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POLICY AND ADVOCACY COMMITTEE MEETING NOTICE
February 6, 2014
10:00 a.m.

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

- I. Call to Order and Establishment of Quorum
- II. Introductions*
- III. Approval of the October 30, 2013 Committee Meeting Minutes
- IV. Discussion and Recommendations for Possible Action Regarding Proposed Additional Items to the Omnibus Bill Amending Business and Professions Code Sections 4980.399, 4992.09, 4999.55, 4989.16, 4989.22, and 4996.17
- V. Discussion and Recommendations for Possible Action Regarding Proposed Revisions to Requirements for Out-of-State Licensed Marriage and Family Therapist Applicants
- VI. Discussion and Recommendations for Possible Action Regarding Proposed Revisions to Requirements for Out-of-State Licensed Professional Clinical Counselors
- VII. Discussion and Recommendations for Possible Rulemaking Action Regarding Revisions to California Code of Regulations, Title 16, Section 1820.5 and 1822; Add New Sections 1820.6 and 1820.7 Licensed Professional Clinical Counselors: Requirements to Work with Couples and Families and Supervisory Plan
- VIII. Discussion and Recommendations for Possible Rulemaking Action to Implement Senate Bill 704, Statutes of 2011, Chapter 387 – Examination Restructure
- IX. Legislative Update
- X. Rulemaking Update
- XI. Suggestions for Future Agenda Items
- XII. Public Comment for Items not on the Agenda
- XIII. Adjournment



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

**Introductions are voluntary for members of the public*

Public Comment on items of discussion will be taken during each item. Time limitations will be determined by the Chairperson. Times are approximate and subject to change. Action may be taken on any item listed on the Agenda.

THIS AGENDA AS WELL AS BOARD MEETING MINUTES CAN BE FOUND ON THE BOARD OF BEHAVIORAL SCIENCES WEBSITE AT www.bbs.ca.gov.

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

1 **Policy and Advocacy Committee Minutes - *DRAFT***

2 **October 30, 2013**

3
4 Department of Consumer Affairs
5 1625 N. Market Blvd., #N-220
6 El Dorado Room
7 Sacramento, CA 95834
8

9
10 **Members Present**

11 Renee Lonner, Chair, LCSW Member
12 Dr. Christine Wietlisbach, Public Member
13 Christina Wong, LCSW Member
14

15 **Staff Present**

16 Kim Madsen, Executive Officer
17 Steve Sodergren, Asst. Executive Officer
18 Rosanne Helms, Legislative Analyst
19 Christy Berger, Regulation Analyst
20 Dianne Dobbs, Legal Counsel
21 Christina Kitamura, Administrative Analyst

22 **Members Absent**

23 None

24 **Guest List**

25 On file

26 **I. Call to Order and Establishment of Quorum**

27 Renee Lonner, Policy and Advocacy Committee (Committee) Chair, called the meeting to
28 order at 10:03 a.m. Christina Kitamura took roll, and a quorum was established.

29 **II. Introductions**

30 The Committee, Board staff, and meeting attendees introduced themselves.

31 **III. Review and Approval of the April 18, 2013 Policy and Advocacy Committee Meeting Minutes**

32 The following corrections were suggested:

- 33 • Page 2, 9th paragraph, 2nd bullet: change *transcriptions* to *transcripts*.
- 34 • Page 4, 10th paragraph: correct *Gonzalez* to *Gonzales*.
- 35 • Page 4, 12th paragraph: change *if county agencies* to *unless county agencies*.
- 36 • Page 7, 4th paragraph: add *Wietlisbach* after *Dr. Christine*.
- 37 • Page 9, 5th and 8th paragraphs: reword paragraphs.

38 ***Renee Lonner moved to approve the Policy and Advocacy Committee minutes as***
39 ***amended. Dr. Christine Wietlisbach seconded. The Committee voted unanimously (3-0) to***
40 ***pass the motion.***
41

1 **IV. Discussion and Recommendations for Possible Action Regarding Proposed Omnibus**
2 **Bill Amending Business and Professions Code Sections 27, 4980, 4980.41, 4980.45,**
3 **4980.55, 4987.5, 4987.7, 4987.8, 4988, 4988.1, 4988.2, 4990.20, 4996.23, 4998, and**
4 **4999.123, and Chapter 13 Title; 4980.36, 4980.37, and 4980.78; 4980.72, 4999.58,**
5 **4999.59, and 4999.60; and to Add Section 4990.33**

6 Rosanne Helms presented the proposed omnibus bill amendments to the following sections of
7 the Business and Professions Code (BPC):
8

- 9 1. Amend BPC Sections 27, 4980, 4980.41, 4980.45, 4980.55, 4987.5, 4987.7, 4987.8,
10 4988, 4988.1, 4988.2, 4990.20, 4998, and 4999.123, and Chapter 13 Title – Use of the
11 Term “Licensed Marriage and Family Therapist”
12

13 At its August 2011 meeting, the Board voted to gradually phase in the reference “licensed
14 marriage and family therapist” in place of “marriage and family therapist” in the statutes
15 and regulations. Staff has identified several places where this change is appropriate.
16

17 Recommendation: Make the change in the identified sections.
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- 19 2. Amend BPC Sections 4980.36, 4980.37, and 4980.78 – USDE Recognition of COAMFTE
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21 AAMFT has issued a memo to state licensing programs asking them to review their
22 licensing laws to see if there is a requirement that degrees from COAMFTE (Commission
23 on Accreditation of Marriage and Family Therapy Education) accredited institutions also
24 require USDE (United States Department of Education) recognition.
25

26 At this time, COAMFTE is recognized by the USDE. However, there have been
27 discussions of COAMFTE discontinuing its renewal of USDE recognition. AAMFT points
28 out that this should not cause concern about the quality of a COAMFTE-accredited
29 education, as the role of COAMFTE is to ensure the quality of LMFT graduate programs,
30 while the purpose of USDE is to ensure accreditors are able to appropriately monitor the
31 federal funding process.
32

33 However, as a precaution, AAMFT has reviewed each state's licensing laws to make sure
34 that the law is not written to require COAMFTE accredited programs to also have USDE
35 recognition of COAMFTE. This could create an unintended consequence that graduates
36 of these COAMFTE programs are unable to obtain a license.
37

38 AAMFT's review of licensing laws found that this is not going to be an issue in California.
39 However, AAMFT is still recommending some technical, clarifying amendments in order to
40 make it clear that COAMFTE degrees do not require USDE recognition in order to be
41 accepted for licensure by the Board.
42

43 Recommendation: Make the recommended changes to identified BPC Sections.
44

- 45 3. Amend BPC Sections 4980.43 and 4996.23 – Private Practice Settings
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47 These sections discuss private practice settings and when they are or are not appropriate
48 work settings for Board trainees or associates. Both sections list licensed marriage and
49 family therapists (LMFTs), licensed clinical social workers (LCSWs), licensed
50 psychologists, and licensed physicians and surgeons as acceptable owners of a private
51 practice setting where psychotherapy is performed. Both of these sections fail to include
52 licensed professional clinical counselors (LPCCs) in the list of acceptable owners.
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54 Recommendation: Amend the identified sections to include LPCCs in the list of
55 professionals who may own a private practice setting where psychotherapy is performed.

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4. Amend BPC Sections 4980.72, 4999.58, 4999.59, and 4999.60 – Clinical Exam Exemption

These sections allow an applicant for LMFT or LPCC licensure, who already holds a license in another state, to be exempt from re-taking the clinical exam in order to obtain their California license if they meet certain conditions. The conditions are as follows:

- They must have already taken and passed the national licensing exam that the Board is accepting as the clinical exam; and
- Their license or registration in the other jurisdiction is in good standing and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.

There is a concern that the term “as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction” is unnecessarily restrictive to only discipline brought by the licensing authority; in reality, another entity could have brought forth discipline affecting the license status.

Recommendation: To strike the term “as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction” in the identified sections.

5. Amend BPC Sections 4987.5 and 4998 – LMFT and LCSW Corporations

Current law allows LMFT and LCSW corporations to have other mental health license types as shareholders, officers, directors and employees. For example, an LMFT corporation may have some LCSW shareholders or directors. However, LPCCs are not included in the list of allowable mental health licensees.

LPCC licensing law allows LMFTs and LCSWs to be shareholders, officers, directors, and employees of an LPCC corporation. In addition, Section 13401.5 of the Corporation Code permits LPCCs to have such roles in LMFT and LCSW corporations.

Recommendation: Add LPCCs to the list of mental health professionals allowed to be a shareholder, officer, director, and employee of LMFT and LCSW corporations.

6. Add BPC Section 4990.33 – Jurisdiction of the Board and Change in Status of License or Registration

This new section is proposed to clarify that the Board has jurisdiction to investigate and/or take disciplinary action even if the status of a license or registration changes or the license or registration expires. This is being proposed for the following reasons.

- a. The California Medical Board recently lost a court of appeal case where it was attempting to take disciplinary action against a licensee who held a retired license. The court ruled that a retired license status is not considered a licensee under the Medical Board’s jurisdiction, and that the disciplinary authority is valid “only if and when the retired licensee seeks to return to the practice of medicine and files an application” with the Medical Board.

Because of this ruling, in 2012 the Medical Board sought an amendment to one of its statutes related to enforcement via the omnibus bill. The amendment added retired and inactive license statuses within that board’s authority to investigate and take disciplinary action.

1
2 BPC Section 118 is the statute that provides the Board with authority to continue a
3 disciplinary proceeding or take disciplinary action even if a license is expired,
4 suspended, or forfeited. However, there is a loophole in Section 118 that only allows
5 this authority during the period of time during which the license is able to be renewed,
6 restored, reissued, or reinstated.

- 7
8 b. The Board's enforcement unit is running into a problem with taking disciplinary action
9 on registrants with an expired or expiring registration number. Under the law, a
10 registration number is only valid for six years. After six years the registration expires
11 and cannot be renewed, so the applicant must apply for a new registration number.

12
13 This is creating a situation where the Board cannot proceed with any disciplinary
14 action once a registrant needs a new registration number. The registrant can then wait
15 for the statute of limitations to run out on his or her violation, and then apply for a new
16 number.

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18 Recommendation: Add section 4990.33 so that the Board may take disciplinary action on
19 its licensees and registrants regardless of the status of a license or registration. This
20 section would apply to the Board's LMFT, LEP, LCSW, and LPCC licensees and
21 registrants.

22
23 Ben Caldwell, American Association for Marriage and Family Therapy, California (AAMFT-
24 CA), made the following comments on the amendments:

25 Item 1 - In regards to MFT corporations, there are a few instances where there are some
26 inconsistencies between the professions in how those corporations are labeled: LCSW
27 corporations, LPCC corporations, MFT corporations. Corporations are more concerned
28 about the practice and not necessarily the license. It may be appropriate to omit the term
29 "licensed" in this particular instance.

30 Item 2 - Mr. Caldwell noted some minor grammar corrections.

31 Item 4 - Expressed concerns that the language would be too broad by striking "as a result
32 of any disciplinary proceeding brought by the licensing authority of that jurisdiction" from
33 the language. He recommended the following in place of the stricken language : "as a
34 result of any disciplinary proceeding."

35 Item 6 - Concerned that this change could be construed as a substantive change, and
36 questioned whether this belongs in the omnibus bill or separate legislation.

37
38 In response to item 6, Ms. Helms explained that since the Medical Board pursued this
39 legislation through an omnibus bill, the Board chose to pursue the change under the omnibus
40 bill as well.

41
42 In response to item 6, Sara Kashing, California Association of Marriage and Family Therapists
43 (CAMFT), stated that according to CAMFT's lobbyist, this change could be substantive.

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45 In response to item 4, Dianne Dobbs responded that a license could be revoked for not paying
46 taxes, for example. The revocation is not disciplinary, but it results in a revoked license. This
47 is the reason why staff recommended to strike that language.

48
49 Mr. Caldwell referred to the language "the applicant's license or registration in that jurisdiction
50 is in good standing." He asked if the example provided by Ms. Dobbs would be covered under
51 that statement. Ms. Dobbs responded that she would need more time to consider Mr.
52 Caldwell's recommendation before making the change.

1 Rebecca Gonzales, National Association of Social Workers, California Chapter (NASW-CA),
2 suggested the following language: “The applicant’s license or registration in that jurisdiction is
3 in good standing and/or has not been revoked, suspended, surrendered, denied, or otherwise
4 restricted or encumbered.” Ms. Dobbs agreed that this language would work.

5
6 ***Christina Wong moved to direct staff to make changes to the proposed language as***
7 ***discussed and to recommend that the Board sponsor legislation to make the proposed***
8 ***changes. Dr. Christine Wietlisbach seconded. The Committee voted unanimously (3-0)***
9 ***to pass the motion.***

10
11 **V. Discussion and Recommendations for Possible Action Regarding Legislative**
12 **Amendments to Support the Examination Restructure**

13 Board staff is in the process of implementing the examination restructure, which will change
14 the examination process for applicants who are seeking licensure as an LMFT, LCSW, or
15 LPCC. Recently, SB 821 changed the implementation date of the examination restructure
16 from January 1, 2014 to January 1, 2016.

17
18 In order to implement the examination restructure effectively, staff has found the need for
19 additional technical legislative amendments. Staff has confirmed with the Senate Business,
20 Professions, and Economic Development Committee that they are willing to include these
21 amendments in their omnibus bill.

22
23 The need for amendments is based on questions staff has received regarding renewal of
24 intern and associate registrations in the months after January 1, 2016. Currently, the law
25 related to the exam restructure states that a registrant shall take the California law and ethics
26 examination prior to registration renewal. In addition, the law also states that the Board shall
27 not issue a subsequent registration number to someone whose registration is expiring until
28 they have passed the California law and ethics exam.

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30 This raises two potential problems:

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1. An intern or associate renewing a registration in the months after January 1, 2016 will not have had much time to attempt the California law and ethics exam, as the exam will not be offered until January 1, 2016.
 2. As of January 1, 2016, an intern or associate who has an expiring registration will be required to pass the California law and ethics exam prior to being issued their second registration number. However, this is a new requirement, leaving those with a registration that expires after January 1, 2016 with little time to prepare.

39 Staff proposes the following two amendments:

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1. Allow an applicant who holds an active registration and applies for renewal between January 1, 2016 and January 1, 2017, to be allowed to renew the registration without first participating in the California law and ethics examination. The registrant will be required to participate in the California law and ethics examination when they apply for their 2017 renewal.
 2. Allow an applicant who holds an active registration and applies for a subsequent registration number between January 1, 2016 and January 1, 2017, to be allowed to obtain the subsequent registration number without first passing the California law and ethics examination.

50 These registrants will still be required to take the examination in order to renew their
51 registration each year and will still be required to pass the examination before obtaining
52 either a license or another registration number.
53

1 Mr. Caldwell expressed that 90 days to 6 months is adequate time for those who are renewing
2 their registrations in January or February to take the exam. There is an awareness among
3 registrants regarding the exam restructure.
4

5 Ms. Kashing concurred with Mr. Caldwell.
6

7 Ms. Lonner explained that with 6 months to pass the exam, the registrant whose registration
8 expires in January or February would actually have about 90 days to apply for a new
9 registration number. Therefore, a registrant would have to pass the exam within 90 days.
10 Other registrants, whose registrations expire later, could have up to 3 times in the year to take
11 the exam.
12

13 Ms. Madsen explained that registrants renewing their registrations only need to attempt the
14 exam. Registrants applying for a new registration number must pass the exam before the new
15 registration number will be issued.
16

17 The Committee agreed to allow 6 months (June 30, 2016) for registrants renewing their
18 registrations that expire in January and February to take the exam. The Committee agreed to
19 allow one year for registrants applying for a new registration number to pass the exam.
20

21 ***Dr. Christine Wietlisbach moved to direct staff to make changes to the proposed***
22 ***language as discussed and to recommend that the Board sponsor legislation to make***
23 ***the proposed changes. Renee Lonner seconded. The Committee voted unanimously***
24 ***(3-0) to pass the motion.***
25

26 VI. Discussion and Recommendations for Possible Action Regarding Continuing 27 Education Regulations 28

29 *This item was removed from the agenda.*
30

31 VII. Legislation Update

32 Ms. Helms presented 4 bills signed into law:

- 33 • AB 404 – This bill states that a licensee is eligible for a retired license if the licensee
34 holds a current, active license or an inactive license, and if the license is in good
35 standing. It also reduces the timeline allowed to restore a retired license to active
36 status from five years to three years.
- 37 • AB 428 - This bill amends LMFT licensing law to allow an LMFT applicant whose
38 degree is deficient in the alcoholism and other chemical substance dependency
39 requirement, or the spousal or partner abuse assessment requirement, to remediate
40 those deficiencies. It also amends LCSW licensing law to clarify that LCSW applicants
41 may also remediate a deficiency in the spousal or partner abuse assessment
42 coursework.
- 43 • AB 451 - This bill extends the effective date of the new education requirements for out-
44 of-state licensees from January 1, 2014 to January 1, 2016.
- 45 • SB 821 - This bill makes technical and non-substantive amendments to add clarity and
46 consistency to current Board licensing law. It also extends the effective date of the
47 exam restructure from January 1, 2014 to January 1, 2016.
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49 AB 958 regarding child custody evaluators is a 2-year bill.
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51 SB 243 regarding professional clinical counselors was signed into law.
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1 **VIII. Regulation Update**

2 Christy Berger provided a brief update. The following regulatory proposals went into effect:

- 3 • Regulations to implement SB 363 regarding MFT Intern experience, effective October
4 1, 2013;
- 5 • Enforcement regulations, effective July 1, 2013; and
- 6 • Disciplinary guidelines, effective July 2, 2013.
- 7

8 **IX. Suggestions for Future Agenda Items**

9 Mr. Caldwell requested the Committee to consider whether it should be concerned with a non-
10 professional conduct by a licensee in another state, and denying licensure in California based
11 on the non-professional conduct (not paying state taxes, for example).

12

13 Dean Porter, California Association for Licensed Professional Clinical Counselors (CALPCC),
14 would like to discuss the 2012 requirements and how the requirements are impacting
15 California residents who are not allowed to make up deficiencies outside of their degrees.
16 She also wants to discuss how to educate people on the 2012 requirements.

17

18 **X. Public Comment for Items not on the Agenda**

19 There were no public comments.

20

21 **XI. Adjournment**

22 The meeting was adjourned at 11:12 a.m.

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To: Committee Members **Date:** December 17,
2013

From: Rosanne Helms **Telephone:** (916) 574-7897
Legislative Analyst

Subject: Proposed 2014 Omnibus Legislation – Additional Items

Each year, the Board sponsors an omnibus bill, which makes minor, technical, or noncontroversial changes to Board licensing laws. These changes must be unopposed, and are meant to correct such things as spelling/grammar errors, or inconsistent or confusing language.

Several omnibus bill amendments were approved by the Board at its November 21, 2013 meeting.

Staff has identified a need for additional amendments since that time. They are as follows (**Attachment A**):

1. Amend BPC Sections 4980.399, 4992.09, and 4999.55 – Law and Ethics Examination

Background: Beginning January 1, 2016, LMFT, LCSW, and LPCC registrants must obtain a passing score on a California law and ethics exam to qualify for licensure. The registrant must participate in this exam each year prior to his or her registration renewal, until the exam is passed.

If the applicant fails the exam during the renewal period, he or she must take a 12-hour course in California law and ethics in order to be able to participate in the exam in his or her next renewal period.

Currently, the law states that if the registrant fails the exam within his or her first renewal period, he or she must complete the 12-hour course. This statement is technically incomplete. The course must be taken after any renewal period in which the exam is failed, not just the first renewal period.

Recommendation: Amend the above sections so they no longer specify that the course must be taken only after the first renewal period in which the exam was failed.

2. Amend BPC Section 4989.16- Inclusion of LPCCs

Background: BPC Section 4989.16, part of the LEP licensing law, states that no part of the LEP licensing law is meant to constrict or limit the practice of medicine, nursing, psychology, LMFTs, or LCSWs. LPCCs are not identified in this list.

Recommendation: Add LPCCs to this list, as they are the Board's newest license type and LPCCs also practice psychotherapy. Their omission from this list is an oversight.

3. Amend BPC Section 4989.22 – LEP Written Licensing Exam

Background: BPC Section 4989.22 describes the LEP licensing examination process. There is only one LEP licensing exam, referred to as the “written examination.” This section mistakenly refers to both the “standard written” exam and the “clinical vignette” exams, which are applicable to the Board’s other three license types, but not LEPs.

Recommendation: Delete references to the “standard written” and “clinical vignette” licensing exams, as they are not required exams for LEP licensure.

4. Amend BPC Section 4996.17 – Law and Ethics Course for Out-of-State LCSW and ASW Applicants

Background: The law is unclear about whether or not ASW applicants from out-of-state must take an 18-hour California law and ethics course. While this was the intent of Section 4996.17, that section currently states that an applicant with experience gained out-of-state must take the 18-hour course. However, it fails to discuss the requirement for an applicant with education gained out of state. This omission makes it unclear whether an ASW applicant with education gained out of state would be required to take the 18-hour California law and ethics course described in Section 4996.17, or the California law and ethics course described in Section 4996.18 (which is intended for in-state ASW applicants, and has no hour requirement).

Recommendation: Amend Section 4996.17 so that it states that an applicant with education and/or experience gained outside of California must complete an 18-hour California law and ethics course covering specified topic areas.

Recommendation

Direct staff to make any discussed changes, and any non-substantive changes to the proposed language and recommend that the Board consider the amendments for inclusion in the 2014 omnibus bill.

Attachments

Attachment A: Proposed Language

Attachment A Proposed Language

AMEND §4980.399.

(a) Except as provided in subdivision (a) of Section 4980.398, each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subsection (b), an applicant who holds a registration eligible for renewal, who applies for renewal of that registration between January 1, 2016 and June 30, 2016, shall if eligible, be allowed to renew such registration without first participating in the California law and ethics examination. These applicants must participate in the California law and ethics examination in the next renewal cycle, and must pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

~~(c)(d)~~ If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except as provided in subdivision ~~(d)~~(e).

~~(d)(e)~~ If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her ~~first~~ renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

~~(e)(f)~~ The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subsection (f), an applicant who holds or has held a registration, who applies for a subsequent registration number between January 1, 2016 and January 1, 2017, shall if eligible, be allowed to obtain such subsequent registration number without first passing the California law and ethics examination, as long as the examination is passed at the next renewal period or prior to licensure, whichever occurs first.

~~(f)(h)~~ This section shall become operative on January 1, 2016.

§4989.16. LICENSING EXCEPTIONS

(a) A person appropriately credentialed by the Commission on Teacher Credentialing may perform the functions authorized by that credential in a public school without a license issued under this chapter by the board.

(b) Nothing in this chapter shall be construed to constrict, limit, or withdraw the Medical Practice Act (Chapter 5 (commencing with Section 2000)), the Nursing Practice Act (Chapter 6 (commencing with Section 2700)), the Psychology Licensing Law (Chapter 6.6 (commencing with Section 2900)), the Licensed Marriage and Family Therapist Practice Act (Chapter 13 (commencing with Section 4980)), ~~or the Clinical Social Worker Practice Act (Chapter 14 (commencing with Section 4991))~~, or the Licensed Professional Clinical Counselor Act (Chapter 16 (commencing with Section 4999.10)).

§4989.22. EXAMINATION

(a) Only persons who satisfy the requirements of Section 4989.20 are eligible to take the licensure examination.

(b) An applicant who fails the written examination may, within one year from the notification date of failure, retake the examination as regularly scheduled without further application. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all current requirements, and pays all fees required.

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

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

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

~~(f)~~(e) Notwithstanding Section 135, the board may deny any applicant who has previously failed ~~either the standard written or clinical vignette~~ written examination permission to retake ~~either the~~ examination pending completion of the investigation of any complaint against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any

examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, or the applicant has been denied in accordance with subdivision (b) of Section 485.

AMEND §4992.09.

(a) Except as provided in subdivision (a) of Section 4992.07, an applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subsection (b), an applicant who holds a registration eligible for renewal, who applies for renewal of that registration between January 1, 2016 and June 30, 2016, shall if eligible, be allowed to renew such registration without first participating in the California law and ethics examination. These applicants must participate in the California law and ethics examination in the next renewal cycle, and must pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

~~(e)~~(d) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except for as provided in subdivision ~~(d)~~(e).

~~(d)~~(e) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her ~~first~~ renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

~~(e)~~(f) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subsection (f), an applicant who holds or has held a registration, who applies for a subsequent registration number between January 1, 2016 and January 1, 2017, shall if eligible, be allowed to obtain such subsequent registration number without first passing the California law and ethics examination, as long as the examination is passed at the next renewal period or prior to licensure, whichever occurs first.

~~(f)~~(h) This section shall become operative on January 1, 2016.

§4996.17. ACCEPTANCE OF EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA

(a) (1) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially the equivalent of the requirements of this chapter.

(2) Commencing January 1, 2014, an applicant with [education and/or](#) experience gained outside of California shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(b) The board may issue a license to any person who, at the time of application, holds a valid active clinical social work license issued by a board of clinical social work examiners or corresponding authority of any state, if the person passes, or has passed, the licensing examinations as specified in Section 4996.1 and pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than 3,200 hours of qualifying supervised experience, time actively licensed as a clinical social worker shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(2) Completion of the following coursework or training in or out of this state:

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

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

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

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

(3) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records,

state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant shall provide a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(c) The board may issue a license to any person who, at the time of application, holds a valid, active clinical social work license issued by a board of clinical social work examiners or a corresponding authority of any state, if the person has held that license for at least four years immediately preceding the date of application, the person passes, or has passed, the licensing examinations as specified in Section 4996.1, and the person pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) Completion of the following coursework or training in or out of state:

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

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

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

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

(2) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality,

dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(3) The applicant has been licensed as a clinical social worker continuously for a minimum of four years prior to the date of application.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant provides a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(d) Commencing January 1, 2016, an applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination specified in Section 4996.1 if the applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

AMEND §4999.55.

(a) Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subsection (b), an applicant who holds a registration eligible for renewal, who applies for renewal of that registration between January 1, 2016 and June 30, 2016, shall if eligible, be allowed to renew such registration without first participating in the California law and ethics examination. These applicants must participate in the California law and ethics examination in the next renewal cycle, and must pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

~~(e)~~(d) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application, except as provided in subdivision ~~(d)~~(e).

~~(d)~~(e) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her ~~first~~ renewal period on or after the operative date of this section, he or she shall complete, at minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state, or governmental entity, or a college or university.

~~(e)~~(f) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subsection (f), an applicant who holds or has held a registration, who applies for a subsequent registration number between January 1, 2016 and January 1, 2017, shall if eligible, be allowed to obtain such subsequent registration number without first passing the California law and ethics examination, as long as the examination is passed at the next renewal period or prior to licensure, whichever occurs first.

~~(f)~~(h) This section shall become operative January 1, 2016.

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To: Committee Members

Date: January 24, 2014

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7841

Subject: Proposed LMFT Out-of-State Applicant Requirements

Attachment A shows the proposed amendments to the licensing law for LMFT out-of-state applicants. It incorporates the solutions discussed by the Out-of-State Education Committee at meetings that were held April through November, 2013. The amendments do the following, and would apply to applicants beginning January 1, 2016 (See **Attachment B** for a summary):

Required Units

Require either 48 or 60 semester unit degrees for all out-of-state applicants depending on when Master's degree was obtained, in accordance with Business and Professions Code (BPC) Sections 4980.36 and 4980.37. If the applicant is required to have a 60 semester unit degree based on the timing of when the degree was obtained, he or she may remediate up to 12 semester units, if necessary. This remediation may occur while the applicant is registered as an intern.

Practicum

For applicants without an out-of-state license: Require six semester/nine quarter units of practicum, 150 hours of face-to-face counseling, and an additional 75 hours of either face to face counseling or client centered advocacy. No remediation of the practicum requirement is permitted.

For applicants with an out-of-state license: Require six semester/nine quarter units of practicum, 150 hours of face-to-face counseling experience, and an additional 75 hours of either face to face counseling or client centered advocacy.

- Applicants who have been licensed for at least two years in clinical practice, are exempt from this requirement.
- Applicants who are licensed out of state but have held that license less than two years may remediate the entire practicum requirement by obtaining 150 hours of face to face counseling, and the additional 75 hours of face to face or client centered advocacy, while registered as an intern. These hours must be in addition to the 3,000 experience hours already required.

Marriage, Family and Child Counseling Content

All out of state applicants will still be required to have twelve semester or 18 quarter units in the areas of marriage, family and child counseling and marriage and family systems approaches to treatment. This must be part of the degree program and cannot be remediated. This requirement is already in law and no further amendments are being proposed.

California Law and Ethics Content

All out of state applicants must have course content in California law and ethics as follows:

1. If the 2 semester unit law and ethics course specified in Section 4980.81(a)(7) was completed but does not contain California content, then applicant must complete an 18-hour CA law & ethics course.
2. If the applicant is deficient the law and ethics course specified by 4980.81(a)(7), that 2 semester unit course must be taken and must include CA law and ethics content.

The required course content in California law and ethics must be obtained prior to the issuance of a license or intern registration.

Course Content Requirements Specified in BPC Section 4980.36(d)(2)

Currently, the law states that all out of state applicants must complete any course content requirements specified under Business and Professions Code (BPC) Section 4980.36(d)(2) that they have not already completed. Under the new requirements, this coursework would have needed to have been at a Master's level.

At the last Committee meeting, members expressed concern that the coursework in 4980.36(d) is just a list – there are no hour or unit requirements. While this is acceptable for in-state students, because their schools have worked with the Board to integrate these topics into the degree programs, it will be more difficult for out-of-state students (and Board evaluators) to judge whether or not their degree contains sufficient coverage of the listed topic areas.

For this reason, staff proposes a new section, BPC §4980.81. This section attempts to quantify the requirements listed in 4980.36(d) whenever possible. In some cases, topic areas have been removed because they overlapped with other topic areas. Staff consulted with the Board's subject matter expert to create this section. Changes are summarized in **Attachment C**.

The amendments allow the coursework to be from an accredited or approved educational institution, or from a Board-accepted continuing education provider, as long as it is graduate level coursework. This coursework may be remediated while registered as an intern, which previously was not going to be allowed.

Principles of Mental Health and Cultures Coursework

All out of state applicants are required to complete instruction in the principles of mental health recovery oriented care, instruction that includes an understanding of the various California cultures, and instruction in structured meetings with various consumers and family members of

mental health services. Current law requires this to be credit level coursework (not CE), taken before registration as an intern is allowed, and there is no specification of the amount of coursework required. The new amendments require the following:

- The instruction in mental health recovery oriented care must be at least three semester units or 45 hours, and must include the structured meetings with consumers/family members training; and
- The instruction in understanding of California cultures must be at least one semester unit or 15 hours.

Both of these requirements can now be taken from an accredited or approved school or a CE provider, must be graduate-level coursework, and may be taken while registered as an intern.

ADDITIONAL AMENDMENT – EXPERIENCE CREDIT FOR TIME ACTIVELY LICENSED IN ANOTHER STATE

Section 4980.72 sets examination eligibility requirements for LMFT applicants who are licensed out of state. One of the requirements for examination eligibility is that the applicant's supervised experience is substantially equivalent to the Board's experience requirements. It states that the Board will consider out-of-state experience obtained during the six year period immediately preceding the date the applicant obtained his or her out-of-state license.

If a licensee has been licensed for many years out-of-state, it may be inappropriate to look only at experience obtained prior to licensure. The Board's out-of-state LCSW applicants are permitted to count time actively licensed at a rate of 100 hours per month, up to a maximum of 1,200 hours, if they are short hours of supervised experience. These hours are applied toward the required direct clinical counseling hours. This method takes into account experience as a licensee in addition to pre-licensure experience.

This proposal includes an amendment to out-of-state licensee experience requirements for LMFT applicants to count time actively licensed as experience at a rate of 100 hours per month, up to 1,200 hours. Like LCSW applicants, these hours would be applied toward the required direct clinical counseling hours. Per the Committee's request at the last meeting, after January 1, 2016, the applicant can only do this if he or she meets the practicum requirement without exemptions or remediation. This is because Section 4980.79 proposes to allow applicants from out of state exemptions or remediation options for the practicum requirement under certain conditions. The Committee did not believe an applicant should be permitted exemptions/remediation for practicum AND also be able to count time actively licensed toward experience hours.

AMENDMENTS MADE SINCE THE LAST OUT-OF-STATE COMMITTEE MEETING

Per the Out-of-State Committee's direction at its November 21, 2013 meeting, the following new amendments were made:

1. An amendment to specify that although the additional education requirements specified by Sections 4980.78(b)(3) and (4) and 4980.79(b)(3) and (4) are permitted to be taken from a continuing education provider, the content of the coursework must be of a graduate level.
2. An amendment to specify that the instruction in diagnosis, assessment, prognosis, and treatment of mental disorders required by Section 4980.81(a)(1) must be a minimum of two semester units. This must include at least one semester unit of instruction in psychological testing, and one semester unit in psychopharmacology.

3. An amendment to modify the requirement for California law and ethics coursework. Under the amendments, if an applicant completed a two semester law and ethics course as described in Section 4980.81(a)(7), but the course did not contain California law and ethics content, then the applicant must complete an 18-hour course in California law and ethics.

If the applicant has not taken a two semester law and ethics course as described in Section 4980.81(a)(7), then the applicant must take a the two semester unit course, and the course must include content in California law and ethics.

The coursework in California law and ethics must be completed prior to issuance of a license or intern registration.

RECOMMENDED ACTION

Conduct an open discussion regarding the proposed amendments. Direct staff to make any discussed changes, as well as any non-substantive changes, and sponsor legislation to make the proposed amendments.

ATTACHMENTS

Attachment A: Proposed Language - Educational Requirements for Out of State LMFT Applicants

Attachment B: Matrix of Proposed Requirements -Licensed Out of State vs. Unlicensed Out of State

Attachment C: Comparison of LMFT Educational Requirements:

- Required Instruction Under BPC Section 4980.36 (degree begun after Aug. 1, 2012);
- Required Instruction Under BPC Sections 4980.37 and 4980.41 (degree begun prior to Aug. 1, 2012); and
- Proposal for Out-of-State LMFT Applicants

Attachment D: Reference Sections – LMFT Licensing Law: BPC Sections 4980.36, 4980.37, and 4980.41

Attachment E: Flow Chart

**ATTACHMENT A
PROPOSED LANGUAGE
AMENDMENTS TO EDUCATIONAL REQUIREMENTS FOR OUT-OF-STATE LMFT
APPLICANTS**

LMFTs

Amend §4980.72 (LICENSED OUT OF STATE)

(a) This section applies to persons who are licensed outside of California and apply for licensure on or after January 1, ~~2014~~2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license in good standing issued by a board of marriage counselor examiners, board of marriage and family therapists, or corresponding authority, of any state or country, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section ~~4980.78~~4980.79. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(2) The applicant complies with Section 4980.76, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a marriage and family therapist shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours, provided that the applicant's degree meets the practicum requirement described in Section 4980.79(b)(1)(C) without exemptions or remediation.

(4) The applicant passes the California law and ethics examination.

(5) The applicant passes a clinical examination designated by the board. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.

Amend §4980.74 (UNLICENSED OUT OF STATE)

- (a) This section applies to persons who apply for licensure or registration on or after January 1, ~~2014~~2016, and who do not hold a license as described in Section 4980.72.
- (b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4980.78, and the applicant complies with Section 4980.76, if applicable. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.
- (c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

Amend §4980.78. (UNLICENSED OUT OF STATE)

- (a) This section applies to persons who apply for licensure or registration on or after January 1, ~~2014~~2016, and who do not hold a license as described in Section 4980.72.
- (b) For purposes of Sections ~~4980.72 and~~ 4980.74, education is substantially equivalent if all of the following requirements are met:
- (1) The degree is obtained from a school, college, or university accredited by an accrediting agency recognized by the United States Department of Education and consists of, at a minimum, ~~48 semester or 72 quarter units, including, but not limited to, both of~~ the following:
 - (A) For applicants who obtained their degree within the timeline prescribed by Section 4980.36(a), the degree shall contain no less than 60 semester or 90 quarter units of instruction.
 - i. Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.
 - (B) For applicants who obtained their degree within the timeline prescribed by Section 4980.37(a), the degree shall contain no less than 48 semester units or 72 quarter units of instruction.
 - ~~(A)(C)~~ Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, as specified in subsection (B) of paragraph (1) of subdivision (d) of Section 4980.36 .
 - ~~(B)(D)~~ Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

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

- i. An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in 4980.81(a)(7), which did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and licensing process. This coursework must be completed prior to registration as an intern.
- ii. An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in 4980.81(a)(7) shall complete this required coursework. The coursework must contain content specific to California law and ethics. This coursework must be completed prior to registration as an intern.

~~(2)~~(3) The applicant completes any units and course content requirements under subdivision (d) of Section 4980.36 the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college or university as specified in paragraph (1) above, from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the Board as defined in Section 4980.54. The content of this coursework must be of a graduate level.

~~(3)~~(4) The applicant completes the following credit level coursework not already completed in his or her education from a degree-granting institution that provides all of the following: from an accredited school, college or university as specified in paragraph (1) above, from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the Board as defined in Section 4980.54. The content of this coursework must be of a graduate level.

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

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

~~(C) Structured meeting with various consumers and family members of consumers of~~

~~mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.~~

~~(D) Instruction in addiction and co-occurring substance abuse and mental health disorders, as specified in subparagraph (1) of paragraph (2) of subdivision (d) of Section 4980.36.~~

~~(4) The applicant completes an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and licensing process.~~

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

~~(5)(6) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.~~

Add §4980.79. (LICENSED OUT OF STATE)

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

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

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

(A) For applicants who obtained their degree within the timeline prescribed by Section 4980.36(a), the degree shall contain no less than 60 semester or 90 quarter units of instruction.

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

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

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

face counseling or client-centered advocacy, as specified in subsection (B) of paragraph (1) of subdivision (d) of Section 4980.36.

- i. Out-of-state applicants who have been licensed for at least two years in clinical practice, as verified by the board, are exempt from this requirement.
- ii. Out-of-state applicants who have been licensed for less than two years in clinical practice, as verified by the board, who do not meet the practicum requirement, shall remediate it by obtaining 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, as specified in subsection (B) of paragraph (1) of subdivision (d) of Section 4980.36. These hours must be in addition to the 3,000 hours of experience required by this chapter, and must be gained while registered as an intern with the board.

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

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

- i. An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in 4980.81(a)(7), which did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and licensing process. This coursework must be completed prior to registration as an intern.
- ii. An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in 4980.81(a)(7) shall complete this required coursework. The coursework must contain content specific to California law and ethics. This coursework must be completed prior to registration as an intern.

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

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

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

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

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

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

ADD § 4980.81. ADDITIONAL EDUCATIONAL REQUIREMENTS FOR OUT-OF-STATE APPLICANTS

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

(a) For purposes of Section 4980.78 and 4980.79, all of the following educational requirements shall be met:

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

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

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

- (ii) The psychological, psychotherapeutic, and health implications of developmental issues and their effects.
- ~~(iii) A variety of cultural understandings of human development.~~
- ~~(iv) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.~~
- ~~(v) The understanding of human behavior within the social context of a representative variety of the cultures found within California.~~
- (vi) The understanding of the impact that personal and social insecurity, social stress, low educational levels, inadequate housing, and malnutrition have on human development.

An applicant who is deficient in any of the above topics areas may remediate the coursework by completing 3 hours of instruction in each deficient topic area.

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

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

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

1. The assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.
2. Aging and its biological, social, cognitive, and psychological aspects.
3. Long-term care.
4. End of life and grief.

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

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

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

(vi) Marriage, divorce, and blended families.

(vii) Poverty and deprivation.

- (viii) Financial and social stress
 - (ix) Effects of trauma.
 - (x) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (ix), inclusive.
- (4) At least one semester unit, or fifteen hours, of instruction in multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.
- (5) A minimum of 10 contact hours of training or coursework in human sexuality, as specified in Section 25 and any regulations promulgated thereunder, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment and treatment of psychosexual dysfunction.
- (6) A minimum of 15 contact hours of coursework in substance use disorders, and a minimum of 15 contact hours of coursework in co-occurring disorders and addiction. The following topic areas must be included in this coursework:
- (i) The definition of substance use disorders, co-occurring disorders, and addiction. For purposes of this subparagraph, “co-occurring disorders” means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.
 - (ii) Medical aspects of substance use disorders and co-occurring disorders.
 - (iii) The effects of psychoactive drug use.
 - (iv) Current theories of the etiology of substance abuse and addiction.
 - (v) The role of persons and systems that support or compound substance abuse and addiction.
 - (vi) Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including, but not limited to, best practices.
 - (vii) Legal aspects of substance abuse.
 - (viii) Populations at risk with regard to substance use disorders and co-occurring disorders.
 - (ix) Community resources offering screening, assessment, treatment, and follow-up for the affected person and family.
 - (x) Recognition of substance use disorders, co-occurring disorders, and

addiction, and appropriate referral.

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

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

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

(ii) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including, but not limited to, family law.

(iii) The current legal patterns and trends in the mental health professions.

(iv) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(v) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

(vi) Differences in legal and ethical standards for different types of work settings.

(vii) Licensing law and licensing process.

Amend §4980.80

(a) This section applies to persons who apply for licensure between January 1, 2010, and December 31, ~~2013~~2015, inclusive.

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

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

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

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

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

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

(A) (i) An applicant who completed a two semester or three quarter unit course in law and professional ethics for marriage and family therapists that does not meet the requirements of Section 4980.41 as part of his or her qualifying degree shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, the following subjects: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to the confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, and therapist disclosures to patients.

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

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

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

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

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

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

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

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

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

(c) This section shall remain in effect only until January 1, ~~2014~~2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2014~~2016, deletes or extends that date.

Amend §4980.90

(a) This section applies to persons who apply for licensure between January 1, 2010, and December 31, ~~2013~~2015, inclusive.

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

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

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

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

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

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

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

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

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

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

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

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

(1) The applicant has been granted a degree in a single integrated program primarily designed to train marriage and family therapists.

(2) The applicant's education meets the requirements of Sections 4980.37. The degree title need not be identical to those required by subdivision (b) of Section 4980.37. If the applicant's degree does not contain the content or overall units required by Section 4980.37, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

(A) The applicant's degree contains the required number of practicum units and coursework required in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment as specified in Section 4980.37.

(B) The applicant remediates his or her specific deficiency by completing the course content and the units required by Section 4980.37.

(C) The applicant's degree otherwise complies with this section.

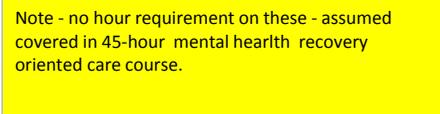
(e) This section shall remain in effect only until January 1, ~~2014~~2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2014~~2016, deletes or extends that date.

Attachment B
Comparison of Proposed LMFT Requirements
Unlicensed Out of State vs. Licensed Out of State Applicant

Requirement	Unlicensed Out of State	Licensed Out of State
Required Units	48 or 60 semester units, depending on when degree obtained. If 60 units required, may remediate up to 12 units. This remediation may occur while registered as an intern.	48 or 60 semester units, depending on when degree obtained. If 60 units required, may remediate up to 12 units. This remediation may occur while registered as an intern.
Practicum	6 semester units, 150 face to face hours plus 75 additional hours. No remediation.	6 semester units, 150 face to face hours plus 75 additional hours. Exempt from this requirement if licensed at least two years. If licensed less than 2 years, may remediate by obtaining 150 face to hours plus 75 additional hours, while registered as an intern. These hours in addition to 3,000 required experience hours.
Marriage, Family, & Child Counseling Content	12 semester/18 quarter units must be in degree. No remediation.	12 semester/18 quarter units must be in degree. No remediation.
California Law & Ethics	If 2 unit law and ethics course specified in Section 4980.81(a)(7) was completed but does not contain California content, then applicant must complete an 18-hour CA law & ethics course. If deficient the law and ethics course specified by 4980.81(a)(7), that 2 unit course must be taken and must include CA law and ethics content. This requirement must be completed prior to issuance of license/intern registration.	If 2 unit law and ethics course specified in Section 4980.81(a)(7) was completed but does not contain California content, then applicant must complete an 18-hour CA law & ethics course. If deficient the law and ethics course specified by 4980.81(a)(7), that 2 unit course must be taken and must include CA law and ethics content. This requirement must be completed prior to issuance of license/intern registration.
Additional Requirements specified in Section 4980.81	All course content required. Coursework must be graduate-level. May be from accredited/approved school or continuing education provider. May remediate while registered as intern.	All course content required. Coursework must be graduate-level. May be from accredited/approved school or continuing education provider. May remediate while registered as intern.
Principles of Mental Health/Cultures Coursework	Instruction in mental health recovery oriented care - 45 hours. Instruction in CA cultures - 15 hours. Coursework must be graduate-level. May be from accredited/approved school or continuing education provider. May remediate while registered as intern.	Instruction in mental health recovery oriented care - 45 hours. Instruction in CA cultures - 15 hours. Coursework must be graduate-level. May be from accredited/approved school or continuing education provider. May remediate while registered as intern.

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Attachment C

Required Instruction Under BPC Section 4980.36(d)(2) (8/1/2012-Ongoing)(Integrated Degree For Out-of State Applicants (CURRENT))	Required Instruction Under BPC Section 4980.37 and 4980.41 For Out-of State Applicants (Pre-8/1/2012)	Proposal for LMFT Out-of-State Applicants (BPC Section 4980.81)
1) Diagnosis, assessment, prognosis and treatment of mental disorders, including severe disorders, evidence-based practices, psychological testing, and psychopharmacology.	Psychological testing (two semester or three qtr units) Psychopharmacology (two semester or three qtr units)	Must have a minimum of 2 semester units of instruction in diagnosis, assessment, prognosis and treatment of mental disorders. This must include 1 semester unit, or 15 hours instruction in psychological testing, and 1 semester unit, or 15 hours instruction in psychopharmacology.
2) Developmental issues from infancy to old age, including the following: -Effects of developmental issues on individuals, couples, and family relationships -Psychological, psychotherapeutic, and health implications of developmental issues and their effects -Aging and its biological, social, cognitive, and psychological aspects -A variety of cultural understandings of human development -Understanding human behavior within the context of socioeconomic status and other issues affecting social position -Understanding human behavior within the social context of a representative variety of cultures in California -Understanding impact that personal and social insecurity, social stress, low education levels, inadequate housing, and malnutrition have on human development.	Required, but not quantified. See Section 4980.37(b)(3).	Developmental issues from infancy to old age, including 15 total hours of instruction including the following: -Effects of developmental issues on individuals, couples, and family relationships -Psychological, psychotherapeutic, and health implications of developmental issues and their effects -Understanding impact that personal and social insecurity, social stress, low education levels, inadequate housing, and malnutrition have on human development. Note: Aging and its biological, social, cognitive, and psychological aspects has been moved to a new category. Note: Cultural understandings/human development, human behavior in the context of socioeconomic status, and human behavior in context of California cultures, is included in the 45 hour principals of mental health recovery-oriented care requirement in specified in BPC Sections 4980.78 and 4980.79(b)(4)(A)
3) The broad range of matters/life events that may arise within marriage and family relationships and within a variety of California cultures, including instruction in all of the following areas: -Child abuse assessment and reporting (7 hours minimum required) -Spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics -Cultural factors relevant to abuse of partners and family members -Childbirth, child rearing, parenting, and stepparenting -Marriage, divorce, and blended families -Long-term care -End of life and grief -Poverty and deprivation -Financial and social stress -Effects of trauma -The psychological, psychotherapeutic, community, and health implications of all of the above items.	Child abuse Assessment and Reporting (7 hours required) Spousal or partner abuse assessment, detection, and intervention (15 hours required), including: -Knowledge of community resources -Cultural factors -Same gender abuse dynamics	The broad range of matters/life events that may arise within marriage and family relationships and within a variety of California cultures, including instruction in all of the following areas: -Child abuse assessment and reporting (7 hours minimum required) -Elder/dependent adult abuse, aging (from above), end of life and grief, and long term care (10 hours) -Spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics (15 hours) -Cultural factors relevant to abuse of partners and family members -Childbirth, child rearing, parenting, and stepparenting -Marriage, divorce, and blended families -Poverty and deprivation -Financial and social stress -Effects of trauma -The psychological, psychotherapeutic, community, and health implications of all of the above items.  Note - no hour requirement on these - assumed covered in 45-hour mental health recovery oriented care course.
4) Cultural competency and sensitivity, including familiarity with racial, cultural, linguistic, and backgrounds of California residents.	Required, but not quantified. See Section 4980.37(e).	Included in 15 hour California Cultures course required by BPC Sections 4980.78 and 4980.79(b)(4)(B).
5) Multicultural development/cross cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, disability, and their incorporation into the psychotherapeutic process.		At least one semester unit or 15 hours instruction in multicultural development/cross cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, disability, and their incorporation into the psychotherapeutic process.
6) The effects of socioeconomic status on treatment and available resources.		Included in 45 hour principals of mental health recovery-oriented care requirement in specified in BPC Sections 4980.78 and 4980.79(b)(4)(A)
7) Resilience, including personal and community quantities that enable persons to cope with adversity, trauma, tragedy, threats or other stresses.		Included in 45 hour principals of mental health recovery-oriented care requirement in specified in BPC Sections 4980.78 and 4980.79(b)(4)(A)
8) Human sexuality, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment/treatment of psychosexual dysfunction.	Human Sexuality (10 hours required)	Human sexuality, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment/treatment of psychosexual dysfunction. (10 hours required)

Attachment C

Required Instruction Under BPC Section 4980.36(d)(2) (8/1/2012-Ongoing)(Integrated Degree For Out-of State Applicants (CURRENT))	Required Instruction Under BPC Section 4980.37 and 4980.41 For Out-of State Applicants (Pre-8/1/2012)	Proposal for LMFT Out-of-State Applicants (BPC Section 4980.81)
<p>9) Substance use disorders and addiction, including all of the following:</p> <ul style="list-style-type: none"> -Definition of substance use disorders, co-occurring disorders and addiction -Medical aspects of substance use disorders and co-occurring disorders -The effects of psychoactive drug use -Current theories of etiology of substance abuse and addiction -Role of persons and systems that support/compound substance abuse and addiction -Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including best practices -Legal aspects of substance abuse -Populations at risk for substance use and co-occurring disorders -Community resources offering screening, assessment, treatment, and follow-up for the affected person and family -Recognition of substance use disorders, co occurring disorders, and addiction, and appropriate referral -Prevention of substance use disorders and addiction 	<p>Alcoholism and other chemical substance dependency (15 hours required)</p>	<p>Minimum of 15 hours coursework in substance use disorders, and 15 hours coursework in co-occurring disorders/addiction. Coursework must cover the following topics:</p> <ul style="list-style-type: none"> -Definition of substance use disorders, co-occurring disorders and addiction -Medical aspects of substance use disorders and co-occurring disorders -The effects of psychoactive drug use -Current theories of etiology of substance abuse and addiction -Role of persons and systems that support/compound substance abuse and addiction -Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including best practices -Legal aspects of substance abuse -Populations at risk for substance use and co-occurring disorders -Community resources offering screening, assessment, treatment, and follow-up for the affected person and family -Recognition of substance use disorders, co occurring disorders, and addiction, and appropriate referral -Prevention of substance use disorders and addiction
<p>10) California law and ethics for marriage and family therapists, including all of the following:</p> <ul style="list-style-type: none"> -Contemporary professional ethics and statutory, regulatory, and decisional laws -The therapeutic, clinical, and practical considerations involved in legal and ethical practice, including family law -Current legal patterns and trends in mental health professions -Psychotherapist-patient privilege, confidentiality, patients dangerous to self or others, and treatment of minors with and without parental consent -Recognition and exploration of relationship between a practitioner's sense of self/human values and professional behavior and ethics -Differences in legal and ethical standards for different types of work settings -Licensing law and process 	<p>California law and ethics course (2 semester or 3 qtr units) covering the following:</p> <ul style="list-style-type: none"> -Contemporary professional ethics and statutory, regulatory, and decisional laws -The therapeutic, clinical, and practical considerations involved in legal and ethical practice, incl. family law -Current legal patterns/trends in mental health profession -Psychotherapist-patient privilege, confidentiality, patients dangerous to self or others, and treatment of minors with and without parental consent -Recognition and exploration of relationship between a practitioner's sense of self/human values and professional behavior and ethics 	<p>At least two semester or three quarter unit course in law and professional ethics for LMFTs, including all of the following:</p> <ul style="list-style-type: none"> -Contemporary professional ethics and statutory, regulatory, and decisional laws -The therapeutic, clinical, and practical considerations involved in legal and ethical practice, including family law -Current legal patterns and trends in mental health professions -Psychotherapist-patient privilege, confidentiality, patients dangerous to self or others, and treatment of minors with and without parental consent -Recognition and exploration of relationship between a practitioner's sense of self/human values and professional behavior and ethics -Differences in legal and ethical standards for different types of work settings -Licensing law and process

Attachment D
Reference Sections – LMFT Licensing Law
BPC Sections 4980.36, 4980.37, 4980.41

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

(a) This section shall apply to the following:

- (1) Applicants for licensure or registration who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018.
- (2) Applicants for licensure or registration who begin graduate study before August 1, 2012, and who graduate from a degree program that meets the requirements of this section.
- (3) Applicants for licensure or registration who begin graduate study on or after August 1, 2012.

(b) To qualify for a license or registration, applicants shall possess a 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.

(c) A doctor's or master's degree program that qualifies for licensure or registration shall do the following:

(1) Integrate all of the following throughout its curriculum:

(A) Marriage and family therapy principles.

(B) The principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, among others.

(C) An understanding of various cultures and the social and psychological implications of socioeconomic position, and an understanding of how poverty and social stress impact an individual's mental health and recovery.

(2) Allow for innovation and individuality in the education of marriage and family therapists.

(3) Encourage students to develop the personal qualities that are intimately related to effective practice, including, but not limited to, integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(4) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

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

(d) The degree described in subdivision (b) shall contain no less than 60 semester or 90 quarter units of instruction that includes, but is not limited to, the following requirements:

(1) Both of the following:

(A) No less than 12 semester or 18 quarter units of coursework in theories, principles, and methods of a variety of psychotherapeutic orientations directly related to marriage and family therapy and marital and family systems approaches to treatment and how these theories can be applied therapeutically with individuals, couples, families, adults, including elder adults, children, adolescents, and groups to improve, restore, or maintain healthy relationships.

(B) Practicum that involves direct client contact, as follows:

(i) A minimum of six semester or nine quarter units of practicum in a supervised clinical placement that provides supervised fieldwork experience.

(ii) A minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(iii) A student must be enrolled in a practicum course while counseling clients, except as specified in subdivision (c) of Section 4980.42.

(iv) The practicum shall provide training in all of the following areas:

(I) Applied use of theory and psychotherapeutic techniques.

(II) Assessment, diagnosis, and prognosis.

(III) Treatment of individuals and premarital, couple, family, and child relationships, including trauma and abuse, dysfunctions, healthy functioning, health promotion, illness prevention, and working with families.

(IV) Professional writing, including documentation of services, treatment plans, and progress notes.

(V) How to connect people with resources that deliver the quality of services and support needed in the community.

(v) Educational institutions are encouraged to design the practicum required by this subparagraph to include marriage and family therapy experience in low-income and multicultural mental health settings.

(vi) In addition to the 150 hours required in clause (ii), 75 hours of either of the following:

(I) Client-centered advocacy, as defined in Section 4980.03.

(II) Face-to-face experience counseling individuals, couples, families, or groups.

(2) Instruction in all of the following:

(A) Diagnosis, assessment, prognosis, and treatment of mental disorders, including severe mental disorders, evidence-based practices, psychological testing, psychopharmacology, and promising mental health practices that are evaluated in peer reviewed literature.

(B) Developmental issues from infancy to old age, including instruction in all of the following areas:

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

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

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

(iv) A variety of cultural understandings of human development.

(v) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.

(vi) The understanding of human behavior within the social context of a representative variety of the cultures found within California.

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

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

(i) Child and adult abuse assessment and reporting.

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

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

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

(v) Marriage, divorce, and blended families.

- (vi) Long-term care.
 - (vii) End of life and grief.
 - (viii) Poverty and deprivation.
 - (ix) Financial and social stress.
 - (x) Effects of trauma.
 - (xi) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (x), inclusive.
- (D) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.
- (E) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.
- (F) The effects of socioeconomic status on treatment and available resources.
- (G) Resilience, including the personal and community qualities that enable persons to cope with adversity, trauma, tragedy, threats, or other stresses.
- (H) Human sexuality, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment and treatment of psychosexual dysfunction.
- (I) Substance use disorders, co-occurring disorders, and addiction, including, but not limited to, instruction in all of the following:
- (i) The definition of substance use disorders, co-occurring disorders, and addiction. For purposes of this subparagraph, “co-occurring disorders” means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.
 - (ii) Medical aspects of substance use disorders and co-occurring disorders.
 - (iii) The effects of psychoactive drug use.
 - (iv) Current theories of the etiology of substance abuse and addiction.
 - (v) The role of persons and systems that support or compound substance abuse and addiction.
 - (vi) Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including, but not limited to, best practices.
 - (vii) Legal aspects of substance abuse.

(viii) Populations at risk with regard to substance use disorders and co-occurring disorders.

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

(x) Recognition of substance use disorders, co-occurring disorders, and addiction, and appropriate referral.

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

(J) California law and professional ethics for marriage and family therapists, including instruction in all of the following areas of study:

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

(ii) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including, but not limited to, family law.

(iii) The current legal patterns and trends in the mental health professions.

(iv) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(v) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

(vi) Differences in legal and ethical standards for different types of work settings.

(vii) Licensing law and licensing process.

(e) The degree described in subdivision (b) shall, in addition to meeting the requirements of subdivision (d), include instruction in case management, systems of care for the severely mentally ill, public and private services and supports available for the severely mentally ill, community resources for persons with mental illness and for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. This instruction may be provided either in credit level coursework or through extension programs offered by the degree-granting institution.

(f) The changes made to law by this section are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice, and are not intended to expand or restrict the scope of practice for marriage and family therapists.

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

(a) This section shall apply to applicants for licensure or registration who begin graduate study before August 1, 2012, and complete that study on or before December 31, 2018. Those

applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4980.36.

(b) To qualify for a license or registration, applicants shall possess a doctor's or master's degree in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university accredited by a regional 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. The coursework shall include all of the following areas:

(1) The salient theories of a variety of psychotherapeutic orientations directly related to marriage and family therapy, and marital and family systems approaches to treatment.

(2) Theories of marriage and family therapy and how they can be utilized in order to intervene therapeutically with couples, families, adults, children, and groups.

(3) Developmental issues and life events from infancy to old age and their effect on individuals, couples, and family relationships. This may include coursework that focuses on specific family life events and the psychological, psychotherapeutic, and health implications that arise within couples and families, including, but not limited to, childbirth, child rearing, childhood, adolescence, adulthood, marriage, divorce, blended families, stepparenting, abuse and neglect of older and dependent adults, and geropsychology.

(4) A variety of approaches to the treatment of children. The board shall, by regulation, set forth the subjects of instruction required in this subdivision.

(c) (1) In addition to the 12 semester or 18 quarter units of coursework specified in subdivision (b), the doctor's or master's degree program shall contain not less than six semester or nine quarter units of supervised practicum in applied psychotherapeutic technique, assessments, diagnosis, prognosis, and treatment of premarital, couple, family, and child relationships, including dysfunctions, healthy functioning, health promotion, and illness prevention, in a supervised clinical placement that provides supervised fieldwork experience within the scope of practice of a marriage and family therapist.

(2) For applicants who enrolled in a degree program on or after January 1, 1995, the practicum shall include a minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(3) The practicum hours shall be considered as part of the 48 semester or 72 quarter unit requirement.

(d) As an alternative to meeting the qualifications specified in subdivision (b), the board shall accept as equivalent degrees those master's or doctor's degrees granted by educational

institutions whose degree program is approved by the Commission on Accreditation for Marriage and Family Therapy Education.

(e) In order to provide an integrated course of study and appropriate professional training, while allowing for innovation and individuality in the education of marriage and family therapists, a degree program that meets the educational qualifications for licensure or registration under this section shall do all of the following:

(1) Provide an integrated course of study that trains students generally in the diagnosis, assessment, prognosis, and treatment of mental disorders.

(2) Prepare students to be familiar with the broad range of matters that may arise within marriage and family relationships.

(3) Train students specifically in the application of marriage and family relationship counseling principles and methods.

(4) Encourage students to develop those personal qualities that are intimately related to the counseling situation such as integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(5) Teach students a variety of effective psychotherapeutic techniques and modalities that may be utilized to improve, restore, or maintain healthy individual, couple, and family relationships.

(6) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(7) Prepare students to be familiar with cross-cultural mores and values, including a familiarity with the wide range of racial and ethnic backgrounds common among California's population, including, but not limited to, Blacks, Hispanics, Asians, and Native Americans.

(f) Educational institutions are encouraged to design the practicum required by this section to include marriage and family therapy experience in low-income and multicultural mental health settings.

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

§4980.41. ELIGIBILITY TO SIT FOR LICENSING EXAMINATIONS; COURSEWORK OR TRAINING; INOPERATIVE JANUARY 1, 2019

(a) An applicant for licensure whose education qualifies him or her under Section 4980.37 shall complete the following coursework or training in order to be eligible to sit for the licensing examinations as specified in subdivision (d) of Section 4980.40:

(1) A two semester or three quarter unit course in California law and professional ethics for marriage and family therapists, which shall include, but not be limited to, the following areas of study:

(A) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the profession's scope of practice.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including family law.

(C) The current legal patterns and trends in the mental health profession.

(D) The psychotherapist/patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(E) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

This course may be considered as part of the 48 semester or 72 quarter unit requirements contained in Section 4980.37.

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

(3) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37.

(4) For persons who began graduate study on or after January 1, 1986, a master's or doctor's degree qualifying for licensure shall include specific instruction in alcoholism and other chemical substance dependency as specified by regulation. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37.

(5) For persons who began graduate study during the period commencing on January 1, 1995, and ending on December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment, detection, and intervention. For persons who began graduate study on or after January 1, 2004, a master's or doctor's degree qualifying for licensure shall include a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. Coursework required under this subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The requirement for coursework shall be satisfied by, and the board shall accept in satisfaction of the requirement, a certification from the chief academic officer of the educational institution from which the applicant graduated that the required coursework is included within the institution's required curriculum for graduation.

(6) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychological testing. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

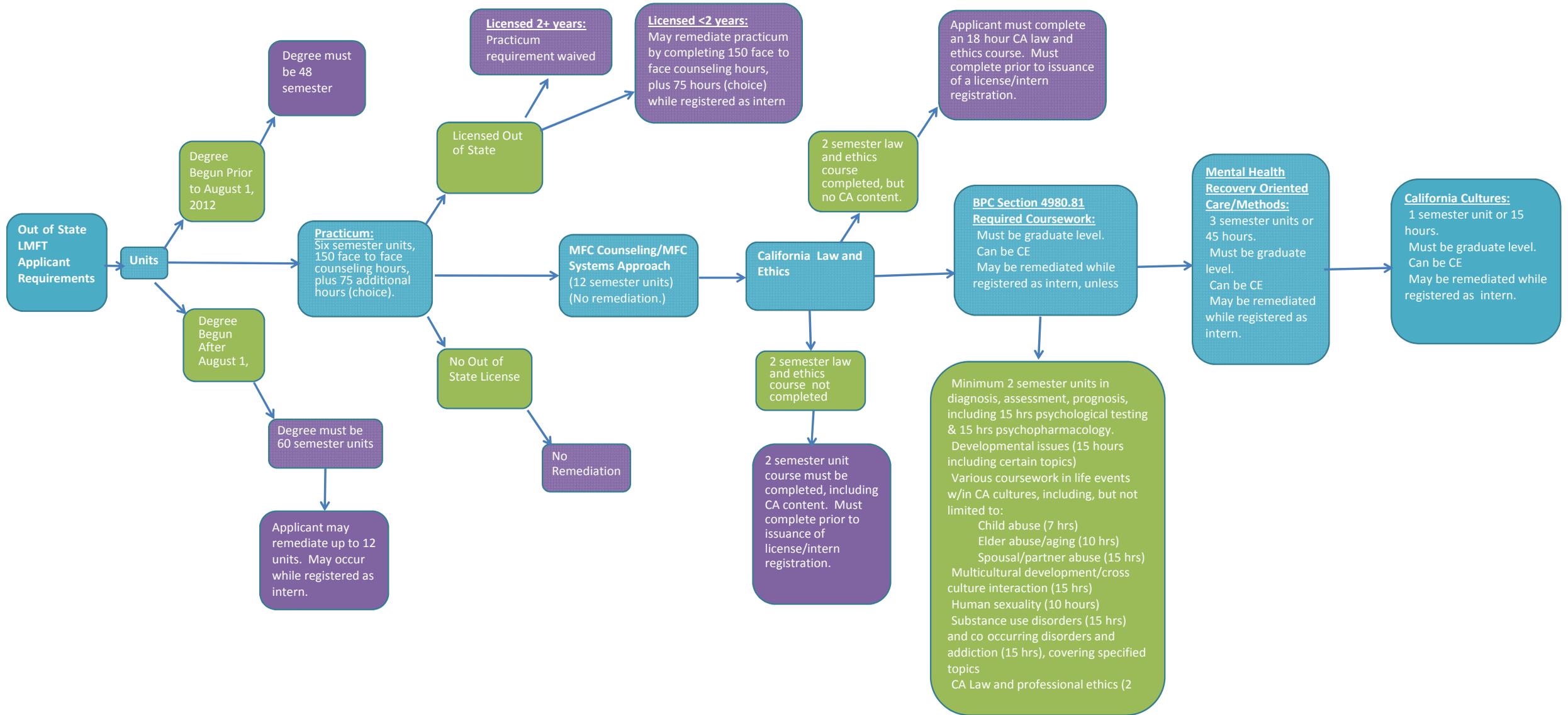
(7) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychopharmacology. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(8) The requirements added by paragraphs (6) and (7) are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice and are not intended in any way to expand or restrict the scope of licensure for marriage and family therapists.

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

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ATTACHMENT E: FLOW CHART: REQUIREMENTS FOR AN OUT-OF-STATE LMFT APPLICANT



Out of State LMFT Applicant Requirements

Units

Degree Begun Prior to August 1, 2012

Degree must be 48 semester

Degree Begun After August 1, 2012

Degree must be 60 semester units

Applicant may remediate up to 12 units. May occur while registered as intern.

Practicum: Six semester units, 150 face to face counseling hours, plus 75 additional hours (choice).

Licensed Out of State

Licensed 2+ years: Practicum requirement waived

Licensed <2 years: May remediate practicum by completing 150 face to face counseling hours, plus 75 hours (choice) while registered as intern

No Out of State License

No Remediation

MFC Counseling/MFC Systems Approach (12 semester units) (No remediation.)

California Law and Ethics

2 semester law and ethics course completed, but no CA content.

2 semester law and ethics course not completed

2 semester unit course must be completed, including CA content. Must complete prior to issuance of license/intern registration.

Applicant must complete an 18 hour CA law and ethics course. Must complete prior to issuance of a license/intern registration.

BPC Section 4980.81 Required Coursework: Must be graduate level. Can be CE. May be remediated while registered as intern, unless

Minimum 2 semester units in diagnosis, assessment, prognosis, including 15 hrs psychological testing & 15 hrs psychopharmacology. Developmental issues (15 hours including certain topics) Various coursework in life events w/in CA cultures, including, but not limited to:
 Child abuse (7 hrs)
 Elder abuse/aging (10 hrs)
 Spousal/partner abuse (15 hrs)
 Multicultural development/cross culture interaction (15 hrs)
 Human sexuality (10 hours)
 Substance use disorders (15 hrs) and co occurring disorders and addiction (15 hrs), covering specified topics
 CA Law and professional ethics (2)

Mental Health Recovery Oriented Care/Methods: 3 semester units or 45 hours. Must be graduate level. Can be CE. May be remediated while registered as intern.

California Cultures: 1 semester unit or 15 hours. Must be graduate level. Can be CE. May be remediated while registered as intern.

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To: Committee Members

Date: January 24, 2014

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: Proposed LPCC Out-of-State Applicant Requirements

Attachment A shows the proposed amendments to the licensing law for LPCC applicants with an out-of-state degree. It incorporates the solutions discussed by the Out-of State Education Review Committee at its meetings that were held April through November, 2013. The amendments do the following, and would apply to applicants beginning January 1, 2016 (See **Attachment B** for a summary):

Required Units

Require either 48 or 60 semester unit degrees for applicants with an out-of-state degree, depending on when Master's degree was obtained, in accordance with Business and Professions Code (BPC) Sections 4999.32 and 4999.33. If the applicant is required to have a 60 semester unit degree based on the timing of when the degree was obtained, he or she may remediate up to 12 semester units, if necessary. This remediation may occur while the applicant is registered as an intern.

Practicum

For applicants without an out-of-state license: Require six semester/nine quarter units of practicum, including 280 hours of face-to-face counseling. No remediation of the practicum requirement is permitted.

For applicants with an out-of-state license: Require six semester/nine quarter units of practicum, including 280 hours of face-to-face counseling.

- Applicants who have been licensed for at least two years in clinical practice are exempt from the practicum requirement.
- Applicants who are licensed out of state but have held that license less than two years may remediate the entire practicum requirement by demonstrating completion of 280 hours of face to face counseling, as specified in BPC Section 4999.33(c)(3)(K). Any post-degree hours gained to meet this requirement must be in addition to the 3,000 experience hours already required for a license, and must be gained while registered as an intern.

Core Content Requirements – BPC Section 4999.33(c) (A)-(M)

All out of state applicants who are deficient in any of the required areas of study listed in BPC Section 4999.33(c)(A)-(M) must satisfy the deficiencies by completing graduate coursework from an accredited or approved school. The coursework must be 3 semester or 4.5 quarter units for each content area. If not licensed in another state, this content must be remediated prior to issuance of a license or an intern registration. If the applicant is already licensed in another state, this content may be remediated while registered as an intern.

California Law and Ethics Content

All out of state applicants must have course content in California law and ethics:

1. If core content law and ethics course specified in Section 4999.33(c)(1)(I) was completed but does not contain the California content, then applicant must complete an 18-hour CA law & ethics course.
2. If the applicant is deficient in the law and ethics core content course, the core content course must be taken, with CA law and ethics content, prior to issuance of license/intern registration.

The course content in California law and ethics must be obtained prior to issuance of a license or intern registration.

Advanced Coursework

All out of state applicants who have not already done so must complete 15 semester or 22.5 quarter units of advanced coursework focusing on specific treatment issues or special populations. This coursework must be in addition to the core content requirements described above. The coursework must be from an accredited or approved school. All applicants may remediate this coursework while registered as an intern.

Additional Coursework Requirements (BPC Section 4999.33(d))

Current law states that the applicant must complete the coursework specified in BPC Section 4999.33(d) if they had not already done so.

Attachment C outlines the coursework required by Section 4999.33(d). The Out-of-State Committee determined that the first six subject areas were now being covered in the principles of mental health recovery oriented care (45 hours) and California cultures (15 hours) coursework that is proposed to be required of out-of-state applicants (see below).

The remaining topic areas have now been given a required number of hours. The purpose is to make it clearer to applicants, and the Board's evaluators, whether or not their completed coursework is sufficient. These requirements are as follows, and match the hours requirements that had previously been required in degrees under BPC Section 4999.32:

- Human sexuality (10 hours)
- Spousal/partner abuse (15 hours)
- Child abuse assessment (7 hours)

- Aging/long term care (10 hours)

The new amendments would allow the coursework to be from an accredited or approved educational institution, or from a Board-accepted continuing education provider, as long as its content is graduate-level. Also, an amendment has been made to allow this coursework to be remediated while registered as an intern, which previously was not going to be allowed.

Principles of Mental Health and Cultures Coursework

All out of state applicants are required to complete instruction in the principles of mental health recovery oriented care, instruction that includes an understanding of the various California cultures, and courses that provide structured meetings with various consumers and family members of mental health services. Current law requires this to be credit level coursework (not CE), taken before registration as an intern was allowed, and there was no specification of the amount of coursework required. The proposed amendments require the following:

- The instruction in mental health recovery oriented care must be at least three semester units or 45 hours, and must include the structured meetings with consumers/family members training; and
- The instruction in understanding of California cultures must be at least one semester unit or 15 hours.

Both of these requirements can now be taken from an accredited or approved school or a CE provider, as long as the course content is graduate level. It may be taken while registered as an intern.

ADDITIONAL AMENDMENT – EXPERIENCE CREDIT FOR TIME ACTIVELY LICENSED IN ANOTHER STATE

Sections 4999.59 and 4999.60 set examination eligibility requirements for LPCC applicants who are licensed out of state. One of the requirements for examination eligibility is that the applicant's supervised experience is substantially equivalent to the Board's experience requirements. It states that the Board will consider out-of-state experience obtained during the six year period immediately preceding the date the applicant obtained his or her out-of-state license.

If a licensee has been licensed for many years out-of-state, it may not be appropriate to look only at experience obtained prior to licensure. The Board's out-of-state LCSW applicants are permitted to count time actively licensed at a rate of 100 hours per month, up to a maximum of 1,200 hours, if they are short hours of supervised experience. These hours are applied toward the required direct clinical counseling hours. This method takes into account experience as a licensee in addition to pre-licensure experience.

This proposal includes an amendment for out-of-state licensee experience requirements for LPCC applicants to count time actively licensed as experience at a rate of 100 hours per month, up to 1,200 hours. Like LCSW applicants, these hours would be applied toward the required direct clinical counseling hours. Per the Out-of-State Committee's request, after January 1, 2016, the applicant can only do this if he or she meets the practicum requirement without exemptions or remediation. This is because BPC Section 4999.63 is proposing to allow licensed out-of-state applicants exemptions or remediation options for the practicum requirement under certain conditions. The Committee did not believe an applicant should be permitted both an exemption/remediation for practicum AND also be able to count time actively licensed toward experience hours.

AMENDMENTS MADE SINCE THE LAST OUT-OF-STATE COMMITTEE MEETING

Per the Out-of-State Committee's direction at its November 21, 2013 meeting, the following new amendments were made:

1. An amendment to specify that although the additional education requirements specified by Sections 4999.62(b)(3) and (4), and 4999.63(b)(3) and (4) is permitted to be taken through continuing education courses, the coursework must be of a graduate level.
2. An amendment to allow an unlicensed out-of-state applicant to remediate the 15-semester units of advanced coursework required by Section 4999.62(b)(2) while registered as an intern; and
3. An amendment to remove the requirement that an out-of-state applicant must automatically take both a 3 semester unit core content course in California law and ethics, and an 18-hour course in California law and ethics. If an out of state applicant otherwise meets the core content requirement and is only missing the California law and ethics component, he or she will remediate by taking the 18-hour course. If an out of state applicant does not meet the core content requirement, he or she will only need to take the deficient units, which must include the California law and ethics component.

RECOMMENDED ACTION

Conduct an open discussion regarding the proposed amendments. Direct staff to make any discussed changes, as well as any non-substantive changes, and submit to the Board for consideration as Board-sponsored legislation.

ATTACHMENTS

Attachment A: Proposed Language - Educational Requirements for Out of State LPCC Applicants

Attachment B: Matrix of Proposed Requirements -Licensed Out of State vs. Unlicensed Out of State

Attachment C: Comparison of LPCC Educational Requirements – 4999.33(d) (degree begun after Aug. 1, 2012) Versus 4999.32 (degree begun prior to Aug. 1, 2012)

Attachment D: Reference Sections – LPCC Licensing Law: BPC Sections 4999.32 and 4999.33

Attachment E: Flow Chart

**ATTACHMENT A
PROPOSED LANGUAGE
AMENDMENTS TO EDUCATIONAL REQUIREMENTS FOR OUT-OF-STATE LPCC
APPLICANTS**

LPCCs

Amend §4999.57

(a) This section applies to a person who applies for examination eligibility or registration between January 1, 2011, and December 31, ~~2013~~2015, inclusive, who does not hold a license described in subdivision (a) of Section 4999.58.

(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4999.40, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board.

(c) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32, ~~which includes, in addition to the course described in subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.32, an 18-hour course in California law and professional ethics for professional clinical counselors.~~

(1) An applicant who completed a course that meets the requirements of subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.32, and which included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.

(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.

(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.

(3) The applicant's degree otherwise complies with this section.

(e) This section shall become inoperative on January 1, ~~2014~~2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, ~~2014~~2016, deletes or extends that date.

Amend §4999.58

(a) This section applies to a person who applies for examination eligibility between January 1, 2011, and December 31, ~~2013~~2015, inclusive, and who meets both of the following requirements:

- (1) At the time of application, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States.
- (2) Has held the license described in paragraph (1) for at least two years immediately preceding the date of application.

(b) The board may issue a license to a person described in subdivision (a) if all of the following requirements are satisfied:

- (1) The education and supervised experience requirements of the other jurisdiction are substantially the equivalent of this chapter, as described in subdivision (e) and in Section 4999.46.
- (2) The person complies with subdivision (b) of Section 4999.40, if applicable.
- (3) The person successfully completes the examinations required by the board pursuant to paragraph (3) of subdivision (a) of Section 4999.50. An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:
 - (A) The applicant obtained a passing score on the national licensing examination that is required by the board.
 - (B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.
- (4) The person pays the required fees.

(c) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure by that state as a licensed professional clinical counselor. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a licensed professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(d) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32, ~~which includes, in addition to the course described in subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.32, an 18-hour course in California law and professional~~

~~ethics for professional clinical counselors.~~

(1) An applicant who completed a course that meets the requirements of subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.32, and which included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.

(e) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

- (1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.
- (2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.
- (3) The applicant's degree otherwise complies with this section.

(f) This section shall become inoperative on January 1, ~~2014~~2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, ~~2014~~2016, deletes or extends that date.

Amend §4999.59

(a) This section applies to a person who applies for examination eligibility or registration between January 1, 2011, and December 31, ~~2013~~2015, inclusive, who meets both of the following requirements:

- (1) At the time of application, holds a valid license described in paragraph (1) of subdivision (a) of Section 4999.58.
- (2) Has held the license described in paragraph (1) for less than two years immediately preceding the date of application.

(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4999.40, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure in that state as a professional clinical counselor. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a licensed professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

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

the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32, ~~which includes, in addition to the course described in subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.32, an 18-hour course in California law and professional ethics for professional clinical counselors.~~

(1) An applicant who completed a course that meets the requirements of subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.32, and which included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.

(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

- (1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.
- (2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.
- (3) The applicant's degree otherwise complies with this section.

(e) An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:

- (1) The applicant obtained a passing score on the national licensing examination that is required by the board.
- (2) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.

(f) This section shall become inoperative on January 1, ~~2014~~2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, ~~2014~~2016, deletes or extends that date.

Amend §4999.60 (LICENSED OUT OF STATE)

(a) This section applies to persons who are licensed outside of California and apply for examination eligibility on or after January 1, ~~2014~~2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States if all of the following conditions are satisfied:

- (1) The applicant's education is substantially equivalent, as defined in Section ~~4999.62~~ [4999.63](#).
- (2) The applicant complies with subdivision (b) of Section 4999.40, if applicable.
- (3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours, provided that the applicant's degree meets the practicum requirement described in 4999.63(b)(1)(C) without exemptions or remediation.
- (4) The applicant passes the examinations required to obtain a license under this chapter. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:
 - (A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.
 - (B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.

Amend §4999.61 (UNLICENSED OUT OF STATE)

- (a) This section applies to persons who apply for examination eligibility or registration on or after January 1, ~~2014~~[2016](#), and who do not hold a license as described in Section 4999.60.
- (b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision (b) of Section 4999.40, if applicable.
- (c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

Amend 4999.62 (UNLICENSED OUT OF STATE)

- (a) This section applies to persons who apply for examination eligibility or registration on or after January 1, ~~2014~~[2016](#), and who do not hold a license as described in Section 4999.60.
- (b) For purposes of Sections ~~4999.60 and~~ 4999.61, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited or approved institution, as defined in Section 4999.12, and consists of, at a minimum, ~~48 semester or 72 quarter units, including, but not limited to, both of~~ the following:

(A) For applicants who obtained their degree within the timeline prescribed by Section 4999.33(a), the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

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

(B) For applicants who obtained their degree within the timeline prescribed by Section 4999.32(a), the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

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

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

- (i) An applicant whose degree is deficient in any of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. Coursework taken to meet such deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

I. An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33, which did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, and therapist disclosures to clients. This coursework must be completed prior to registration as an intern.

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

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

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

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

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

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

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

(iii) A minimum of 7 contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

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

This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the Board as defined in Section 4999.76. The content of this coursework must be of a graduate level.

(3)(4) The applicant completes the following credit level coursework not already completed in his or her education from a degree-granting institution that provides all of the following: from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the Board as defined in Section 4999.76. The content of this coursework must be of a graduate level.

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

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

~~(C) Structured meeting with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.~~

~~(D) Instruction in behavioral addiction and co-occurring substance abuse and mental health disorders, as specified in subparagraph (K) of paragraph (1) of subdivision (c) of Section 4999.33.~~

~~(4) The applicant completes, in addition to the course described in subparagraph (l) of paragraph (1) of subdivision (c) of Section 4999.33, an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, and therapist disclosures to clients.~~

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

Amend 4999.63 (LICENSED OUT OF STATE)

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

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

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

(A) For applicants who obtained their degree within the timeline prescribed by Section 4999.33(a), the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

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

(B) For applicants who obtained their degree within the timeline prescribed by Section 4999.32(a), the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

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

(i) Applicants who have been licensed for at least two years in clinical practice, as verified by the board, are exempt from this requirement.

- (ii) Out-of-state applicants who have been licensed for less than two years in clinical practice, as verified by the board, who do not meet the practicum requirement, shall remediate it by demonstrating completion of a total of 280 hours of face-to face counseling, as specified in Section 4999.33(c)(3)(K). Any post-degree hours gained to meet this requirement must be in addition to the 3,000 hours of experience required by this chapter, and must be gained while registered as an intern with the board.

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

- (i) An applicant whose degree is deficient in any of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. Coursework taken to meet such deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

- I. An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33, which did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, and therapist disclosures to clients. This coursework must be completed prior to registration as an intern.

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

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

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

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

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

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

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

(iii) A minimum of 7 contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

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

This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the Board as defined in Section 4999.76. The content of this coursework must be of a graduate level.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the Board as defined in Section 4999.76. The content of this coursework must be of a graduate level.

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

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

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

Attachment B
Comparison of Proposed LPCC Requirements
Unlicensed Out of State vs. Licensed Out of State Applicant

Requirement	Unlicensed Out of State	Licensed Out of State
Required Units	48 or 60 semester units, depending on when degree obtained. If 60 units required, may remediate up to 12 units. This remediation may occur while registered as an intern.	48 or 60 semester units, depending on when degree obtained. If 60 units required, may remediate up to 12 units. This remediation may occur while registered as an intern.
Practicum	6 semester units, including 280 face-to-face hours. No remediation.	6 semester units, including 280 face to face hours. Exempt from this requirement if licensed at least two years. If licensed less than 2 years, may remediate by demonstration completion of 280 face to face hours. Any post-degree hours gained to meet this requirement must be in addition to 3,000 required experience hours, and must be gained while registered as an intern.
BPC Section 4999.33(c)(1)(A)-(M) Core Content Requirements	All content areas required. Each must be 3 semester/4.5 quarter units. Must be graduate level coursework from accredited/approved school. Remediation allowed, but must be done prior to issuance of an intern registration or license.	All content areas required. Each must be 3 semester/4.5 quarter units. Must be graduate level coursework from accredited/approved school. Remediation allowed, and may be done while registered as an intern.
California Law & Ethics	If core content law and ethics course specified in Section 4999.33(c)(1)(I) was completed but does not contain California content, then applicant must complete an 18-hour CA law & ethics course. If deficient in the law and ethics core content course, the core content course must be taken, with CA law and ethics content, prior to issuance of license/intern registration.	If core content law and ethics course specified in Section 4999.33(c)(1)(I) was completed but does not contain California content, then applicant must complete an 18-hour CA law & ethics course. If deficient in the law and ethics core content course, the core content course must be taken, with CA law and ethics content, prior to issuance of license/intern registration.
Advanced Coursework - Knowledge of Specific Treatment/Populations	15 semester/22.5 quarter units must be completed. Remediation allowed if not in degree; must be from an accredited or approved school. Coursework must be in addition to core content areas described in 4999.33(c)(1)(A)-(M). May remediate while registered as an intern.	15 semester/22.5 quarter units must be completed. Remediation allowed if not in degree; must be from an accredited or approved school. Coursework must be in addition to core content areas described in 4999.33(c)(1)(A)-(M). May remediate while registered as an intern.
Additional Coursework Requirements (BPC Section 4999.33(d))	Coursework may be remediated while registered as an intern. May be from an accredited/approved school or a continuing education provider as long as content is graduate level.	Coursework may be remediated while registered as an intern. May be from an accredited/approved school or a continuing education provider as long as content is graduate level.
Principles of Mental Health/Cultures Coursework	Instruction in mental health recovery oriented care - 45 hours. Instruction in CA cultures - 15 hours. May be from accredited/approved school or continuing education provider as long as content is graduate level. May remediate while registered as intern.	Instruction in mental health recovery oriented care - 45 hours. Instruction in CA cultures - 15 hours. May be from accredited/approved school or continuing education provider as long as content is graduate level. May remediate while registered as intern.

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Attachment C

Required Instruction Under BPC Section 4999.33(d) (Integrated Degree Program) For Out-of State Applicants (CURRENT)	Required Instruction under BPC Section 4999.32 For Out-of State Applicants (PREVIOUS)	Proposal for LPCC Out-of-State Applicants
1) Understanding of human behavior within the social context of socioeconomic status or other contextual issues affecting social position	not included	Included in required 15 hours of CA cultures coursework.
2) Understanding of human behavior within the social context of a representative variety of the cultures found within California.	not included	Included in required 15 hours of CA cultures coursework.
3) Cultural competency and sensitivity, including a familiarity with racial, cultural, linguistic, and ethnic backgrounds of persons living in California.	not included	Included in required 15 hours of CA cultures coursework.
4) Understanding the effects of socioeconomic status on treatment and available resources.	not included	Included in required 15 hours of CA cultures coursework/45 hours of principles of mental health.
5) Multicultural development/cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability incorporated into the psychotherapeutic process.	not included	Included in required 15 hours of CA cultures coursework.
6) Case management, systems of care for the severely mentally ill, public and private services for the severely mentally ill, community resources for victims of abuse, disaster/trauma response, advocacy for severely mentally ill, and collaborative treatment.	not included	Included in 45 hours of principles of mental health.
7) Human sexuality, including study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and assessment/treatment of psychosexual dysfunction.	A minimum of 10 hours of training in human sexuality as specified in Section 25.	A minimum of 10 hours of training in human sexuality as specified in Section 25.
8) Spousal/partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics.	A minimum of 15 contact hours of instruction in spousal/partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics.	A minimum of 15 contact hours in spousal/partner abuse assessment/detection/intervention and same gender abuse dynamics.
9) Child abuse assessment and reporting.	A minimum of 7 contact hours in child abuse assessment/reporting as specified in Section 28.	A minimum of 7 contact hours in child abuse assessment/reporting as specified in Section 28.
10) Aging and long term care, including biological, social, cognitive, and psychological aspects of aging. Shall include instruction on assessment/reporting of and treatment related to elder and dependent adult abuse and neglect.	A minimum of 10 contact hours of instruction in aging and long term care, including biological, social, and psychological aspects of aging. Shall include instruction on the assessment/reporting of and treatment related to elder and dependent adult abuse and neglect.	A minimum of 10 contact hours of instruction in aging and long term care including biological, social, and psychological aspects of aging. Shall include instruction on the assessment/reporting of and treatment related to elder and dependent adult abuse and neglect.

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Attachment D
Reference Sections – LPCC Licensing Law
BPC Sections 4999.32 and 4999.33

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

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

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment.

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

(G) Health and wellness promotion.

(H) Other recognized counseling interventions.

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

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

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

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

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

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

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

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

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

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

(6) A minimum of 18 contact hours of instruction in California law and professional ethics for professional clinical counselors that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, and state and federal laws related to confidentiality of patient health information. When coursework in a master's or doctoral degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester unit or 72 quarter unit requirement in subdivision (c).

(7) A minimum of 10 contact hours of instruction in aging and long-term care, which may include, but is not limited to, the biological, social, and psychological aspects of aging. On and after January 1, 2012, this coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

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

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

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

(a) This section shall apply to the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(M) Advanced counseling and psychotherapeutic theories and techniques, including the

application of counseling constructs, assessment and treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

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

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

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment.

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

(G) Health and wellness promotion.

(H) Professional writing including documentation of services, treatment plans, and progress notes.

(I) How to find and use resources.

(J) Other recognized counseling interventions.

(K) A minimum of 280 hours of face-to-face supervised clinical experience counseling individuals, families, or groups.

(d) The 60 graduate semester units or 90 graduate quarter units of instruction required pursuant to subdivision (c) shall, in addition to meeting the requirements of subdivision (c), include instruction in all of the following:

(1) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.

(2) The understanding of human behavior within the social context of a representative variety of the cultures found within California.

(3) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.

(4) An understanding of the effects of socioeconomic status on treatment and available resources.

(5) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability and their incorporation into the psychotherapeutic process.

(6) Case management, systems of care for the severely mentally ill, public and private services for the severely mentally ill, community resources for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. The instruction required in this paragraph may be provided either in credit level coursework or through extension programs offered by the degree-granting institution.

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

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

(9) Child abuse assessment and reporting.

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

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

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

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

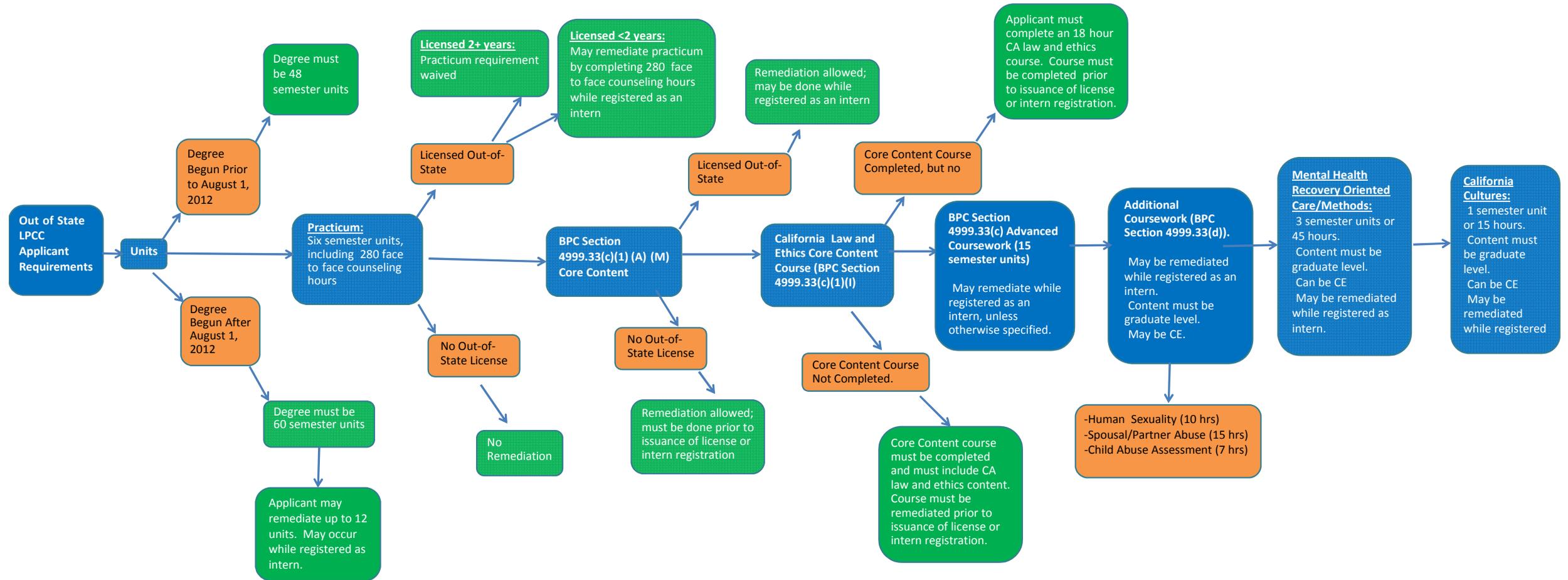
(3) Provide the opportunity for students to meet with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

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

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

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

ATTACHMENT E: FLOW CHART: REQUIREMENTS FOR AN OUT-OF-STATE LPCC APPLICANT



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To: Policy & Advocacy Committee

Date: January 29, 2014

From: Christy Berger
Regulatory Analyst

Telephone: (916) 574-7817

Subject: LPCC Treatment of Couples or Families

Introduction

Under current law, professional clinical counselor licensees (LPCCs), interns (PCC interns), and trainees may not treat couples or families unless they complete specified training and education required by Business and Professions Code (BPC) section 4999.20(a)(3), as follows:

- 1) Either six (6) semester or nine (9) quarter units focused on theory and application of marriage and family therapy, OR a named specialization or emphasis area of the qualifying degree in marriage (or marital) and family therapy, marriage, family, and child counseling, or couple and family therapy;
- 2) At least 500 hours of documented supervised experience working directly with couples, families or children; AND
- 3) Completion of at least six (6) hours of continuing education specific to marriage and family therapy during each two-year renewal cycle.

In addition, Title 16, section 1820.5 of the California Code of Regulations (CCR) outlines exemptions for LPCC licensees, interns and trainees to allow treatment of couples or families while gaining the required 500 hours of supervised experience. As individuals attempt to gain the experience and education necessary to treat couples or families, the following questions have been frequently posed to staff:

- 1) How should the specialized education and experience be documented, and how will the individual know if they are acceptable?
- 2) How would a consumer, employer or supervisee verify whether the practitioner meets the requirements to treat couples and families?
- 3) Must the 500 hours supervised experience be obtained from an "approved supervisor"?
- 4) Does an LPCC or PCC Intern need to meet the specialized education and experience requirements in a particular order?
- 5) How should out-of-state experience treating couples and families be evaluated?
- 6) How can an LPCC or intern who does not yet meet the requirements to treat couples and families, treat children but not the child's family?

Some of these questions were addressed by the Policy and Advocacy Committee at its November 1, 2012 meeting, as well as the full Board at its November 28-29, 2012 meeting. The Board approved the originally proposed language, however, staff has not yet begun the regulatory process. This provides the opportunity to take another look at the proposal and to answer additional questions that have arisen.

Discussion

- 1) How should the specialized education and experience be documented, and how will the LPCC or PCC Intern know if the coursework and experience is acceptable?**
- 2) How would a consumer, employer or supervisee verify whether the practitioner meets the requirements to treat couples and families?**

At this time, licensees and registrants are not required to obtain Board approval prior to treating couples or families. Once practitioners determine they have met the requirements, they may simply begin treating couples or families. Currently, the only way the Board may determine whether a licensee or registrant meets the requirements to treat couples or families is to (1) perform random audits of licensees and registrants, (2) request documentation of qualifications if a complaint is filed against the practitioner, or (3) when a licensee has supervised MFT interns or trainees.

Staff recommends that LPCC licensees be required to submit a form to the Board upon completion of the specialized education and experience. Board staff would evaluate the documentation, and send the practitioner a letter that states he or she is now qualified to treat couples and families (or that he or she has not met the requirements and why). This would allow the practitioner to provide the letter to consumers, employers and supervisees.

Staff therefore recommends adding Title 16, California Code of Regulations (CCR) section 1820.5, which would do the following:

- Require LPCCs and Interns to maintain records of education/experience and submit this documentation, along with an application to the Board.
- Beginning July 1, 2015 (or other date as determined through the regulatory process), require LPCCs to obtain approval from the Board prior to (1) treating couples or families; (2) supervising MFT interns or trainees, or (3) supervising interns or licensees who are gaining couples and families experience.
- Beginning July 1, 2015 (or other date as determined through the regulatory process), require LPCCs to provide a copy of the Board approval to a couple or family prior to beginning treatment, as well as to supervisees listed above.

- 3) Must the 500 hours supervised experience be obtained from an “approved supervisor”?**

Currently, the experience required to treat couples or families must be gained under the supervision of either a marriage and family therapist or a LPCC who has already met the requirements to treat couples and families. The code is silent on whether the supervisor must meet the qualifications of an “approved supervisor” as defined in BPC section 4999.12(h), which pertains to experience required for licensure.

It is not known whether the original intent was to require the experience be gained under a supervisor who meets the qualifications of BPC section 4999.12(h), or instead that the supervisor just be a licensed individual who is qualified to treat couples or families. BPC section 4999.12(h) defines an “approved supervisor” as someone who:

- Has a current, valid license not under suspension or probation

- Has not provided therapeutic services to the trainee or intern
- Has received professional training in supervision, and
- Has documented two years of clinical experience as an LPCC, LMFT, LCSW, licensed Clinical Psychologist, or licensed Physician and Surgeon certified in Psychiatry by the American Board of Psychiatry and Neurology.

Although the “approved supervisor” definition was designed for licensing purposes, it makes sense to require the same qualifications for supervision of couples and families experience to help ensure quality of supervision. If the “approved supervisor” definition is adopted, it would additionally allow LCSWs, licensed Clinical Psychologists, and Psychiatrists to supervise this experience. All of these professions are permitted to treat couples and families, increasing the availability of supervisors.

At its meeting in November 2012, the Board accepted the proposed amendment to require the experience be supervised by an approved supervisor. If this is still the intent, staff recommends amendments to regulations at 16 CCR section 1820.5.

4) Does an LPCC licensee or Intern need to meet the specialized education and experience requirements in a particular order?

This question has arisen because the law is structured differently for LPCC licensees vs. Interns, and the language is a little unclear. Currently, a LPCC licensee who would like to begin obtaining the experience required to work with couples and families, must first complete the MFT-related 6 semester units of coursework. However, interns are not required to complete the coursework prior to obtaining the experience.

It seems unwarranted to require a higher standard of licensees than of interns. But beyond that issue, the Board may want to consider requiring both licensees and interns to complete the coursework in MFT prior to, or concurrently with, the supervised experience.

For interns, current licensing laws require all coursework be completed prior to gaining any hours of experience. For licensees, the picture is less clear. However, it is clear is that treatment of couples and families can be complicated. It creates unique ethical issues, especially surrounding confidentiality. It also creates unique clinical issues, such as the therapist’s responsibility to each individual as well as to the couple or family as a whole. Additionally, families are growing in diversity and complexity.

Staff has drafted amendments to 16 CCR section 1820.5(b)(3)(A), and proposes adding new sections for the Committee’s consideration that would do the following:

- Require the 6 semester units of MFT-related education be completed prior to, or concurrently along with the supervised experience for both interns and licensees.
- Permit the Board to accept supervised experience gained before the proposed regulatory changes take effect, even if it was gained prior to completing the MFT coursework.

5) How should out-of-state experience treating couples and families be evaluated?

The Board frequently receives applications from individuals licensed in another state. It has been reported that most states¹ in the U.S. permit LPCCs to treat couples and families as part of their scope of practice. This raises the question of whether a licensee who has practiced in another state must demonstrate completion of both the supervised experience and education in order to meet California’s requirements.

¹ Staff is currently compiling this information state by state.

If an individual has been licensed and in practice for a significant amount of time, it is likely that they have experience treating couples and families. If a state's scope of practice permits treatment of couples and families, it can be assumed that the state also requires education necessary to treat these types of clients. Additionally, the National Clinical Mental Health Counselor's Examination, used by most states, contains content on couples and families².

Based on this information, staff recommends adding 16 CCR section 1820.7, which would permit the board to accept the following as evidence of meeting the experience and educational requirements.

- Be licensed in good standing in another state where the scope of practice permits treatment of couples and families, and have practiced independently for at least two years, at full-time or the equivalent.
- Continue to require those not licensed in another state for at least two years, or who are unlicensed and have out-of-state experience, to demonstrate meeting the requirements in the same manner as an in-state licensee or intern.

6) How can a LPCC or intern who does not yet meet the requirements to treat couples and families treat children, but not the child's family?

Similar to other Board licensees, all LPCCs may provide psychotherapeutic services to individuals and groups, including **children**, all of whom may be treated within the scope of practice without any additional training or experience. However, treatment of children nearly always involves the child's family or legal guardian (this may also occur when the therapist is treating an adult but also needs to involve the family).

If a family requires actual treatment by the LPCC who is also treating the child (or adult), the LPCC must possess the qualifications to treat families. If the LPCC does not meet the requirements, he or she may only provide a non-therapeutic consultation with the family for issues such as treatment planning and coordination, providing resources, monitoring progress, etc.

At the request of county employers, staff recommends clarifying this issue in regulations, and has drafted 16 CCR section 1820.6(c) for the Committee's consideration.

Technical Amendments

Clinical Counselor Trainees in Practicum

Current "couples and families treatment" regulations group clinical counselor trainees in practicum, with licensees and interns. Trainees have not yet completed their degree program, and are not permitted to gain hours of experience toward licensure. They also cannot gain experience toward meeting the couples and families requirement. However, trainees are permitted by law to treat "individuals, families, or groups" during practicum, and are required to work under the supervision of the school at all times.

16 CCR section 1820.5 is proposed to be amended to clarify that trainees may treat couples and families if they are gaining practicum hours, and to clarify that they may not count such hours toward the 500 hours of supervised experience.

Supervisory Plan Form

16 CCR section 1822 is proposed to be amended to clarify that the *Supervisory Plan* form is only required for experience gained toward licensure, rather than couples and families experience hours.

² <http://www.nbcc.org/NCMHCE/Topics>

Recommendation

Conduct an open discussion regarding each of the topics discussed above. Direct staff to make any discussed changes and any non-substantive changes to the attached amendments, and submit to the Board for approval to run as a regulatory proposal.

Attachments

Attachment A: Proposed Language

Attachment B: BPC § 4999.20 (Statute related to treatment of couples or families)

Attachment C: 16 CCR § 1820.5 (Regulation related to treatment of couples or families)

Attachment D: BPC § 4999.12(h) (Definition of an approved supervisor)

Attachment E: Supervisory Plan Form

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**ATTACHMENT A
PROPOSED AMENDMENTS
LPCC REQUIREMENTS TO WORK WITH COUPLES AND FAMILIES
Title 16, California Code Of Regulations**

AMEND §1820.5 EXPERIENCE WORKING DIRECTLY WITH COUPLES, OR FAMILIES, OR CHILDREN – TRAINEES IN PRACTICUM

(a) ~~Professional clinical counselor interns and clinical~~ Clinical counselor trainees, as defined in Section 4999.12, shall be exempt from Section 4999.20 (a)(3) of the Code if the ~~intern or~~ trainee ~~meets both of the following requirements:~~

~~—(1) Is~~ gaining supervised practicum experience to comply with ~~4999.20(a)(3)(B)~~, sections 4999.32(c)(3)(I), or 4999.33(c)(3)(K) of the Code; ~~and,~~

~~—(2) The supervised experience is gained under the direct supervision of a marriage and family therapist or a licensed professional clinical counselor who meets all requirements specified in Section 4999.20 (a)(3) of the Code.~~

(b) Trainees may not count supervised experience with couples or families toward the requirements of section 4999.20(a)(3) of the Code.

~~(b) A licensed professional clinical counselor shall be exempt from Section 4999.20 (a)(3) of the Code if the licensee meets all of the following requirements:~~

~~(1) Is~~ gaining supervised experience to comply with ~~Section 4999.20(a)(3)(B) of the Code;~~

~~(2) The supervised experience is gained under the direct supervision of a marriage and family therapist or a licensee who meets all requirements specified in Section 4999.20 (a)(3) of the Code.~~

~~(3) The licensed professional clinical counselor gaining the hours of supervised work experience to comply with Section 4999.20(a)(3) of the Code meets both of the following requirements:~~

~~(A) Has completed, beyond the minimum training and education, six semester units or nine quarter units specifically focused on the theory and application of marriage and family therapy or a named specialization or emphasis area on the qualifying degree in marriage and family therapy; marital and family therapy; marriage, family, and child counseling; or couple and family therapy.~~

~~(B) Completes a minimum of six hours of continuing education specific to marriage and family therapy, completed in each renewal cycle.~~

NOTE: Authority cited: Sections 4990.20 ~~and 4999.20~~, Business and Professions Code. Reference: Sections 4990.20, ~~4999.20~~, 4999.32, and 4999.33 Business and Professions Code.

ADD § 1820.6 – EXEMPTIONS FOR WORKING WITH COUPLES OR FAMILIES – INTERNS AND LICENSEES

(a) Professional clinical counselor interns and licensees shall be exempt from the scope of practice restrictions set forth in section 4999.20(a)(3) of the Code if the intern or licensee meets all of the following requirements:

(1) Is gaining supervised experience to comply with Section 4999.20(a)(3)(B) of the Code.

(2) The supervised experience is gained under the direct supervision of a licensee who meets the definition of an “approved supervisor” as described in Section 4999.12(h) of the Code. If the supervisor is a licensed professional clinical counselor, he or she must also meet all requirements specified in Section 4999.20(a)(3) of the Code.

(3) Effective July 1, 2015, the intern or licensee has completed, or is concurrently enrolled in, six semester units or nine quarter units specifically focused on the theory and application of marriage and family therapy or a named specialization or emphasis area on the qualifying degree in marriage and family therapy; marital and family therapy; marriage, family, and child counseling; or couple and family therapy, as required by section 4999.20(a)(3)(A)(i) of the Code.

(c) Nontherapeutic collateral consultation may be provided to a family of an individual who is being treated by an LPCC or intern who does not meet the requirements of section 4999.20(a)(3) of the Code, and who is not working under supervision toward meeting the requirements of section 4999.20(a)(3) of the Code. Nontherapeutic collateral consultation to the family may include, but is not limited to, treatment planning, recommending resources, monitoring progress, discussing concerns, or termination and aftercare planning.

NOTE: Authority cited: Section 4990.20 Business and Professions Code. Reference: Sections 4990.20, 4999.32, and 4999.33 Business and Professions Code.

ADD §1820.7 - CONFIRMATION OF QUALIFICATIONS TO TREAT COUPLES OR FAMILIES

(a) This section shall become operative effective July 1, 2015.

(b) The board shall accept any of the following as documentation of the coursework required by section 4999.20(a)(2)(A) of the Code to treat couples and families:

(1) An official transcript.

(2) Verification of a valid, unrestricted professional counseling or other counseling license held in another jurisdiction of the United States which allows the applicant to independently provide clinical mental health services, if all of the following are satisfied:

(A) The jurisdiction's scope of practice permits treatment of couples and families.

(B) The license has been held for at least two years and is currently in good standing.

(C) The licensee has practiced full-time, or the equivalent, for at least two years.

(3) The board may consider other documentation deemed equivalent by the board on a case-by-case basis.

(c) The board shall accept any of the following as documentation of the supervised experience required by section 4999.20(a)(2)(B) of the Code to treat couples and families:

(1) Hours of experience verified by a qualified supervisor.

(2) Verification of a valid, unrestricted professional counseling or other counseling license held in another jurisdiction of the United States which allows the applicant to independently provide clinical mental health services, if all of the following are satisfied:

(A) The jurisdiction's scope of practice permits treatment of couples and families.

(B) The license has been held for at least two years and is currently in good standing.

(C) The licensee has practiced full-time, or the equivalent, for at least two years.

(3) The board may consider other documentation deemed equivalent by the board on a case-by-case basis.

(d) Prior to commencement of couple or family treatment, a licensed professional clinical counselor shall obtain written confirmation from the board that he or she meets the requirements specified in 4999.20(a)(3) to treat couples and families, and shall provide a copy of this written confirmation to the clients.

(e) Prior to commencement of supervision, a licensed professional clinical counselor shall obtain written confirmation from the board that he or she meets the requirements specified in 4999.20(a)(3) to treat couples and families. The licensee shall provide a copy of this written confirmation to the supervisees listed below prior to commencement of supervision:

(1) A marriage and family therapist intern or trainee.

(2) A licensed professional clinical counselor or professional clinical counselor intern gaining supervised experience to comply with section 4999.20(a)(3).

NOTE: Authority cited: Section 4990.20 Business and Professions Code. Reference: Sections 4990.20, 4999.32, and 4999.33 Business and Professions Code.

AMEND § 1822 - SUPERVISORY PLAN

(a) All licensed mental health professionals acceptable to the board as defined in Section 4999.12 of the Code who assume responsibility for providing supervision under section 4999.46 of the Code shall develop a supervisory plan that describes the goals and objectives of supervision and shall complete and sign under penalty of perjury the "Supervisory Plan", (form no. 1800 37A-521, Rev. 3/10), hereby incorporated by reference.

(b) This supervisory plan shall be completed by each supervisor providing supervision and the original signed plan shall be submitted by the professional clinical counselor intern to the board upon application for examination eligibility.

Note: Authority cited: Section 4990.20 and 4999.48 Business and Professions Code. Reference: Sections 4999.12, 4999.34, 4999.36, 4999.44 through 4999.48 and 4999.54 Business and Professions Code.

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ATTACHMENT B LPCC TREATMENT OF COUPLES OR FAMILIES

BUSINESS AND PROFESSIONS CODE (BPC) §4999.20. SCOPE OF PRACTICE; TREATMENT OF COUPLES OR FAMILIES

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

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

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

(A) One of the following:

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

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

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

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

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

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

interventions and techniques are specifically implemented in the context of a professional clinical counseling relationship and use of a variety of counseling theories and approaches.

(c) "Assessment" means selecting, administering, scoring, and interpreting tests, instruments, and other tools and methods designed to measure an individual's attitudes, abilities, aptitudes, achievements, interests, personal characteristics, disabilities, and mental, emotional, and behavioral concerns and development and the use of methods and techniques for understanding human behavior in relation to coping with, adapting to, or ameliorating changing life situations, as part of the counseling process. "Assessment" shall not include the use of projective techniques in the assessment of personality, individually administered intelligence tests, neuropsychological testing, or utilization of a battery of three or more tests to determine the presence of psychosis, dementia, amnesia, cognitive impairment, or criminal behavior.

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

ATTACHMENT C LPCC “APPROVED SUPERVISORS”

BUSINESS AND PROFESSIONS CODE (BPC) §4999.12 (h)

“Approved supervisor” means an individual who meets the following requirements:

- (1) Has documented two years of clinical experience as a licensed professional clinical counselor, licensed marriage and family therapist, licensed clinical psychologist, licensed clinical social worker, or licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.
- (2) Has received professional training in supervision.
- (3) Has not provided therapeutic services to the clinical counselor trainee or intern.
- (4) Has a current and valid license that is not under suspension or probation.

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ATTACHMENT D CURRENT REGULATIONS

CCR §1820.5 EXPERIENCE WORKING DIRECTLY WITH COUPLES, FAMILIES, OR CHILDREN

(a) Professional clinical counselor interns and clinical counselor trainees shall be exempt from Section 4999.20 (a)(3) of the Code if the intern or trainee meets both of the following requirements:

(1) Is gaining supervised experience to comply with 4999.20(a)(3)(B), 4999.32(c)(3)(I), or 4999.33(c)(3)(K) of the Code; and,

(2) The supervised experience is gained under the direct supervision of a marriage and family therapist or a licensed professional clinical counselor who meets all requirements specified in Section 4999.20 (a)(3) of the Code.

(b) A licensed professional clinical counselor shall be exempt from Section 4999.20 (a)(3) of the Code if the licensee meets all of the following requirements:

(1) Is gaining supervised experience to comply with Section 4999.20(a)(3)(B) of the Code;

(2) The supervised experience is gained under the direct supervision of a marriage and family therapist or a licensee who meets all requirements specified in Section 4999.20 (a)(3) of the Code.

(3) The licensed professional clinical counselor gaining the hours of supervised work experience to comply with Section 4999.20(a)(3) of the Code meets both of the following requirements:

(A) Has completed, beyond the minimum training and education, six semester units or nine quarter units specifically focused on the theory and application of marriage and family therapy or a named specialization or emphasis area on the qualifying degree in marriage and family therapy; marital and family therapy; marriage, family, and child counseling; or couple and family therapy.

(B) Completes a minimum of six hours of continuing education specific to marriage and family therapy, completed in each renewal cycle.

NOTE: Authority cited: Sections 4990.20 and 4999.20, Business and Professions Code. Reference: Sections 4990.20, 4999.20, 4999.32, and 4999.33 Business and Professions Code.

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ATTACHMENT E



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SUPERVISORY PLAN

Title 16, California Code of Regulations (CCR) Sections 1870.1 and 1822 require all associate clinical social workers and professional clinical counselor interns and licensed mental health professionals acceptable to the Board as defined in Business and Professions Code Section 4996.23(a), 4999.12(h), and CCR Section 1874, who assume responsibility for providing supervision to those working toward a license as a Clinical Social Worker or Professional Clinical Counselor to complete and sign the following supervisory plan. The original signed plan shall be submitted by the registrant to the board upon application for examination eligibility.

REGISTRANT: (Please type or print clearly in ink.)

Form for Registrant information including fields for Legal name (Last, First, Middle), Registration Number, Address (Number and Street), City, State, Zip Code, Business Telephone, and Residence Telephone.

LICENSED SUPERVISOR: (Please type or print clearly in ink.)

Form for Licensed Supervisor information including fields for Name (Last, First, Middle), License No., Expiration Date, Employer Name, Telephone Number, Address (Number and Street), City, State, Zip Code, and Employment Setting (a-h) with checkboxes.

Briefly describe the goals and objectives:

I certify that I understand the responsibilities regarding clinical supervision, including the supervisor's responsibility to perform ongoing assessments of the supervisee, and I declare under penalty of perjury under the laws of the State of California that the information submitted on this form is true and correct.

Supervisor's Signature Date signed

Registrant's Signature Date signed

The original of this form must be submitted to the board upon application for examination eligibility.

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To: Policy & Advocacy Committee **Date:** January 24, 2014
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: **Proposed Regulations for Examination Restructure**

Introduction

In 2010, the Board approved a framework that will restructure its examination program, and sponsored legislation to implement those changes¹. The legislation passed in 2011, takes effect on January 1, 2016², and impacts those seeking licensure as a Marriage and Family Therapist (LMFT), Clinical Social Worker (LCSW), or Professional Clinical Counselor (LPCC). In order to implement the restructured examination program, the Board needs to revise its regulations to incorporate the new requirements and ensure that the regulations are consistent with the examination process authorized by the new law.

Background

The Board's current examination program requires applicants for licensure to pass two examinations upon completion of all other licensure requirements. Once an applicant passes the standard written examination, they are eligible to take a clinical vignette examination.

In February 2008, the Board initiated an extensive analysis of its examination program through the Board's Examination Program Review Committee (EPRC). The EPRC conducted a holistic, open-ended inquiry and analysis of the Board's examination program. The purpose of the review was to gather information, assess how mental health practice competencies are represented in the examinations, and provide stakeholders the opportunity to provide input, feedback, and express concerns.

In December 2009, the EPRC made a number of recommendations for modification of the examination process. The restructured examination process requires applicants to pass two new exams that replace the existing exams. Additionally, the timing of when examinations must be taken changes.

¹ SB 704 (Chapter 387, Statutes of 2011)

² SB 821 (Chapter 473, Statutes of 2013)

Regulatory Proposal

Regulations are necessary in order to implement the examination restructure. The Board approved earlier versions of the regulatory proposal at its November 9, 2011 and February 27, 2013 meetings. However, since that time, the examination restructure's effective date has been delayed. Additionally, staff have been meeting regularly to work out potential unforeseen implementation issues that could arise, as well as needed technical changes. Therefore, staff is requesting reconsideration of this proposal.

How the Exam Restructure Affects LMFT, LPCC, and LCSW Applicants

Effective January 1, 2016, applicants for the LMFT, LPCC, and LCSW programs must pass two exams: a California law and ethics examination and a clinical examination. These new exams replace the standard written and the clinical vignette exams currently in place for MFTs and LCSWs, and change the exam structure for LPCCs as described in the next section.

The California law and ethics examination must be taken during the intern or associate registration period while the applicant gains experience hours. The clinical examination must be taken once the registrant has completed all supervised work experience, education requirements, and passed the California law and ethics examination.

Law and Ethics Exam

- A new registrant will be required to take the law and ethics exam within the first year of registration as an intern or associate.
- Current registrants will be required to take the law and ethics exam within the first renewal period following implementation.
- If the law and ethics exam is not passed within the first year of registration, the intern or associate must complete a 12-hour law and ethics course in order to be eligible to retake the exam. The exam must be re-taken during each one-year registration renewal cycle until passed. If the exam is not taken, the intern or associate registration cannot be renewed until the exam has been taken.
- An intern or associate registration has a time limit of six years. At the end of the six years, the applicant must pass the law and ethics exam in order to obtain a subsequent intern or associate registration number.

Clinical Exam

- Once a registrant has completed all supervised work experience and educational requirements, and has passed the law and ethics exam, he or she may take the clinical exam.
- The clinical exam must be passed within seven years of an individual's first attempt. If it is not passed within this timeframe, the individual must first retake and pass the current version of the law and ethics exam before being allowed to retake the clinical exam.

Differences for LPCCs

Unlike the LCSW and LMFT programs, the LPCC program already requires passage of a California law and ethics exam. Additionally, instead of a Board-developed clinical exam, the Board adopted the National Clinical Mental Health Counseling Examination (NCMHCE). Currently, neither of these examinations may be taken until all other licensure requirements are

complete. Under the new requirements, LPCCs will follow the same examination timing as LMFTs and LCSWs, but no other changes are anticipated.

Pending Legislation

Once the exam restructure is implemented, existing interns and associates must take the law and ethics exam prior to renewal. However, there will be a group of registrants whose renewal is due as little as one month after implementation. In order to give this group adequate time to sign up for and take the exam, the Board approved language at its meeting in November 2013 for this year's omnibus bill. The proposal would allow those applying for renewal during the first six months of implementation to renew without first taking the law and ethics examination. These registrants will be required to participate in the law and ethics examination during their next renewal cycle.

The proposal also addresses applications for a subsequent (2nd) intern or associate number. The exam restructure prohibits issuance of a subsequent registration without a passing score on the law and ethics exam. The proposal would allow those applying for a subsequent registration during the first year of the restructure to be issued without a passing score. However, such registrants must pass the exam in order to renew the subsequent registration number.

Proposed Regulatory Changes

In accordance with the exam restructure, several sections of the Board's regulations need to be revised for consistency and clarity. Additionally, a number of technical amendments have been identified.

Exam-Related

- Change the names of the exams.
- Clarify the waiting periods between attempts on the exams.
- Clarify that those eligible to take the law and ethics exam must be a registered intern or associate, or must be an active candidate in the exam process.
- Clarify the scenarios under which failure to take an exam can lead to abandonment of an application.
- Incorporate language allowing the Board to accept the national examinations for LMFT and LCSW licensure, if the examinations are determined to be acceptable by the Board³.

Technical Changes

- Remove the associate social worker extension fee, as the authority for the Board to issue extensions was removed from law as of 2008⁴.
- Minor technical amendments such as deleting obsolete language, adding "licensed" to references to marriage and family therapists, and correcting authority and reference citations.

³ The Board voted on November 4, 2010 to accept the Association of Social Work Boards (ASWB) Clinical Level Examination for those seeking licensure with the Board and is currently working on a contract with ASWB to offer its exam. The Board will continue working with the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) in 2013 to determine the viability of using its exam for LMFT licensure in California.

⁴ SB 1048, Chapter 588, Statutes of 2007

- Incorporate changes resulting from the passage of SB 274⁵, which changed the annual renewal requirement for LPCCs who obtained a license through the grandparenting process to a biennial renewal consistent with all other Board-issued licenses.

Recommendation

Conduct an open discussion of the proposed regulatory amendments. Direct staff to make any discussed changes, and any non-substantive changes to the attached amendments, and submit to the Board for approval to run as a regulatory proposal.

Attachments

Attachment A: Proposed Amendments to Regulations

Attachment B: Proposed Legislative Amendments

Attachment C: Examination Restructure Statutes

⁵ SB 274, Chapter 148, Statutes of 2011

ATTACHMENT A
PROPOSED EXAMINATION RESTRUCTURE REGULATIONS
Title 16, California Code of Regulations
(Effective 1/1/2016)

AMEND § 1805. APPLICATIONS

~~(a) Applications submitted to the board for registration or licensure shall be on a form prescribed by the board.~~

~~(b) A 180-day waiting period is required between examinations for any applicant retaking an examination. In the event special or unusual circumstances occur that impact the examination, the Board's Executive Officer may allow for a lesser period of time, as long as the integrity of the examination or examination security is not compromised.~~

Note: Authority Cited: Sections 4980.60, 4988.2, and 4990.20 (a), Business and Professions Code. Reference: Sections 4980.30, 4980.40, 4989.20, 4992, 4996.2, 4999.50 and 4999.54, Business and Professions Code.

ADD §1805.01. REEXAMINATION

(a) A 90-day waiting period is required between attempts for applicants retaking a California law and ethics examination.

(b) A 180-day waiting period is required between attempts for applicants retaking a clinical examination.

(c) Waiting periods for national examinations that are accepted by the board shall be determined by that national testing entity.

(d) In the event special or unusual circumstances occur that impact an examination, the Board's Executive Officer may allow for a lesser period of time, as long as the integrity of the examination or examination security is not compromised.

Note: Authority Cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.40, 4984.72, 4989.20, 4989.22, 4996.1, 4996.4, 4999.50, 4999.53, 4999.54, and 4999.64, Business and Professions Code.

AMEND § 1806. ABANDONMENT OF APPLICATION

An application shall be deemed abandoned under any of the following circumstances:

(a) The application has not been completed by the applicant within one (1) year after it has been filed. An application shall be deemed complete when all documents and information required have been submitted to the board.

(b) The applicant does not submit information required in order to correct the deficiencies specified in a deficiency letter within one (1) year from the date of the deficiency letter.

~~(c) The applicant fails to sit for the standard written examination within one (1) year after being notified of initial eligibility to take the standard written examination.~~

~~(c)~~ ~~(d)~~ The applicant fails to sit for the clinical vignette examination within one (1) year of being notified of passing the standard written examination. This subdivision is in effect until December 31, 2015.

~~(e)~~ The applicant fails to sit for the jurisprudence and ethics examination required in Section 4999.52 and 4999.54 of the Code within one (1) year after being notified of initial eligibility to take the jurisprudence and ethics examination.

~~(f)~~ The applicant fails to sit for the examination required in 4999.54 (b) (2) of the Code within one (1) year after being notified of initial eligibility to take the examination.

~~(g)~~ The applicant fails to sit for an examination required in 4999.52 (c) (5) of the Code within one (1) year after being notified of initial eligibility to take that examination.

~~(h)~~ (d) An applicant fails to retake an examination within one (1) year from the date the applicant was notified of failing an examination.

(e) The applicant fails to sit for an examination within the first year after being notified of initial eligibility to take the examination. This subdivision does not apply to applicants who renew an intern or associate registration between January 1, 2016 and June 30, 2016.

(f) An applicant who renews an intern or associate registration between January 1, 2016 and June 30, 2016 and does not sit for the California law and ethics examination prior to the registration's new expiration date.

~~(i)~~ (g) The applicant fails to pay the initial license fee within one (1) year after notification by the board of successful completion of examination requirements.

An application submitted after an application has been abandoned shall be treated as a new application, including any fees required, and current requirements.

Note: Authority Cited: Sections 4980.60 and 4990.20 (a), Business and Professions Code. Reference: Sections 4980.30, 4980.35, 4980.397, 4980.399, 4980.72, 4984.01, 4984.7, 4989.20, 4989.68, 4992, 4992.05, 4992.09, 4996.1, 4996.17, 4996.28, 4996.3, 4999.50, 4999.52, 4999.53, 4999.54, 4999.55, 4999.60, 4999.100, and 4999.120, Business and Professions Code.

AMEND § 1816. RENEWAL FEES

(a) The annual renewal fee for marriage and family therapist intern registration is seventy-five dollars (\$75.00).

(b) The annual renewal fee for associate clinical social worker registration is seventy-five dollars (\$75.00).

~~(c)~~ The fee for associate clinical social worker extension is fifty dollars (\$50.00).

~~(d)~~ (c) The annual renewal fee for professional clinical counselor interns is one hundred dollars (\$100.00).

~~(e)~~ (d) The biennial active renewal fee for a licensed marriage and family therapist is one hundred thirty dollars (\$130.00).

~~(f)~~ (e) The biennial active renewal fee for a licensed educational psychologist is eighty dollars (\$80.00).

~~(g)~~ (f) The biennial active renewal fee for a licensed clinical social worker is one hundred dollars (\$100.00).

~~(h)~~ (g) The biennial active renewal fee for a licensed professional clinical counselor is one hundred seventy-five dollars (\$175.00).

~~(i) The annual renewal fee for licenses issued pursuant to Section 4999.54 (a)(1) of the Code is one hundred fifty dollars (\$150.00).~~

~~(j)(h) The biennial renewal fee for a board-approved continuing education provider is two hundred dollars (\$200.00).~~

~~(k) For the period of January 1, 2001 through December 31, 2002, the biennial renewal fee for a marriage and family therapist is twenty-five dollars (\$25.00).~~

~~(l) For the period of January 1, 2001 through December 31, 2002, The biennial renewal fee for a licensed educational psychologist is twenty-five dollars (\$25.00).~~

~~(m) For the period of January 1, 2001 through December 31, 2002, The biennial renewal fee for a licensed clinical social worker is twenty-five dollars (\$25.00).~~

Note: Authority Cited: Sections 4980.54, 4980.60, and 4990.20 (a), Business and Professions Code. Reference: Sections 4980.54, 4984.7, 4989.68, 4996.3, 4996.6, ~~4996.18~~, 4996.22, and 4999.120, Business and Professions Code.

AMEND § 1816.2. EXAMINATION FEES

~~(a) The licensed clinical social worker standard written examination fee shall be one hundred dollars (\$100.00).~~

~~(b)(a) The licensed clinical social worker ~~written clinical vignette~~ California law and ethics examination fee shall be one hundred dollars (\$100.00).~~

~~(c) The marriage and family therapist standard written examination fee shall be one hundred dollars (\$100.00).~~

~~(d) The marriage and family therapist written clinical vignette examination fee shall be one hundred dollars (\$100.00).~~

~~(b) The licensed marriage and family therapist California law and ethics examination fee shall be one hundred dollars (\$100.00).~~

~~(c) The board administered licensed marriage and family therapist clinical examination fee shall be one hundred dollars (\$100.00).~~

~~(e)(d) The licensed educational psychologist written examination fee shall be one hundred dollars (\$100.00).~~

~~(f)(e) The licensed professional clinical counselor ~~jurisprudence~~ California law and ethics examination shall be one hundred dollars (\$100.00).~~

~~(g)(f) The licensed professional clinical counselor examination described in Section 4999.54(b) of the Code shall be one hundred dollars (\$100.00).~~

~~(h) The fee for the licensed professional clinical counselor written examination shall be one hundred and fifty dollars (\$150.00).~~

Note: Authority Cited: 4980.60 and 4990.20 (a), Business and Professions Code. Reference: Sections 4984.7, 4989.68, 4996.3(a), ~~4996.4~~, ~~4999.54~~, and 4999.120, Business and Professions Code.

AMEND § 1816.3. EXAMINATION RESCORING FEES

The fee for rescoring any board administered licensed marriage and family therapist, licensed clinical social worker, ~~or~~ licensed educational psychologist, or licensed professional clinical counselor ~~written~~ examination shall be twenty dollars (\$20.00).

Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4984.7, 4989.68, ~~and~~ 4996.3, and 4999.120, Business and Professions Code.

AMEND § 1816.4. EXAMINATION ELIGIBILITY APPLICATION FEES

- (a) The fee for the licensed marriage and family therapist clinical examination eligibility application shall be one hundred dollars (\$100.00).
- (b) The fee for the licensed clinical social worker clinical examination eligibility application shall be one hundred dollars (\$100.00).
- (c) The fee for the licensed educational psychologist examination eligibility application shall be one hundred dollars (\$100.00).
- (d) The fee for the licensed professional clinical counselor clinical examination eligibility application shall be one hundred and eighty dollars (\$180.00).

Note: Authority Cited: Sections 4980.60 and 4990.20 (a), Business and Professions Code. Reference: Sections 4984.7, 4989.68, 4996.3, and 4999.120, Business and Professions Code.

AMEND § 1816.5. REPLACEMENT AND CERTIFICATION FEES

- (a) The fee for issuance of any replacement registration, license, or certificate shall be twenty dollars (\$20.00).
- (b) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25.00).

Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4984.7, 4989.68, ~~and~~ 4996.63, and 4999.120, Business and Professions Code.

AMEND § 1816.6. INACTIVE LICENSE FEES

- (a) The fee for issuance or renewal of an inactive licensed marriage and family therapist license shall be sixty-five dollars (\$65.00).
- (b) The fee for issuance or renewal of an inactive licensed clinical social worker license shall be fifty dollars (\$50.00).
- (c) The fee for issuance or renewal of an inactive licensed educational psychologist license shall be forty dollars (\$40.00).
- (d) The fee for issuance or ~~biennial~~ renewal of an inactive licensed professional clinical counselor license shall be eighty seven dollars and fifty cents (\$87.50).

~~(e) The fee for issuance or annual renewal of an inactive license issued pursuant to Section 4999.54(a)(1) of the Code shall be seventy five dollars (\$75.00).~~

Note: Authority Cited: Sections 4980.60 and 4990.20 (a), Business and Professions Code. Reference: Sections 4984.8, 4989.44, 4997, and 4999.112, Business and Professions Code.

AMEND § 1816.7. DELINQUENT FEES

- (a) The delinquency fee for the licensed marriage and family therapist license shall be sixty-five dollars (\$65.00).
- (b) The delinquency fee for the licensed clinical social worker license shall be fifty dollars (\$50.00).

(c) The delinquency fee for the licensed educational psychologist license shall be forty dollars (\$40.00).

(d) The delinquency fee for the licensed professional clinical counselor license shall be eighty seven dollars and fifty cents (\$87.50).

~~(e) The delinquency fee for the license issued pursuant to Section 4999.54(a)(1) of the Code shall be seventy five dollars (\$75.00).~~

~~(f)~~ (e) The delinquency fee for the continuing education provider approval shall be one hundred dollars (\$100).

Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 163.5, 4984.7, ~~4989.60~~4989.68, ~~4996.6~~4996.3, and 4999.104, Business and Professions Code.

ADD § 1822.5 REQUIRED EXAMINATIONS - LPCC

(a) The written examinations shall consist of the following:

(1) A California law and ethics examination designed to assess the applicant's knowledge of the law and ability to practice in an ethical manner; and

(2) A clinical examination designed to determine an applicant's knowledge, familiarity with the field, and practical understanding of the principles, techniques, objectives, and theories under which he or she must operate.

(b) The clinical examination as described in subsection (a)(2) may be a board administered examination or a national examination determined by the board to be acceptable.

(c) This section shall become operative on January 1, 2016.

Note: Authority cited: Section 4990.20, Business and Professions Code. Reference: Sections 4999.50, 4999.53, 4999.55, and 4999.60, Business and Professions Code.

ADD § 1822.6 CALIFORNIA LAW AND ETHICS EXAMINATION - LPCC

(a) In order to be eligible to take the California law and ethics examination (also referred to as the jurisprudence and ethics examination), an applicant must either be a registered intern or have an active record in the examination process.

(b) An applicant must take the California law and ethics examination within the first year of registration as an intern, and each subsequent year until the examination is passed.

(1) The examination may be retaken after the required waiting period upon submission of the examination request and payment of the required fee.

(2) Eligibility to sit for the law and ethics examination in the first renewal period is valid for the duration of the registrant's renewal period.

(c) If the examination is not passed during the registration renewal period, the registrant must complete, at a minimum, a 12-hour course in California law and ethics in order to maintain examination eligibility.

(1) To maintain eligibility to take the law and ethics examination in subsequent renewal periods, the applicant must do the following:

(A) Submit to the board a request to take the California law and ethics examination

(B) Pay the required fees; and

(C) Show proof of completion of the required minimum 12-hour California law and ethics course if required.

(D) Eligibility to sit for the law and ethics examination in subsequent renewal periods is valid for the duration of each renewal period.

(d) This section shall become operative on January 1, 2016.

Note: Authority cited: Section 4990.20, Business and Professions Code. Reference: Sections 4999.50, 4999.53, 4999.55, and 4999.100, Business and Professions Code.

AMEND § 1829. REQUIRED EXAMINATIONS - MFT

(a) The written examinations shall consist of the following:

(1) A California law and ethics examination designed to assess the applicant's knowledge of the law and ability to practice in an ethical manner; and

~~—(a)(2) A standard written clinical examination designed to determine an applicant's knowledge, familiarity with the field, and practical understanding of the principles, techniques, objectives, and theory-theories and laws under which he or she must operate; and~~

~~(b) A written clinical vignette examination designed to assess the applicant's judgment, knowledge of the application of psychosocial and psychotherapeutic methods and measures in treatment, and ability to assume professional responsibilities.~~

(b) The clinical examination as described in subsection (a)(2) may be a board administered examination or a national examination determined by the board to be acceptable.

(c) This section shall become operative on January 1, 2016.

Note: Authority cited: Sections 4980.40 and 4980.60, Business and Professions Code. Reference: Sections 4980.40, ~~4980.397, 4980.399, and 4980.72,~~ Business and Professions Code.

ADD § 1830. CALIFORNIA LAW AND ETHICS EXAMINATION - MFT

(a) In order to be eligible to take the California law and ethics examination (also referred to as the jurisprudence and ethics examination), an applicant must either be a registered intern or have an active record in the examination process.

(b) An applicant must take the California law and ethics examination within the first year of registration as an intern, and each subsequent year until the examination is passed.

(1) The examination may be retaken after the required waiting period upon submission of the examination request and payment of the required fee.

(2) Eligibility to sit for the law and ethics examination in the first renewal period is valid for the duration of the registrant's renewal period.

(c) If the examination is not passed during the registration renewal period, the registrant must complete, at a minimum, a 12-hour course in California law and ethics in order to maintain examination eligibility.

(1) To maintain eligibility to take the law and ethics examination in subsequent renewal periods, the applicant must do the following:

(A) Submit to the board a request to take the California law and ethics examination;

(B) Pay the required fees; and

(C) Show proof of completion of the required minimum 12-hour California law and ethics course if required.

(D) Eligibility to sit for the law and ethics examination in subsequent renewal periods is valid for the duration of each renewal period.

(d) This section shall become operative on January 1, 2016.

Note: Authority cited: Sections 4980.40 and 4980.60, Business and Professions Code. Reference: Sections 4980.40, 4980.397, 4980.399, and 4984.01, Business and Professions Code.

AMEND § 1877. REQUIRED EXAMINATIONS - LCSW

(a) The written examinations shall consist of the following:

(1) A California law and ethics examination designed to assess the applicant's knowledge of the law and ability to practice in an ethical manner; and

~~—(a)(2) A standard written clinical examination designed to determine an applicant's knowledge, familiarity with the field, and practical understanding of the principles, techniques, objectives, and theory theories and laws under which he or she must operate; and~~

~~(b) A written clinical vignette examination designed to assess the applicant's judgment, knowledge of the application of psychosocial and psychotherapeutic methods and measures in treatment, and ability to assume professional responsibilities.~~

(b) The clinical examination as described in subsection (a)(2) may be a board administered examination or a national examination determined by the board to be acceptable.

Note: Authority cited: Section 4990.20, Business and Professions Code. Reference: Sections ~~4992.4~~ 4992.05, 4992.09 and 4996.1, Business and Professions Code.

ADD § 1878. CALIFORNIA LAW AND ETHICS EXAMINATION - LCSW

(a) In order to be eligible to take the California law and ethics examination (also referred to as the jurisprudence and ethics examination), an applicant must either be a registered intern or have an active record in the examination process.

(b) An applicant must take the California law and ethics examination within the first year of registration as an associate, and each subsequent year until the examination is passed.

(1) The examination may be retaken after the required waiting period upon submission of the examination request and payment of the required fee.

(2) Eligibility to sit for the law and ethics examination in the first renewal period is valid for the duration of the registrant's renewal period.

(c) If the examination is not passed during the registration renewal period, the registrant must complete, at a minimum, a 12-hour course in California law and ethics in order to maintain examination eligibility.

(1) To maintain eligibility to take the law and ethics examination in subsequent renewal periods, the applicant must do the following:

(A) Submit to the board a request to take the California law and ethics examination;

(B) Pay the required fees; and

(C) Show proof of completion of the required minimum 12-hour California law and ethics course, if required.

(D) Eligibility to sit for the law and ethics examination in subsequent renewal periods is valid for the duration of each renewal period.

(d) This section shall become operative on January 1, 2016.

Note: Authority cited: Section 4990.20, Business and Professions Code. Reference: Sections 4992.05, 4992.09, 4996.1, and 4996.28, Business and Professions Code

ATTACHMENT B
PROPOSED LEGISLATION - EXAM RESTRUCTURE

Approved by the Board in November 2013

Applicants Renewing between 01/01/2016 and 06/30/2016
and
Applicants for a 2nd Number between 01/01/2016 and 12/31/2016

AMEND BUSINESS AND PROFESSIONS CODE (BPC) § 4980.399.

(a) Except as provided in subdivision (a) of Section 4980.398, each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subsection (b), an applicant who holds a registration eligible for renewal, who applies for renewal of that registration between January 1, 2016 and June 30, 2016, shall if eligible, be allowed to renew such registration without first participating in the California law and ethics examination. These applicants must participate in the California law and ethics examination in the next renewal cycle, and must pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

~~(e)~~(d) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except as provided in subdivision ~~(d)~~(e).

~~(d)~~(e) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her first renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

~~(e)~~(f) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subsection (f), an applicant who holds or has held a registration, who applies for a subsequent registration number between January 1, 2016 and January 1, 2017, shall if eligible, be allowed to obtain such subsequent registration number without first passing the California law and ethics examination, as long as the examination is passed at the next renewal period or prior to licensure, whichever occurs first.

~~(f)~~(h) This section shall become operative on January 1, 2016.

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**ATTACHMENT C
EXAMINATION RESTRUCTURE
RELATED STATUTES**

Business and Professions Code

LMFT

§4980.397. REQUIRED EXAMINATIONS; EFFECTIVE JANUARY 1, 2016

(a) Effective January 1, 2016, an applicant for licensure as a marriage and family therapist shall pass the following two examinations as prescribed by the board:

(1) A California law and ethics examination.

(2) A clinical examination.

(b) Upon registration with the board, a marriage and family therapist intern shall, within the first year of registration, take an examination on California law and ethics.

(c) A registrant may take the clinical examination only upon meeting all of the following requirements:

(1) Completion of all required supervised work experience.

(2) Completion of all education requirements.

(3) Passage of the California law and ethics examination.

(d) This section shall become operative on January 1, 2016.

§4980.398. EXAMINATION RESTRUCTURE TRANSITION SCENARIOS; EFFECTIVE JANUARY 1, 2016

(a) Each applicant who had previously taken and passed the standard written examination but had not passed the clinical vignette examination shall also obtain a passing score on the clinical examination in order to be eligible for licensure.

(b) An applicant who had previously failed to obtain a passing score on the standard written examination shall obtain a passing score on the California law and ethics examination and the clinical examination.

(c) An applicant who had obtained eligibility for the standard written examination shall take the California law and ethics examination and the clinical examination.

(d) This section shall become operative on January 1, 2016.

§4980.399. CALIFORNIA LAW AND ETHICS EXAMINATION; EFFECTIVE JANUARY 1, 2016

(a) Except as provided in subdivision (a) of Section 4980.398, each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except as provided in subdivision (d).

(d) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her first renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by the section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

(e) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(f) This section shall become operative on January 1, 2016.

§4980.72. RECIPROCITY; EQUIVALENT REQUIREMENTS; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who are licensed outside of California and apply for licensure on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license in good standing issued by a board of marriage counselor examiners, board of marriage and family therapists, or corresponding authority, of any state or country, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4980.78. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(2) The applicant complies with Section 4980.76, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above.

(4) The applicant passes the California law and ethics examination.

(5) The applicant passes a clinical examination designated by the board. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or

otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.

§4984.01. INTERN REGISTRATION; DURATION; RENEWAL; EFFECTIVE JANUARY 1, 2016

(a) The marriage and family therapist intern registration shall expire one year from the last day of the month in which it was issued.

(b) To renew the registration, the registrant shall, on or before the expiration date of the registration, complete all of the following actions:

(1) Apply for renewal on a form prescribed by the board.

(2) Pay a renewal fee prescribed by the board.

(3) Participate in the California law and ethics examination pursuant to Section 4980.399 each year until successful completion of this examination.

(4) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken against him or her by a regulatory or licensing board in this or any other state subsequent to the last renewal of the registration.

(c) The registration may be renewed a maximum of five times. No registration shall be renewed or reinstated beyond six years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a new intern registration if the applicant meets the educational requirements for registration in effect at the time of the application for a new intern registration and has passed the California law and ethics examination described in Section 4980.399. An applicant who is issued a subsequent intern registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.

(d) This section shall become operative on January 1, 2016.

§4984.72. FAILED CLINICAL EXAMINATION; REEXAMINATION; NEW APPLICATION REQUIREMENT; EFFECTIVE JANUARY 1, 2016

(a) Effective January 1, 2016, an applicant who fails the clinical examination may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all requirements in effect on the date of application, and pays all required fees.

(b) This section shall become operative on January 1, 2016.

LCSW

§4992.05. REQUIRED EXAMINATIONS; EFFECTIVE JANUARY 1, 2016

(a) Effective January 1, 2016, an applicant for licensure as a clinical social worker shall pass the following two examinations as prescribed by the board:

(1) A California law and ethics examination.

(2) A clinical examination.

(b) Upon registration with the board, an associate social worker registrant shall, within the first year of registration, take an examination on California law and ethics.

(c) A registrant may take the clinical examination only upon meeting all of the following requirements:

(1) Completion of all education requirements.

(2) Passage of the California law and ethics examination.

(3) Completion of all required supervised work experience.

(d) This section shall become operative on January 1, 2016.

§4992.09. CALIFORNIA LAW AND ETHICS EXAMINATION; EFFECTIVE JANUARY 1, 2016

(a) Except as provided in subdivision (a) of Section 4992.07, an applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except for as provided in subdivision (d).

(d) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her first renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by the section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

(e) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(f) This section shall become operative on January 1, 2016.

§4996.1. . ISSUANCE OF LICENSE; EFFECTIVE JANUARY 1, 2016

(a) Effective January 1, 2016, the board shall issue a clinical social worker license to each applicant who qualifies pursuant to this article and who successfully passes a California law and ethics examination and a clinical examination. An applicant who has successfully passed a previously administered written examination may be subsequently required to take and pass another written examination.

(b) This section shall become operative on January 1, 2016.

§4996.4. FEE FOR REEXAMINATION; EFFECTIVE JANUARY 1, 2016

(a) Effective January 1, 2016, an applicant who fails the clinical examination may, within one year from the notification date of failure, retake that examination as regularly scheduled, without further application, upon payment of the required examination fees. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all current requirements, and pays all required fees.

(b) This section shall become operative on January 1, 2016.

§4996.17. ACCEPTANCE OF EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA

(a) (1) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially the equivalent of the requirements of this chapter.

(2) Commencing January 1, 2014, an applicant with experience gained outside of California shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(b) The board may issue a license to any person who, at the time of application, holds a valid active clinical social work license issued by a board of clinical social work examiners or corresponding authority of any state, if the person passes, or has passed, the licensing examinations as specified in Section 4996.1 and pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than 3,200 hours of qualifying supervised experience, time actively licensed as a clinical social worker shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(2) Completion of the following coursework or training in or out of this state:

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

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

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

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

(3) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant shall provide a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(c) The board may issue a license to any person who, at the time of application, holds a valid, active clinical social work license issued by a board of clinical social work examiners or a corresponding authority of any state, if the person has held that license for at least four years immediately preceding the date of application, the person passes, or has passed, the licensing examinations as specified in Section 4996.1, and the person pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) Completion of the following coursework or training in or out of state:

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

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

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

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

(2) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(3) The applicant has been licensed as a clinical social worker continuously for a minimum of four years prior to the date of application.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant provides a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(d) Commencing January 1, 2016, an applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination specified in Section 4996.1 if the applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

§4996.28. ASSOCIATE CLINICAL SOCIAL WORKER; REGISTRATION EXPIRATION; RENEWAL

(a) Registration as an associate clinical social worker shall expire one year from the last day of the month during which it was issued. To renew a registration, the registrant shall, on or before the expiration date of the registration, complete all of the following actions:

(1) Apply for renewal on a form prescribed by the board.

(2) Pay a renewal fee prescribed by the board.

(3) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken by a regulatory or licensing board in this or any other state, subsequent to the last renewal of the registration.

(4) On and after January 1, 2016, obtain a passing score on the California law and ethics examination pursuant to Section 4992.09.

(b) A registration as an associate clinical social worker may be renewed a maximum of five times. When no further renewals are possible, an applicant may apply for and obtain a new

associate clinical social worker registration if the applicant meets all requirements for registration in effect at the time of his or her application for a new associate clinical social worker registration. An applicant issued a subsequent associate registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.

LPCC

§4999.53. REQUIRED EXAMINATIONS; EFFECTIVE JANUARY 1, 2016

(a) Effective January 1, 2016, a clinical counselor intern applying for licensure as a clinical counselor shall pass the following examinations as prescribed by the board:

(1) A California law and ethics examination.

(2) A clinical examination administered by the board, or the National Clinical Mental Health Counselor Examination if the board finds that this examination meets the prevailing standards for validation and use of the licensing and certification tests in California.

(b) Upon registration with the board, a clinical counselor intern shall, within the first year of registration, take an examination on California law and ethics.

(c) A registrant may take the clinical examination or the National Clinical Mental Health Counselor Examination, as established by the board through regulation, only upon meeting all of the following requirements:

(1) Completion of all required supervised work experience.

(2) Completion of all education requirements.

(3) Passage of the California law and ethics examination.

(d) This section shall become operative on January 1, 2016.

§4999.55. CALIFORNIA LAW AND ETHICS EXAMINATION; EFFECTIVE JANUARY 1, 2016

(a) Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) If an applicant fails the California law and ethics exam, he or she may retake the examination, upon payment of the required fees, without further application, except as provided in subdivision (d).

(d) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her first renewal period on or after the operative date of this section, he or she shall complete, at minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state, or governmental entity, or a college or university.

(e) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(f) This section shall become operative January 1, 2016.

§4999.60. OUT-OF-STATE LICENSEE; EXAMINATION ELIGIBILITY; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who are licensed outside of California and apply for examination eligibility on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4999.62.

(2) The applicant complies with subdivision (b) of Section 4999.40, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above.

(4) The applicant passes the examinations required to obtain a license under this chapter. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and has not been revoked, suspended, surrendered, denied, or otherwise restricted or encumbered as a result of any disciplinary proceeding brought by the licensing authority of that jurisdiction.

§4999.100. EXPIRATION OF INTERN REGISTRATION; RENEWAL OF UNEXPIRED REGISTRATION; EFFECTIVE JANUARY 1, 2016

(a) An intern registration shall expire one year from the last day of the month in which it was issued.

(b) To renew a registration, the registrant shall, on or before the expiration date of the registration, do the following:

(1) Apply for a renewal on a form prescribed by the board.

(2) Pay a renewal fee prescribed by the board.

(3) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the registrant's last renewal.

(4) Participate in the California law and ethics examination pursuant to Section 4999.53 each year until successful completion of this examination.

(c) The intern registration may be renewed a maximum of five times. No registration shall be renewed or reinstated beyond six years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a new intern registration if the applicant meets the educational requirements for registration in effect at the time of the application for a new intern registration and has passed the California law and ethics examination described in Section 4999.53. An applicant who is issued a subsequent intern registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.

(d) This section shall become operative on January 1, 2016.

§4999.64. REEXAMINATION

(a) Effective January 1, 2016, an applicant who fails the examination specified in paragraph (2) of subdivision (a) of Section 4999.53 may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all requirements in effect on the date of application, and pays all required fees.

(b) This section shall become operative on January 1, 2016.

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To: Committee Members

Date: January 2, 2014

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: Legislative Update

Board staff is currently pursuing the following legislative proposals:

1. **Omnibus Legislation (Senate Business, Professions, and Economic Development Committee)**

This bill proposal, approved by the Board at its November 21, 2013 meeting, makes minor, technical, and non-substantive amendments to add clarity and consistency to current licensing law.

2. **LMFT and LPCC Out-of-State Applicant Requirements**

Licensing requirements for out-of-state LMFT and LPCC applicants are set to change on January 1, 2014. However, the Board had concerns that the new out-of state requirements may be too stringent, restricting portability of these license types to California.

Last year, the Board sponsored AB 451 (Chapter 551, Statutes of 2013), which extended the change to the out-of-state licensing requirements from January 1, 2014 to January 1, 2016. For the past year, the Board's newly formed Out-of-State Education Committee has been working to formulate new out-of-state requirements that better accommodate license portability, while still maintaining consumer protection.

The proposal for the new out-of-state licensing requirements established by the committee will go before the Board at its March 5-6, 2014 meeting. If approved, staff will be directed to sponsor legislation to make the changes.

The proposal makes changes to the practicum requirements for out-of-state applicants, as well as allows them to remediate certain coursework through continuing education, instead of requiring all coursework to be from a graduate program. It also allows certain coursework to be remediated while registered as an intern.

3. **Child Custody Evaluators**

This bill proposal would specify that the Board may access a child custody evaluation report for the purpose of investigating allegations that one of its licensees, while serving as a child custody evaluator, engaged in unprofessional conduct in the creation of the report. Currently, the law does not give the Board direct access to the child custody evaluation report. This leaves the Board unable to investigate allegations of unprofessional conduct of its licensees while they are serving as a custody evaluator, even though the Board is mandated to do so by law.

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To: Policy and Advocacy Committee **Date:** January 24, 2014
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: Rulemaking Update

CURRENT REGULATORY PROPOSALS

Continuing Education: Title 16, CCR Sections 1887, 1887.1, 1887.3, 1887.4, 1887.11; Add Sections 1887.41, 1887.42, 1887.43; Delete Sections 1887.6, 1887.7, 1887.8, 1887.9, 1887.10, 1887.13, 1887.14

This proposal makes a number of changes to the Board's continuing education program. These proposed changes are based on the recommendations of the Board's Continuing Education Committee, which was formed in 2011 in response to a number of concerns raised about continuing education.

This proposal was approved by the Board at its meeting on February 28, 2013. The Notice has been filed with the Office of Administrative Law (OAL) and the 45-day public comment period has ended. The public hearing for this proposal was on October 22, 2013. This proposal is currently under review by the Department of Consumer Affairs.

APPROVED REGULATORY PROPOSALS

Implementation of SB 363 (Marriage and Family Therapist Intern Experience): Title 16, CCR Section 1833

SB 363 (Chapter 384, Statutes of 2011) limited the number of client-centered advocacy hours that a marriage and family therapist intern may earn toward licensure to 500 hours.

This proposal deletes regulatory language that conflicts with SB 363, and which is no longer needed due to the new legislative provisions enacted by SB 363. This amendment was approved by the Board at its meeting on November 9, 2011. This proposal also deletes an outdated provision regarding crisis counseling on the telephone, which directly conflicts with telehealth provisions in LMFT licensing law. This amendment was approved by the Board at its meeting on February 29, 2012.

This proposal was approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on July 15, 2013. It became effective on **October 1, 2013.**

Enforcement Regulations: Title 16, CCR Sections 1803, 1845, 1858, 1881; Add Sections 1823, 1888.1, SB 1111

This proposal is part of an effort by the Department of Consumer Affairs (DCA) for healing arts boards to individually seek regulations to implement provisions of SB 1111 and SB 544 (part of DCA's Consumer Protection Enforcement Initiative) that do not require statutory authority.

The intent of SB 1111, which failed passage in 2010, and SB 544, which failed passage in 2011, was to provide healing arts boards under DCA with additional authority and resources to make the enforcement process more efficient. These regulations propose delegation of certain functions to the executive officer; sets forth required actions against registered sex offenders and adds unprofessional conduct provisions to aid in the enforcement streamlining effort.

This proposal was approved by OAL and filed with the Secretary of State on March 25, 2013. It became effective on **July 1, 2013.**

Disciplinary Guidelines: Title 16, CCR Section 1888

This proposal makes several revisions to the Disciplinary Guidelines, which are incorporated by reference into Board regulations.

This proposal was approved by OAL and filed with the Secretary of State on April 2, 2013. It became effective on **July 1, 2013.**

PENDING REGULATORY PROPOSALS

Disciplinary Guidelines and SB 1441: Uniform Standards for Substance Abuse: Title 16, CCR Section 1888

This is a regulatory proposal that the DCA and the Legislature has asked all healing arts licensing boards to pursue. It creates uniform standards for discipline that the boards must follow in cases of licensee or registrant substance abuse. This proposal was prompted by a concern at the Legislature that there is a lack of a consistent policy across DCA's healing arts boards for handling cases that involve licensees or registrants who abuse drugs or alcohol.

This proposal was approved by the Board at its meeting on November 28, 2012. Next, staff will submit it to OAL for publication in its Notice Register, which will begin the 45-day public comment period.

Implementation of SB 704 (Examination Restructure): Title 16, CCR Sections 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877; Add Sections 1805.01, 1822.5, 1822.6, 1830, 1878

This proposal revises current Board regulations for clarity and consistency with statutory changes made by SB 704 (Chapter 387, Statutes of 2011), which restructures the examination process for LMFT, LCSW, and LPCC applicants effective January 1, 2016.

This proposal was originally approved by the Board at its meeting in February 2013, and published in its California Regulatory Notice Register on March 15, 2013. However, the proposal was withdrawn in May 2013, as staff learned of implementation conflicts with the new BreEZe database system. For this reason, the effective date of the restructure was delayed until 2016, per SB 821 (Chapter 473, Statutes of 2013). A revised proposal is up for consideration by the Policy and Advocacy Committee at its meeting in February 2014.

**Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families:
Title 16, CCR Sections 1820.5 and 1822; Add Sections 1820.6 and 1820.7**

This proposal clarifies requirements for LPCCs to treat couples and families, and outlines a process by which LPCCs and PCC Interns would receive Board confirmation that they have met the requirements to treat couples and families.

The initial proposal was approved by the Board at its meeting on November 28, 2012. However, this proposal was placed on hold. An amended version of this proposal is up for consideration by the Policy and Advocacy Committee at its meeting in February 2014.

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