may be earned through self-study courses. This proposal would change the maximum hour limitations, with respect to CE hours earned through self-study courses, to nine (9) and eighteen (18), respectively.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:
N/A

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impacts on Representative Private Persons or Businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulatory action would not affect small businesses. This proposal would allow licensees to earn additional hours of CE credit through self-study courses.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Contact Person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the Contact Person named below.

You may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the Contact Person named below (or by accessing the website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Justin Sotelo
Address: Board of Behavioral Sciences
1625 North Market Blvd, Suite S200
Sacramento CA 95834
Telephone: 916-574-7836
Fax: 916-574-8625
Email: Justin_Sotelo@dca.ca.gov

The backup contact person is:

Name: Christy Berger
Address: Board of Behavioral Sciences
1625 North Market Blvd, Suite S200
Sacramento CA 95834
Telephone: 916-574-7837
Fax: 916-574-8625
Email: Christy_Berger@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.bbs.ca.gov.

Blank Page

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BEHAVIORAL SCIENCES
INITIAL STATEMENT OF REASONS**

HEARING DATE: February 15, 2007

SUBJECT MATTER OF PROPOSED REGULATIONS: Exceptions From Continuing Education Requirements; Continuing Education Course Requirements

SECTIONS AFFECTED: Sections 1887.2 and 1887.3 of Division 18 of Title 16 of the California Code of Regulations

SPECIFIC PURPOSE OF EACH ADOPTION, AMENDMENT, OR REPEAL:

The specific purpose of this proposal is to reduce limitations with respect to the maximum amount of continuing education (CE) hours that a licensee can earn through self-study courses during his/her initial license period and all subsequent license renewal periods.

The Board currently allows a licensee to earn up to six (6) hours of CE through self-study courses during his/her initial license period and up to twelve (12) hours of CE through self-study courses during all subsequent license renewal periods. This proposal would change those maximum hour limitations to nine (9) and eighteen (18), respectively.

FACTUAL BASIS/RATIONALE

This proposal is reasonably necessary in order to allow licensees to earn additional hours of CE credit through self-study courses.

UNDERLYING DATA

None

BUSINESS IMPACT

This proposal will not have a significant adverse economic impact on businesses. This proposal would allow licensees to earn additional hours of CE credit through self-study courses.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The proposed regulations do not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Blank Page

BOARD OF BEHAVIORAL SCIENCES
PROPOSED LANGUAGE
Title 16, California Code of Regulations (CCR)
Sections 1887.2 and 1887.3

Amend CCR Sections 1887.2 and 1887.3 as follows:

§1887.2 – Exceptions from Continuing Education Requirements

(a) An initial licensee shall complete at least eighteen (18) hours of continuing education, of which no more than ~~six (6)~~ nine (9) hours may be earned through self-study courses, prior to his or her first license renewal.

(b) A licensee is exempt from the continuing education requirement if their license is inactive pursuant to Sections 4984.8 and 4997 of the Code.

(c) A licensee may submit a written request for exception from the continuing education requirement for any of the reasons listed below. The board will notify the licensee, within thirty (30) working days after receipt of the request for exception, whether the exception was granted. If the request for exception is denied, the licensee is responsible for completing the full amount of continuing education required for license renewal. The board shall grant the exception if the licensee can provide evidence, satisfactory to the board, that:

(1) For at least one year during the licensee's previous license renewal period the licensee was absent from California due to military service;

(2) For at least one year during the licensee's previous license renewal period the licensee resided in another country; or

(3) During the licensee's previous renewal period, the licensee or an immediate family member, where the licensee has primary responsibility for the care of that family member, was suffering from or suffered a disability. A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. The disability must be verified by a licensed physician or psychologist with special expertise in the area of the disability. Verification of the disability must include:

(A) the nature and extent of the disability;

(B) an explanation of how the disability would hinder the licensee from completing the continuing education requirement; and

(C) the name, title, address, telephone number, professional license or certification number, and original signature of the licensed physician or psychologist verifying the disability.

Note: Authority Cited: Sections 4980.54, 4980.60, 4990.14, and 4996.22, Business and Professions Code. Reference: Sections 4980.54 and 4996.22, Business and Professions Code.

History :

1. New section filed 5-19-97; operative 5-19-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 21).

2. Change without regulatory effect amending subsection (b) filed 4-19-99 pursuant to section 100, Title 1, California Code of Regulations (Register 99, No. 17).

§1887.3 – Continuing Education Course Requirements

(a) A licensee shall accrue at least thirty-six (36) hours of continuing education courses as defined in Section 1887.4. A licensee may accrue no more than ~~twelve (12)~~ eighteen (18) hours of continuing education earned through self-study courses during a single renewal period.

(b) Pursuant to Section 29 of the Code, a licensee who started graduate study prior to January 1, 1986, shall take a continuing education course in the detection and treatment of alcohol and other chemical substance dependency during their first renewal period after the adoption of these regulations. The course shall be at least seven (7) hours in length and its content shall comply with the requirements of Section 29 of the Code. This is a one-time requirement for those licensees specified above.

Equivalent alcohol and other chemical substance dependency courses taken prior to the adoption of these regulations, or proof of equivalent teaching or practice experience, may be submitted to the board upon request in lieu of this requirement; however, this coursework or experience shall not be credited as hours towards the continuing education requirements.

(c) Pursuant to Section 32 of the Code, a licensee shall take a continuing education course in the characteristics and methods of assessment and treatment of people living with human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) during their first renewal period after the adoption of these regulations. The course shall be at least seven (7) hours in length and its content shall comply with the requirements of Section 32 of the Code. This is a one-time requirement for all licensees.

Equivalent HIV and AIDS courses taken prior to the adoption of these regulations, or proof of equivalent teaching or practice experience, may be submitted to the board upon request in lieu of this requirement; however, this coursework or experience shall not be credited as hours towards the continuing education requirements.

(d) Any person renewing his or her license on and after January 1, 2004 shall have completed not less than six (6) hours of continuing education in the subject of law and ethics for each renewal period. The six (6) hours shall be considered part of the thirty-six (36) hour continuing education requirement.

(e) If a licensee teaches a course, the licensee may claim credit for the course only one time during a single renewal period, receiving the same amount of hours of continuing education credit as a licensee who attended the course.

(f) A licensee may not claim the same course more than once during a single renewal period for hours of continuing education credit.

(g) A licensee who takes a course as a condition of probation resulting from disciplinary action by the board may not apply the course as credit towards the continuing education requirement.

Note: Authority Cited: Sections 4980.60 and 4990.14, Business and Professions Code. Reference: Sections 29, 32, 4980.54 and 4996.22, Business and Professions Code.

History:

1. New section filed 5-19-97; operative 5-19-97 96 pursuant to Government Code section 11343.4(d) (Register 97, No. 21).
2. New subsection (d) and subsection relettering filed 12-4-01; operative 1-1-2002 pursuant to Government Code section 11343.4 (Register 2001, No. 49).