



Board of Behavioral Sciences

1625 North Market Blvd. Suite S-200 Sacramento, CA 95834 (916) 574-7830 TDD (916) 322-1700 Fax (916) 574-8625 www.bbs.ca.gov

BOARD MEETING NOTICE

June 28, 2010 8:30 a.m. – 11:00 a.m.

The Board of Behavioral Sciences will meet via teleconference beginning at 8:30 a.m. at the following locations:

Department of Consumer Affairs Stanislaus Room 2nd Floor South, S203 1625 N. Market Blvd Sacramento, CA 95834 925 Harbor Plaza Long Beach, CA 90802

1151 Dove Street, #170 Newport Beach, CA 92660 5506 Ranchito Avenue Sherman Oaks, CA 91401

3539 Mt. Laurence Drive San Diego, CA 92117 415 Karla Court Novato, CA 94949

1615 E. 17th Street, Suite 100 Santa Ana, CA 92705 10800 E. Benavon Street Whittier, CA 90606

FULL BOARD CLOSED SESSION

- I. Call to Order and Establishment of a Quorum
II. Pursuant to Government Code section 11126(c)(3), the Board Will Meet in Closed Session to Deliberate and Take Action on Disciplinary Matters

FULL BOARD OPEN SESSION

- III. Discussion and Possible Action on Revising Practicum Requirement for Degrees Granted Prior to 1996 During Licensed Professional Clinical Counselor Grandparenting Period
IV. Public Comment for Items Not on the Agenda
V. Suggestions for Future Agenda Items

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 is accessible to persons with disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Marsha Gove at (916) 574-7861 or send a written request to Board of Behavioral Sciences, 1625 N. Market Blvd., Suite S-200, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.



Arnold Schwarzenegger Governor State of California State and Consumer Services Agency Department of Consumer Affairs

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

To: Board Members

Date: June 15, 2010

From: Tracy Rhine
Assistant Executive Officer

Telephone: (916) 574-7830

Subject: Practicum requirement during grandparenting period for degrees granted prior to 1996.

Background

Senate Bill 788 (Wyland), Chapter 619, Statutes of 2009 established Licensed Professional Clinical Counselors (LPCCs) under the jurisdiction on the Board.

At its May 2010 meeting, the Board discussed and approved the proposed rulemaking package implementing provisions of SB 788. A notice of this rulemaking was published with the Office of Administrative Law on May 28, 2010.

Issue

Attached is a letter received by the Board from the California Coalition for Counselor Licensure (CCCL) related to the practicum requirement for individuals applying for LPCC licensure during the "grandparenting" period (January 1, 2011 through June 30, 2011). Business and Professions Code (BPC) Section 4999.54(a)(1)(A) requires that, in order for a degree to qualify for licensure, it must include not less than six semester units or nine quarter units of supervised practicum or field study experience. CCCL is requesting that the Board allow individuals that do not have the required practicum as part of his or her degree, to apply equivalent experience toward meeting the practicum requirement.

Discussion

BPC Section 4999.32 sets forth qualifications for registration and examination eligibility, including qualifying degree requirements. Specifically, paragraph (3) of subdivision (c) states that a degree must contain the following:

Not less than six semester units or nine quarter units of supervised practicum or field study experience, or the equivalent, in a clinical setting that provides a range of professional clinical counseling experience, including the following: ...

This language gives the Board discretion to accept an equivalent of six semester or nine quarter units of supervised practicum or field study. However, BPC Section 4999.54(a)(1)(A), the section of licensing law that sets forth requirements for those individuals applying during the grandparenting period, states:

*A qualifying degree **must** include the supervised practicum or field study experience as required in paragraph (3) of subdivision (c) of Section 4999.32. [emphasis added]*

Though BPC Section 4999.32 allows the Board to accept an equivalent to practicum, according to BPC section 4999.54, the degree must include that required practicum or the equivalent. Therefore, while the Board has some discretion as to the exact structure of the practicum or field study experience, it does not appear to have the authority to accept that experience outside of the degree program. This creates a significant barrier to the most experienced practitioners that may have been licensed and practicing in another state but have an older degree without the requisite practicum. The intent of the statute is to allow the Board discretion in evaluating applicants during the “grandparenting” period, expressly allowing degrees conferred prior to 1996 to meet an overall lower coursework threshold and allowing the Board to evaluate “equivalencies” to practicum and field study experience.

Committee Action

At its June 7, 2010 meeting the Policy and Advocacy Committee discussed the letter submitted by CCCL and options before the Board for addressing the issue of experienced counselors with older degrees unable to qualify for licensure during the grandparenting period due to the practicum requirement. The Committee directed staff to draft amendments to BPC Section 4999.54 (attached) that would allow a qualifying degree conferred prior to 1996 to include only three semester units or four and one-half quarter units of practicum for board consideration. The Committee further recommended that the Board direct staff to submit the approved language for inclusion in Board sponsored legislation.

Recommendation

Direct staff to submit draft language for Board sponsored legislation.

Attachment

- A. Draft Amendments to BPC Section 4999.54
- B. CCCL letter

§4999.54. LICENSURE; APPLICATION BETWEEN JANUARY 1, 2011 AND JUNE 30, 2011; ALTERNATIVE QUALIFICATION

(a) Notwithstanding Section 4999.50, the board may issue a license to any person who submits an application for a license between January 1, 2011, and June 30, 2011, provided that all documentation is submitted within 12 months of the board's evaluation of the application, and provided he or she meets one of the following sets of criteria:

(1) He or she meets all of the following requirements:

(A) Has a master's or doctoral degree from a school, college, or university as specified in Section 4999.32, that is counseling or psychotherapy in content. If the person's degree does not include all the graduate coursework in all nine core content areas as required by paragraph (1) of subdivision (c) of Section 4999.32, a person shall provide documentation that he or she has completed the required coursework prior to licensure pursuant to this chapter. Except for paragraph (ii) a A-qualifying degree must include the supervised practicum or field study experience as required in paragraph (3) of subdivision (c) of Section 4999.32.

(i) A counselor educator whose degree contains at least seven of the nine required core content areas shall be given credit for coursework not contained in the degree if the counselor educator provides documentation that he or she has taught the equivalent of the required core content areas in a graduate program in counseling or a related area.

(ii) Degrees issued prior to 1996 shall include a minimum of 30 semester units or 45 quarter units and at least six of the nine required core content areas specified in paragraph (1) of subdivision (c) of Section 4999.32 and three semester units or four and one-half quarter units of supervised practicum or field study experience. The total number of units shall be no less than 48 semester units or 72 quarter units.

(iii) Degrees issued in 1996 and after shall include a minimum of 48 semester units or 72 quarter units and at least seven of the nine core content areas specified in paragraph (1) of subdivision (c) of Section 4999.32.

(B) Has completed all of the coursework or training specified in subdivision (e) of Section 4999.32.

(C) Has at least two years, full-time or the equivalent, of postdegree counseling experience, that includes at least 1,700 hours of experience in a clinical setting supervised by a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, a licensed physician and surgeon specializing in psychiatry, or a master's level counselor or therapist who is certified by a national certifying or registering organization, including, but not limited to, the National Board for Certified Counselors or the Commission on Rehabilitation Counselor Certification.

(D) Has a passing score on the following examinations:

(i) The National Counselor Examination for Licensure and Certification or the Certified Rehabilitation Counselor Examination.

(ii) The National Clinical Mental Health Counselor Examination.

(iii) A California jurisprudence and ethics examination, when developed by the board.

(2) Is currently licensed as a marriage and family therapist in the State of California, meets the coursework requirements described in subparagraph (A) of paragraph (1), and passes the examination described in subdivision (b).

(3) Is currently licensed as a clinical social worker in the State of California, meets the coursework requirements described in subparagraph (A) of paragraph (1), and passes the examination described in subdivision (b).

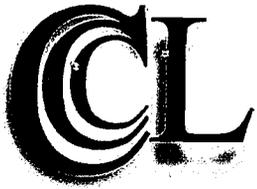
(b) (1) The board and the Office of Professional Examination Services shall jointly develop an examination on the differences, if any differences exist, between the following:

(A) The practice of professional clinical counseling and the practice of marriage and family therapy.

(B) The practice of professional clinical counseling and the practice of clinical social work.

(2) If the board, in consultation with the Office of Professional Examination Services, determines that an examination is necessary pursuant to this subdivision, an applicant described in paragraphs (2) and (3) of subdivision (a) shall pass the examination as a condition of licensure.

(c) Nothing in this section shall be construed to expand or constrict the scope of practice of professional clinical counseling, as defined in Section 4999.20.



California Coalition for Counselor Licensure

P.O. Box 6493, Ventura, CA 93006-6493
Email: info@caccl.org Website: www.caccl.org

April 30, 2010

Renee Lonner, Chair
Board of Behavioral Sciences
1625 North Market Blvd. Suite S 200
Sacramento, CA 95834

RE: Implementation of SB 788 (Licensed Professional Clinical Counselors)

Dear Ms. Lonner,

We have discovered an unanticipated problem in the education requirements for grandparenting, which we hope can be remedied in the rule-making process. Grandparenting allows counselors with degrees granted before 1996 to bring their degrees up to current standards by adding up to three core content courses and up to 18 units. There is no flexibility, however, regarding the six-unit practicum requirement for the qualifying degree.

We are now hearing from experienced counselors that their "older" degrees contained only a three-unit practicum and they want to know how they can add three more units, but there is no provision to make up this deficiency. The fact that a qualifying degree must contain six units of practicum is rather arbitrary and unfair for those with earlier degrees, when three units was the standard of the time. It is logical that a 30 or 36-unit degree might contain only three units of practicum, while a 48 or 60-unit degree will contain six units. Current counseling degrees require three units of practicum (first clinical experience with clients) and three to six additional units of, what the counseling profession calls, internship or field study.

Counselors with earlier degrees are well qualified practitioners, who have many years of experience, some have been licensed in other states for many years, others have gone on to earn doctorate degrees, some are professors. They will be able to meet all the other requirements of licensure, so there must be a way for them to verify education and training that would be equivalent to the three units of practicum that they are missing, due to the standards in place when they received their counseling degrees.

The requirement for practicum in SB 788, which is the standard that will be applied after grandparenting and will continue in the 2012 standards, is as follows:

"4999.32.(c)(3) Not less than six semester units or nine quarter units of supervised practicum or field study experience, **or the equivalent**, in a clinical setting that provides a range of professional clinical counseling experience, including the following:"

Is there a way that the Board, in its interpretation of the law, could allow "equivalencies," on case-by-case basis? Following are possible options that could serve as equivalencies to three units of practicum in the qualifying degree:

1. Practica completed in subsequent graduate work
2. 3,000 hours of post degree supervised practice and ten years of counseling experience
3. Counselor Educators, who have taught the Practicum course in a graduate program, could be credited for practicum units in their "older" degree.
4. 250 hours of supervised practice, while registered as an intern in California

The reciprocity language also requires six units of practicum in the degree, which will be a problem for experienced, licensed counselors seeking reciprocity in California. If a person has been practicing for years as a LPC in another state, will CA have to deny licensure because he or she only had three units of practicum in an earlier degree?

This is a short-term problem, since these earlier degrees will disappear as counselors retire. We appreciate the Board's consideration of this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Dean Porter".

Dean Porter
President