



Board of  
Behavioral  
Sciences

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## MEETING NOTICE

### Continuing Education Provider Review Committee July 19, 2012

Department of Consumer Affairs  
El Dorado Room  
1625 North Market Blvd., #N220  
Sacramento, CA 95834

**9:00 a.m. to 12:00 p.m.**

- I. Introductions
- II. Purpose of the Committee
- III. Discussion Regarding Recognition and Acceptance of Continuing Education Units from Professional Associations with Established Continuing Education Provider Programs
  - a. National Association of Social Workers
  - b. Association of Social Work Boards
  - c. National Board of Certified Counselors
  - d. National Association of School Psychologists
  - e. American Psychological Association
- IV. Discussion Regarding Recognition and Acceptance of Continuing Education Units from Educational Institutions
- V. Discussion Regarding Recognition and Acceptance of Additional Methods to Obtain Continuing Education Units
  - a. Participation in Professional Association Ethics Review Committee
  - b. Participation in Examination Development
- VI. Discussion Regarding Criteria That Future or New Professional Associations Continuing Education Providers Must Satisfy to be Recognized and Accepted by the Board of Behavioral Sciences.
- VII. Public Comment for Items Not on the Agenda
- VIII. Suggestions for Future Agenda Items
- IX. Future Meeting Dates



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

## X. Adjournment

*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](http://www.bbs.ca.gov).*

NOTICE: The meeting is accessible to persons with disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Christina Kitamura at (916) 574-7835 or send a written request to Board of Behavioral Sciences, 1625 N. Market Blvd., Suite S-200, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

### **Continuing Education Provider Review Committee**

The Continuing Education Provider Review Committee was appointed in November 2011. The Committee will conduct a holistic review of the Board's continuing education program and evaluate the issues regarding continuing education and continuing education providers.

The Committee's work will focus on assessing the Board's current continuing education program and various continuing education models throughout the state and country. Stakeholders and interested parties will be given an opportunity to provide input, feedback, and express their concerns regarding continuing education and continuing education providers.

The Committee, stakeholders, and interested parties will evaluate relevant data and information to establish a model that provides the Board the authority essential to an effective continuing education model.

The Committee anticipates submitting its recommendation to the Board in 2013.

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**To:** Committee Members

**Date:** July 9, 2012

**From:** Steve Sodergren  
Assistant Executive Officer

**Telephone:** (916) 574-7863

**Subject:** Recognition & Acceptance of Continuing Education from CE Providers that are certified by Professional Association/Boards

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## **Background**

During the last Continuing Education Program Review Committee meeting held on May 31, 2012 the committee reviewed and discussed the continuing education provider accrediting policies and procedures of six professional association/boards: National Association of Social Workers (NASW), Association of Social Worker Boards (ASWB), National Board of Certified Counselors (NBCC), National Association of School Psychologists (NASP), American Psychological Association (APA) and the Academy of General Dentistry (AGD). It was recognized that each of these program had merit. The committee and stakeholders need to discuss whether these organizations would be able to fulfill the requirements for a CE provider program as established in current law.

## **Accrediting Agency Compliance With Statutes**

Business and Professions Code (BPC) Section 166 gives the board director authority to develop guidelines, through regulations, to prescribe components for mandatory continuing education programs. These guidelines require mandatory continuing education programs to address, at least, the following: course validity, occupational relevancy, effective presentation, actual attendance, material assimilation, potential for application.

BPC Section 166 also establishes that the director "shall consider educational principles, and the guidelines shall prescribe mandatory continuing education program formats to include, but not be limited to, the following: specified audience, identification of what is to be learned, clear goals and objectives, relevant learning methods, and evaluation."

Board staff examined the approval process of each of these agencies to determine if they addressed all of the criteria specified in Section 166. The attached chart represents how each of the associations/boards (except Academy of General Dentistry) policies and procedures for accrediting CE provider programs satisfy the requirements in BPC 166. While each association/board that was reviewed satisfied the

requirements it was noted that each had its own particular strength in regards to how well certain criteria was prescribed.

### **Other Boards Acceptance of Continuing Education**

These boards are currently accepting CE credits from accrediting agencies and other third party organizations:

- **Dental Board:** Accepts CE courses from two national accrediting agencies: the American Dental Association Continuing Education Recognition Program (CERP); and the Academy of General Dentistry's Program Approval for Continuing Education (PACE).
- **Psychology Board:** Accepts CE courses from American Psychological Association (APA) or its approved sponsors; Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology and that are accredited by the California Medical Associations (CMA) or the Accreditation Council for Continuing Medical Education (ACCME); academies of the specialty boards of the American Board of Professional Psychology (ABPP) sponsored courses; other entities that perform an accrediting function and meet the requirements of the Board; or courses approved by the Mandatory Continuing Education for Psychologists Accrediting Agency (MCEPAA).
- **Pharmacy Board:** Accepts CE courses from two national agencies; the Accreditation Council for Pharmacy Education; and the Pharmacy Foundation of California. The Board also accepts CE coursework from providers approved by the following boards, as long as the course meets the standards of relevance to pharmacy practice: California Medical Board, California Board of Podiatric Medicine, California Board of Registered Nursing, and California Dental Board.

### **Recommendation**

Staff recommends that the Committee conduct an open discussion as to whether the Board should recognize and accept continuing education credits from providers that are accredited by a third party organization. Further, the committee should discuss whether the NASW, ASWB, NBCC, NASP, and APA, or any other organizations, continuing education approval processes would satisfy the requirements of the Board's CE program.

### **Attachment**

1. Business and Professions Code section 166
2. Accrediting Agencies Comparison to BPC 166

## BUSINESS AND PROFESSIONS CODE OF CALIFORNIA

### § 166.

The director shall, by regulation, develop guidelines to prescribe components for mandatory continuing education programs administered by any board within the department.

(a) The guidelines shall be developed to ensure that mandatory continuing education is used as a means to create a more competent licensing population, thereby enhancing public protection. The guidelines shall require mandatory continuing education programs to address, at least, the following:

- (1) Course validity.
- (2) Occupational relevancy.
- (3) Effective presentation.
- (4) Actual attendance.
- (5) Material assimilation.
- (6) Potential for application.

(b) The director shall consider educational principles, and the guidelines shall prescribe mandatory continuing education program formats to include, but not be limited to, the following:

- (1) The specified audience.
- (2) Identification of what is to be learned.
- (3) Clear goals and objectives.
- (4) Relevant learning methods (participatory, hands-on, or clinical setting).
- (5) Evaluation, focused on the learner and the assessment of the intended learning outcomes (goals and objectives).

(c) Any board within the department that, after January 1, 1993, proposes a mandatory continuing education program for its licensees shall submit the proposed program to the director for review to assure that the program contains all the elements set forth in this section and complies with the guidelines developed by the director.

(d) Any board administering a mandatory continuing education program that proposes to amend its current program shall do so in a manner consistent with this section.

(e) Any board currently administering a mandatory continuing education program shall review the components and requirements of the program to determine the extent to which they are consistent with the guidelines developed under this section. The board shall submit a report of their findings to the director. The report shall identify the similarities and differences of its mandatory continuing education program. The report shall include any board-specific needs to explain the variation from the director's guidelines.

(f) Any board administering a mandatory continuing education program, when accepting hours for credit which are obtained out of state, shall ensure that the course for which credit is given is administered in accordance with the guidelines addressed in subdivision (a).

(g) Nothing in this section or in the guidelines adopted by the director shall be construed to repeal any requirements for continuing education programs set forth in any other provision of this code.

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**COMPARISON OF ACCREDITING AGENIES CE APPROVAL PROGRAMS  
AND STATUTORY REQUIREMENTS FOR BOARD CE PROGRAMS**

PROFESSIONAL ORGANIZATION	MANDATORY CONTINUING EDUCATION PROGRAMS SHALL ADDRESS*						MANDATORY CONTINUING EDUCATION PROGRAM FORMATS SHALL INCLUDE**				
	COURSE VALIDITY	OCCUPATIONAL RELEVANCY	EFFECTIVE PRESENTATION	ACTUAL ATTENDANCE	MATERIAL ASSIMILATION	POTENTIAL FOR APPLICATION	SPECIFIED AUDIENCE	IDENTIFICATION OF WHAT IS TO BE LEARNED	CLEAR GOALS AND OBJECTIVES	RELEVANT LEARNING METHOD	EVALUATION***
National Association of Social Workers (NASW)	X	X	X	X	X	X	X	X	X	X	X
Association of Social Work Boards (ASWB)	X	X	X	X	X	X	X	X	X	X	X
National Board of Certified Counselors (NBCC)	X	X	X	X	X	X	X	X	X	X	X
National Association of School Psychologists (NASP)	X	X	X	X	X	X	X	X	X	X	X
American Psychological Association (APA)	X	X	X	X	X	X	X	X	X	X	X

\* From Ca. Business and Profession Code, Division 1, Chapter 2, Section 166.(a)(1) - (6)

\*\* From Ca. Business and Profession Code, Division 1, Chapter 2, Section 166.(b)(1) - (5)

\*\*\*Evaluation, focused on the learner and the assessment of the intended learning outcomes (goals and objectives)

**The information used for each professional organization is as follow:**

NASW Standards for Continuing Professional Education (Standards 4 - 7)

ASWB Approved Continuing Education (ACE) Provider Guidelines (Criterion 1 - 8)

NBCC Continuing Education Policies and Procedures (Section I - XV)

NASP: Professional Growth Workgroup; Procedures and Implementation Guidelines for the NASP-Approved Provider System

APA: Standards and Criteria for Approval of Sponsors of Continuing Education for Psychologists (Standards A - G)

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## **NASW STANDARDS FOR CONTINUING PROFESSIONAL EDUCATION**

**(Standards for Assessing providers of continuing professional education begins at standard 4)**

- Standard 4: Statement of Mission
- Standard 5: Organized Educational Experience
- Program Development
  - Program Content
  - Participants
  - Program Format and Instructional Method
  - Qualified Instruction
  - Program Evaluation
- Standard 6: Responsible Administrative Practices
- Standard 7: Collaborate With the Community

## **ASWB APPROVED CONTINUING EDUCATION PROGRAM SELECTION CRITERIA**

- Criterion 1: Continuing Education Administration
- Criterion 2: Co-Sponsorship
- Criterion 3: Program Development
- Content
  - Distance Education
  - Instructors
  - Evaluation (Participant, Distant Learning, Course, Program)
- Criterion 4: Record Keeping
- Criterion 5: Attendance
- Criterion 6: Assigning Credit
- Criterion 7: Promotion and Advertising
- Criterion 8: Participant Grievances

## **NBCC CONTINUING EDUCATION POLICIES AND PROCEDURES**

- Section I: Scope and limitations of NBCC continuing education provider approval
- Section II: Types of continuing education activities for which ACEPs may seek approval
- Section III: Approval statements for ACEP promotional materials
- General Statement
  - Selected Session/Programs
  - Cosponsored Events
- Section IV: Qualified Instructors/authors
- Category 1 instructor/author
  - Category 2 instructor/author
- Section V: NBCC-approved continuing education topic areas with instructor requirements
- Counseling theory/practice and the helping relationship

- Human growth and development
  - Social and cultural foundations
  - Group dynamics, processing and counseling
  - Career development and counseling
  - Assessment
  - Research and program evaluation
  - Counselor professional identity and practice issues
- Section VI: NBCC Continuing Education Program Content and Approval Criteria
- Section VII: Additional Criteria for Approved Home Study Programs
- Section VIII: Record Keeping
- Section IX: Participant/Attendee Evaluations
- Section X: Awarding Clock Hours
- Documenting attendance
  - Verifying hours for live events
  - Calculating clock hours
  - Partial Credit
- Section XI: Maintaining Approval: Annual Update/Fifth Year Renewal
- Section XII: Cosponsoring
- Section XIII: Use of ACEP Numbers
- Section XIV: Advertising
- Section XV: Compliance and Compliant Procedure

## **NASP PROCEDURES AND GUIDELINES FOR THE APPROVED PROVIDER PROGRAM**

- Section A: NASP's Professional Development Program
- Section B: Types of NASP-Approved Providers
- Section C: Responsibilities of the NASP-Approved Provider
- Section D: Application Process
- Section E: Appeal Process
- Section F: Maintenance of Approved Provider Status
- Section G: Fees
- Section H: NASP Guidelines for CPD Activities
- Section I: Approved Content Area
- Practices that permeate all aspects of service delivery
  - Direct and indirect services for children, families and schools: student level services
  - Direct and indirect services for children, families and schools: system level services
  - Foundations of school psychological service delivery
- Section J: Types of Professional Development Activities
- Section K: Program Evaluation
- Section L: Documentation of Participation in CPD Activities
- Section M: Awarding Approved CPD Credits

- Section N: Advertising NASP-Approved Provider Status
- Section O: Graduate Education Programs
- Section P: Cosponsorship
- Section Q: Resolution of Issues and Problems

**APA STANDARDS AND CRITERIA FOR APPROVAL OF SPONSORS OF CONTINUING EDUCATION FOR PSYCHOLOGISTS**

- Standard A: Goals
- Standard B: Program Management
- Standard C: Educational Planning and Instructional Methods
- Standard D: Curriculum Content
- Standard E: Program Evaluation
- Standard F: Standards for Awarding Credit
- Standard G: Promotion and Advertising of Programs

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**To:** Committee Members **Date:** June 27, 2012

**From:** Kim Madsen  
Executive Officer **Telephone:** (916) 574-7841

**Subject:** **Acceptance and Recognition of Continuing Education Units from Educational Institutions**

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## **Background**

All Board licensees are required to complete 36 hours of continuing education as part of their renewal process. Currently, licensees may obtain continuing education units from Board approved providers or from an educational institution. The applicable law sections specify that the educational institution must be accredited or approved by entities such as a regional accrediting agency recognized by the United States Department of Education, the Western Association of Schools and Colleges (WASC) or the equivalent regional accrediting association. Continuing education may also be obtained from a school approved by the Bureau of Private Postsecondary Education.

Depending upon the profession, the continuing education may be also obtained from a school that is accredited through entities such as the Commission on Accreditation of the Council on Social Work or the Commission on the Accreditation of Marriage and Family Therapy Education. Both of these entities accredit the degree program offered by the educational institution.

At the May 31, 2012 Continuing Education Program Review Committee meeting the participants inquired whether or not the Board would continue to recognize and accept course from schools, colleges, and universities meeting the criteria in current law.

## **Review of Other DCA Healing Arts Boards**

During the April 19, 2012 CE Provider Review committee meeting, a comparison of three DCA healing arts boards was presented; the Dental Board, the Board of Pharmacy, and the Board of Psychology. The comparison noted that each of these boards accept continuing education units from educational institutions similar to the Board's current law.

## **Recommendation**

Staff recommends that the Committee conduct an open discussion regarding the acceptance and recognition of continuing education units from educational institutions and if the Board's current criterion in law is appropriate.

## **Attachments**

1. Business and Professions Code section 4980.54 (f)(1)(2), 4980.36 (b)and 4980.37 (b) (LMFT)
2. Business and Professions Code section 4989.34 (LEP)
3. Business and Professions Code section 4996.22 and 4991.2 (LCSW)
4. Business and Professions Code section 4999.76 and 4999.12(LPCC)
5. April 19, 2012 Comparison Chart of Other DCA Healing Arts Boards

## **LICENSED MARRIAGE AND FAMILY THERAPISTS CONTINUING EDUCATION**

### **§4980.54. CONTINUING EDUCATION**

(f) The continuing education shall be obtained from one of the following sources:

(1) An accredited school or state-approved school that meets the requirements set forth in Section 4980.36 or 4980.37. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, including, but not limited to, a professional marriage and family therapist association, a licensed health facility, a governmental entity, a continuing education unit of an accredited four-year institution of higher learning, or a mental health professional association, approved by the board.

### **§4980.36 QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; BEGINNING GRADUATE STUDY AFTER AUGUST 1, 2012 OR COMPLETING GRADUATE STUDY AFTER DECEMBER 31, 2018**

(b) To qualify for a license or registration, applicants shall possess a doctor's or master's degree meeting the requirements of this section in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university approved by the Bureau for Private Postsecondary Education or accredited by either the Commission on the Accreditation of Marriage and Family Therapy Education or a regional accrediting agency recognized by the United States Department of Education. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation or approval.

### **§4980.37. QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; BEGINNING GRADUATE STUDY BEFORE AUGUST 1, 2012 AND COMPLETING GRADUATE STUDY BEFORE DECEMBER 31, 2018**

(b) To qualify for a license or registration, applicants shall possess a doctor's or master's degree in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university accredited by a regional accrediting agency recognized by the United States Department of Education or approved by the Bureau for Private Postsecondary Education. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation or approval. In order to qualify for licensure pursuant to this section, a doctor's or master's degree program shall be a single, integrated program primarily designed to train marriage and family therapists and shall contain no less than 48 semester or 72 quarter units of instruction. This instruction shall include no less than 12 semester units or 18 quarter units of coursework in the areas of marriage, family, and child counseling, and marital and family systems approaches to treatment.

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**LICENSED EDUCATIONAL PSYCHOLOGISTS  
CONTINUING EDUCATION**

**§4989.34. CONTINUING EDUCATION REQUIREMENTS**

(b) (1) The continuing education shall be obtained from either an accredited university or a continuing education provider approved by the board.

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## **§4996.22. CONTINUING EDUCATION EFFECTIVE JANUARY 1, 2004**

(d) The continuing education shall be obtained from one of the following sources:

(1) An accredited school of social work, as defined in Section 4991.2, or a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, including, but not limited to, a professional social work association, a licensed health facility, a governmental entity, a continuing education unit of an accredited four-year institution of higher learning, and a mental health professional association, approved by the board.

## **§4991.2. DEFINITION OF ACCREDITED SCHOOL OF SOCIAL WORK**

"Accredited school of social work," within the meaning of this chapter, is a school that is accredited by the Commission on Accreditation of the Council on Social Work Education.

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**LICENSED PROFESSIONAL CLINICAL COUNSELORS  
CONTINUING EDUCATION**

**§4999.12. DEFINITIONS**

(b) "Accredited" means a school, college, or university accredited by the Western Association of Schools and Colleges, or its equivalent regional accrediting association.

(c) "Approved" means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary Education at the time of the applicant's graduation from the school, college, or university.

**§4999.76. LICENSE RENEWAL; CONTINUING EDUCATION REQUIREMENT**

(d) The continuing education shall be obtained from one of the following sources:

(1) A school, college, or university that is accredited or approved, as defined in Section 4999.12. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, including, but not limited to, a professional clinical counseling association, a licensed health facility, a governmental entity, a continuing education unit of a four-year institution of higher learning that is accredited or approved, or a mental health professional association, approved by the board.

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## Comparison of DCA Healing Arts Boards CE Programs

### BOARDS

CE PROGRAM COMPONENTS		BBS	Dental Board	Psychology Board (Current regs)	Psychology Board (new regs effective 1/1/13)	Pharmacy Board
	<b>Approved course(s)</b>		X <sup>a</sup>			X
	Course content requirements		X			X
	<b>Max allowed credit for specific type of coursework</b>	X	X			
	<b>Certification</b>		X			
	Board or third party		Board			
	<b>Board Approval of CE Providers</b>	X	X			
	CE Provider status may be revoked/restricted if found in violation of law	X	X			
	CE Provider subject to disciplinary action if found in violation of law					
	<b>CE credit for instructors</b>	X	X	X	X	
	<b>Third Party (University, Association, etc.)</b>	X	X <sup>a</sup>	X	X	X
	<b>CE Provider Accrediting Agencies</b>		X <sup>b</sup>	X	X	X
	Board stipulates requirements for courses in regulation		X	X	X	X
Board stipulates requirements for providers in regulation.			X		X	
Board has access to accrediting agency's records			X		X	

	<b>BBS</b>	<b>Dental Board</b>	<b>Psychology Board (Current regs)</b>	<b>Psychology Board (new regs effective 1/1/13)</b>	<b>Pharmacy Board</b>
Board requirements for accrediting agencies			X		X
Agency must audit providers			X		X
Agency accreditation status may be revoked			X		X
Provider's status may be revoked by Board			X		
<b>Separate approval of out-of-state courses</b>		X			
<b>Definition of self-study or independent learning</b>	X	X	X	X	
Maximum allowed credit	X	X	X	X	
<b>Credit for examination development participation</b>		X	X	X	
<b>Licensee may be audited by Board</b>	X	X	X	X	X
Definition of documentation subject to audit	X	X		X	X
<b>Licensee subject to discipline if inadequate proof of CE</b>	X	X	X	X	
<b>License not renewed if inadequate proof of CE</b>	X	X	X	X	X <sup>c</sup>

<sup>a</sup>Mandatory CE Course Only

<sup>b</sup>May not take mandatory CE courses from these agencies

<sup>c</sup>License status changed from active to inactive

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**To:** Committee Members **Date:** June 27, 2012  
**From:** Kim Madsen **Telephone:** (916) 574-7841  
Executive Officer  
**Subject:** **Acceptance and Recognition of Additional Methods to Obtain Continuing Education Credit**

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### **Background**

All Board licensees are required to complete 36 hours of continuing education as part of their renewal process. Currently, licensees may obtain continuing education hours from Board approved providers or from an educational institution.

During the May 31, 2012, Continuing Education Provider Review Committee meeting the committee and participants expressed the desire to explore alternative methods to obtain continuing education hours. Two suggestions were proposed; participation in examination development and participation in an ethics review committee. The participants noted that these activities involve extensive review and application of the current law and ethical standards for professional practice.

The Board's current law permits a licensee to claim continuing education hours for teaching a continuing education course. The licensee may claim the number of hours that an attendee would receive for the course. The licensee may claim this course once during a single renewal cycle [(California Code of Regulations section 1887.3 (e)(f)].

### **Review of Other DCA Healing Arts Boards**

A review of seven DCA Healing Arts Boards reveals that these boards permit licensees to obtain continuing education through additional sources in addition to approved providers or educational institutions. Some of these activities include participation in examination development and/or administration activities, attendance at board or committee meetings, or publication of an article or textbook. One board permitted supervision of a lower level licensee to obtain continuing education units. Many of these boards established limits to the number of hours the licensee may claim for these activities. (Attachment 1)

### **Recommendation**

Staff recommends that the Committee conduct an open discussion regarding the acceptance and recognition of other methods to obtain continuing education hours. The discussion should consider the following points.

- Which methods will be accepted and recognized by the Board?
- Should a limit to the number of hours be established for each method?

## **Attachments**

1. Comparison of Other DCA Healing Arts Boards
2. Dental Board Continuing Education
3. Board of Pharmacy Continuing Education
4. Board of Psychology Continuing Education
5. Medical Board Continuing Education
6. Board of Occupational Therapy
7. Board of Optometry
8. Physical Therapy Board
9. Board of Behavioral Sciences CE Requirements

**Comparison of Other DCA Healing Arts Boards Permitting Additional Methods to Obtain Continuing Education**

<b>Board</b>	<b>Additional Method</b>	<b>Exam Activities</b>	<b>Cap on Hours</b>	<b>CE Instruction</b>	<b>Cap on Hours</b>	<b>Attend Board Meetings*</b>	<b>Cap on Hours</b>	<b>Outreach / Association Events</b>	<b>Cap on Hours</b>	<b>Supervision</b>	<b>Publication of Article Book</b>
Dental Board	X	X									
Board of Pharmacy	X	X	Yes			X					
Board of Psychology	X	X	No	X	Yes						
Medical Board	X			X	Yes						
Board of Occupational Therapy	X			X	Yes	X	Yes	X	Yes	X	X
Board of Optometry	X			X							X
Physical Therapy Board	X	X	Yes	X	Yes	X	Yes	X	Yes		X
Board of Behavioral Sciences	X			X	Yes						

\*Includes board committee meetings

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# Dental Board CE Regulations

## California Code of Regulations (CCR) Section 1016. Providers and Courses.

### (a) Definition of Terms:

(1) Course of Study Defined. "Course of study" means an orderly learning experience in an area of study pertaining to dental and medical health, preventive dental services, diagnosis and treatment planning, clinical procedures, basic health sciences, dental practice management and administration, communication, ethics, patient management or the Dental Practice Act and other laws specifically related to dental practice.

(2) Coursework Defined. The term "Coursework" used herein refers to materials presented or used for continuing education and shall be designed and delivered in a manner that serves to directly enhance the licensee's knowledge, skill and competence in the provision of service to patients or the community.

### (b) Courses of study for continuing education credit shall include:

(1) Mandatory courses required by the Board for license renewal to include a Board-approved course in Infection Control, a Board-approved course in the California Dental Practice Act and completion of certification in Basic Life Support.

(A) At a minimum, course content for a Board-approved course in Infection Control shall include all content of Section 1005 and the application of the regulations in the dental environment.

(B) At a minimum, course content for the Dental Practice Act [Division 2, Chapter 4 of the Code (beginning with §1600)] shall instruct on acts in violation of the Dental Practice Act and attending regulations, and other statutory mandates relating to the dental practice. This includes utilization and scope of practice for auxiliaries and dentists; laws governing the prescribing of drugs; citations, fines, revocation and suspension of a license, and license renewal; and the mandatory reporter obligations set forth in the Child Abuse and Neglect Reporting Act (Penal Code Section 11164 et seq.) and the Elder Abuse and Dependent Adult Civil Protection Act (Welfare and Institutions Code Section 15600 et seq.) and the clinical signs to look for in identifying abuse.

(C) The mandatory requirement for certification in Basic Life Support shall be met by completion of either:

(i) An American Heart Association (AHA) or American Red Cross (ARC) course in Basic Life Support (BLS) or,

(ii) A BLS course taught by a provider approved by the American Dental Association's Continuing Education Recognition Program (CERP) or the Academy of General Dentistry's Program Approval for Continuing Education (PACE).

For the purposes of this section, a Basic Life Support course shall include all of the following:

1. Instruction in both adult and pediatric CPR, including 2-rescuer scenarios;
2. Instruction in foreign-body airway obstruction;

3. Instruction in relief of choking for adults, child and infant;
4. Instruction in the use of automated external defibrillation with CPR; and;
5. A live, in-person skills practice session, a skills test and a written examination;

The course provider shall ensure that the course meets the required criteria.

(2) Courses in the actual delivery of dental services to the patient or the community, such as:

(A) Courses in preventive services, diagnostic protocols and procedures (including physical evaluation, radiography, dental photography) comprehensive treatment planning, charting of the oral conditions, informed consent protocols and recordkeeping.

(B) Courses dealing primarily with nutrition and nutrition counseling of the patient.

(C) Courses in esthetic, corrective and restorative oral health diagnosis and treatment.

(D) Courses in dentistry's role in individual and community health emergencies, disasters, and disaster recovery.

(E) Courses that pertain to the legal requirement governing the licensee in the areas of auxiliary employment and delegation of responsibilities; the Health Insurance Portability and Accountability Act (HIPAA); actual delivery of care.

(F) Courses pertaining to federal, state and local regulations, guidelines or statutes regarding workplace safety, fire and emergency, environmental safety, waste disposal and management, general office safety, and all training requirements set forth by the California Division of Occupational Safety and Health (Cal-DOSH) including the Bloodborne Pathogens Standard.

(G) Courses pertaining to the administration of general anesthesia, conscious sedation, oral conscious sedation or medical emergencies.

(H) Courses pertaining to the evaluation, selection, use and care of dental instruments, sterilization equipment, operatory equipment, and personal protective attire.

(I) Courses in dependency issues and substance abuse such as alcohol and drug use as it relates to patient safety, professional misconduct, ethical considerations or malpractice.

(J) Courses in behavioral sciences, behavior guidance, and patient management in the delivery of care to all populations including special needs, pediatric and sedation patients when oriented specifically to the clinical care of the patient.

(K) Courses in the selection, incorporation, and use of current and emerging technologies.

(L) Courses in cultural competencies such as bilingual dental terminology, cross-cultural communication, provision of public health dentistry, and the dental professional's role in provision of care in non-traditional settings when oriented specifically to the needs of the dental patient and will serve to enhance the patient experience.

(M) Courses in dentistry's role in individual and community health programs.

(N) Courses pertaining to the legal and ethical aspects of the insurance industry, to include management of third party payer issues, dental billing practices, patient and provider appeals of payment disputes and patient management of billing matters.

(3) Courses in the following areas are considered to be primarily of benefit to the licensee and shall be limited to a maximum of 20% of a licensee's total required course unit credits for each license or permit renewal period:

(A) Courses to improve recall and scheduling systems, production flow, communication systems and data management.

(B) Courses in organization and management of the dental practice including office computerization and design, ergonomics, and the improvement of practice administration and office operations.

(C) Courses in leadership development and team development.

(D) Coursework in teaching methodology and curricula development.

(E) Coursework in peer evaluation and case studies that include reviewing clinical evaluation procedures, reviewing diagnostic methods, studying radiographic data, study models and treatment planning procedures.

(F) Courses in human resource management and employee benefits.

(4) Courses considered to be of direct benefit to the licensee or outside the scope of dental practice in California include the following, and shall not be recognized for continuing education credit:

(A) Courses in money management, the licensee's personal finances or personal business matters such as financial planning, estate planning, and personal investments.

(B) Courses in general physical fitness, weight management or the licensee's personal health.

(C) Presentations by political or public figures or other persons that do not deal primarily with dental practice or issues impacting the dental profession

(D) Courses designed to make the licensee a better business person or designed to improve licensee personal profitability, including motivation and marketing.

(E) Courses pertaining to the purchase or sale of a dental practice, business or office; courses in transfer of practice ownership, acquisition of partners and associates, practice valuation, practice transitions, or retirement.

(F) Courses pertaining to the provision of elective facial cosmetic surgery as defined by the Dental Practice Act in Section 1638.1, unless the licensee has a special permit obtained from the Board to perform such procedures pursuant to Section 1638.1 of the Code.

(5) Completion of a course does not constitute authorization for the attendee to perform any services that he or she is not legally authorized to perform based on his or her license or permit type.

(c) Registered Provider Application and Renewal

(1) An applicant for registration as a provider shall submit an "Application for Continuing Education Provider (Rev. 05/09)" that is hereby incorporated by reference. The application shall be accompanied by the fee required by section 1021. The applicant or, if the applicant is not an individual but acting on behalf of a business entity, the individual authorized by the business to act on its behalf shall certify that he or she will only offer courses and issue certificates for courses that meet the requirements in this section.

(2) To renew its registration, a provider shall submit a "Continuing Education Registered Provider Permit Renewal Application (12/15/08)" that is hereby incorporated by reference. The application shall be accompanied by the fee required by section 1021 and a biennial report listing each of the course titles offered, the 11-digit registration number issued to each course, the number of units issued for each course, the dates of all courses offered, the name and qualifications of each instructor, a summary of the content of each course of study, and a sample of the provider's written certification issued to participants during the last renewal period.

(d) Standards for Registration as an Approved Provider

(1) Each course of study shall be conducted on the same educational standards of scholarship and teaching as that required of a true university discipline and shall be supported by those facilities and educational resources necessary to comply with this requirement. Every instructor or presenter of a continuing education course shall possess education or experience for at least two years in the subject area being taught. Each course of study shall clearly state educational objectives that can realistically be accomplished within the framework of the course. Teaching methods for each course of study shall be described (e.g., lecture, seminar, audiovisual, clinical, simulation, etc.) on all provider reports.

(2) The topic of instruction and course content shall conform to this section.

(3) An opportunity to enroll in such courses of study shall be made available to all dental licensees.

(e) Enforcement, Provider Records Retention and Availability of Provider Records

(1) The board may not grant prior approval to individual courses unless a course is required as a mandatory license renewal course. The minimum course content of all mandatory continuing education courses for all registered providers is set out in subsections (b)(1)(A-C). Providers shall be expected to adhere to these minimum course content requirements or risk registered provider status. Beginning January 1, 2006, all registered providers shall submit their course content outlines for Infection Control and California Dental Practice Act to the board staff for review and approval. If a provider wishes to make any significant changes to the content of a previously approved mandatory course, the provider shall submit a new course content outline to the Board. A provider may not offer the mandatory course until the Board approves the new course outline. All new applicants for provider status shall submit course content outlines for mandatory education courses at the time of application and prior to instruction of mandatory education courses.

(2) Providers must possess and maintain the following:

- (A) Speaker curriculum vitae;
- (B) Course content outline;
- (C) Educational objectives or outcomes;
- (D) Teaching methods utilized;
- (E) Evidence of registration numbers and units issued to each course;
- (F) Attendance records and rosters

(3) The board may randomly audit a provider for any course submitted for credit by a licensee in addition to any course for which a complaint is received. If an audit is conducted, the provider shall submit to the Board the following information and documentation:

- (A) Speaker curriculum vitae;
- (B) Course content outline;
- (C) Educational objectives or outcomes;
- (D) Teaching methods utilized;
- (E) Evidence of registration numbers and units issued to each course; and
- (F) Attendance records and rosters.

(4) All provider records described in this article shall be retained for a period of no less than three provider renewal periods.

#### (f) Withdrawal of Provider Registration

(1) The board retains the right and authority to audit or monitor courses given by any provider. The board may withdraw or place restrictions on a provider's registration if the provider has disseminated any false or misleading information in connection with the continuing education program, fails to comply with regulations, misrepresents the course offered, makes any false statement on its application or otherwise violates any provision of the Dental Practice Act or the regulations adopted thereunder.

(2) Any provider whose registration is withdrawn or restricted shall be granted a hearing before the executive officer or his or her designee prior to the effective date of such action. The provider shall be given at least ten days notice of the grounds for the proposed action and the time and place of such hearing.

#### (g) Provider Issuance of Units of Credit for Attendance

One unit of credit shall be granted for every hour of contact instruction and may be issued in half-hour increments. Such increments shall be represented by the use of a decimal point in between the first two numbers of the 11-digit registration number of the course. This credit shall apply to either academic or clinical instruction. Eight units shall be the maximum continuing education credits granted in one day.

(h) Additional Provider Responsibilities

(1) A provider shall furnish a written certification of course completion to each licensee certifying that the licensee has met the attendance requirements of the course. Such certification shall not be issued until completion of the course and shall contain the following:

(A) The licensee's, name and license or permit number, the provider's name, the 11-digit course registration number in the upper left hand corner of the certificate, date or dates attended, the number of units earned, and a place for the licensee to sign and date verifying attendance.

(B) An authorizing signature of the provider or the providing entity and a statement that reads: "All of the information contained on this certificate is truthful and accurate."

(C) A statement on each certification that reads: "Completion of this course does not constitute authorization for the attendee to perform any services that he or she is not legally authorized to perform based on his or her license or permit type."

(2) If an individual whose license or permit has been cancelled, revoked, or voluntarily surrendered attends and completes a continuing education course, the provider or attendee may document on the certificate of course completion the license or permit number the individual held before the license or permit was cancelled, revoked, or voluntarily surrendered.

(3) When two or more registered providers co-sponsor a course, only one provider number shall be used for that course and that provider must assume full responsibility for compliance with the requirements of this article.

(4) Only Board-approved providers whose course content outlines for Infection Control and California Dental Practice Act have been submitted and approved by the Board may issue continuing education certifications to participants of these courses.

(5) The instructor of a course who holds a current and active license or permit to practice issued by the Board may receive continuing education credit for up to 20% of their total required units per renewal period for the course or courses they teach for a provider other than themselves.

(6) Upon request, a provider shall issue a duplicate certification to a licensee whose name appears on the provider's original roster of course attendees. A provider may not issue a duplicate certification to a licensee whose name is not on the original roster of course attendees. The provider, not the licensee shall clearly mark on the certificate the word "duplicate."

(7) Providers shall place the following statement on all certifications, course advertisements, brochures and other publications relating to all course offerings: "This course meets the Dental Board of California's requirements for \_(number of)\_ units of continuing education."

(i) Out of State Courses and Courses Offered by Other Authorized and Non-Authorized Providers

(1) Notwithstanding subdivision (b) of Section 1016, licensees who attend continuing education courses given by providers approved by the American Dental Association's Continuing Education Recognition Program (CERP) or the Academy of General Dentistry's Program

Approval for Continuing Education (PACE) and who obtain a certification of attendance from the provider or sponsor shall be given credit towards his or her total continuing education requirement for renewal of his or her license with the exception of mandatory continuing education courses, if the course meets the requirements of continuing education set forth in this section.

(b) A licensee who attends a course or program that meets all content requirements for continuing education pursuant to these regulations, but was presented outside California by a provider not approved by the Board, may petition the Board for consideration of the course by submitting information on course content, course duration and evidence from the provider of course completion.

When the necessary requirements have been fulfilled, the board may issue a written certificate of course completion for the approved number of units, which the licensee may then use for documentation of continuing education credits.

Note: Authority cited: Sections 1614 and 1645, Business and Professions Code. Reference: Section 1645, Business and Professions Code.

## HISTORY

1. Amendment filed 4-4-88; operative 4-4-88 (Register 88, No. 17).
2. Change without regulatory effect filed 9-2-88; operative 9-2-88 (Register 88, No. 37). The regulatory forms referred to in subsections (b)(1), (b)(2) and (h), which were approved for filing with the Secretary of State on 4-4-88, are located in Register 88, No. 38 Z of the California Regulatory Notice Register.
3. Amendment of subsection (h) filed 8-2-91; operative 9-2-91 (Register 91, No. 48).
4. Amendment of subsection (a), new subsections (a)(1)-(a)(2)(E), redesignation of former second paragraph and subsections (a)(1)-(6) as subsections (a)(3)- (a)(3)(F), amendment of newly designated subsection (a)(3)(F), and new subsections (a)(3)(G)-(K) filed 2-29-96; operative 3-30-96 (Register 96, No. 9).
5. Amendment filed 10-6-2005; operative 11-5-2005 (Register 2005, No. 40).
6. Amendment of section heading and section filed 3-9-2010; operative 3-9-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 11).

## **CCR Section 1017**

(a) As a condition of renewal, all licensees are required to complete continuing education as follows:

(1) Two units of continuing education in Infection Control specific to California regulations as defined in section 1016(b)(1)(A).

(2) Two units of continuing education in the California Dental Practice Act and its related regulations as defined in section 1016(b)(1)(B).

(3) A maximum of four units of a course in Basic Life Support as specified in section 1016(b)(1)(C).

(b) Mandatory continuing education units count toward the total units required to renew a license or permit; however, failure to complete the mandatory courses will result in non-renewal of a license or permit. Any continuing education units accumulated before April 8, 2010 that meet the requirements in effect on the date the units were accumulated will be accepted by the Board for license or permit renewals taking place on or after April 8, 2010.

(c) All licensees shall accumulate the continuing education units equal to the number of units indicated below during the biennial license or permit renewal period assigned by the Board on each license or permit. All licensees shall verify to the Board that he or she who has been issued a license or permit to practice for a period less than two years shall begin accumulating continuing education credits within the next biennial renewal period occurring after the issuance of a new license or permit to practice.

(1) Dentists: 50 units.

(2) Registered dental hygienists: 25 units.

(3) Registered dental assistants: 25 units.

(4) Dental Sedation Assistant Permit Holders: 25 units.

(5) Orthodontic Assistant Permit Holders: 25 units.

(6) Registered dental hygienists in extended functions: 25 units.

(7) Registered dental assistants in extended functions: 25 units.

(8) Registered dental hygienists in alternative practice: 35 units.

(d) Each dentist licensee who holds a general anesthesia permit shall complete, as a condition of permit renewal, continuing education requirements pursuant to Section 1646.5 of the Business and Professions Code at least once every two years, and either (1) an advanced cardiac life support course which is approved by the American Heart Association and which includes an examination on the materials presented in the course or (2) any other advanced cardiac life support course which is identical in all respects, except for the omission of materials that relate solely to hospital emergencies or neonatology, to the course entitled "2005 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care" published by the American Heart Association December 13, 2005 which is incorporated herein by reference.

(e) Each dentist licensee who holds a conscious sedation permit shall complete at least once every two years a minimum of 15 total units of coursework related to the administration of conscious sedation and to medical emergencies, as a condition of permit renewal, in continuing education requirements pursuant to Section 1647.5 of the of the Business and Professions Code. Refusal to execute the required assurance shall result in non-renewal of the permit.

(f) Each dentist licensee who holds an oral conscious sedation permit for minors, as a condition of permit renewal, shall complete at least once every two years a minimum of 7 total units of coursework related to the subject area in continuing education requirements pursuant to Section 1647.13 of the Business and Professions Code.

(g) Each dentist licensee who holds an oral conscious sedation permit for adults, as a condition of permit renewal, shall complete at least once every two years a minimum of 7 total units of coursework related to the subject area in continuing education requirements pursuant to Section 1647.21 of the of the Business and Professions Code.

(h) Notwithstanding any other provisions of this code, tape recorded courses, home study materials, video courses, and computer courses are considered correspondence courses, and will be accepted for credit up to, but not exceeding, 50% of the licensee's total required units.

(i) In the event that a portion of a licensee's units have been obtained through non-live instruction, as described in Section (h) above, all remaining units shall be obtained through live interactive course study with the option to obtain 100% of the total required units by way of interactive instruction courses. Such courses are defined as live lecture, live telephone conferencing, live video conferencing, live workshop demonstration, or live classroom study.

(j) Licensees who participate in the following activities shall be issued continuing education credit for up to 20% of their total continuing education unit requirements for license renewal:

(1) Participation in any Dental Board of California or Western Regional Examination Board (WREB) administered examination including attendance at calibration training, examiner orientation sessions, and examinations.

(2) Participation in any site visit or evaluation relating to issuance and maintenance of a general anesthesia, conscious sedation or oral conscious sedation permit.

(3) Participation in any calibration training and site evaluation training session relating to general anesthesia, conscious sedation or oral conscious sedation permits.

(4) Participation in any site visit or evaluation of an approved dental auxiliary program or dental auxiliary course.

(k) The Board shall issue to participants in the activities listed in subdivision (j) a certificate that contains the date, time, location, authorizing signature, 11-digit course registration number, and number of units conferred for each activity consistent with all certificate requirements herein required for the purposes of records retention and auditing.

(l) The license or permit of any person who fails to accumulate the continuing education units set forth in this section or to assure the board that he or she will accumulate such units, shall not be renewed until such time as the licensee complies with those requirements.

(m) A licensee who has not practiced in California for more than one year because the licensee is disabled need not comply with the continuing education requirements of this article during the renewal period within which such disability falls. Such licensee shall certify in writing that he or she is eligible for waiver of the continuing education requirements. A licensee who ceases to be eligible for such waiver shall notify the Board of such and shall comply with the continuing education requirements for subsequent renewal periods.

(n) A licensee shall retain, for a period of three renewal periods, the certificates of course completion issued to him or her at the time he or she attended a continuing education course and shall forward such certifications to the Board only upon request by the Board for audit purposes. A licensee who fails to retain a certification shall contact the provider and obtain a duplicate certification.

(o) Any licensee who furnishes false or misleading information to the Board regarding his or her continuing education units may be subject to disciplinary action. The Board may audit a licensee continuing education records as it deems necessary to ensure that the continuing education requirements are met.

(p) A licensee who also holds a special permit for general anesthesia, conscious sedation, oral conscious sedation of a minor or of an adult, may apply the continuing education units required in the specific subject areas to their dental license renewal requirements.

(q) A registered dental assistant or registered dental assistant in extended functions who holds a permit as an orthodontic assistant or a dental sedation assistant shall not be required to complete additional continuing education requirements beyond that which is required for licensure renewal in order to renew either permit.

(r) Pertaining to licensees holding more than one license or permit, the license or permit that requires the largest number of continuing education units for renewal shall equal the licensee's full renewal requirement. Dual licensure, or licensure with permit, shall not require duplication of continuing education requirements.

(s) Current and active licensees enrolled in a full-time educational program in the field of dentistry, including dental school program, residency program, postdoctoral specialty program, dental hygiene school program, dental hygiene in alternative practice program, or registered dental assisting in extended functions program approved by the Board or the ADA Commission on Dental Accreditation shall be granted continuing education credits for completed curriculum during that renewal period. In the event of audit, licensees shall be required to present school transcripts to the Board as evidence of enrollment and course completion.

(t) Current and active dental sedation assistant and orthodontic assistant permit holders enrolled in a full-time dental hygiene school program, dental assisting program, or registered dental assisting in extended functions program approved by the Board or the ADA Commission on Dental Accreditation shall be granted continuing education credits for completed curriculum during that renewal period. In the event of audit, assisting permit holders shall be required to present school transcripts to the committee or Board as evidence of enrollment and course completion.

Note: Authority cited: Sections 1614 and 1645, Business and Professions Code. Reference: Sections 1645, 1646.5 and 1647.5, Business and Professions Code.

## HISTORY

1. Amendment of subsection (a) filed 8-23-85; effective thirtieth day thereafter (Register 85, No. 34).

2. Amendment of subsection (a) filed 1-22-86; effective thirtieth day thereafter (Register 86, No. 4).
3. Amendment filed 4-4-88; operative 4-4-88 (Register 88, No. 17).
4. Amendment of subsection (a) filed 6-8-88; operative 7-8-88 (Register 88, No. 25).
5. Amendment filed 4-1-91; operative 5-1-91 (Register 91, No. 18).
6. New subsection (a), subsection relettering, and amendment of newly designated subsections (b) and (d) filed 7-8-96; operative 8-7-96 (Register 96, No. 28).
7. Amendment of subsection (c) filed 2-2-99; operative 3-4-99 (Register 99, No. 6).
8. Amendment of subsection (b)(1), new subsections (b)(4)-(6) and amendment of Note filed 7-21-99; operative 8-20-99 (Register 99, No. 30).
9. Amendment of subsections (a) and (e) and amendment of Note filed 4-8-2003; operative 5-8-2003 (Register 2003, No. 15).
10. Amendment filed 10-6-2005; operative 11-5-2005 (Register 2005, No. 40).
11. Amendment of section heading and section filed 3-9-2010; operative 3-9-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 11).

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## **BOARD OF PHARMACY**

### **1732.2. Board Accredited Continuing Education.**

(a) Individuals may petition the board to allow continuing education credit for specific coursework which is not offered by a provider but meets the standards of Section 1732.3.

(b) Notwithstanding subdivision (a) of this section, coursework which meets the standard of relevance to pharmacy practice and has been approved for continuing education by the Medical Board of California, the California Board of Podiatric Medicine, the California Board of Registered Nursing or the Dental Board of California shall, upon satisfactory completion, be considered approved continuing education for pharmacists.

(c) A pharmacist serving on a designated subcommittee of the board for the purpose of developing the California Practice Standards and Jurisprudence Examination for pharmacists pursuant to section 4200.2 of the Business and Professions Code may annually be awarded up to six hours of continuing education hours for conducting a review of exam test questions. A subcommittee member shall not receive continuing education hours pursuant to this subdivision if that subcommittee member requests reimbursement from the board for time spent conducting a review of exam test questions.

(d) A pharmacist or pharmacy technician who attends a full day board meeting may be awarded up to six hours of continuing education on an annual basis. The board shall designate on its public agenda which day shall be eligible for continuing education credit. A pharmacist or pharmacy technician requesting continuing education hours pursuant to this subdivision must sign in and out on an attendance sheet at the board meeting that requires the individual to provide his or her first and last name, license number, time of arrival and time of departure from the meeting.

(e) A pharmacist or pharmacy technician who attends a full committee meeting of the board may be awarded up to two hours of continuing education on an annual basis. A maximum of four continuing education hours may be earned each year by attending the full meetings of two different board committees. A pharmacist or pharmacy technician requesting continuing education hours pursuant to this subdivision must sign in and out on an attendance sheet at the committee meeting that requires the individual to provide his or her first and last name, license number, time of arrival and time of departure from the meeting.

(f) An individual may be awarded three hours of continuing education for successfully passing the examination administered by the Commission for Certification in Geriatric Pharmacy.

Authority cited: Section 4005, Business and Professions Code. Reference: Section 4200.2, 4202, 4231 and 4232, Business and Professions Code.

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**DEPARTMENT OF CONSUMER AFFAIRS  
Board of Psychology**

**ORDER OF ADOPTION**

Amend sections 1397.60 through section 1397.71 of Division 13.1 of Title 16 of the California Code of Regulations, to read as follows:

**§ 1397.60. Definitions.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

As used in this article:

(a) An “accreditation agency” means an organization recognized by the board which evaluates and approves each provider of continuing education, evaluates and approves each course offering, and monitors the quality of the approved continuing education courses.

(b) A “provider” means an organization, institution, association, university, or other person or entity assuming full responsibility for the course offered, whose qualifications as a continuing education provider have been approved by a board recognized accreditation agency.

(c) A “course” or “presentation” means an approved systematic learning experience of at least one hour in length. One hour shall consist of 60 minutes of actual instruction. Courses or presentations less than one hour in duration shall not be approved.

(d) “Continuing education” means the variety of forms of learning experiences, including, but not limited to, lectures, conferences, seminars, workshops, grand rounds, in-service training programs, video conferencing, and independent learning technologies.

(e) A “conference” means a course consisting of multiple concurrent or sequential free-standing presentations. Approved presentations must meet all standards of an approved continuing education course.

(f) “Grand rounds” or “in-service training program” means a course consisting of sequential, free-standing presentations designed to meet the internal educational needs of the staff or members of an organization and is not marketed, advertised or promoted to professionals outside of the organization. Approved presentations must meet all standards of an approved continuing education course.

(g) “Independent learning” means the variety of forms of organized and directed learning experiences that occur when the instructor and the student are not in direct visual or auditory contact. These include, but are not limited to, courses delivered via the Internet, CD-ROM, satellite downlink, correspondence and home study. Self-initiated, independent study programs without an approved CE sponsor are not acceptable for continuing education. Except for qualified individuals with a disability who apply to and are approved by the board pursuant to section 1397.62(c), independent learning can be used to meet no more than 75% (27 hours) of the continuing education required in each renewal cycle. Independent learning courses must meet all standards of an approved continuing education course.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Sections 29 and 2915, Business and Professions Code.

### **§ 1397.60. Definitions.**

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013.

As used in this article:

(a) "Conference" means a course consisting of multiple concurrent or sequential free-standing presentations. Acceptable presentations must meet the requirements of section 1397.61(c).

(b) "Continuing education" means the variety of forms of learning experiences, including, but not limited to, lectures, conferences, seminars, workshops, grand rounds, in-service training programs, video conferencing, and independent learning technologies.

(c) "Course" or "presentation" means an approved systematic learning experience of at least one hour in length. One hour shall consist of 60 minutes of actual instruction. Courses or presentations less than one hour in duration shall not be acceptable.

(d) "Grand rounds" or "in-service training program" means a course consisting of sequential, free-standing presentations designed to meet the internal educational needs of the staff or members of an organization and is not marketed, advertised or promoted to professionals outside of the organization. Acceptable presentations must meet the requirements of section 1397.61(c).

(e) "Independent learning" means the variety of forms of organized and directed learning experiences that occur when the instructor and the student are not in direct visual or auditory contact. These include, but are not limited to, courses delivered via the Internet, CD-ROM, satellite downlink, correspondence and home study. Self-initiated, independent study programs that do not meet the requirements of section 1397.61(c) are not acceptable for continuing education. Except for qualified individuals with a disability who apply to and are approved by the Board pursuant to section 1397.62(c), independent learning can be used to meet no more than 75% (27 hours) of the continuing education required in each renewal cycle. Independent learning courses must meet the requirements of section 1397.61(c).

(f) "Provider" means an organization, institution, association, university, or other person or entity assuming full responsibility for the course offered, whose courses are accepted for credit pursuant to section 1397.61(c)(1).

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Sections 29 and 2915, Business and Professions Code.

### **§ 1397.61. Continuing Education Requirements.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, each licensed psychologist shall submit with the application for license renewal proof satisfactory to the board that he or she has

completed the continuing education requirements set forth in section 2915 of the code. A licensee who renews his or her license for the first time after the initial issuance of the license is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5 hours of approved continuing education per month. Continuing education earned via independent learning pursuant to section 1397.60(g) shall be accrued at no more than 75% of the continuing education required for the first time renewal. The required hours of continuing education may not be accrued prior to the effective date of the initial issuance of the license. A licensee who falsifies or makes a material misrepresentation of fact on a renewal application or who cannot verify completion of continuing education by producing verification of attendance certificates, whenever requested to do so by the board, is subject to disciplinary action under section 2960 of the code.

(b) Any person renewing or reactivating his or her license shall certify under penalty of perjury to the Board of Psychology as requested on the application for license renewal, that he or she has obtained training in the subject of laws and ethics as they apply to the practice of psychology in California. The training shall include recent changes/updates on the laws and regulations related to the practice of psychology; recent changes/updates in the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association; accepted standards of practice; and other applications of laws and ethics as they affect the licensee's ability to practice psychology with safety to the public. Training pursuant to this section may be obtained in one or more of the following ways:

- (1) Formal coursework in laws and ethics taken from an accredited educational institution;
- (2) Approved continuing education course in laws and ethics;
- (3) Workshops in laws and ethics;
- (4) Other experience which provide direction and education in laws and ethics including, but not limited to, grand rounds or professional association presentation.

If the licensee chooses to apply a specific continuing education course on the topic of laws and ethics to meet the foregoing requirement, such a course must meet the content requirements named above, must comply with section 1397.60(c) of this Article, and may be applied to the 36 hours of approved continuing education required in Business and Professions Code section 2915(a).

(c) Those licensees who began graduate training prior to January 1, 2004, shall, prior to his or her first license renewal after January 1, 2004, take continuing education instruction in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. Such course shall be taken within the two years prior to the licensee's renewal date and shall be no less than one (1) hour in length. This is a one-time only continuing education requirement.

(d) Those licensees who began graduate training prior to January 1, 2004, shall, prior to his or her first license renewal after January 1, 2005, take continuing education instruction in the biological, social, and psychological aspects of aging and long-term care. Such course shall be taken within the two years prior to the licensee's renewal date and shall be no less than three (3) hours in length. This is a one-time only continuing education requirement.

(e) Licensees are encouraged to participate in periodic training in subject matter for which the Legislature or the board finds cause, including but not limited to: geriatric pharmacology; the characteristics and methods of assessment and treatment of HIV disease; and issues of human diversity.

(f) This subsection shall become effective on January 1, 2006.

(1) The Board of Psychology recognizes and accepts for continuing education credit courses that are:

(A) provided by American Psychological Association (APA) approved sponsors;

(B) Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology and that are accredited by the California Medical Association (CMA) or the Accreditation Council for Continuing Medical Education (ACCME);

(C) sponsored by the Academies of the specialty boards of the American Board of Professional Psychology (ABPP).

(2) The board may recognize other entities to perform an accrediting function if the entity:

(A) Has had at least 10 years experience managing continuing education programs for psychologists on a statewide basis, including, but not limited to:

(i) Maintaining and managing records and data related to continuing education programs.

(ii) Monitoring and approving courses.

(B) Has a means to avoid a conflict of interest between any provider and accreditation functions.

(C) Submits a detailed plan of procedures for monitoring and approving the provider functions. The plan must demonstrate that it has the capacity to evaluate each course, including provisions requiring the following:

(i) Topics and subject matter shall be pertinent to the practice of psychology. Courses predominantly focused on business issues, marketing, or exploring opportunities for personal growth are not eligible for credit. Course material must have a relevance or direct application to a consumer of psychological services.

(ii) Each continuing education course shall have written educational goals and specific learning objectives which are measurable and which serve as a basis for an evaluation of the effectiveness of the course.

(iii) Instructors shall be competent in the subject matter of the course and shall be qualified by education, training, experience, scope of practice and licensure.

(iv) Each continuing education course shall have a syllabus which provides a general outline of the course.

(v) When an approved provider works with others on the development, distribution and/or presentation of a continuing education course (joint sponsorship), there shall be procedures to identify and document the functions of each participating party.

(vi) An evaluation mechanism shall be completed by each participant to evaluate the continuing education course.

(vii) Respond to complaints from the board concerning its activities.

(viii) The entity agency shall provide services to all licensees without discrimination.

(D) An entity must submit, in writing, evidence that it meets the qualifications in this subdivision.

(E) Upon written confirmation from the board that the entity has been recognized, the entity may advertise that it has been recognized by the board.

(3) Any licensee who receives approved continuing education course credit hours pursuant to this section shall submit verification of course completion and the participant

report recording fee specified in section 1397.69 to a board recognized accrediting agency.

(g) Failure of the entity to substantially comply with the provisions as set forth in subsection (f) shall constitute cause for revocation of recognition by the board. Recognition can be revoked only by a formal board action, after notice and hearing, and for good cause.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Sections 29, 2915 and 2915.7, Business and Professions Code.

### **§ 1397.61. Continuing Education Requirements.**

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, each licensed psychologist shall certify on the application for license renewal that he or she has completed the continuing education requirements set forth in section 2915 of the Code. A licensee who renews his or her license for the first time after the initial issuance of the license is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5 hours of approved continuing education per month. Continuing education earned via independent learning pursuant to section 1397.60(e) shall be accrued at no more than 75% of the continuing education required for the first time renewal. The required hours of continuing education may not be accrued prior to the effective date of the initial issuance of the license. A licensee who falsifies or makes a material misrepresentation of fact on a renewal application or who cannot verify completion of continuing education by producing verification of attendance certificates, whenever requested to do so by the Board, is subject to disciplinary action under section 2960 of the Code.

(b) Any person renewing or reactivating his or her license shall certify under penalty of perjury to the Board of Psychology as requested on the application for license renewal, that he or she has obtained training in the subject of laws and ethics as they apply to the practice of psychology in California. The training shall include recent changes/updates on the laws and regulations related to the practice of psychology; recent changes/updates in the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association; accepted standards of practice; and other applications of laws and ethics as they affect the licensee's ability to practice psychology with safety to the public. Training pursuant to this section may be obtained in one or more of the following ways:

- (1) Formal coursework in laws and ethics taken from an accredited educational institution;
- (2) Approved continuing education course in laws and ethics;
- (3) Workshops in laws and ethics;
- (4) Other experience which provide direction and education in laws and ethics including, but not limited to, grand rounds or professional association presentation.

If the licensee chooses to apply a specific continuing education course on the topic of laws and ethics to meet the foregoing requirement, such a course must meet the

content requirements named above, must comply with section 1397.60(c), and may be applied to the 36 hours of approved continuing education required in Business and Professions Code section 2915(a).

(c) The Board recognizes and accepts for continuing education credit courses pursuant to this section. A licensee will earn one hour continuing education credit for each hour of approved instruction.

(1) Continuing education courses shall be:

(A) provided by American Psychological Association (APA), or its approved sponsors;

(B) Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology and that are accredited by the California Medical Association (CMA) or the Accreditation Council for Continuing Medical Education (ACCME); or

(C) provided by the California Psychological Association, or its approved sponsors.

(D) approved by an accrediting agency for continuing education courses taken prior to January 1, 2013, pursuant to this section as it existed prior to January 1, 2013.

(2) Topics and subject matter for all continuing education shall be pertinent to the practice of psychology. Course or learning material must have a relevance or direct application to a consumer of psychological services.

(3) No course may be taken and claimed more than once during a renewal period, nor during any twelve (12) month period, for continuing education credit.

(4) An instructor may claim the course for his/her own credit only one time that he/she teaches the acceptable course during a renewal cycle, or during any twelve (12) month period, receiving the same credit hours as the participant.

(d) Examination Functions. A licensee who serves the Board as a selected participant in any examination development related function will receive one hour of continuing education credit for each hour served. Selected Board experts will receive one hour of continuing education credit for each hour attending Board sponsored Expert Training Seminars. A licensee who receives approved continuing education credit as set forth in this paragraph shall maintain a record of hours served for submission to the Board pursuant to section 1397.61(e).

(e) A licensee shall maintain documentation of completion of continuing education requirements for four (4) years following the renewal period, and shall submit verification of completion to the Board upon request. Documentation shall contain the minimum information for review by the Board: name of provider and evidence that provider meets the requirements of section 1397.61(c)(1); topic and subject matter; number of hours or units; and a syllabus or course description. The Board shall make the final determination as to whether the continuing education submitted for credit meets the requirements of this article.

(f) Failure to provide all of the information required by this section renders any application for renewal incomplete and not eligible for renewal.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.

Reference: Sections 29, 32, 2915 and 2915.7, Business and Professions Code.

### **§ 1397.62. Continuing Education Exemptions and Exceptions.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

At the time of making application for renewal of a license, a psychologist may as provided in this section request an exemption or an exception from all or part of the continuing education requirements.

(a) The board shall grant an exemption only if the psychologist verifies in writing that, during the two year period immediately prior to the expiration date of the license, he or she:

(1) Has been residing in another country or state for at least one year reasonably preventing completion of the continuing education requirements; or

(2) Has been engaged in active military service; or

(3) Has been prevented from completing the continuing education requirements for reasons of health or other good cause which includes:

(A) Total physical and/or mental disability of the psychologist for at least one year; or

(B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.

Verification of a physical disability under subsection (a)(3) shall be by a licensed physician and surgeon or, in the case of a mental disability, by a licensed psychologist or a board certified or board eligible psychiatrist.

(b) An exception to the requirements of Business and Professions Code section 2915(d) may be granted to licensed psychologists who are not engaged in the direct delivery of mental health services for whom there is an absence of available continuing education courses relevant to their specific area of practice.

(1) An exception granted pursuant to this subsection means that the board will accept continuing education courses that are not approved pursuant to sections 1397.61(d), (e), (f) provided that they are directly related to the licensee's specific area of practice and offered by recognized professional organizations. The board will review the licensee's area of practice, the subject matter of the course, and the provider on a case-by-case basis. This exception does not mean the licensee is exempt from completing the continuing education required by Business and Professions Code section 2915 and this article.

(2) Licensees seeking this exception shall provide all necessary information to enable the board to determine the lack of available approved continuing education and the relevance of each course to the continuing competence of the licensee. Such a request shall be submitted in writing and must include a clear statement as to the relevance of the course to the practice of psychology and the following information:

(A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), particularly as it relates to the practice of psychology.

(B) Information that shows the course instructor's qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.

(C) Information that shows the course provider's qualifications to offer the type of course being offered (e.g., the provider's background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.

(3) This subsection does not apply to licensees engaged in the direct delivery of mental health services.

(c) Psychologists requiring reasonable accommodation according to the Americans with Disabilities Act may be granted an exemption from the on-site participation requirement and may substitute all or part of their continuing education requirement with an American Psychological Association or accreditation agency approved independent learning continuing education program. A qualified individual with a disability must apply to the board to receive this exemption.

(d) Any licensee who submits a request for an exemption or exception which is denied by the board shall complete any continuing education requirements within 120 days of the notification that the request was denied.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

### **§ 1397.62. Continuing Education Exemptions and Exceptions.**

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013.

At the time of making application for renewal of a license, a psychologist may as provided in this section request an exemption or an exception from all or part of the continuing education requirements.

(a) The Board shall grant an exemption only if the psychologist verifies in writing that, during the two year period immediately prior to the expiration date of the license, he or she:

(1) Has been engaged in active military service reasonably preventing completion of the continuing education requirements, except that a licensee granted an exemption pursuant to this section shall still be required to fulfill the laws and ethics requirement set forth in section 1397.61(b); or

(2) Has been prevented from completing the continuing education requirements for reasons of health or other good cause which includes:

(A) Total physical and/or mental disability of the psychologist for at least one year; or

(B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.

Verification of a physical disability under subsection (a)(2) shall be by a licensed physician and surgeon or, in the case of a mental disability, by a licensed psychologist or a board certified or board eligible psychiatrist.

(b) An exception to the requirements of Business and Professions Code section 2915(d) may be granted to licensed psychologists who are not engaged in the direct delivery of mental health services for whom there is an absence of available continuing education courses relevant to their specific area of practice.

(1) An exception granted pursuant to this subsection means that the Board will accept continuing education courses that are not acceptable pursuant to section 1397.61(c) provided that they are directly related to the licensee's specific area of practice and offered by recognized professional organizations. The Board will review the licensee's area of practice, the subject matter of the course, and the provider on a case-by-case basis. This exception does not mean the licensee is exempt from completing the

continuing education required by Business and Professions Code section 2915 and this article.

(2) Licensees seeking this exception shall provide all necessary information to enable the Board to determine the lack of available approved continuing education and the relevance of each course to the continuing competence of the licensee. Such a request shall be submitted in writing and must include a clear statement as to the relevance of the course to the practice of psychology and the following information:

(A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), particularly as it relates to the practice of psychology.

(B) Information that shows the course instructor's qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.

(C) Information that shows the course provider's qualifications to offer the type of course being offered (e.g., the provider's background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.

(3) This subsection does not apply to licensees engaged in the direct delivery of mental health services.

(c) Psychologists requiring reasonable accommodation according to the Americans with Disabilities Act may be granted an exemption from the on-site participation requirement and may substitute all or part of their continuing education requirement with an American Psychological Association or accreditation agency approved independent learning continuing education program. A qualified individual with a disability must apply to the Board to receive this exemption.

(d) Any licensee who submits a request for an exemption or exception that is denied by the Board shall complete any continuing education requirements within 120 days of the notification that the request was denied.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

### **§ 1397.63. Hour Value System.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) Licensees will earn one hour continuing education credit for each hour of approved instruction. One 3-unit academic quarter is equal to 10 hours of continuing education credit and one 3-unit academic semester is equal to 15 hours of continuing education credit.

(b)(1) Licensees who serve the Board of Psychology as selected participants in any examination development related function will receive one hour of continuing education credit for each hour served. Selected board experts will receive one hour of continuing education credit for each hour attending Board of Psychology sponsored Expert Training Seminars. Any licensee who receives approved continuing education credit as

set forth in subsection (b)(1) shall have his/her credit reported by the board to the board recognized accrediting agency.

(2) Licensees who serve as examiners for the Academies of the specialty boards of the American Board of Professional Psychology (ABPP) will receive one hour of continuing education credit for each hour served, not to exceed four hours each two year renewal period. Any licensee who receives continuing education credit as set forth in subsection (b)(2) shall submit verification and the course attendee fee specified in section 1397.68 to the board recognized accreditation agency.

(c) An approved instructor may claim the course for his/her own credit only one time that he/she teaches the approved course during a renewal cycle, receiving the same credit hours as the participant.

(d) No course may be taken and claimed more than once during a renewal period for continuing education credit.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

### **§ 1397.64. Accreditation Agencies.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) Upon written application to the board, continuing education accreditation agencies will be recognized if the board determines that the organization meets the criteria set forth in section 2915(f) of the code and:

(1) the organization submits a plan demonstrating that it has the capacity to evaluate each continuing education provider's course in accordance with the following criteria:

(A) Topics and subject matter shall be pertinent to the practice of psychology. Courses predominantly focused on business issues, or marketing, or that are predominantly designed to explore opportunities for personal growth are not eligible for credit. Course material must have a relevance or direct application to a consumer of psychological services.

(B) Each continuing education course shall have written educational goals and specific learning objectives which are measurable and which serve as a basis for an evaluation of the effectiveness of the course.

(C) Instructors shall be competent in the subject matter of the course and shall be qualified by education, training, experience, scope of practice and licensure.

(D) Each continuing education course shall have a syllabus which provides a general outline of the course.

(E) When an approved provider works with others on the development, distribution and/or presentation of a continuing education course (joint sponsorship), there shall be procedures to identify and document the functions of each participating party.

(F) An evaluation mechanism shall be completed by each participant to evaluate the continuing education course.

(2) The accreditation agency agrees to perform the following:

(A) Maintain a list of the names and addresses of the persons designated as responsible for the provider's continuing education courses and records. The accreditation agency shall require that any change in the designated responsible

person's identity shall be reported to the agency within 30 days of the effective date of such change.

(B) Notify the board of names, addresses and responsible party of each provider and each course on a quarterly basis. Provide without charge to any licensee who makes a request, a current list of providers and approved courses.

(C) Verify attendance of licentiates at specific courses by maintaining a record of approved continuing education courses completed by licensees. The record must include the licensees' name and license number, and all agency approved continuing education courses successfully completed by each licensee. In addition, and for an activity reporting fee paid by the licensee and on forms acceptable to the agency (see form No. 07M-BOP-15(New 10/94)), incorporate into licensee's record all non-agency approved continuing education courses as defined in sections 1397.61 and 1397.63 of these regulations. The accreditation agency shall provide a copy of this combined record to the board upon request. The records must be retrievable by license number.

(D) Respond to complaints from the board concerning activities of any of its approved providers or their course(s). Respond to complaints and inquiries regarding providers, courses, and general continuing education questions presented by any licensee. The accreditation agency shall provide services to all licensees without discrimination.

(E) Audit at least 10% of the continuing education courses approved by the agency, for compliance with the agency's requirements and requirements of the board, and on request, report the findings of such audits to the board.

(F) Take such action as is necessary to assure that the continuing education course material offered by its providers meets the continuing education requirements of the board as defined in sections 1397.64(a)(1) and 1397.65 of these regulations.

(G) Establish a procedure for reconsideration of its decision that a provider or a provider's course does not meet statutory or regulatory criteria.

(b) Failure of a recognized accreditation agency to substantially comply with the provisions as set forth in this article shall constitute cause for revocation of recognition by the board. Recognition can be revoked only by a formal board action, after notice and hearing, and for good cause.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

### **§ 1397.65. Requirements for Approved Providers.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) Providers of continuing education courses in psychology shall apply to a board recognized accreditation agency for approval as a provider, and for approval of each course, prior to offering any such courses.

(b)(1) Upon satisfactory completion of the provider requirements of the accreditation agency, including payment of the appropriate fees and receipt of written approval therefrom, a continuing education provider may represent itself as a California approved provider of continuing education courses for psychologists for one year.

(2) Upon presentation of satisfactory evidence, organizations approved by the American Psychological Association (APA) as Sponsors of Continuing Education for Psychologists will be recognized as California approved providers of continuing

education courses for psychologists during the duration of their APA approval, and shall be exempt from the annual continuing education provider fee described in section 1397.68. Such APA providers shall be held to all other requirements of California approved providers of continuing education for psychologists except for the individual course review requirement.

(c) The provider is responsible for assuring the educational quality of its course material. All continuing education course material shall meet the standards set forth in section 1397.64(a)(1) of these regulations and shall be:

(1) approved in advance by an accreditation agency (except for those courses offered by providers defined in section 1397.61(d), (e) and (f));

(2) specifically applicable and pertinent to the practice of psychology;

(3) accurate and timely;

(4) presented in an organized manner conducive to the learning process;

(5) complete and objective, and not reflecting predominantly any commercial views of the provider or presenter or of anyone giving financial assistance to the provider or presenter;

(6) based on stated educational goals and objectives; and

(7) accompanied by a syllabus which contains, at a minimum, the instructional objectives for each course and a summary containing the main points of each topic.

(d) All providers shall furnish a list of course participants, with the accompanying course attendee fee as required in section 1397.68, to the accreditation agency, and verification of attendance certificates to all participants within 45 days of course completion. The list and the certificate shall contain the name of the licensee and license number, name and number of the provider, title of the course, number of completed hours, date of completion, course number, if applicable, and the name of the accreditation agency.

(e) Every approved provider shall apply to the accreditation agency, on forms approved by the board (see form No. 07M-BOP-14(New 10/94)), at least 30 days in advance, for each continuing education course offered or presented, whether for the first time or repeated.

(f) The approved provider shall be required to maintain attendance records for three (3) years for each continuing education course. Acceptable documentation of participation shall include attendance rosters, sign-in and sign-out sheets, and completed course evaluation forms.

(g) The approved provider's course shall be valid for up to one year following the initial approval provided a notification and activity registration fee is submitted to the accreditation agency at least 30 days in advance for each time the course is offered or presented.

(h) The approved provider's advertisements for approved courses shall clearly indicate the provider's name, course title, course approval number, the number of credit hours, and the name of the accrediting agency.

(i) The approved provider shall have a written policy, available upon request, which provides information on:

1. refunds in case of non-attendance
2. time period for return of fees
3. notification if course is canceled.

(j) Providers may not grant partial credit for continuing education courses. However, conferences, in-service training programs and grand rounds consisting of a series of presentations may obtain approval for the entire conference, in-service training program or grand round as one course wherein credit may be granted to participants separately for each individual presentation in such courses.

(k) Provider approval is non-transferable. Approved providers shall inform the accrediting agency in writing within 30 days of any changes in organizational structure and/or person(s) responsible for continuing education program, including name and address changes.

(l) Providers are responsible for meeting all applicable local, state and federal standards which include, but are not limited to, the Americans with Disabilities Act.

(m) Providers may obtain approval for grand rounds activities for an entire year with one application provided the staff person responsible for grand rounds submits to the accreditation agency a general descriptive outline of grand rounds activities for the year. This outline shall be of sufficient detail regarding content to be covered in the weekly grand rounds activities to allow the accreditation agency to determine whether the activities are appropriate for continuing education credit for licensed psychologists.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

#### **§ 1397.66. Provider Audit Requirements.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

Upon written request from the accreditation agency or the board, relating to an audit of course material, each approved provider shall submit such materials as are required by the accreditation agency or the board.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

#### **§ 1397.67. Renewal After Inactive or Delinquent Status.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) To activate licenses which have been placed on inactive status pursuant to section 2988 of the code, the licensee must submit evidence of completion of the requisite 36 hours of qualifying continuing education courses for the two-year period prior to establishing the license as active.

(b) For the renewal of a delinquent psychologist license within three years of the date of expiration, the applicant for renewal shall provide documentation of completion of the required hours of continuing education.

After a license has been delinquent for three years, the license is automatically cancelled and the applicant must submit a complete licensing application, meet all

current licensing requirements, and successfully pass the licensing examination just as for the initial licensing application unless the board grants a waiver of the examination pursuant to section 2946 of the code.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, 2984, 2986, and 2988, Business and Professions Code.

**§ 1397.67. Renewal After Inactive or Delinquent Status.**

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013.

(a) To activate a license which has been placed on inactive status pursuant to section 2988 of the Code, the licensee must submit evidence of completion of the requisite 36 hours of qualifying continuing education courses for the two-year period prior to establishing the license as active.

(b) For the renewal of a delinquent psychologist license within three years of the date of expiration, the applicant for renewal shall provide evidence of completion of 36 hours of qualifying continuing education courses for the two-year period prior to renewing the license.

After a license has been delinquent for three years, the license is automatically cancelled and the applicant must submit a complete licensing application, meet all current licensing requirements, and successfully pass the licensing examination just as for the initial licensing application unless the board grants a waiver of the examination pursuant to section 2946 of the Code.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, 2984, and 2988, Business and Professions Code.

**§ 1397.68. Provider Fees.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) The following fees are established to be paid to an accreditation agency by the course provider:

- (1) Continuing education annual provider approval fee..... \$200
- (2) Continuing education course registration fee..... \$35
- (3) Continuing education conference fee..... \$100
- (4) Continuing education course attendee fee..... \$7 per licensee

These fees are to be paid by the provider to an accreditation agency as defined in section 1397.65(b), (d), and (g).

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

**§ 1397.69. Participant Fees.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

The following fees are established to be paid by the course participant:

(a) Participant report recording fee.... \$35

This fee is to be paid to an accreditation agency to report non-accrediting agency approved courses taken by the participant as defined in section 1397.61(d), 1397.63(b) and 1397.64(a)(2)(C).

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

ACCREDITING AGENCY Mandatory Continuing Education for Psychologists (MCEP)  
LOGO W/ADDRESS AND PHONE

NON-ACCREDITING AGENCY MCEP CREDIT REPORTING FORM

This form is used to report courses that are directly authorized for MCEP credit by law or BOP regulation rather than by a recognized accrediting agency. The purpose of this report is to integrate MCEP credit from all sources into one complete record for each psychologist. If you need further assistance with this report, call the accrediting agency at the number above.

DATE: \_\_\_\_\_ Psychology License #: \_\_\_\_\_

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

\_\_\_\_\_

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Course/ Provider Name Date	Course Title	# of Credit Hrs
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Verification must be submitted for each course listed. Licensee must retain proof of attendance in the event the Board of Psychology requests verification. If more room is needed to list courses, please attach additional copies of this form. In order for this report to be processed, the regulated \$35 filing fee must be enclosed.

07M-BOP-15(New 10/94)

Accrediting Agency

Tel:  
FAX:

## Course Application

Failure to complete this cover sheet and application will result in the return of the course application without further review. A separate course form is required for each course. Some of the information supplied may be published. Responses must be typed in the spaces provided.

### Cover Sheet

**A. Provider Information:**

Provider Name:	
MCEP Provider #:	Phone:
MCEP Program Administrator:	MCEP Program Developer:

**B. Course Information:**

Course Title:	
Standard Course Fee:	Discounts available? <input type="checkbox"/> Yes <input type="checkbox"/> No
Course Description (limit to 50 words):	
Course Date(s):	Course Time(s):
Course Site Address	Phone:
	City State Zip
Course Level (choose one):	Target Audience
<input type="checkbox"/> Introductory (useful for psychologists new to this field)	<input type="checkbox"/> Licensed Psychologists
<input type="checkbox"/> Intermediate (useful for psychologists with limited experience in this field)	<input type="checkbox"/> Other Non-Mental Health Professionals
<input type="checkbox"/> Advanced (useful for psychologists with extensive experience in this field)	<input type="checkbox"/> MFCC/LCSW/LED's
	<input type="checkbox"/> General Public <input type="checkbox"/> MD/RN's
Total Instructional Time:	

**C. Co-Sponsorship Information:**

Is this course co-sponsored? <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of co-sponsoring organization:
Contact Name:	Phone:
Address:	
	City State Zip

**D. Primary Instructor Information:**

Name:	Daytime Phone:	Fax:
Address:		
	City	State Zip





### **§ 1397.69. Licensee Fees.**

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013.

For the administration of this article, in addition to any other fees due the Board and as a condition of renewal or reinstatement, a \$10 fee is to be paid to the Board by a licensee renewing in an active status or after inactive or delinquent status.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.  
Reference: Section 2915(j), Business and Professions Code.

### **§ 1397.70. Sanctions for Noncompliance.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) If documentation of the CE requirement is improper or inadequate, the license becomes invalid for renewal. The continued practice of psychology is prohibited while the license is invalid for renewal, and the renewal is forfeited. Notwithstanding section 2984, the licensee shall correct the deficiency within six months. If the deficiency is not corrected within six months, the license remains invalid for renewal. Continued practice without a valid license shall constitute grounds for appropriate disciplinary action pursuant to sections 148 and/or 2960 of the code.

(b) Misrepresentation of compliance shall constitute grounds for disciplinary action.

Note: Authority cited: Sections 2915 and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

### **§ 1397.70. Sanctions for Noncompliance.**

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013.

(a) If documentation of the continuing education requirement is improper or inadequate, the license is ineligible for renewal until any deficiency is corrected, and is subject to citation or discipline. Continued practice without a valid license shall constitute grounds for appropriate disciplinary action pursuant to sections 148 and/or 2960 of the Code.

(b) Misrepresentation of compliance shall constitute grounds for disciplinary action or denial.

Note: Authority cited: Sections 2915 and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

### **§ 1397.71. Denial, Suspension and Revocation of CE Provider Status.**

This section applies to a license that expires on or before December 31, 2012, and becomes inoperative on January 1, 2013.

(a) A board recognized accreditation agency may deny, suspend, place on probation with terms and conditions, or revoke its approval of an applicant or provider of continuing education for good cause. Good cause includes, but is not limited to, one or more of the following:

- (1) Conviction of a felony or misdemeanor substantially related to the activities of an accreditation agency approved provider.
- (2) Failure of an applicant or provider who is a psychologist, psychological assistant, psychological intern or registered psychologist to comply with any provisions of the Psychology License Law (Business and Professions Code Section 2900 et seq. ) or the regulations adopted pursuant thereto in Division 13.1 of Title 16 (commencing with section 1380) of the California Code of Regulations.
- (3) Failure of an applicant or provider, who is a licensee of another healing arts board, to comply with the statutes and regulations governing that license.
- (4) Making a material misrepresentation of fact in information submitted to the board recognized accreditation agency or to the board.
- (5) Failure to comply with provisions of the Psychology License Law (Business and Professions Code Section 2900 et seq. ), or the regulations adopted pursuant thereto in Division 13.1 of Title 16 (commencing with section 1380) of the California Code of Regulations, applicable to continuing education providers.

(b) After a thorough case review, if the board recognized accreditation agency denies, suspends, places on probation with terms or conditions, or revokes its approval of a provider, it shall give the applicant or provider written notice setting forth its reasons for the denial, suspension, placing on probation with terms and conditions, or revocation. The applicant or provider may appeal the action in writing within fifteen (15) days after receipt of the notice, and request a hearing before a panel appointed by the recognized accreditation agency. A suspension or revocation of approval shall be stayed upon the filing of an appeal. A denial of approval shall not be stayed.

The panel shall consist of three persons who have not been involved in the determination to deny, suspend or revoke the approval of the applicant or provider. The panel shall hear the appeal within 60 days of the receipt of the appeal, and maintain a record of the proceedings. A decision in writing shall be issued within 30 days of the date of the hearing.

If the appointed panel sustains the denial, placing on probation with terms and conditions, suspension or revocation, the applicant or provider may appeal the decision of the panel to a Continuing Education Appeals Committee (CE Appeals Committee) of the board. The CE Appeals Committee shall be appointed by the board's president and consist of two board members, one public member and one licensed psychologist member. The appeal must be filed with the board within seven (7) days after receipt of the panel's decision. Upon filing of the appeal, the CE Appeals Committee chairperson shall have discretion to extend the stay of the suspension or revocation. The hearing of the CE Appeals Committee shall take place at a date and location established by the Committee chairperson, the date not to exceed 60 days from the date of the filing of the appeal. The record of the panel's hearing shall be made available to the CE Appeals

Committee. The Committee shall issue a written decision within 30 days of the date of the hearing.

The decision of the CE Appeals Committee is final. An applicant or provider who has had his or her application or provider status denied or revoked may not reapply for provider status for a period of one year from the date of the CE Appeals Committee's decision.

Note: Authority cited: Sections 2915 and 2930, Business and Professions Code.  
Reference: Section 2915, Business and Professions Code.

## CALIFORNIA MEDICAL BOARD

### 1337. Approved Continuing Education Programs.

(a) The following programs are approved by the division for continuing education credit:

(1) Programs which qualify for Category I credit from the California Medical Association or the American Medical Association;

(2) Programs which qualify for prescribed credit from the American Academy of Family Physicians;

(3) Programs offered by other organizations and institutions acceptable to the division.

(b) Only those courses and other educational activities that meet the requirements of Section 2190.1 of the code which are offered by these organizations shall be acceptable for credit under this section.

(c) A maximum of one-third of the required hours of continuing education may be satisfied by teaching or otherwise presenting a course or program approved under this section.

(d) Any physician who takes and passes a certifying or recertifying examination administered by a recognized specialty board shall be granted credit for four (4) consecutive years (100 hours) of continuing education credit for relicensure purposes. Such credit may be applied retroactively or prospectively.

(e) A maximum of sixty (60) hours of continuing education shall be granted to a physician for receiving the Physician's Recognition Award.

(f) A maximum of six (6) hours of continuing education shall be granted for each month that a physician is engaged in an approved postgraduate residency training program or approved clinical fellowship program accredited by the Accreditation Council for Graduate Medical Education (ACGME) for relicensure purposes.

Note: Authority cited: Section 2018, Business and Professions Code. Reference: Section 2190, Business and Professions Code.

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## BOARD OF OCCUPATIONAL THERAPY

### § 4161. Continuing Competency

(a) Effective January 1, 2006, each occupational therapy practitioner renewing a license or certificate under Section 2570.10 of the Code shall submit evidence of meeting continuing competency requirements by having completed, during the preceding renewal period, twelve (12) PDUs for each twelve month period, acquired through participation in professional development activities.

(1) One (1) hour of participation in a professional development activity qualifies for one PDU;

(2) One (1) academic credit equals 10 PDUs;

(3) One (1) Continuing Education Unit (CEU) equals 10 PDUs.

(b) Professional development activities acceptable to the board include, but are not limited to, programs or activities sponsored by the American Occupational Therapy Association (AOTA) or the Occupational Therapy Association of California; post-professional coursework completed through any approved or accredited educational institution that is not part of a course of study leading to an academic degree; or otherwise meet all of the following criteria:

(1) The program or activity contributes directly to professional knowledge, skill, and ability;

(2) The program or activity relates directly to the practice of occupational therapy; and

(3) The program or activity must be objectively measurable in terms of the hours involved.

(c) PDUs may also be obtained through any or a combination of the following:

(1) Involvement in structured special interest or study groups with a minimum of three (3) participants. Three (3) hours of participation equals one (1) PDU.

(2) Structured mentoring with an individual skilled in a particular area. For each 20 hours of being mentored, the practitioner will receive three (3) PDUs.

(3) Structured mentoring of a colleague to improve his/her skills. Twenty (20) hours of mentoring equals three (3) PDUs.

(4) Supervising the fieldwork of Level II occupational therapist and occupational therapy assistant students. For each 60 hours of supervision, the practitioner will receive .5 PDU.

(5) Publication of an article in a non-peer reviewed publication. Each article equals five (5) PDUs.

(6) Publication of an article in a peer-reviewed professional publication. Each article equals 10 PDUs.

(7) Publication of chapter(s) in occupational therapy or related professional textbook. Each chapter equals 10 PDUs.

(8) Making professional presentations at workshops, seminars and conferences. For each hour, the practitioner will receive two (2) PDUs.

(9) Attending a meeting of the California Board of Occupational Therapy. Each meeting attended equals two (2) PDUs, with a maximum of six (6) PDUs earned per renewal period.

(10) Attending board outreach activities. Each presentation attended equals two (2) PDUs, with a maximum of four (4) PDUs earned per renewal period.

(d) Partial credit will not be given for the professional development activities listed in subsection (c).

(e) This section shall not apply to the first license or certificate renewal following issuance of the initial license or certificate.

(f) Of the total number of PDUs required for each renewal period, a minimum of one half of the units must be directly related to the delivery of occupational therapy services.

(1) The delivery of occupational therapy services may include: models, theories or frameworks that relate to client/patient care in preventing or minimizing impairment, enabling function within the person/environment or community context. Other activities may include, but are not limited to, occupation based theory assessment/interview techniques, intervention strategies, and community/environment as related to one's practice.

(g) Applicants who have not been actively engaged in the practice of occupational therapy within the past five years completing continuing competency pursuant to section 2570.14(a) of the Code to qualify for licensure/certification shall submit evidence of meeting the continuing competency requirements by

having completed, during the two year period immediately preceding the date the application was received, forty (40) PDUs that meet the requirements of subsection (b). The forty PDUs shall include:

- (1) Thirty-seven (37) PDUs directly related to the delivery of occupational therapy services;
- (2) One (1) PDU related to occupational therapy scope of practice;
- (3) One (1) PDU related to occupational therapy framework;
- (4) One (1) PDU related to ethical standards of practice for an occupational therapist.

Note: Authority cited: Sections 2570.10 and 2570.20, Business and Professions Code. Reference: Section 2570.10, Business and Professions Code.

## BOARD OF OPTOMETRY

### 1536. CONTINUING OPTOMETRIC EDUCATION; PURPOSE AND REQUIREMENTS

(a) Except as otherwise provided in Section 1536(b), each licensee shall complete 40 hours of formal continuing optometric education course work within the two years immediately preceding the renewal deadline. Such course work shall be subject to Board approval. No more than eight hours of course work shall be in the area of patient care management. Courses dealing with business management shall not be approved.

(b) An optometrist certified to use therapeutic pharmaceutical agents pursuant to Business and Professions Code Section 3041.3 shall complete a total of 50 hours of continuing education every two years in order to renew his or her certificate. Thirty-five of the required 50 hours of continuing education shall be on the diagnosis, treatment and management of ocular disease and consistent with Business and Professions Code section 3059, subdivision (f).

(c) Up to 20 hours of required biennial course work may be accomplished by using any or all of the following alternative methods:

(1) Documented and accredited self study through correspondence or an electronic medium.

(2) Teaching of continuing optometric education courses if attendance at such course would also qualify for such credit, providing none are duplicate courses within the two-year period.

(3) Writing articles that have been published in optometric journals, magazines or newspapers, pertaining to the practice of optometry (or in other scientific, learned, refereed journals on topics pertinent to optometry), providing no articles are duplicates. One hour of credit will be granted for each full page of printing or the equivalent thereof.

(d) A credit hour is defined as one classroom hour, usually a 50-minute period, but no less than that.

(e) Continuing optometric education programs which are approved as meeting the required standards of the Board include the following:

(1) Continuing optometric education offerings officially sponsored or accredited by any accredited school or college of optometry.

(2) Continuing optometric education offerings of any national or state affiliate of the American Optometric Association, the American Academy of Optometry, or the Optometric Extension Program.

(3) Continuing optometric education offerings approved by the Association of Regulatory Boards of Optometry known as COPE (Council on Optometric Practitioner Education).

(f) Other educational programs approved by the Board as meeting the criteria as set forth in (g) below, after submission of a program, schedule, topical outline of subject matter, and curriculum vitae of all instructors involved, to the Executive Officer of the Board not less than 45 days prior to the date of the program. The Board may, upon application of any licensee and for good cause shown, waive the requirement for submission of advance information and request for prior approval. Nothing herein shall permit the Board to approve of an educational program which has not complied with the criteria set forth in paragraph (g) below.

(g) The criteria for judging and approving education programs by the Board for continuing optometric education credit will be determined on the following basis:

(1) Whether the program is likely to contribute to the advancement of professional skill and knowledge in the practice of optometry.

(2) Whether the speakers, lecturers and others participating in the presentation are recognized by the Board as being qualified in their field.

(3) Whether the proposed course is open to all optometrists licensed in this State.

(4) Whether the provider of any mandatory continuing education course agrees to maintain and furnish to the Board and/or attending licensee such records of course content and attendance as the Board requires, for a period of at least three years from the date of course presentation.

(h) Proof of attendance at continuing education programs shall be provided in a form and manner specified in writing by the Board and distributed to all licensed optometrists in this state. Certification of attendance at continuing education courses shall be submitted by the licensee to the Executive Officer or his/her designee upon request, and shall contain the following minimal information:

- (1) The name of the sponsoring organization.
- (2) The name, signature, practice address, and license number of the attending licensee.
- (3) The subject or title of the educational program.
- (4) The number of hours in actual attendance.
- (5) The date of the educational program.
- (6) The location of the educational program.
- (7) The name(s) of the course instructor(s).
- (8) Such other evidence of course content or attendance as the Board may deem necessary.

Use of a Board-specified certificate form is recommended for any educational programs approved by the Board pursuant to the above. Such forms will be furnished by the Executive Officer on request.

(i) The following licensees shall be exempt from the requirements of this section.

- (1) Any licensee serving in the regular armed forces of the United States during any part of the 24 months immediately preceding the annual license renewal date.
- (2) Those licensees as the Board, in its discretion, determines were unable to attend sufficient hours of continuing optometric education courses due to illness, incapacity, or other unavoidable circumstances.
- (3) Any licensee who is renewing an active license for the first time, if he/she graduated less than one year from the date of initial licensure.

(j) The Board may conduct an audit of any licensee's attendance at continuing education programs as a means of verifying compliance with this section.

(k) As a condition of license renewal, all licensees are required to maintain current certification in cardiopulmonary resuscitation (CPR) from the American Red Cross, American Heart Association, or other association approved by the Board. Training required for the CPR certificate shall not be credited toward the requirements of subdivision (a). Exemptions will be made for licensees as the Board, in its discretion, determines were unable to maintain current CPR certification due to physical impairment, illness, incapacity, or other unavoidable circumstances.

**Authority cited:** Sections 3023.1 and 3059, Business and Professions Code. Reference: Section 3059, Business and Professions Code.

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**To:** Committee Members

**Date:** July 9, 2012

**From:** Steve Sodergren  
Assistant Executive Officer

**Telephone:** (916) 574-7847

**Subject:** Discussion Regarding Criteria That Future or New Professional Associations Continuing Education Providers Must Satisfy to be Recognized and Accepted by the Board of Behavioral Sciences

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## **Background**

California Code of Regulation (CCR) Title 16, Section 1887.7 outlines the requirements for CE Provider approval by the Board. In order to be approved by the Board, a CE Provider must meet the Board's course content and instructor qualification criteria as outlined in regulations. The regulations specifically address the following components:

- Continuing Education Course Content (CCR 1887.4)
- Hours of Continuing Education (CCR 1887.5)
- Course Advertisement (CCR 1887.9)
- Course Instructor Qualifications (CCR 1887.10)
- Records of Course Completion (CCR 1887.11)
- Licensee and Provider Course Records (CCR 1887.12)

On May 31, 2012 the Committee discussed the policies and procedures of various continuing education provider accrediting agencies. The Committee was in agreement that the criteria for a CE provider program should allow for accreditation of a wide range of organizations and methods in order to give the licensee a greater choice of CE courses. There were also certain requirements that the committee deemed important for a CE provider program to have:

- Complaint or grievance process
- Comprehensive evaluation model of courses offered
- Preliminary approval process in which the applying provider has a probationary period to correct deficiencies or demonstrate their capability as a provider
- Well defined course content guidelines and instructor guidelines

- Require the provider to have designated individual to oversee the program
- Clear definition of delivery methods (i.e. online learning, self study, independent study, home study, electronic)
- A random review or annual assessment of provider programs
- A renewal process that includes a program change report and summary of course evaluations

### **Review of Professional Organization and Healing Arts Board Criteria for Providers**

A review of policies of CE Provider accreditation from other DCA healing arts boards and professional organizations reveals that there are common standards across all programs. These common standards are as follows:

- Course content
- Clearly identified goals
- Educational objectives
- A needs assessment mechanism tied to program content
- Instructor qualifications
- Identification of appropriate teaching method
- Fiscal and administrative responsibility and management
- Program evaluation
- Course credit criteria
- Course advertising guidelines
- Records management and retention

In addition many of the professional organizations reviewed included standards for grievance procedures and scheduled or random audits of the programs.

### **Recommendation**

Staff recommends that the Committee conduct an open discussion regarding the standards that they believe need to be satisfied for a CE provider to be recognized and accepted by the Board.

## **ARTICLE 8. CONTINUING EDUCATION REQUIREMENTS FOR MARRIAGE AND FAMILY THERAPISTS, LICENSED CLINICAL SOCIAL WORKERS, LICENSED EDUCATIONAL PSYCHOLOGISTS, AND LICENSED PROFESSIONAL CLINICAL COUNSELORS**

### **§1887. DEFINITIONS**

As used in this article:

(a) A continuing education "course" means a form of systematic learning at least one hour in length including, but not limited to, academic studies, extension studies, lectures, conferences, seminars, workshops, viewing of videotapes or film instruction, viewing or participating in other audiovisual activities including interactive video instruction and activities electronically transmitted from another location which has been verified and approved by the continuing education provider, and self-study courses.

(b) A "self-study course" means a form of systematic learning performed at a licensee's residence, office, or other private location including, but not limited to, listening to audiotapes or participating in self-assessment testing (open-book tests that are completed by the member, submitted to the provider, graded, and returned to the member with correct answers and an explanation of why the answer chosen by the provider was the correct answer).

(c) A continuing education "provider" means an accredited or approved school, or an association, health facility, governmental entity, educational institution, individual, or other organization that offers continuing education courses and meets the requirements contained in this article.

(d) A "renewal period" means the two-year period which spans from a license's expiration date to the license's next expiration date.

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

### **§1887.1. LICENSE RENEWAL REQUIREMENTS**

(a) Except as provided in Section 1887.2, a licensee shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed thirty-six (36) hours of continuing education credit as set forth in Sections 4980.54 and 4996.22 of the Code.

(b) A licensee who falsifies or makes a material misrepresentation of fact when applying for license renewal or who cannot verify completion of continuing education by producing a record of course completion, upon request by the board, is subject to disciplinary action under Sections 4982(b) and 4992.3(b) of the Code.

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

### **§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 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 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, 4990.20(a) and 4996.22, Business and Professions Code. Reference: Sections 4980.54 and 4996.22, Business and Professions Code.

### **§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 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 toward 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 toward 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 4990.20(a), Business and Professions Code. Reference: Sections 29, 32, 4980.54 and 4996.22, Business and Professions Code.

#### **§1887.4. CONTINUING EDUCATION COURSE CONTENT**

(a) A provider shall ensure that the content of a course shall be relevant to the practice of marriage and family therapy or clinical social work and meet the requirements set forth in Sections 4980.54 and 4996.22 of the Code. The content of a course shall also be related to direct or indirect patient/client care.

(1) Direct patient/client care courses cover specialty areas of therapy (e.g., theoretical frameworks for clinical practice; intervention techniques with individuals, couples, or groups).

(2) Indirect patient/client care courses cover pragmatic aspects of clinical practice (e.g., legal or ethical issues, consultation, recordkeeping, office management, insurance risks and benefits, managed care issues, research obligations, supervision training).

(b) A provider shall ensure that a course has specific objectives that are measurable.

(c) Upon completion of a course, a licensee shall evaluate the course through some type of evaluation mechanism.

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

### **§1887.5. HOURS OF CONTINUING EDUCATION CREDIT**

- (a) One hour of instruction is equal to one hour of continuing education credit.
- (b) One academic quarter unit is equal to ten (10) hours of continuing education credit.
- (c) One academic semester unit is equal to fifteen (15) hours of continuing education credit.

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

### **§1887.6. CONTINUING EDUCATION PROVIDERS**

A continuing education course shall be taken from:

- (a) an accredited or approved postsecondary institution that meets the requirements set forth in Sections 4980.54(f)(1) or 4996.22(d)(1) of the Code; or
- (b) a board-approved provider with a valid, current approval as provided in Section 1887.7.

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

### **§1887.7. BOARD-APPROVED PROVIDERS**

(a) A continuing education provider must meet the board's course content and instructor qualifications criteria, as provided under this article, to qualify to become a board-approved provider.

(b) A continuing education provider shall submit a completed Continuing Education Provider Application (Form no. 37A-633, new 5/97), hereby incorporated by reference, remit the appropriate fees, and obtain a continuing education provider number from the board to become a board-approved provider.

(c) A provider may not apply for a new provider approval number within one year of an existing approval's expiration unless the provider has undergone a change of ownership.

(d) A provider approval issued under this section shall expire on the last day of the twenty-fourth month after the approval issue date. To renew an unexpired provider approval, the provider shall, on or before the expiration date of the approval, pay the two-year renewal fee set forth in Section 1816 of these regulations.

(e) When a provider's approval is expired, the provider may not present a course for continuing

education credits for licensees of the Board of Behavioral Sciences.

(f) Board-approved provider numbers are non-transferable.

(g) The Board shall send a renewal notice, at least thirty (30) days prior to the expiration, to any continuing education provider approved by the Board, to the address of record for such provider.

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

## **§1887.8. REVOCATION AND DENIAL OF BOARD-APPROVED PROVIDER STATUS**

(a) The board may revoke its approval of a provider or deny a provider application for good cause. Good cause includes, but is not limited to, the following:

(1) a provider is convicted of a felony or misdemeanor offense substantially related to the activities of a board-approved provider;

(2) a provider, who is a licensee of the board, fails to comply with any provisions of Chapters 13 and 14 of the Business and Professions Code or Title 16, Division 18 of the California Code of Regulations; or

(3) a provider makes a material misrepresentation of fact in information submitted to the board.

(b) After a thorough case review, should the board decide to revoke or deny its approval of a provider, it shall give the provider written notice setting forth its reasons for revocation or denial. The provider may appeal the revocation or denial in writing, within fifteen (15) days after receipt of the revocation or denial notice, and request a hearing with the board's designee. The revocation is stayed at this point.

Should the board's designee decide to uphold the revocation or denial, the provider may appeal the decision of the board's designee in writing, within seven (7) days after receipt of the decision of the board's designee, and request a hearing with a continuing education appeals committee appointed by the board chairperson. The hearing will take place at the next regularly scheduled board meeting, provided the appeal is received before the meeting is noticed to the public. It is at the discretion of the board's designee whether to stay the revocation further.

The continuing education appeals committee shall contain three board members, one public member and two members representing two of the three license types regulated by the board. The decision of the continuing education appeals committee is final.

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

## **§1887.9. COURSE ADVERTISEMENTS**

A provider shall ensure that information publicizing a continuing education course is accurate and includes the following:

(a) the provider's name;

- (b) the provider number, if a board-approved provider;
- (c) the statement "Course meets the qualifications for \_\_\_\_\_ hours of continuing education credit for MFTs and/or LCSWs as required by the California Board of Behavioral Sciences";
- (d) the provider's policy on refunds in cases of non-attendance by the registrant; and
- (e) a clear, concise description of the course content and objectives.

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

### **§1887.10. COURSE INSTRUCTOR QUALIFICATIONS**

(a) A provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:

(1) a license, registration, or certificate in an area related to the subject matter of the course. The license, registration, or certificate shall be current, valid, and free from restrictions due to disciplinary action by this board or any other health care regulatory agency;

(2) a master's or higher degree from an educational institution in an area related to the subject matter of the course;

(3) training, certification, or experience in teaching subject matter related to the subject matter of the course; or

(4) at least two years' experience in an area related to the subject matter of the course.

(b) During the period of time that any instructor has a healing arts license that is restricted pursuant to a disciplinary action in California or in any other state or territory, that instructor shall notify all approved continuing education providers for whom he or she provides instruction of such discipline before instruction begins or immediately upon notice of the decision, whichever occurs first.

Note: Authority Cited: Sections 4980.60 and 4990.14, Business and Professions Code. Reference: Sections 4980.54, 4982.15 and 4996.22, Business and Professions Code.

### **§1887.11. RECORDS OF COURSE COMPLETION**

Upon completion of a course, a provider shall issue a record of course completion to a licensee (e.g., letters of verification of attendance, certificates, gradeslips, transcripts) containing the following information:

- (a) name of licensee and license number or other identification number;
- (b) course title;
- (c) provider name and address;
- (d) provider number, if a board-approved provider;

- (e) date of course;
- (f) number of hours of continuing education credit; and
- (g) signature of course instructor, provider, or provider designee.

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

## **§1887.12. LICENSEE AND PROVIDER COURSE RECORDS**

(a) A licensee shall maintain records of course completion for a period of at least two (2) years from the date of license renewal for which the course was completed.

(b) A provider shall maintain records related to continuing education courses for a period of at least four (4) years. Records shall include:

- (1) syllabi for all courses;
- (2) the time and location of all courses;
- (3) course advertisements;
- (4) course instructors' vitae or resumes;
- (5) attendance rosters with the names and license numbers of licensees who attended the courses;
- (6) sign-in sheets; and
- (7) records of course completion issued to licensees who attended the courses.

(c) The board may audit the course records of a provider to ensure compliance with the board's continuing education requirements.

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

## **1887.13. RENEWAL OF EXPIRED APPROVAL**

A provider approval that has expired may be renewed at any time within one (1) year after its expiration upon all of the following:

- (a) Filing an application for renewal on a form prescribed by the board.
- (b) Payment of the renewal fee in effect on the last regular renewal date.
- (c) Payment of the delinquency fee in effect on the last regular renewal date.

(d) Submission of a letter stating that no courses were presented while the provider's approval status was expired. If a course was presented during that time, the letter shall state that all participants have been notified that the provider's approval status at the time of completion of the continuing education was expired and that continuing education hours will not be disallowed by the Board if the provider renews within one (1) year after its expiration.

Note: Authority Cited: Sections 4980.60 and 4980.20, Business and Professions Code. Reference: Sections 4980.54 and 4996.22, Business and Professions Code.

#### **1887.14. TIME LIMIT FOR RENEWAL OF APPROVAL AFTER EXPIRATION; NEW APPROVAL**

A provider approval that is not renewed within one year of its expiration date may not be renewed, reinstated, or reissued thereafter, but the provider may apply for and obtain a new approval if:

(a) No fact, circumstance, or condition exists that, if the approval were issued, would justify its revocation; and

(b) The applicant pays the fees that would be required if applying for approval for the first time.

Note: Authority Cited: Sections 4980.60 and 4980.20, Business and Professions Code. Reference: Sections 4980.54 and 4996.22, Business and Professions Code.



## **2012 Continuing Education Provider Review Committee Meetings**

**August 22 or 23, 2012 (TBD)**  
Department of Consumer Affairs  
Hearing Room  
1625 N. Market Blvd, 1<sup>st</sup> Floor  
Sacramento, CA 95834

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