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SUPERVISION COMMITTEE MEETING August 29, 2014

8:30 a.m.

Department of Consumer Affairs
Hearing Room
1625 North Market Blvd., 1st Floor
Sacramento, CA 95834

- I. Introductions*
- II. Summary of the June 27, 2014 Meeting
- III. Discussion and Review of Supervisor Qualifications
 - a. Licensed Marriage and Family Therapist
 - b. Licensed Clinical Social Worker
 - c. Licensed Professional Clinical Counselors
 - d. Other State Requirements
- IV. Discussion and Review of Supervisor's Responsibilities
- V. Discussion Regarding Employer Responsibilities
- VI. Review of the Final Draft of the Supervision Survey Questions
- VII. Suggestions for Future Agenda Items
- VIII. Public Comment for Items not on the Agenda
- IX. Adjournment

**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.*



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To: Committee Members

Date: August 9, 2014

From: Steve Sodergren
Assistant Executive Officer

Telephone: (916) 574-7847

Subject: Supervision Committee Update

The second meeting of the Supervision Committee was held on June 27, 2014 at the Phillips Graduate Institute in Chatsworth, California. Topics of discussion included:

- Review of current supervised experience requirements for California applicants
- Presentation of an examination eligibility application evaluation
- Discussion and review of other state's supervised experience requirements for Licensed Marriage and Family Therapists, Licensed Clinical Social Workers, and Licensed Professional Clinical Counselors
- Discussion and review of proposed survey questions for supervisees and supervisors.

The discussion revolved around streamlining the "buckets", or various required categories of supervised hours, that must be satisfied for licensure. There was also discussion about the supervision ratios. The consensus of the committee and stakeholders was that changes should be made to the current requirements in order to streamline the "buckets".

The committee directed the staff to:

- Research and estimate the percentage of Marriage and Family Interns that were claiming the maximum hours available for couples and family therapy supervised hours;
- Research and address in draft language the concept of triadic-supervision
- Draft language that would streamline the "buckets"
- Make suggested changes to the supervisee and supervisor draft survey

This information will be presented and discussed at the next Committee meeting scheduled for August 29, 2014 at DCA headquarters in Sacramento.

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To: Committee Members **Date:** August 14, 2014
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: Discussion and Review of Supervisor Qualifications

California's Requirements

California's requirements for becoming a supervisor are specific to the type of registrant the licensee is supervising. However, the requirements are very similar between the licensing programs. All three license types require the following to be a supervisor:

- Be licensed in California as one of the following:
 - LCSW, LMFT, LPCC, Psychologist, or Board-certified Psychiatrist.
- Have practiced psychotherapy, or provided direct supervision to supervisees who perform psychotherapy, for at least 2 years within the 5-year period immediately preceding supervision.
- Complete supervision training.

For a complete list of all requirements necessary to supervise each type of registrant in California, see Attachment A.

Differences Between the Board's Licensing Programs

Length of Time Licensed/Practicing

- Supervisors of MFT Interns and PCC Interns must be licensed for 2 years in California.
- Supervisors of ASWs or MFT Trainees are permitted to count time licensed in another state toward the 2 years of licensure required to supervise.

Supervisor Training

- Supervisors of ASWs are required to complete a one-time 15-hour training course that covers specific content.
- Supervisors of MFT Interns & Trainees, and PCC Interns are required to complete 6 hours of training every 2 years, and no specific content is required.
- Licensed Psychologists and Psychiatrists who supervise BBS registrants are exempt from supervision training.

Discussion of Supervisor Training Requirements

The competencies required for providing supervision are not the same as the competencies needed to provide psychotherapy. Coursework on supervision is not typically provided in a master's degree program. Research, as well as expert opinion on the topic of training for supervisors, supports the necessity of training and has identified content that should be included, as follows^{i ii}:

- Supervision competencies
- Effective feedback
- Supervisor-supervisee relationship dynamics*
- Ethical issues*
- Multicultural issues*

**Currently addressed in training requirements for supervisors of ASWs only*

The length and type of supervisor training required in order to cover the topics such as those listed above is an important consideration. For reference and comparison, the following information is included in the attachments:

- Training requirements of supervisors in other states surveyed (Attachment C)
- Training requirements for advanced supervisor certifications (Attachment D)

Summary – Other States Supervisor Qualifications

The qualifications required of supervisors in the 10 states surveyed range from minimal regulation to an extensive regulatory framework, as summarized in Attachment B and detailed in Attachment C.

Significant findings are as follows:

- The length of time a supervisor must be licensed and practicing ranges from 0 to 5 years, with 0 years being the most common and 2 years being second most common.
- Most states require supervisors to take supervision training or coursework, ranging from 6 hours to 45 hours.
- Some states require supervisors to complete a mentorship, or “supervision of supervision” for a specified number of hours.
- Some states exempt individuals who hold an advanced supervisor certification (such as an AAMFT-Approved Supervisor) from supervisor training requirements, and/or meeting requirements for length of time licensed.
- Most states surveyed permit supervision by a mental health professional other than the license type being supervised, as does California. However, several states require at least some of the experience to be supervised by the same license type, as does California's LCSW program.
- About 50% of the states surveyed require the board to pre-approve a supervisor's qualifications. This is not currently required in California.

Questions for Consideration

- Should supervisors of MFT Interns and PC Interns be able to count time licensed in another state toward the 2 years? Supervisors of ASWs and MFT Trainees are currently able to do so.
- Should the supervisor's training requirements be made consistent across license types? Are the current requirements for supervision training adequate?

- When should the required supervisor training occur? Current law is ambiguous, stating that the training is required “within 60 days of commencement of supervision.” The Board’s current interpretation is that it may be taken either prior to, or up to 60 days after commencement. Should this law be clarified or reconsidered?
- Should an advanced supervisor certification be accepted in lieu of other requirements?
- Should Psychologists and Board-certified Psychiatrists be subject to requirements placed on other supervisors, such as training?
- Should the Board be required to pre-approve a supervisor’s qualifications?

Attachments

Attachment A: California’s Supervisor Qualifications for LCSW, LPCC and LMFT

Attachment B: Summary of Other States’ Supervisor Qualifications

Attachment C: Detail - Other States’ Supervisor Qualifications

Attachment D: Professional Associations - Supervisor Training Requirements

ⁱ Gonsalvez, Craig & Milne, Derek. (2010). *Clinical supervisor training in Australia: A review of current problems and possible solutions*. Australian Psychologist; 45(4): 233-242.

ⁱⁱ Borders, L. DiAnne. (2005). *Snapshot of Clinical Supervision in Counseling and Counselor Education: A Five-Year Review*. The Clinical Supervisor; Vol. 24, No. 1/2, 2005. Pp. 69-113.

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Attachment A

CALIFORNIA'S SUPERVISOR QUALIFICATIONS

	Supervises an ASW	Supervises an MFT Intern or Trainee	Supervises a PCI
LICENSURE	<ul style="list-style-type: none"> • Currently licensed in good standing in California • Licensed for 2 years in <u>California OR any other state</u> as: <ul style="list-style-type: none"> ○ LCSW, LMFT, LPCC, Psychologist, or Board-Certified Psychiatrist 	<ul style="list-style-type: none"> • Currently licensed in good standing in California • Licensed for 2 years in <u>California</u> as: <ul style="list-style-type: none"> ○ LCSW, LMFT, Psychologist, or Board-Certified Psychiatrist, or LPCC who meets “couples/families” requirements. ○ NOTE: If supervising a MFT Trainee, may use time licensed in another state to meet 2 years of licensure required. 	<ul style="list-style-type: none"> • Currently licensed in good standing in California • Licensed for 2 years in <u>California</u> as: <ul style="list-style-type: none"> ○ LCSW, LMFT, LPCC, Psychologist, or Board- Certified Psychiatrist.
TRAINING	<ul style="list-style-type: none"> • Has sufficient experience, training, and education in the area of clinical supervision to competently supervise. • Completes a one-time fifteen (15) hour supervision training that includes the following: <ul style="list-style-type: none"> ○ Familiarity with supervision literature ○ Facilitation of therapist-client and supervisor-therapist relationships and identifying problems in those relationships ○ Structuring to maximize supervision ○ Implementing supervisor interventions ○ Knowledge of contextual variables such as culture, gender, etc. and ○ The practice of clinical social work, including the mandated reporting laws, and knowledge of ethical & legal issues. 	<ul style="list-style-type: none"> • Has sufficient experience, training, and education in the area of clinical supervision to competently supervise. • Six (6) hours of supervision training in each two-year renewal period if supervising. <ul style="list-style-type: none"> ○ No specific content required. 	<ul style="list-style-type: none"> • Has sufficient experience, training, and education in the area of clinical supervision to competently supervise. • Six (6) hours of supervision training in each two-year renewal period if supervising. <ul style="list-style-type: none"> ○ No specific content required.
PRACTICE/ COMPETENCY	<ul style="list-style-type: none"> • Has practiced psychotherapy or provided direct supervision to supervisees who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding this supervision. 	<ul style="list-style-type: none"> • Has practiced psychotherapy or provided direct supervision to supervisees who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding this supervision. • Has sufficient experience, training, and education in marriage and family therapy to competently practice in California. • Stays informed about developments in marriage and family therapy and in California law governing its practice. 	<ul style="list-style-type: none"> • Has practiced psychotherapy or provided direct supervision to supervisees who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding this supervision. • Has sufficient experience, training, and education in professional clinical counseling to competently practice in California. • Stays informed about developments in professional clinical counseling and in California law governing its practice.

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Attachment B

SUMMARY OF OTHER STATES' SUPERVISOR QUALIFICATIONS

The following charts provide a summary of minimum requirements from 10 states: Colorado, Florida, Illinois, Indiana, New York, Ohio, Oregon, South Carolina, Texas and Washington.

LCSW

Question:	Other States' Requirements	California's Requirements
Who Can Supervise?	LCSW only - 6 states Licensed Mental Health Professional* - 4 states	Licensed Mental Health Professional, except 13 weeks must be under a LCSW
How Long Must Supervisor Have Been Licensed and Practicing?	0 years - 4 states 1 year - 1 state 2 years - 5 states	2 years
Must the Board Pre-Approve Supervisor Qualifications?	Required by 5 states	Not required
Is Supervisor Training Required?	Required by 6 states	Required

*2 of these states allow non-LCSWs only in limited circumstances

LMFT

Question:	Other States' Requirements	California's Requirements
Who Can Supervise?	LMFT only - 1 state Licensed Mental Health Professional* - 9 states	Licensed Mental Health Professional
How Long Must Supervisor Have Been Licensed and Practicing?***	0 years - 2 states 2 years - 1 state 3 years - 3 states 5 years - 4 states	2 years
Must the Board Pre-Approve Supervisor Qualifications?	Required by 4 states	Not required
Is Supervisor Training Required?***	Required by 9 states***	Required

* One state requires some hours under a MFT

**2 states permit AAMFT-approved supervisors to be exempt from all other requirements

***2 states only require supervisor training for non-MFT licensees

LPCC

Question:	Other States' Requirements	California's Requirements
Who Can Supervise?	LPCC only - 1 state Licensed Mental Health Professional* - 9 states	Licensed Mental Health Professional
How Long Must Supervisor Have Been Licensed and Practicing?***	0 years - 4 states 1 year - 1 state 2 years - 1 state 3 years - 3 states 5 years - 1 state	2 years
Must the Board Pre-Approve Supervisor Qualifications?	Required by 5 states	Not required
Is Supervisor Training Required?***	Required by 6 states	Required

* One state requires some hours under a LPCC

**2 states permit AAMFT-approved supervisors to be exempt from all other requirements

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Attachment C

10-State Survey - Supervisor Qualifications

States: Colorado, Florida, Illinois, Indiana, New York, Ohio, Oregon, South Carolina, Texas, Washington

STATE	LCSW Qualifications	LMFT Qualifications	LPCC Qualifications
Colorado	Licensed as a LCSW	Licensed as any of the following: <ul style="list-style-type: none"> • LMFT • LPCC • Psychologist • Must have education, clinical experience, and clinical supervisory experience in the MFT field <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Be an MFT who is an AAMFT-Approved Supervisor 	Licensed as any of the following: <ul style="list-style-type: none"> • LPCC • LCSW • LMFT • Psychologist
Illinois	Licensed as a LCSW	<ul style="list-style-type: none"> • Licensed as a MFT • 5 years post-degree clinical MFT experience <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Certified as an approved supervisor or supervisor in training by AAMFT <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Held an active clinical membership certification with AAMFT for at least 5 years <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Licensed as any of the following: <ul style="list-style-type: none"> ○ LPCC ○ LCSW ○ Psychologist ○ Psychiatrist <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • 5 years clinical experience providing marriage and family therapy • Provided at least 1000 hours of conjoint therapy • 2 years of experience providing clinical supervision of marriage and family therapy or a 1 semester unit graduate course in supervision or the equivalent 	Licensed as any of the following: <ul style="list-style-type: none"> • LPCC • LCSW • Psychologist • Psychiatrist

STATE	LCSW Qualifications	LMFT Qualifications	LPCC Qualifications
Indiana	Holds an LCSW license	LMFT who has at least 5 years of experience OR An AAMFT approved supervisor or candidate	Licensed as any of the following: <ul style="list-style-type: none"> • LMHC • LCSW • LMFT • Licensed as a physician who has training in psychiatric medicine • Psychologist. • Clinical nurse specialist in psychiatric or mental health nursing.
New York	Must be Board-approved, and licensed as any of the following: <ul style="list-style-type: none"> • LCSW • Physician board-certified in psychiatry (or equivalent) • Psychologist 	Licensed as a MFT or one of the following who is competent in the practice of MFT: <ul style="list-style-type: none"> • Medical Doctor • Physician assistant • Psychologist • LCSW • Registered professional nurse or Nurse practitioner 	Licensed as one of the following: <ul style="list-style-type: none"> • Mental Health Counselor • Medical Doctor • Physician assistant • Psychologist • LCSW
Ohio	<ul style="list-style-type: none"> • Licensed as a LCSW • 1 year post licensure experience • 9 hours of training in supervision or one master's level course • Be board approved • 3 hours of continuing education in supervision each renewal period 	<ul style="list-style-type: none"> • Licensed as a LMFT with 3 years post degree experience <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Holds one of the following licenses <u>and</u> is an AAMFT-Approved Supervisor: <ul style="list-style-type: none"> ○ LMFT ○ LPCC ○ LCSW ○ Psychologist ○ Psychiatrist 	<ul style="list-style-type: none"> • Licensed as a LPCC (exceptions may be made to allow another type of mental health professional in the case of hardship) • 24 hours of training in counselor supervision • Minimum 1 year and 1,500 hours of clinical experience post licensure, including diagnosis and treatment. <ul style="list-style-type: none"> ○ The 1,500 hours shall include at least one supervision of supervision experience • Be Board approved

STATE	LCSW Qualifications	LMFT Qualifications	LPCC Qualifications
Oregon	<ul style="list-style-type: none"> • Must be licensed and practicing for 2 years as a LCSW • If associate is more than 50 miles from the nearest LCSW able to supervise, the board may authorize a licensed psychologist or psychiatrist • 6-hour supervisor training course 	<ul style="list-style-type: none"> • An AAMFT-Approved Supervisor • A diplomate in the American Association of Pastoral Counselors <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Licensed as a MFT, or hold an equivalent certification or license, such as that required for clinical psychologists, LCSWs and LPCCs <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • Trained specifically in the systemic approach to couples and family therapy • 5 years of clinical experience • 30 hours of training in supervision theory and practice in post-master's academic coursework or equivalent training <p>NOTE: The Board has an optional "supervisor registry"</p>	<ul style="list-style-type: none"> • 3 years of post-graduate clinical experience as a licensed mental health professional • 30 hours of supervision training • Been a National Certified Counselor (NCC), Certified Clinical Mental Health Counselor (CCMHC), Certified Rehabilitation Counselor (CRC); or Certified Career Counselor (CCC) <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Licensed as a professional counselor or other state certification or licensure, such as school counselors or psychologist associates or clinical psychologists, clinical social workers, and marriage and family therapists <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Approved supervisor through AAMFT, the Center for Credentialing and Education, or the American Association of Pastoral Counselors
South Carolina	<ul style="list-style-type: none"> • LCSW license • 4,500 hours/3 years of post-licensure clinical practice • 45 hours of supervision training 	<p>One of the following:</p> <ul style="list-style-type: none"> • Licensure as a MFT supervisor (see below for requirements) • Licensure as a LPCC supervisor (see LPCC section for requirements) • Board-approved Psychologist or MD, with the knowledge and expertise to provide guidance and direction in a structured program to gain knowledge and skills associated with the diagnosis and treatment of serious problems <p>Requirements for MFT Supervisor's License:</p> <ul style="list-style-type: none"> • Holds a MFT license • 5 years of continuous clinical experience immediately preceding the application. 2 years must be clinical supervision under a licensed MFT Supervisor • 36 hours of individual supervision by a licensed MFT Supervisor, of the licensee's supervision of at least 2 interns • 3 semester units of graduate study in supervision, or training 	<p>One of the following:</p> <ul style="list-style-type: none"> • A licensed LPCC Supervisor (see below for requirements) • A licensed MFT Supervisor (see MFT section for requirements) • Board-approved Psychologist or MD, with the knowledge and expertise to provide guidance and direction, in a structured program to gain knowledge and skills associated with the diagnosis and treatment of serious problems <p>Requirements for LPCC Supervisor's License:</p> <ul style="list-style-type: none"> • Holds a LPCC license • 5 years of continuous clinical experience immediately preceding application. • 2 years of the 5 years must be experience supervising the clinical casework of other certified or licensed counselors • 36 hours of individual supervision by a LPCC Supervisor, of the licensee's supervision of at least 2 interns • 3 semester units of graduate study in supervision or training

STATE	LCSW Qualifications	LMFT Qualifications	LPCC Qualifications
Texas	<ul style="list-style-type: none"> Licensed as a LCSW In practice for 2 years Be board approved Board-approved course in supervision 3 hours of continuing education in supervision every 2 years <p>NOTE: Clinical work, but not licensure hours, may be supervised by a LPCC, Psychologist, LMFT or Psychiatrist</p>	<ul style="list-style-type: none"> Licensed as a MFT 3 years/3,000 hours post-licensure practice 1 unit graduate level or a 40-hour continuing education supervision course Be board approved <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> Licensed as a MFT Be an AAMFT-Approved Supervisor or candidate Be board approved 	<ul style="list-style-type: none"> Licensed as an LPCC for 3 years Complete 40 hours of supervision training through continuing education or a graduate level course Be board approved
Washington	-		<p>Licensed for 2 years as one of the following:</p> <ul style="list-style-type: none"> LPCC LMFT LCSW Psychologist Psychiatrist Psychiatric Nurse Practitioner 15 hours of training in supervision obtained through: <ul style="list-style-type: none"> A supervision course Continuing education Supervision of supervision Any combination of these 25 hours of experience in supervision of clinical practice Be board approved

Attachment D
PROFESSIONAL ASSOCIATIONS - SUPERVISOR TRAINING REQUIREMENTS

Entity	Supervisor Training Requirements
American Association of State Counseling Boards (AASCB)	<p style="text-align: center;">Model Supervisor Requirements</p> <ul style="list-style-type: none"> • One of the following: <ul style="list-style-type: none"> ○ 45-hour graduate-level academic course in counseling supervision OR ○ A 30-hour training program in supervision OR ○ 25 hours of “supervision of supervision” • 3 hours per year of supervision-related CE
American Association for Marital and Family Therapy (AAMFT)	<p style="text-align: center;">AAMFT-Approved Supervisor</p> <ul style="list-style-type: none"> • 18 months of supervision training, including: <ul style="list-style-type: none"> ○ 180 hours of supervising under the supervision of an Approved Supervisor mentor. ○ Supervise at least 2 supervisees ○ 36 hours of mentoring or supervision of supervision spread throughout the training period • 30-hour supervision course including completion of a philosophy of supervision paper • Refresher course every 5 years
Association of Social Work Boards (ASWB)	<p style="text-align: center;">Model Supervisor Requirements</p> <ul style="list-style-type: none"> • Graduate course work in supervision in an approved social work program or an approved program of continuing education • Three hours of continuing education in supervision per licensure renewal.

Entity	Supervisor Training Requirements
<p>California Association of Marriage and Family Therapists (CAMFT)</p>	<p style="text-align: center;">Certified Supervisor Program</p> <ul style="list-style-type: none"> • 18 hours of supervision coursework • 52 weeks of supervision experience that includes consultation for at least one hour per month of individual consultation, or two hours per month of group consultation. • Submit a one-page Consultation Summary describing the consultation experience. • Submit a 3-5 page summary describing the supervision experience with his or her supervisee. <p>Renewal:</p> <ul style="list-style-type: none"> • 6-hour Workshop on legal & ethical issues • One of the following: <ul style="list-style-type: none"> ○ 3-page written review of a book on supervision OR ○ Completion of a supervision workshop OR ○ A written one-page description demonstrating participation in an ongoing consultation/supervision group.
<p>National Board of Certified Counselors (NBCC)</p>	<p style="text-align: center;">Approved Clinical Supervisor Certification</p> <ul style="list-style-type: none"> • Either of the following <ul style="list-style-type: none"> ○ Graduate course OR ○ 30 hours of workshops in clinical supervision. • 18 hours of CE to recertify

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To: Committee Members **Date:** August 18, 2014
From: Christy Berger **Telephone:** (916) 574-7817
Regulatory Analyst
Subject: Discussion Regarding Employer Requirements

Employers/Employment

Employers of individuals gaining supervised experience toward licensure must meet certain requirements, and must employ them in a manner acceptable by law. These mandates are designed to protect the supervisees and clients.

The following is required when employing MFT Interns and Trainees, ASWs and PCIs:

1. Employee may not receive any remuneration from patients or clients and shall only be paid by the employer.
2. Employment must be as a W-2 employee or as a volunteer.
3. Employee may not have any proprietary interest in the employer's business.
4. Employee may not lease or rent space, pay for furnishings, equipment, or supplies, or pay for any obligations of his or her employer.
5. A licensee in private practice may only have 3 supervisees¹
6. Corporations owned by a licensee are permitted a maximum of 3 supervisees per supervisor, for a total of no more than 15 supervisees. Supervisors must be employed full-time by the corporation.
7. Offsite supervision is permitted, as long as employers and supervisors meet the requirements specified for that licensing program.

Please see Attachment A for other employer/employment requirements. There are some significant differences between the licensing programs as can be seen in the attachment.

¹ Note: MFT Trainees may not work in a private practice

Work Setting

References in the law to work settings are targeted at the specific location where the registrant will be providing services. The work setting may be different than the employer.

All three licensing programs require the hours of supervised experience to be gained in a work setting that meets all of the following requirements:

- Psychotherapy is regularly and lawfully provided at the setting
- Setting provides oversight to ensure that supervision requirements are met, and
- Setting provides oversight to ensure that the work being performed is within the scope of practice.

Offsite Supervision

Offsite supervision is lawful in all work settings under LCSW law, and in all work settings except for private practice in LMFT and LPCC law.

LCSW law permits supervision by a person not employed by the associate's employer if that person has signed a written agreement with the employer to take supervisory responsibility for the associate's social work services.

The laws pertaining to offsite supervision in LMFT and LPCC law are much more extensive, and specify different requirements for a private practice vs. other types of settings, as can be seen in the attachment. A summary of those requirements is as follows:

1. *Private Practice Setting*: When a MFT or PCC intern is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer.
2. *Non-Private Practice Setting*: When a supervisor works for the supervisee's employer on a voluntary basis, the supervisor and organization must sign a written agreement wherein the supervisor takes supervisory responsibility for the applicant's services, and the employer agrees to the following:
 - Not interfere with the supervisor's obligations to ensure compliance with licensure requirements.
 - Provide the supervisor with access to clinical records of the clients counseled by the supervisee.

Temporary Employment/Staffing Agencies

The Board has become aware that some registrants (typically ASWs), are gaining hours of experience while employed by a temporary employment/staffing agency. When this type of arrangement is seen, it has typically been with registrants placed at the Veteran's Administration (VA). Given the recent news about the backlog of veterans waiting for appointments, the use of temporary employees is likely to continue.

Current law does not explicitly address a temporary agency as an employer of registrants, and questions have arisen about this employment arrangement and its fit with current law.

The issue comes into play when a contracting agency, such as the VA, contracts for an outside supervisor for the temporary employee. **ASW law** permits supervision by a person not employed by the ASW's employer if the supervisor has signed a written agreement with the employer to take supervisory responsibility for the ASW's services.

What happens when a staffing agency places its employee at the VA, is that this written agreement must be between the staffing agency and the supervisor. The agreement to take supervisory responsibility should instead be between the VA and the supervisor, in order to protect the supervisee and the client.

Additionally, current law might not fit even if the supervisor is an employee of the VA. The staffing agency is technically the ASW's employer. Because their employers are different, the supervisor would be required to sign an agreement with the temporary agency to take supervisory responsibility.

Employment by staffing agencies is seen far less frequently with **MFT Interns, Trainees, and PCIs**, and those laws are different than for ASWs. These registrants are only permitted to perform services at the place where their employers regularly conduct business, which may include performing services at other locations, so long as the services are performed under the direction and control of the employer and supervisor, and in compliance with the laws and regulations pertaining to supervision.

It is not appropriate for a staffing agency to take "direction and control of services" provided by the registrant at the VA, nor is it likely that a temporary agency can assure compliance with all laws pertaining to supervision.

The other concern about a temporary agency being the employer is that these agencies sometimes employ the registrant as an independent contractor (under a 1099). In this case, any hours gained toward licensure would be denied.

Ownership of and Access to Client Records

It is permissible for a supervisor to be employed as a volunteer (in all settings under LCSW law and in a non-private-practice setting for LMFT and LPCC law). The law does not address whether the supervisor may be an independent contractor, so this is currently permitted. There is a question about access to records when a supervisor is either a volunteer or independent contractor.

A client's records are the property of the employer. When a supervisor is not an employee, is the employer aware of the supervisor having access to the records, especially if the supervisor is off site?

LCSW law does not address this type of situation. MFT and LPCC law address it only in the case of the supervisor being a volunteer (which is only permitted in non-private-practice settings).

Questions for Consideration

1. Do the current requirements which are the same among license types offer appropriate protection to all parties involved, including the client?
2. Do the requirements pertaining to offsite supervision adequately protect the supervisor, supervisee and client? Should these requirements be made consistent between license types, keeping in mind possible differences needed for MFT Trainees since they are still in school?
3. How should the issue of temporary agency employment be addressed?
4. How should the issue of a volunteer or independent contractor supervisor and access to client records be addressed?

Attachment

Differences Between License Types

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Attachment

DIFFERENCES - EMPLOYMENT/WORK SETTING REQUIREMENTS			
Applies only to:	Requirement	Purpose of Requirement	Similar Requirement for Other Registrant Type(s)
<p style="color: orange; font-weight: bold; margin: 0;">MFT INTERN</p> <p style="color: orange; font-weight: bold; margin: 0;">MFT TRAINEE</p> <p style="color: blue; font-weight: bold; margin: 0;">PCI</p>	<ol style="list-style-type: none"> 1. May only perform services at the place where their employers regularly conduct business, <i>which may include performing services at other locations, so long as the services are performed under the direction and control of the employer and supervisor, and in compliance with the laws and regulations pertaining to supervision.</i> 2. When an intern employed in private practice is supervised by someone other than the employer, the supervisor must be employed by and practice at the same site(s) as the intern's employer. 3. In a setting which is not a private practice, the supervisor may be employed by the applicant's employer on either a paid or a voluntary basis. If on a voluntary basis, a written agreement must be executed between the supervisor and the organization, prior to commencement of supervision, in which the supervisor agrees to ensure that the extent, kind, and quality of counseling performed by the intern is consistent with the intern's training, education, and experience, and is appropriate in extent, kind, and quality. The agreement shall contain an acknowledgment by the employer that: <ul style="list-style-type: none"> o The employer is aware of the licensing requirements that must be met by the intern and agrees not to interfere with the supervisor's legal and ethical obligations to ensure compliance with those requirements; and o The employer agrees to provide the supervisor access to clinical records of the clients counseled by the intern. 4. Trainees, interns, or applicants who provide volunteered services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those trainees, interns, or applicants for services rendered in any lawful work setting other than a private practice shall be considered an employee and not an independent contractor. The board may audit applicants who receive reimbursement for expenses, and the applicants shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred. 	<ol style="list-style-type: none"> 1. The text in <i>italics</i> was added to LMFT law in 1993 to ensure adequate protections for supervisees, supervisors and clients when the supervisee is working at another site. LPCC law also incorporates this requirement. 2. Added to LMFT law in 1993 due to concerns about <u>offsite supervision</u>. LPCC law also incorporates this requirement. 3. Added to LMFT law in 1993 due to concerns about <u>offsite supervision</u>. LPCC law also incorporates this requirement. 4. Added in 1993 to LMFT law to clarify that a volunteer who receives reimbursement of actual expenses incurred is not considered an independent contractor, even if the reimbursement is received under a 1099. LPCC law also incorporates this requirement. 	<ol style="list-style-type: none"> 1. None this specific. 2. & 3. An ASW, whether employed or volunteering, may obtain supervision from a person not employed by the associate's employer if that person has signed a written agreement with the employer to take supervisory responsibility for the associate's social work services. 4. None

Applies only to:	Requirement	Purpose of Requirement	Similar Requirement for Other Registrant Type(s)
			None
		Added (year unknown) to address concerns about <u>offsite supervision</u> .	See requirements #2 & #3 under MFT INTERN/TRAINEE/PCI

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To: Supervision Committee

Date: August 8, 2014

From: Steve Sodergren
Assistant Executive Officer

Telephone: (916) 574-7847

Subject: Discussion Regarding Possible Supervision Survey

Attached are the Supervisee and Supervisor Survey drafts for review and comment.

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BBS Supervisee Survey

Welcome to the Supervisee Survey

BBS has formed a Supervision Committee in an effort to conduct a holistic review of the current requirements for supervised work experience and for supervisors. The Committee will focus on establishing standards for supervision and supervisors that will ensure consumer protection without impeding the licensure process. The Board is seeking relevant input and feedback on your supervision experience. Your participation will greatly assist the committee.

*1. What type of registration do you have?

- Marriage and Family Therapist Intern
- Associate Clinical Social Worker
- Professional Counselor Intern

*2. Approximately, how many supervised hours have you gained?

Clinical

Non-Clinical

Question 1

3. What has been the client mix of your supervised experience?

	0-25%	25 - 50%	50 - 75%	75 - 100%
Adult Individual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Couples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children/Adolescents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Families	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please Specify Other

Question 2

*4. What has been your weekly average caseload?

Cases Per Week

BBS Supervisee Survey

Supervisor Questions

Please answer the following questions for each supervisor that you have gained hours under.

Supervisor 1

5. What type of license does your supervisor hold?

- Marriage and Family Therapist
- Licensed Clinical Social Worker
- Licensed Professional Clinical Counselor
- Psychologist
- Board Certified Psychiatrist

6. What type of Supervision did you receive from the supervisor?

- Individual
- Group
- Both

7. How many hours have you gained under this supervisor in the following settings?

Private Practice	<input type="text"/>
Governmental Entity	<input type="text"/>
Public Non-Profit Agency	<input type="text"/>
Other Community Agency	<input type="text"/>
Medical Facility	<input type="text"/>
School, College or University	<input type="text"/>
Other	<input type="text"/>

8. Where did the supervision take place?

- Onsite
- Offsite
- Teleconference
- All the Above

BBS Supervisee Survey

9. Did you pay this supervisor?

- No
- Yes

10. Did the Supervisor provide regular feedback?

- Yes
- No

11. Did your supervisor ask you for feedback on their supervision?

- Yes
- No

12. What methods of supervision did this supervisor use?

- Report by Supervisee
- Direct Observation
- Review of Case Notes
- Audio or Video Tape
- Co-Therapy
- Other

Other (please specify)

13. Did your supervisor regularly discuss the following?

- Your Strengths
- Areas of Growth
- Setting Supervision Goals
- Achievement of Supervision Goals

14. How satisfied were you with the quality of this supervision?

- Dissatisfied
- Somewhat Dissatisfied
- Satisfied
- Completely Satisfied

BBS Supervisee Survey

15. Did you have an additional supervisor?

- Yes
- No

Supervisor 2

16. What type of license does your supervisor hold?

- Marriage and Family Therapist
- Licensed Clinical Social Worker
- Licensed Professional Clinical Counselor
- Psychologist
- Board Certified Psychiatrist

17. What type of Supervision did you receive from the supervisor?

- Individual
- Group
- Both

18. How many hours did you gain under this supervisor in the following settings?

Private Practice	<input type="text"/>
Governmental Entity	<input type="text"/>
Public Non-Profit Agency	<input type="text"/>
Other Community Agency	<input type="text"/>
Medical Facility	<input type="text"/>
School, College or University	<input type="text"/>
Other	<input type="text"/>

19. Where did the supervision take place?

- Onsite
- Offsite
- Teleconference
- All the Above

BBS Supervisee Survey

76. What methods of supervision did this supervisor use?

- Report by Supervisee
- Direct Observation
- Review of Case Notes
- Audio or Video Tape
- Co-Therapy
- Other

Other (please specify)

77. Did your supervisor regularly discuss the following?

- Your Strengths
- Areas of Growth
- Setting Supervision Goals
- Achievement of Supervision Goals

78. How satisfied were you with the quality of this supervision?

- Dissatisfied
- Somewhat Dissatisfied
- Satisfied
- Completely Satisfied

79. What are your biggest concerns about the licensing processes?

80. In what ways can the BBS assist you better?

You have completed the Supervisee Survey!

Thank you for your participation. Your input is greatly appreciated.

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BBS Supervisor Survey

Welcome to the Supervisor Survey

BBS has formed a Supervision Committee in an effort to conduct a holistic review of the current requirements for supervised work experience and for supervisors. The Committee will focus on establishing standards for supervision and supervisors that will ensure consumer protection without impeding the licensure process. The Board is seeking relevant input and feedback on your experience as a supervisor. Your participation will greatly assist the committee.

Please base your following responses on your experience supervising registrants and interns, not trainees.

1. What type of license do you hold?

- Marriage and Family Therapist
- Licensed Clinical Social Worker
- Licensed Professional Clinical Counselor
- Psychologist
- Board Certified Psychiatrist

2. How long have you been licensed?

Years

Months

3. What is your educational background?

4. What type of registration do your supervisees hold?

- IMF
- ASW
- PCI

BBS Supervisor Survey

5. How long have you been supervising?

Years

Month

6. Do you believe you were adequately prepared for being a supervisor?

Yes

No

Please explain:

7. Beyond the required six hours of supervisor training or coursework, how else have you prepared for being a supervisor?

8. Would you be in favor of increasing the supervision course work or training required for a supervisor?

Yes

No

9. Would you be in favor of the Board establishing a mandatory requirement for ongoing supervisor training or continuing education?

Yes

No

10. How many supervisees in total do you supervise across all settings?

11. How many group supervisees do you supervise in total across all settings?

12. How often do your supervisees review your performance?

- Weekly
- Monthly
- Quarterly
- Yearly
- Never
- Other

13. Have you ever charged for supervision?

- Yes
- No

14. What standards do you use to formerly evaluate your supervisees?

- CAMFT
- AAMFT
- ACS
- NASW
- Other

Other (please specify)

BBS Supervisor Survey

15. Have you supervised in the following setting? Mark each that applies.

- Private Practice
- Governmental Entity
- Public Non-Profit Agency
- Other Community Agency
- Medical Facility
- School, Colleges and Universities
- Other

Please Explain

16. What type of supervision have you provided in the following settings? Mark each that applies.

	Individual	Group	Both
Private Practice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Governmental Entity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Non-Profit Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Community Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School, Colleges and Universities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. For the following settings, where did this supervision take place?

	Onsite	Offsite	Both
Private Practice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Governmental Entity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Non-Profit Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Community Agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School, Colleges and Universities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. What theory of supervision do you use?

- Integrated Development Model
- Lifespan Model
- Psychodynamic Model
- Person-Centered Model
- Cognitive Behavior Model
- Reality Therapy/Choice Theory Model
- Family Therapy Model
- Feminist Model
- Discrimination Model
- Systems Approach Model
- Reflective Learning Model
- Solution-Oriented Model
- Schema-Focused Model
- Littrell, Lee-Borden & Lorenz Model
- Hawkins & Shoset Model
- Other

Other (please specify)

19. What type of evaluation do you prefer to use when evaluating supervisees?

- Informal (Periodic discussion that are not documented)
- Formal (Scheduled discussions that are not documented)
- Formal/Documented (Scheduled discussions that are documented)

BBS Supervisor Survey

20. How frequently do you provide a formal written evaluation to your supervisees?

- Weekly
- Monthly
- Quarterly
- Yearly
- Never

21. How frequently do you provide an informal evaluation to your supervisees?

- Weekly
- Monthly
- Quarterly
- Yearly
- Never

22. Would you be in favor of a certification process that would require Supervisors to register with the Board?

- Yes
- No

23. Why did you become a supervisor?

- It was required of my job
- I found the process interesting
- I wanted to give back to the profession
- I wanted the additional income
- Other

Please explain other

BBS Supervisor Survey

You have completed the Supervisor Survey!

Thank you for your participation! Your input is greatly appreciated!