

**BOARD MEETING MINUTES - DRAFT**  
**August 27-28, 2014**

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

**Wednesday, August 27<sup>th</sup>**

**Members Present**

Christina Wong, Chair, LCSW Member  
Deborah Brown, Vice Chair, Public Member  
Samara Ashley, Public Member  
Dr. Leah Brew, LPCC Member  
Dr. Peter Chiu, Public Member  
Sarita Kohli, LMFT Member  
Patricia Lock-Dawson, Public Member  
Renee Lonner, LCSW Member  
Karen Pines, LMFT Member  
Dr. Christine Wietlisbach, Public Member

**Staff Present**

Steve Sodergren, Acting Executive Officer  
Dianne Dobbs, Legal Counsel  
Christina Kitamura, Administrative Analyst

**Members Absent**

Betty Connolly, LEP Member

**Guests**

On file

**FULL BOARD OPEN SESSION**

Christina Wong, Chair of the Board of Behavioral Sciences (Board), called the meeting to order at 8:44 p.m. Christina Kitamura called roll, and a quorum was established.

Board Members, Board staff, and Administrative Law Judge Karl S. Engeman introduced themselves.

**I. Petition for Modification of Probation for Kwamina Amonoo-Neizer, LCS 268434**

Judge Engeman opened the hearing at 8:47 a.m. Deputy Attorney General (DAG) Stephanie Alamo-Latif presented the facts of the case on behalf of the Board of Behavioral Sciences. Mr. Kwamina Amonoo-Neizer was not represented by an attorney.

Ms. Alamo-Latif presented the background of Mr. Amonoo-Neizer's probation. Ms. Alamo-Latif provided an opening statement. Mr. Amonoo-Neizer was sworn in. Mr. Amonoo-Neizer

1 presented his request for modification of probation and information to support the request. Mr.  
2 Amonoo-Neizer was questioned by Ms. Alamo-Latif and Board Members. Ms. Alamo-Latif  
3 gave closing argument. Judge Engeman closed the hearing at approximately 9:25 a.m.  
4

5 **II. Petition for Modification of Probation for Megan Harris, ASW 35916**

6 Judge Engeman opened the hearing at 9:27 a.m. Deputy Attorney General (DAG) Stephanie  
7 Alamo-Latif presented the facts of the case on behalf of the Board of Behavioral Sciences.  
8 Megan Harris was represented by her Attorney, Steve Frankel.  
9

10 Ms. Alamo-Latif presented the background of Ms. Harris' probation. Ms. Alamo-Latif provided  
11 an opening statement. Ms. Harris was sworn in. Mr. Frankel presented the request for  
12 modification of probation and information to support the request. Ms. Harris was questioned  
13 by Ms. Alamo-Latif and Board Members. Ms. Alamo-Latif and Mr. Frankel gave closing  
14 arguments. Judge Engeman closed the hearing at approximately 10:20 a.m.  
15

16 *The Board took a break at 10:20 a.m. and reconvened at 10:35 a.m.*  
17

18 **III. Petition for Early Termination of Probation for Pamela Moore-Jones, LCS 25462**

19 Judge Engeman opened the hearing at 10:35 a.m. Deputy Attorney General (DAG) Stephanie  
20 Alamo-Latif presented the facts of the case on behalf of the Board of Behavioral Sciences.  
21 Pamela Moore-Jones was not represented by an attorney.  
22

23 Ms. Alamo-Latif presented the background of Ms. Moore-Jones' probation. Ms. Alamo-Latif  
24 provided an opening statement. Ms. Moore-Jones was sworn in. Ms. Moore-Jones presented  
25 her request for early termination of probation and information to support the request. Ms.  
26 Moore-Jones was questioned by Ms. Alamo-Latif and Board Members. Ms. Alamo-Latif gave  
27 a closing argument. Judge Engeman closed the hearing at approximately 11:14 a.m.  
28

29 **IV. Petition for Reinstatement of License for Mary Eichel, MFC 43826**

30 Judge Engeman opened the hearing at 11:15 a.m. Deputy Attorney General (DAG)  
31 Stephanie Alamo-Latif presented the facts of the case on behalf of the Board of Behavioral  
32 Sciences. Mary Eichel was not represented by an attorney.  
33

34 Ms. Alamo-Latif presented the background, and an opening statement. Ms. Eichel was sworn  
35 in. Ms. Eichel presented her request for reinstatement of license and information to support  
36 the request. Ms. Eichel was questioned by Ms. Alamo-Latif and Board Members. Ms. Alamo-  
37 Latif gave a closing argument. Judge Engeman closed the hearing at approximately 12:22  
38 p.m.  
39

40 **V. Suggestions for Future Agenda Items** *(This item was taken after agenda item VIII.)*

41 Deborah Brown requested an overview of the new requirements regarding the DSM-V, which  
42 is useful knowledge when making decisions on enforcement items.  
43

44 Renee Lonner requested a discussion and consideration regarding the ability to count  
45 continuing education (CE) hours towards the next license renewal period during the 60-day  
46 period before a license expires.  
47

1 **VI. Public Comment for Items not on the Agenda** *(This item was taken after agenda item VIII.)*  
2 No public comments were presented.

3  
4  
5 **FULL BOARD CLOSED SESSION**  
6

7 **VII. Pursuant to Section 11126(c)(3) of the Government Code, the Board Will Meet in Closed**  
8 **Session for Discussion and to Take Action on Disciplinary Matters**

9  
10 **VIII. Pursuant to Section 11126(a) of the Government Code, the Board Will Meet in Closed**  
11 **Session to Evaluate the Performance of the Board's Executive Officer**

12  
13  
14 **FULL BOARD OPEN SESSION**  
15

16 *The Board reconvened in open session at 3:58 p.m. Items V. and VI. were heard.*

17  
18 **IX. Adjournment**

19 The Board adjourned at 4:02 p.m.

20

Thursday, August 28<sup>th</sup>

**Members Present**

Christina Wong, Chair, LCSW Member  
Deborah Brown, Vice Chair, Public Member  
Samara Ashley, Public Member  
Dr. Leah Brew, LPCC Member  
Dr. Peter Chiu, Public Member  
Betty Connolly, LEP Member  
Sarita Kohli, LMFT Member  
Patricia Lock-Dawson, Public Member  
Renee Lonner, LCSW Member  
Karen Pines, LMFT Member  
Dr. Christine Wietlisbach, Public Member

**Staff Present**

Steve Sodergren, Acting Executive Officer  
Rosanne Helms, Legislative Analyst  
Christy Berger, Regulations Analyst  
Dianne Dobbs, Legal Counsel  
Christina Kitamura, Administrative Analyst

**Members Absent**

None

**Guests**

On file

**FULL BOARD OPEN SESSION**

Christina Wong called the meeting to order at 8:46 a.m. Christina Kitamura called roll. A quorum was established.

**X. Introductions**

Board Members, Board staff and attendees introduced themselves.

Ms. Wong announced that Renee Lonner was reappointed to the Board for another term by the Governor.

Ms. Wong presented a Resolution to Dr. Harry Douglas, who has resigned from the Board.

**XI. Approval of the May 21-22, 2014 Board Meeting Minutes**

*Dr. Peter Chiu moved to approve the May 21-22, 2014 Board meeting minutes. Dr. Christine Wietlisbach seconded. The Board voted unanimously (11-0) to pass the motion.*

**XII. Approval of the June 26, 2014 Board Meeting Minutes**

*Samara Ashley moved to approve. Deborah Brown seconded. The Board voted unanimously (11-0) to pass the motion.*

**XIII. Executive Officer's Report**

**a. Budget Report**

The 2013/2014 budget for the Board is \$8,240,648. As of June 30, 2014, the Board has spent \$6,934,179, reflecting 84% of the total budget. Final expenditures for 2013/2014 will be received in mid-August. Staff estimates an unencumbered balance of \$118,656.

As of June 30, 2014, total revenue collected is \$7,739,443.

1  
2 The Board's budget for fiscal year 2014/2015 is \$9,139,000.

3  
4 The Board's fund condition reflects 3.5 months in reserve.

5  
6 The Board's loan balance to the General Fund is \$10.9 million dollars. This figure reflects the  
7 \$1.4 million dollar repayment received in fiscal year 2013/2014. The Board is scheduled to  
8 receive a \$800,000 loan repayment during the 2014/2015 fiscal year. This repayment is  
9 reflected in the current fund condition; leaving a General Fund loan balance of \$10.1 million  
10 dollars at the end of fiscal year 2014/2015.

11  
12 **b. Operations Report**

13 Board staff continues to experience challenges in obtaining statistical data to compile  
14 quarterly statistics. Staff has observed that some of the reports do not appear to capture all of  
15 the requisite data that is necessary to provide accurate statistics. These errors have been  
16 reported to the BreEZe team, and efforts are underway to correct these errors. Additionally,  
17 the BreEZe team has created a Reports Users Group that will work to improve the existing  
18 reports and develop new reports for statistical reporting. Staff is participating in this group.

19  
20 Construction to remodel the Board's suite is complete. Thirteen cubicles were added to  
21 accommodate the new staff. Additionally, the Board relocated its file room to another suite  
22 away from the office suite. To date the remodel costs total \$172,000. The total cost will not  
23 exceed \$200,000 after all invoices are paid.

24  
25 The additional licensing staff has made a positive impact on the Board's licensing  
26 backlogs. Since May 27, 2014, the licensing staff has reduced the examination application  
27 backlog by nearly four months for Licensed Marriage and Family Therapist (LMFT)  
28 applicants and nearly three months for Licensed Clinical Social Worker (LCSW)  
29 applicants.

30  
31 As of August 4, 2014, the licensing staff is evaluating LMFT examination applications  
32 received the week of January 2, 2014 and LCSW examination applications received the  
33 week of January 7, 2014.

34  
35 Dean Porter, California Association for Licensed Professional Clinical Counselors  
36 (CALPCC), indicated that the processing times for Licensed Professional Clinical  
37 Counselors (LPCC) examination eligibility is not posted on the Board's website. Mr.  
38 Sodergren responded that staff is working on applications received on July 31, 2014.

39  
40 Two positions remain to be filled in the licensing unit. The first vacancy is a full-time  
41 permanent position. Interviews for this position were conducted the last week of July. An  
42 offer of employment will be made after all of the appropriate approvals have been received.  
43 The second vacancy is a two-year limited-term position in the licensing unit. Recruitment for  
44 this position will begin this month.

45  
46 Recruitment is underway for the remaining three positions received this fiscal year. The  
47 positions include an additional probation monitor, an enforcement analyst, and a support  
48 position.

49  
50 Board staff will attend the Sacramento MFT Consortium meeting on August 22, 2014.

1           **c. Personnel Update**

2           Positions acquired through the 2014/2015 Budget Change Proposal:

- 3           • Staff Services Analyst (SSA) (full-time), Enforcement Unit

4                 Jason Glasspiegel was hired in the Criminal Conviction and Probation Unit.

- 5           • Associate Governmental Program Analyst (AGPA) (full-time), Enforcement Unit

6                 The AGPA will serve as the Discipline Analyst for the Consumer Complaint and  
7                 Investigations Unit and the Expert Reviewer Coordinator for the Enforcement Program.

8  
9                 The Board has decided to also reassign the duties of Gena Beaver, an AGPA within the  
10                 Criminal Conviction and Probation Unit. Ms. Beaver was acting as the Lead Analyst for  
11                 the Enforcement Program but with the hiring of the new manager Gina Bayless in May  
12                 2014, the Board no longer needs a lead analyst to assist in this capacity. Ms. Beaver will  
13                 be assigned the duties of the Discipline Analyst and the Discipline Actions Reporter for the  
14                 Criminal Conviction & Probation Unit.

- 15  
16           • AGPA (part-time), Enforcement Unit

17                 The AGPA will work in the capacity of a Probation Case Analyst. This incumbent is being  
18                 hired to assist the current Probation Case Analyst. The Probation Analyst will also be  
19                 responsible for the Petition to Revoke Probation & Surrender License Cases and the  
20                 Petition for Modification. In addition, the Probation Analyst will ensure the probationers  
21                 who require random drug testing as a term and condition of probation are compliant with  
22                 their Stipulated Settlement and Disciplinary Order.

- 23  
24           • Office Technician (OT) (full-time), Enforcement Unit

25                 The OT will provide additional Enforcement Unit support pertaining to complaints, as well  
26                 as clerical support for the Enforcement Unit staff and the Expert Reviewer Program.

- 27  
28           • Management Services Technician (MST) (2-year limited-term), Licensing Unit

29                 This MST will be hired to assist in the application processes for the LMFT and LCSW.  
30                 The staff will provide assistance to alleviate the backlogs associated with the increased  
31                 application volumes and processing times.

32  
33                 Melissa Lara was promoted to the SSA vacancy in the Criminal Conviction & Probation Unit  
34                 within the Enforcement Program. Christina Hansen was hired to fill the licensing evaluator  
35                 vacancy behind Melissa Lara.

36  
37           **d. BreEZe Update**

38           Board staff is continuing to work with the BreEZe team in order to address functionality  
39           issues that are discovered. These issues are being resolved with subsequent releases.

40  
41           Staff opted for a delayed release of the online features to minimize the impact to staff and  
42           stakeholders. Online renewals were expected to go live in August, but because of priority  
43           of more critical fixes, this feature is now expected to be in place in November.

1 Staff is continuing to collaborate with the BreEZe team in an effort to develop and correct  
2 BreEZe reporting functions in an effort to ensure that correct data is available for year-end  
3 reporting.  
4

5 *The Board took a break at 9:14 a.m. and reconvened at 9:25 a.m.*  
6

#### 7 **XIV. Strategic Plan Update**

8 Management and staff continue to address the strategic goals and objectives. Status  
9 changes were made to the following areas:

- 10 • Licensing 1.1-1.4;
- 11 • Examinations 2.1;
- 12 • Enforcement 3.1 and 3.3;
- 13 • Legislation and Regulation 4.1-4.4;
- 14 • Organizational Effectiveness 5.1 and 5.2; and
- 15 • Outreach and Education 6.1-6.3

16  
17 Jill Epstein, California Association of Marriage and Family Therapists (CAMFT), offered  
18 assistance in reaching out to LMFTs for recruitment of Subject Matter Experts (SMEs). She  
19 also expressed that it is CAMFT's desire that the SMEs who are involved with child custody  
20 evaluation cases are highly skilled and possess an expertise in child custody evaluations.  
21

#### 22 **XV. Supervision Committee Update**

23 The Supervision Committee (Committee) met on June 27, 2014 at the Phillips Graduate  
24 Institute in Chatsworth, California. Topics of discussion included:

- 25 • Review of current supervised experience requirements for California applicants;
- 26 • Presentation of an examination eligibility application evaluation;
- 27 • Discussion and review of other state's supervised experience requirements for LMFT,  
28 LCSW, and LPCC; and
- 29 • Discussion and review of proposed survey questions for supervisees and supervisors.  
30

31 The discussion revolved around streamlining the "buckets", or various required categories of  
32 supervised hours, that must be satisfied for licensure. There was also discussion about the  
33 supervision ratios. The consensus of the Committee and stakeholders was that changes  
34 should be made to the current requirements in order to streamline the "buckets".  
35

36 The Committee directed the staff to:

- 37 • Research and estimate the percentage of Marriage and Family Interns that were claiming  
38 the maximum hours available for couples and family therapy supervised hours;
- 39 • Research and address in draft language the concept of triadic-supervision;
- 40 • Draft language that would streamline the "buckets"; and
- 41 • Make suggested changes to the supervisee and supervisor draft survey.  
42

43 This information will be presented and discussed at the next Committee meeting scheduled  
44 for August 29, 2014 at the Department of Consumer Affairs (DCA) in Sacramento.  
45

#### 46 **XVI. Policy and Advocacy Committee Report**

1 **a. Discussion and Possible Rulemaking Action to Implement Senate Bill 704, Statutes**  
2 **of 2011, Chapter 387 – Examination Restructure**

3 Effective January 1, 2016, the Board’s examination process will change. LCSW and  
4 LMFT applicants will be required to pass two new exams that replace the existing exams.  
5 Additionally, for LCSW, LMFT and LPCC applicants, the timing of when examinations  
6 must be taken, will change.  
7

8 In order to fully implement the restructured program, the Board needs to revise its  
9 regulations to incorporate the new requirements and to ensure that the regulations are  
10 consistent with the examination process authorized by the new law.  
11

12 Impacts of the Exam Restructure on the LMFT, LCSW, and LPCC Licensure Process  
13

14 *Exam Types:*

- 15 • LPCC licensing program - A California Law and Ethics Exam and a national exam is  
16 already in place for the LPCC program.
- 17 • LMFT and LCSW licensing programs - A California Law and Ethics Exam and a  
18 Clinical Exam will replace the Standard Written and Clinical Vignette exams currently  
19 in place.  
20

21 *Impact on Registrant Renewals and Issuance of Subsequent Registration Numbers:*

- 22 • A registrant will not be permitted to renew his or her registration without having taken  
23 the law and ethics exam during the prior renewal period.
- 24 • Subsequent intern or associate registration numbers will no longer be issued unless  
25 the applicant has passed the exam.  
26

27 *Law and Ethics Course for Registrants:*

28 Registrants who did not take and pass the law and ethics exam will be required to take  
29 a 12-hour continuing education (CE) course on law and ethics in order to continue to  
30 be eligible to take the law and ethics exam.  
31

32 *Differences for Registrants vs. Applicants who are Not Registrants:*

33 A “registrant” means an individual who holds a current or delinquent registration. The  
34 requirements under the exam restructure are different for a registrant than for an applicant  
35 who is not a registrant.  
36

- 37 • California Law & Ethics Exam Requirements for Registrants
  - 38 ➢ New Registrants – Exam must be taken within the first year of registration as an  
39 intern or associate.
  - 40 ➢ Existing Registrants - Exam must be taken within the registrant’s first renewal  
41 period that follows January 1, 2016.
  - 42 ➢ All Registrants - Exam must be taken during every one-year renewal cycle until  
43 passed.
  - 44 ➢ Registrants with an Approved Application for Licensure - Exam must be taken  
45 within one year after approval of the registrant’s licensure application.  
46
- 47 • Clinical Exam Requirements for Registrants

- 1                   ➤ All Registrants - Exam must be taken upon completion of all other licensure
- 2                   requirements.
- 3
- 4                   • California Law & Ethics Exam Requirements for Non-Registrants
- 5                   ➤ Cancelled Registrants - Exam must be taken upon request
- 6                   ➤ Other Non-Registrants - Exam must be taken within one year of being made
- 7                   eligible to take the exam.
- 8
- 9                   • Clinical Exam Requirements for Non-Registrants
- 10                  ➤ All Non-Registrants – Exam must be taken within one year of passing the law and
- 11                  ethics exam.
- 12

13                   *Proposed Regulatory Changes:*

14                   In accordance with the exam restructure, the Board’s regulations need to be revised for

15                   consistency and clarity. The following revisions are proposed:

- 16                  • Change the names of the exams and describes what the new examinations are
- 17                  designed to assess.
- 18                  • Clarify the criteria for eligibility to take the law and ethics exam.
- 19                  • Clarify the time frames during which a registrant or applicant must take the California
- 20                  Law and Ethics examination.
- 21                  • Change application abandonment criteria to fit the new application process.
- 22                  • Clarify the waiting periods between exam attempts.
- 23                  • Incorporate language allowing the Board to accept the national examinations for LMFT
- 24                  and LCSW licensure, if the examinations are determined to be acceptable by the
- 25                  Board.
- 26                  • Make technical amendments.
- 27

28                   Ben Caldwell, American Association of Marriage and Family Therapy California Division

29                   (AAMFT-CA), suggested adding “except as provided in (c)” to Section 1805.05(b).

30

31                   Christy Berger agreed that Section 1805.05(b) needs to be amended and suggested

32                   amending the language to state “applicants retaking a board-developed examination.”

33

34                   Mr. Caldwell referred to Section 1829.2(a)(1)(A). The word “shall” in this context may

35                   prohibit taking the exam again in the same registration cycle. Ms. Berger agreed that this

36                   section needs to be clarified.

37

38                   Board members requested a flow chart of the process outlined in the proposed

39                   examination restructure.

40

41                   ***Dr. Leah Brew moved to direct staff to make any discussed changes, and any non-***

42                   ***substantive changes to the attached amendments, and to run as a regulatory***

43                   ***proposal. Dr. Peter Chiu seconded. The Board voted unanimously (11-0) to pass***

44                   ***the motion.***

45

46                   **b. Discussion and Possible Rulemaking Action Regarding Proposed Revisions to**

47                   **California Code of Regulations, Title 16, Division 18, Article 9 Board of Behavioral**

48                   **Sciences Disciplinary Guidelines – Uniform Standards**

1 DCA and the Legislature requested that all healing arts licensing boards run regulations to  
2 create uniform standards for discipline in cases of licensee or registrant substance abuse.

3  
4 The Board has considered and approved these regulations several times, most recently at  
5 its March 2014 meeting. The proposed language was then submitted to the Office of  
6 Administrative Law (OAL) for notice, and the regulations have gone through a 45-day  
7 public comment period.

8  
9 However, DCA has requested additional amendments, which are required if the  
10 regulations are to gain their approval and continue to move forward. The amendments  
11 requested by DCA are as follows:

- 12  
13 • Amend Section 1888:  
14 This section outlines the circumstances in which the Uniform Standards related to  
15 substance abuse would apply. The language had stated that in the case of a  
16 substance abuse violation, the Uniform Standards must apply without deviation if the  
17 licensee or registrant does not rebut the violation. However, the language also  
18 allowed deviation from the Uniform Standards if the licensee, registrant, or the Board  
19 established that appropriate public protection could be provided with modification or  
20 omission of a specific standard.

21  
22 DCA states that the law allows no deviation from the Uniform Standards. Therefore,  
23 language stating that the licensee, registrant or Board has discretion to modify or omit  
24 a specific uniform standard is prohibited.

25  
26 Due to this change, staff has also rearranged some language in Section 1888,  
27 because while deviation from the Disciplinary Guidelines is permitted, it is not  
28 permitted for the Uniform Standards.

- 29  
30 • Amend “Uniform Standards Related to Substance Abuse and Disciplinary Guidelines”,  
31 page 4, 1<sup>st</sup> paragraph:  
32 This section also outlines the cases in which the Uniform Standards related to  
33 substance abuse would apply. It allows deviation from the Uniform Standards if the  
34 licensee, registrant, or the Board establishes that appropriate public protection can be  
35 provided with modification or omission of a specific uniform standard.

36  
37 Due to DCA’s determination that such deviation is not allowed, this discretion has been  
38 removed. However, the language used in Section 1888, allowing a licensee or  
39 registrant to rebut that the violation is a substance abuse violation, has been added as  
40 permitted by DCA.

41  
42 Ms. Epstein stated that CAMFT will comment during the 15-day comment period to  
43 express their concerns regarding the inability to deviate if rebutted.

44  
45 ***Dr. Leah Brew moved to direct staff to make any discussed or any non-substantive***  
46 ***changes; to approve the modified text for a 15-day public comment period and***  
47 ***delegate to the Executive Officer the authority to adopt the proposed regulatory***  
48 ***changes as modified; and to delegate to the Executive Officer the authority to make***  
49 ***any technical or non-substantive changes that may be required in completing the***  
50 ***rulemaking file. Patricia Lock-Dawson seconded. The Board voted (11-0)***  
51 ***unanimously to pass the motion.***

1           *The Board took a break at 10:31 a.m. and reconvened 10:42 a.m.*

2  
3 **XVII. Discussion and Possible Action Regarding Other Legislation Affecting the Board**

4 AB 1629 regarding Crime Victims Compensation, Reimbursement of Violence Peer  
5 Counseling Expenses, would make costs incurred for certain services provided by violence  
6 peer counselors reimbursable to crime victims through the California Victim Compensation  
7 Board.

8  
9 Existing law:

- 10       • Sets forth a procedure for the state to assist crime victims in obtaining compensation for  
11 certain losses suffered as a direct result of a criminal act.
- 12       • Defines “peer counseling” as counseling offered by a provider of mental health counseling  
13 services who does the following:
- 14           ➤ Has completed a course in rape crisis counseling skills development;  
15           ➤ Participates in continuing education in rape crisis counseling skills development; and  
16           ➤ Provides rape crisis counseling in California.
- 17       • States that payment by the California Victim Compensation Board for peer counseling  
18 provided by a rape crisis center may not exceed \$15 per hour of service.

19  
20 This bill:

- 21       • Defines a “service organization for victims of violent crime” as a nongovernmental  
22 organization whose primary mission is to provide services to victims of violent crime, and,  
23 in fact, provides such services to these victims and their families.
- 24       • Defines a “violence peer counselor” as a provider of formal or informal counseling services  
25 who is employed by a service organization for victims of violent crime, whether or not they  
26 are financially compensated. The violence peer counselor must meet the following  
27 criteria:
- 28           ➤ Has at least six months full-time equivalent experience providing peer support  
29 services, acquired through employment, volunteering, or an internship;  
30           ➤ Has completed a training program to prepare an individual who was once a mental  
31 health services consumer to use his or her life experience with mental health treatment  
32 to promote the mental health recovery of others who were victims of a violent crime;  
33           ➤ Possesses 40 hours of training in specified coursework.
- 34       • Requires a violence peer counselor to be supervised by a licensee of the Board of  
35 Behavioral Sciences when providing violence peer counseling services. The licensee  
36 must be employed by the same service organization as the violence peer counselor.

37  
38 Staff has two concerns with the definition of “violence peer counselor” and the definition of a  
39 “service organization for victims of violent crime.”

- 40       • Violence peer counselor – This definition is very broad. The term “formal counseling  
41 services” is not defined. It is unclear whether formal counseling services would rise to the  
42 level of psychotherapy or clinical practice for which a Board license would be required. If  
43 the formal counseling services do rise to the level where a license would be required, the  
44 language seems to create an exemption from licensure.

45

- 1 • Service organization for victims of violent crime - The definition of “service organization for  
2 victims of violent crime” states that it may be any nongovernmental organization that  
3 meets certain criteria.  
4

5 Consequences of the unclear language:

- 6 • It is misleading because it could imply to an unlicensed violence peer counselor that he or  
7 she may practice psychotherapy in a private practice setting without a license, even  
8 though that is a violation of the Board’s practice acts; and  
9  
10 • It could also mislead a Board licensee, who is supervising a violence peer counselor, into  
11 believing that his or her violence peer counselor supervisee does not need to be licensed  
12 or registered, even if they are in a non-exempt setting.

13 Staff worked with the author’s office and provided suggested language. The language has  
14 been sent to the legislative counsel, and the author’s office committed to running urgency  
15 legislation next year.  
16

17 Dr. Wietlisbach expressed concern regarding violence peer counselors providing services with  
18 very little training or supervision.  
19

20 Dr. Brew expressed concern regarding any licensee providing supervision. She  
21 recommended changing “any licensee” to “a licensee who has met the requirements as a  
22 supervisor.” She also recommended criteria regarding the supervision, such as meeting once  
23 per week.  
24

25 Several Board Members expressed concerns regarding unlicensed practice, training,  
26 supervision, and liability of the licensed supervisor.  
27

28 Ms. Helms responded that these suggestions can be presented at the November meeting.  
29

30 ***Renee Lonner moved to oppose AB 1629 unless amended. Sarita Kohli seconded. The***  
31 ***Board voted unanimously (11-0) to pass the motion.***  
32

### 33 **XVIII. Legislative Update**

34 Board-sponsored legislation:

- 35 • AB 2213 regarding LMFT and LPCC Out-of-State Applicant Requirements, is awaiting  
36 consideration by the Governor.  
37 • SB 1466 regarding the Omnibus Legislation is enrolled.  
38 • AB 1843 regarding Child Custody Evaluations was signed earlier this week.  
39

40 Board-supported legislation:

- 41 • AB 809 regarding Telehealth is enrolled.  
42 • AB 1775 regarding Child Abuse and Neglect Reporting Act, Sexual Abuse, was signed by  
43 the Governor.  
44 • AB 2058 regarding Open Meetings is enrolled.  
45 • SB 909 regarding Dependent Children, Health Screenings, is dead.  
46 • SB 578 regarding Marriage and Family Therapists, Record Retention, is enrolled.  
47 • SB 1012 regarding Marriage and Family Therapists, Trainees, is enrolled.  
48

1 Board-monitored legislation:

- 2 • AB 186 regarding Temporary Licenses for Military Spouses – The request to remove the  
3 Board from this bill has been granted; therefore, the Board’s position has changed to  
4 neutral.
- 5 • AB 2198 regarding Suicide Prevention Training is awaiting consideration by the Governor.
- 6 • SB 570 regarding the Advanced Alcohol and Drug Licensing Act died in the Assembly  
7 Appropriations Committee.

8  
9 AB 1904 regarding expediting licensing process for military spouses and active duty military  
10 service members, was a “gut and amend.”

11  
12 **XIX. Rulemaking Update**

- 13 • Continuing Education regulation package is with OAL for final review, and they will be  
14 making a decision by September 19<sup>th</sup>.
- 15 • Disciplinary Guidelines and SB 1441 regarding Uniform Standards for Substance Abuse –  
16 A 15-day comment period notice will be issued tomorrow.
- 17 • Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families  
18 regulation package - Staff is developing materials that are required for submission of the  
19 proposal to OAL for publication, which will begin the 45-day public comment period.
- 20 • Implementation of SB 704 regarding the Examination Restructure regulation package –  
21 this item was heard today and is a priority project.

22  
23 **XX. Presentation of the Association of Social Work Boards National Examination**

24 Dwight Hymans, LCSW, Executive Vice President and Maryjo Monahan, LCSW, CEO from  
25 the Association of Social Work Boards (ASWB) gave a presentation of the Social Work  
26 Licensing Exams. Information provided was related to ASWB’s exam categories, pass rates  
27 for 2013, exam development process, and social work practice analysis.

28  
29 **XXI. Board Meeting Dates 2015**

30 The 2015 Board meeting dates were presented. Ms. Wong requested a location change for  
31 the disciplinary hearing scheduled on October 22<sup>nd</sup> in southern California. She requested that  
32 the location of the meeting be moved to Sacramento.

33  
34 **XXII. Suggestions for Future Agenda Items**

35 Ms. Epstein had 2 suggestions for discussion:

- 36 • Fees that the interns will have to pay while waiting to have their exam applications to be  
37 evaluated, and
- 38 • ESL (English as a second language) testing accommodations.

39  
40 Mr. Sodergren responded that the subject of ESL testing accommodations was discussed at a  
41 previous Board meeting.

42  
43 Mr. Caldwell suggested a discussion regarding the process by which an exam gets amended  
44 mid-cycle when there is either legal or regulatory change, or legal confusion. An example is  
45 the reporting of consensual activity among minors, in which there is a legal opinion and a  
46 statute. The legal opinion and statute are not consistent with each other. Test preparatory  
47 representatives have expressed concern about items on the exam surrounding that issue.

1 Dr. Brew suggested a discussion regarding Board meeting schedules to be changed from  
2 Wednesday-Thursday to Thursday-Friday.

3

4 Ms. Brown had 2 suggestions for discussion:

- 5 • The Board's website, and
- 6 • Delivery of meeting materials.

7

8 **XXIII. Public Comment for Items not on the Agenda**

9 There were no public comments.

10

11 **XXIV. Adjournment**

12 The Board adjourned at 12:26 p.m.

**Board Statistics**

Board staff is pleased to resume reporting operational statistics. Processing times are still unavailable at this time. In lieu of licensing processing times, the processing date as of November 12, 2014 is provided. These dates represent the date the application was received by the Board that the licensing staff are evaluating. Attached for your review are the quarterly performance statistics for the first fiscal quarter of 2014.

**Licensing Program**

Overall, the receipt of Board applications increased as compared to the same period in 2013. The 33% decrease in Continuing Education Provider (PCE) applications can be attributed the upcoming revision to the Board's Continuing Education Program.

<b>Application type</b>	<b>1<sup>ST</sup> Quarter 7/1/14-9/30/14</b>	<b>1<sup>st</sup> Quarter 7/1/13 -9/30-13</b>	<b>Difference 2013 vs. 2014 1st qtr.</b>
MFT Intern	1402	1589	-12%
MFT Examination	755	507	+49%
ASW	1473	1289	+14%
LCSW Examination	356	353	+1%
LEP Examination	30	38	-21%
LPCC Intern	213	190	+12%
LPCC Examination	25	17	+47%
PCE	62	93	-33%

The additional staff in the licensing unit is making a significant difference in the efforts to reduce the Board's current backlog for LMFT and LCSW examination applications. For most of 2013, these applicants experienced delays ranging from 6 to nearly 9 months to evaluate their applications.

Through the work of four full time staff members, the LMFT unit reduced its backlog from nearly 9 months to 4.5 months since May 19, 2014. The LCSW unit has two full time members and lost an experienced evaluator in early summer. This vacancy has slowed the LCSW progress in reducing its backlog. However, this position was recently filled and in the next several months the Board anticipates significant progress to reduce the backlog will be made.

License type	Current Processing Dates	Processing Date at August Board Meeting (8/18/14)	Processing Date at May Board Meeting (5/19/14)
MFT Intern	10/23/14	7/24/14	4/28/14
MFT Examination	6/25/14	1/22/14	9/3/13
ASW	10/23/14	7/7/14	5/1/14
LCSW Examination	4/21/14	1/25/14	10/31/13
LEP Examination	11/3/14	7/30/14	5/2/14
LPPC Intern	9/9/14	6/23/14	3/10/14
LPCC Examination	9/8/14	na	na
CE Provider	10/31/14	7/28/14	4/28/14

### **Examination Program**

A total of 2,401 examinations were administered in the first quarter. Thirteen (13) examination development workshops were conducted July through September.

### **Administration Program**

19,916 renewal applications were received and processed in the first quarter. The Board's cashier completed 2751 renewal applications. The remaining renewals were processed by DCA's central cashing unit.

### **Enforcement Program**

The Enforcement staff received 291 consumer complaints and 297 criminal convictions in the first quarter. 489 cases were closed this quarter and 30 cases were referred to the Attorney General's office for formal discipline.

Enforcement staff continues to meet or exceed the established performance measures (PM) with the exception of PM 4, Formal Discipline. DCA established the performance target for PM 4 at 540 days (18 months). The Board's current quarterly average is 710 days. It is important to note that this performance measure relies on the efficiency of outside state agencies such as the Office of Attorney General and the Office of Administrative Hearings.

### **Outreach Activity**

During the first quarter Board staff participated in the following events.

- CALPCC meeting in San Francisco
- NASW annual conference in Los Angeles
- LMFT Stipend Award Review
- Staff did not attend, but did provide information regarding the change to the Board's continuing education program and copies of the Strategic Plan to distribute at the CASP annual conference.

Additionally, the Board developed and released its first licensure video tutorial. *How to Become Registered as an Associate Social Worker* is available on the Board's website. Other licensing video tutorials will be forthcoming.



## Board of Behavioral Sciences Quarterly Statistics Report As of September 30, 2014

This report provides statistical information relating to various aspects of the Board's business processes. Statistics are grouped by unit.

### CASHIERING

The Board's Cashiering Unit processes license renewals and applications. Approximately 85% of renewal processing occurs in the Department of Consumer Affairs Central Cashiering Unit.

Renewals Processed In-House	Jul-14	Aug-14	Sep-14	YTD
Processed	552	1098	1101	2751
Received	*	*	*	*
Process Time	*	*	*	*

*\*Data Currently Unavailable*

Renewals Processed By DCA Central Cashiering	Jul-14	Aug-14	Sep-14	YTD
Processed	2069	3647	10544	16260
Received	*	*	*	*
Process Time	*	*	*	*

*\*Data Currently Unavailable*

Application Payments Processed In-House**	Jul-14	Aug-14	Sep-14	YTD
Processed	3500	2905	2905	9310
Received	3635	3229	3040	9904
Process Time	*	*	*	*

*\*\*These totals represent all other applications and do not include renewal applications*

### LICENSING

The Board's Licensing Unit evaluates applications for registration and examination eligibility. This involves verifying educational and experience qualifications to ensure they meet requirements defined in statute and regulation.

Initial Licenses Issued	Jul-14	Aug-14	Sep-14	YTD
LMFT	122	112	151	385
LCSW	119	108	118	345
LEP	13	12	14	39
PCE	19	32	24	75
LPCC	55	56	1	112

LCSW Examination Eligibility Applications	Jul-14	Aug-14	Sep-14	YTD
Received	197	62	157	416
Approved	170	104	117	391
Process Time	153	148	157	153
Process Time Less Def Lapse	*	*	*	*

<b>LMFT Examination Eligibility Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	196	307	252	755
Approved	245	368	407	1020
Process Time	173	148	133	151
Process Time Less Def Lapse	*	*	*	*

<b>LPCC Examination Eligibility Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	10	2	13	25
Approved	14	10	10	34
Process Time	*	*	*	*
Process Time Less Def Lapse	*	*	*	*

<b>LEP Examination Eligibility Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	17	7	6	30
Approved	24	16	10	50
Process Time	25	15	13	18
Process Time Less Def Lapse	*	*	*	*

<b>ASW Registration Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	842	195	436	1473
Approved	138	191	278	607
Process Time	26	30	19	25
Process Time Less Def Lapse	*	*	*	*

<b>LMFT Intern Registration Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	419	563	420	1402
Approved	330	251	237	818
Process Time	15	17	21	18
Process Time Less Def Lapse	*	*	*	*

<b>LPC Intern Registration Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	69	45	99	213
Approved	85	50	46	181
Process Time	32	39	44	38
Process Time Less Def Lapse	*	*	*	*

<b>PCE Applications</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	23	35	35	93
Approved	18	14	29	61
Process Time	13	18	22	18
Process Time Less Def Lapse	*	*	*	*

## EXAMINATION

The Board's Examination Unit processes complaints and performs other administrative functions relating to the Board's examination processes.

<b>Examinations Administered</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
LCSW Written	163	154	147	464
LCSW CV	134	141	139	414
LMFT Written	229	262	288	779
LMFT CV	153	166	202	521
LPCC GAP (LMFT)	37	62	49	148
LPCC GAP (LCSW)	0	0	2	2
LPCC GP L&E	5	3	4	12
LPCC Traditional L&E	6	8	4	18
LEP	13	18	12	43
<b>Total Exams Administered</b>	<b>740</b>	<b>814</b>	<b>847</b>	<b>2401</b>
<b>Examination Workshops</b>	<b>4</b>	<b>2</b>	<b>7</b>	<b>13</b>

## ENFORCEMENT

The Board's Enforcement Unit investigates consumer complaints and reviews prior and subsequent arrest reports for registrants and licensees. The pending total is a snapshot of all pending items at the close of a quarter.

<b>Complaints (Complaint Intake*)</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	94	84	113	291
Closed without Assignment for Investigation	33	22	52	107
Assigned for Investigation	71	43	54	168
Average Days to Close or Assigned for Investigation	9	7	7	8
Intake Pending	2	10	10	10

<b>Convictions/Arrest Reports</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Received	70	106	121	297
Closed / Assigned for Investigation	3	2	0	5
Assigned for Investigation	72	96	117	285
Average Days to Close	4	4	5	4
Intake Pending	0	8	11	11

### *Investigation\*\**

<b>Desk Investigation</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Assigned	136	132	163	431
Closed	161	141	180	482
Average Days to Close	134	132	80	113
Pending	*	*	*	*

<b>Field Investigation (Sworn)</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Assigned	3	5	2	10
Closed	3	0	1	4
Average Days to Close	114	0	393	184
Pending	*	*	*	*

<b>All Investigations</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
First Assignments	146	139	175	460
Closed	153	142	194	489
Average Days to Close	134	143	84	117
Pending	*	*	*	*

*\*Data currently unavailable*

**Enforcement Actions**

	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
AG Cases Initiated	15	4	11	30
AG Cases Pending	118	117	114	349
SOIs Filed	5	3	2	10
Accusations Filed	13	5	4	22
Proposed/Default Decisions Adopted	3	3	1	7
Stipulations Adopted	6	3	11	20
<b>Disciplinary Orders</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	10	6	11	27
Average Days to Complete***	752	907	887	841
<b>Citations</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>YTD</b>
Final Citations	4	5	0	9
Average Days to Complete****	311	276	0	291

**Complaint Intake \***

Complaints Received by the Program.

**Investigations \*\***

Complaints investigated by the program whether by desk investigation or by field investigation.

Measured by date the complaint is received to the date the complaint is closed or referred for enforcement action.

If a complaint is never referred for Field Investigation, it will be counted as 'Closed' under Desk Investigation.

If a complaint is referred for Field Investigation, it will be counted as 'Closed' under Non-Sworn or Sworn.

**Disciplinary Orders Average Days to Complete \*\*\***

Measured by the date the complaint is received to the date the order became effective.

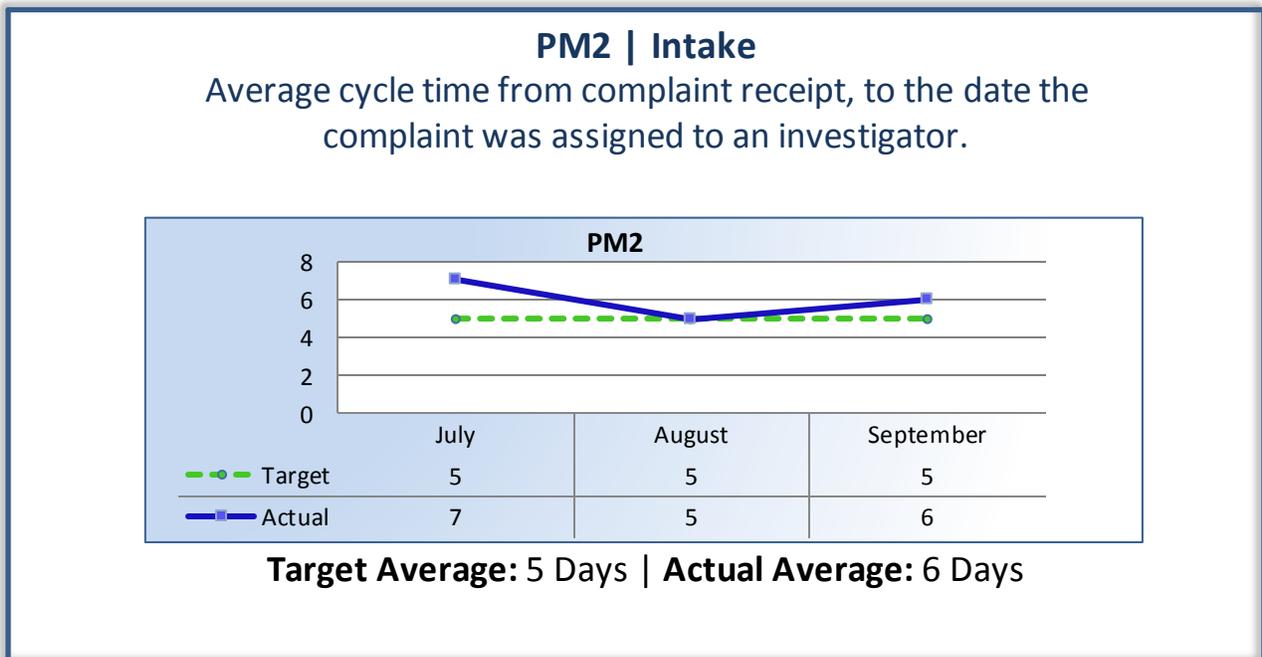
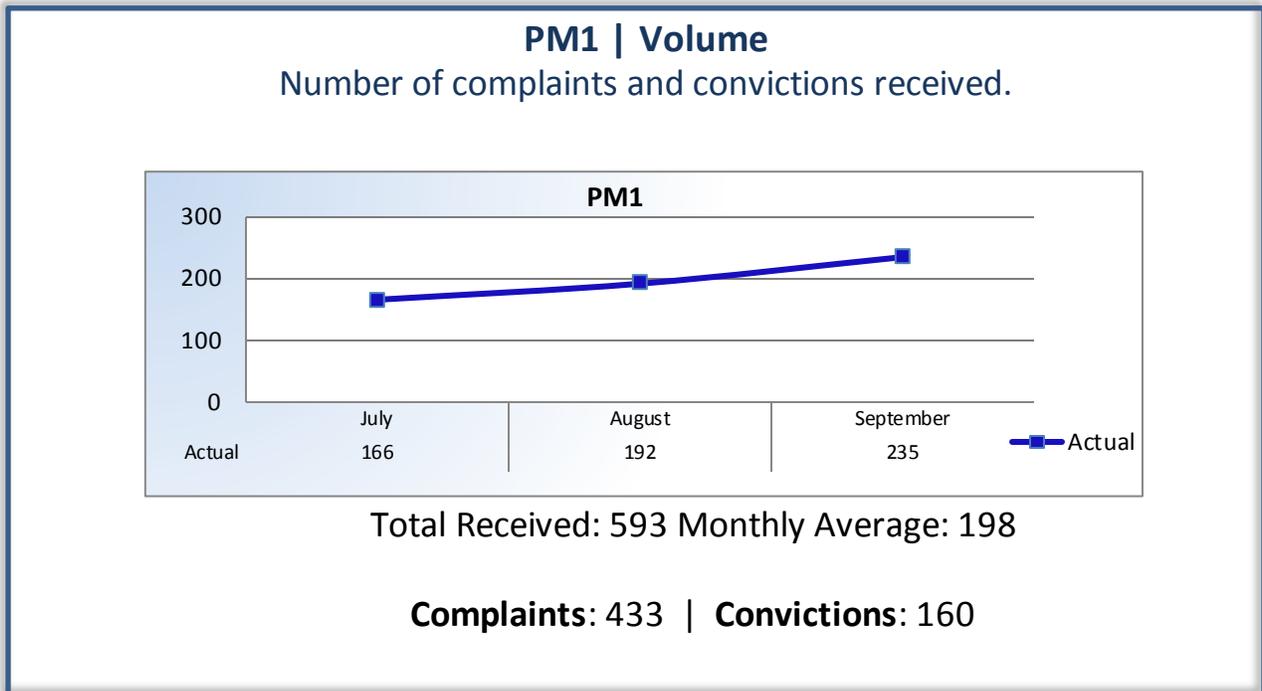
**Citations \*\*\*\***

Measured by the date the complaint is received to the date the citation was issued.

## Performance Measures

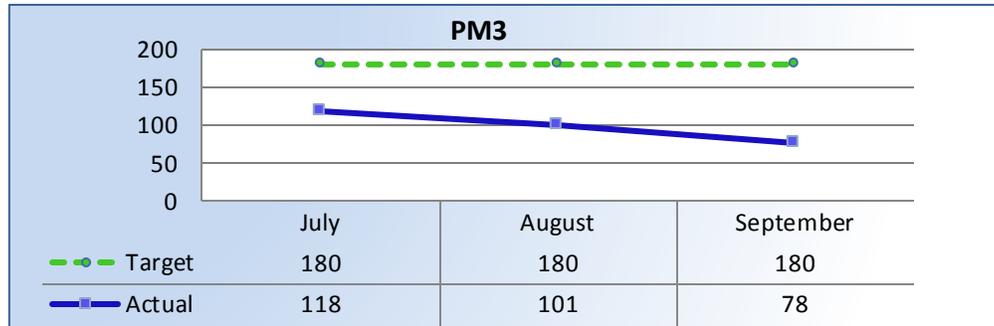
### Q1 Report (July - September 2014)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.



### PM3 | Intake & Investigation

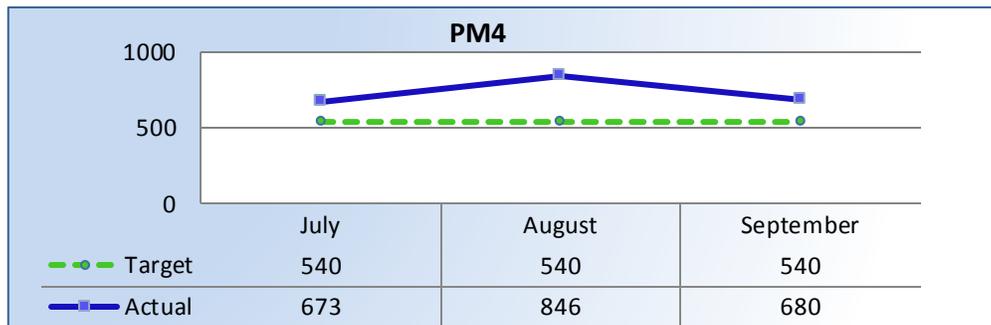
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



**Target Average: 180 Days | Actual Average: 97 Days**

### PM4 | Formal Discipline

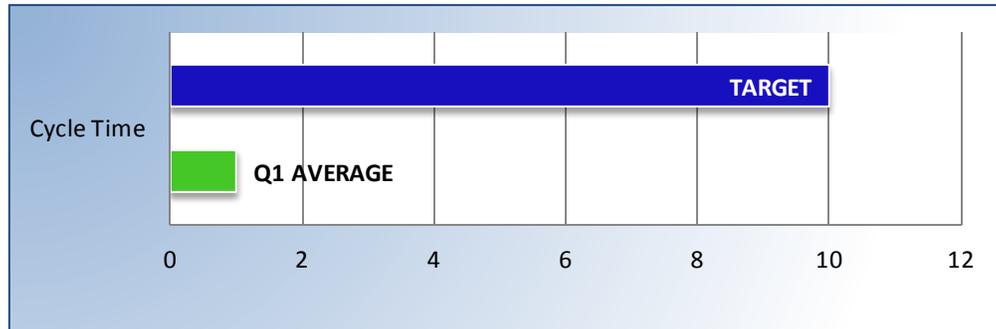
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



**Target Average: 540 Days | Actual Average: 710 Days**

### PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



**Target Average: 10 Days | Actual Average: 1 Day**

### PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

*The Board did not report any probation violations this quarter.*

**Target Average: 7 Days | Actual Average: N/A**

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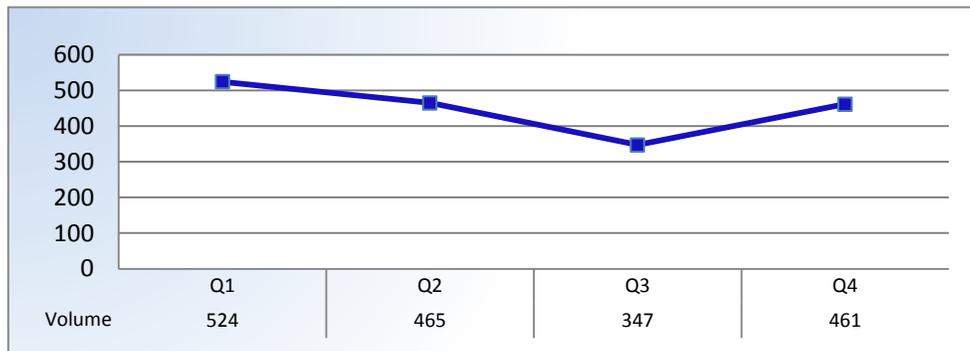
## Performance Measures

### Annual Report (2013 – 2014 Fiscal Year)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly and annual basis.

#### PM1 | Volume

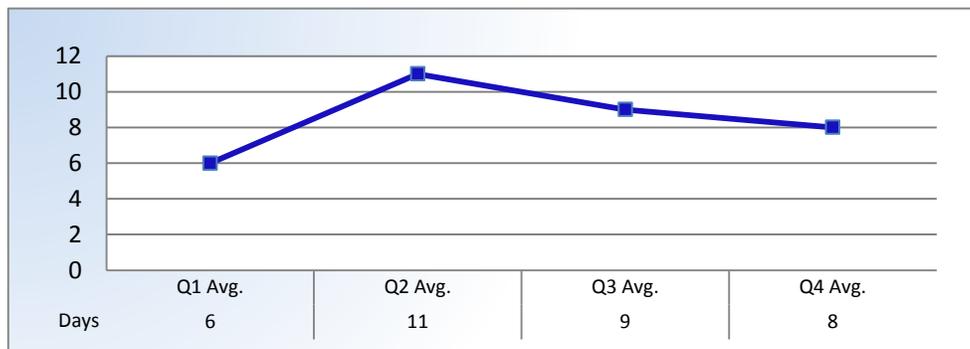
Number of complaints and convictions received.



**Fiscal Year Total: 1,797**

#### PM2 | Intake

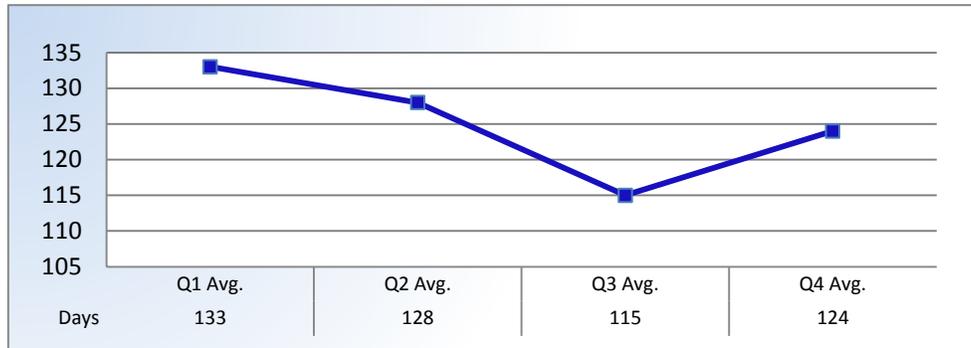
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



**Target Average: 5 Days**

### PM3 | Intake & Investigation

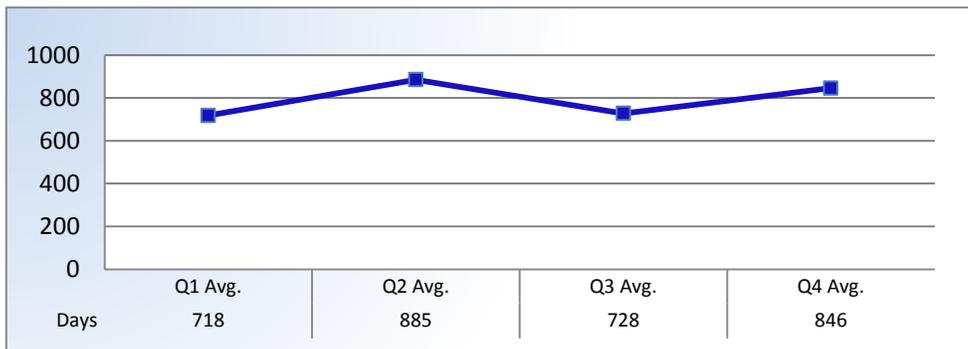
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



**Target Average: 180 Days**

### PM4 | Formal Discipline

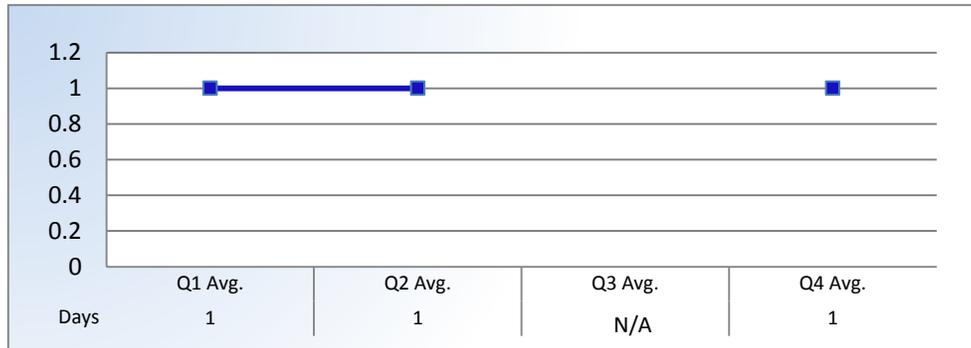
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



**Target Average: 540 Days**

### PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



**Target Average: 10 Days**

### PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

*The Board did not have any probation violations reported this year.*

**Target Average: 7 Days**

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## 2013/2014 YEAR END SUMMARY

The Board of Behavioral Sciences marks its 69<sup>th</sup> year providing regulatory oversight to Licensed Clinical Social Workers, Licensed Marriage and Family Therapists, Licensed Educational Psychologists, Licensed Professional Clinical Counselors, and Continuing Education Providers. Fifty five staff members and thirteen board members are dedicated to ensure the consumers of California receive mental health services from competent and safe practitioners. The following summary provides an overview of the Board of Behavioral Sciences activity in fiscal year 2013/2014.

### Licensing and Registrant Statistics

The statistics below reflect the number of licensees and registrants with the Board of Behavioral Sciences (Board) as of July 1, 2014. The Board licensing population has increased a staggering 19% (16,022 licensees and registrants) since last fiscal year (2012/2013).

License Type	Current	Delinquent	Inactive	Family Support Status	Total Number
Associate Clinical Social Worker (ASW)	10687	4062	N/A	2	14751
MFT Interns (IMF)	15908	6356	N/A	11	22275
Professional Clinical Counselor Interns (PCCI)	611	46	N/A	1	658
Licensed Clinical Social Workers (LCSW)	18033	1336	2396	4	21769
Licensed Educational Psychologists (LEP)	1299	347	442	0	2088
Licensed Marriage and Family Therapists (LMFT)	29908	2349	4342	1	36600
Licensed Professional Clinical Counselor (LPCC)	905	12	13	0	930
Registered Continuing Education Providers (PCE)	2583	415	N/A	N/A	2998
<b>Total number of licensees</b>	<b>79,934</b>	<b>14,923</b>	<b>7,193</b>	<b>19</b>	<b>102,069</b>

### Licensing Program

The Board's licensing staff evaluates all applications to ensure the candidate satisfies all statutory requirements for registration and licensure. Applicants are notified if their application is deficient and are allowed one year to remediate all deficiencies.

Application Volume 2013/2014	Received	Approved
Associate Clinical Social Workers (ASW)	3051	2989
MFT Interns (IMF)	4367	4182
Professional Clinical Counselor Interns (PCCI)	569	351
Licensed Clinical Social Workers (LCSW)	1527	723
Licensed Educational Psychologists (LEP)	110	77
Licensed Marriage and Family Therapists (LMFT)	2292	1150
Licensed Professional Clinical Counselor (LPCC)	72	32
Registered Continuing Education Providers (PCE)	253	227

## **Administration Program**

The administration program includes the cashiering unit and office support staff. The cashiering unit staff receives and processes all incoming applications for registration, examination, and licensure. Over 47,000 renewal applications were received and processed. The DCA Cashiering Unit processed approximately 85% of these applications and the cashiering unit processed the balance. The Board cashiering unit also receives and processes over 20,000 applications for examination eligibility, initial licensure, and registration.

Additionally, the support staff open and distribute all mail, issues all initial licenses, process address change requests, and remove renewal holds.

<b>Administration Workload</b>	<b>Total Number</b>
Applications Received	20,565
Renewals processed by board staff and DCA cashiering	47,247
Initial License Issued	2,209

## **Examination Program**

Annually, the Board develops and administers 7 examinations for licensure in California. Two versions of each examination are developed to ensure the integrity of the examination process. Working with the Office of Professional Examination Resources (OPES), the examination unit staff recruits subject matter experts to participate in the examination development workshops. Approximately 300 subject matter experts participate in these workshops throughout the year. The examination development workshops are two or three days in length. In fiscal year 2013/2014, the Board conducted 38 examination development workshops.

The examination unit ensures candidate examination eligibility is accurately transmitted to the testing vendor and resolves all discrepancies. Additionally, the examination unit receives all examination score reports, responds to exam candidate's concerns, requests for a re-score of the examination, and requests for special testing accommodations. Further, the exam unit reviews each version of the examination for accuracy prior the version's release.

<b>Examination Activity</b>	<b>Examinations Administered</b>
LCSW Standard Written	1829
LCSW Clinical Vignette	1372
LMFT Standard Written	2708
LMFT Clinical Vignette	1916
LPC GAP (LMFT)	416
LPC GAP (LCSW)	7
LPCC GP Law and Ethics	307
LPCC Traditional Law and Ethics	53
LEP Standard Written	140
<b>Totals</b>	<b>9034</b>

*\*figures include initial examination eligibility and re-examination applications*

## **Enforcement Program**

The Board's enforcement staff receives and investigates all complaints of alleged licensee or registrant misconduct, criminal arrests and convictions. Investigations that confirm a violation of the Board's statutes and regulations are subject to disciplinary action. Disciplinary action ranges from the issuance of a citation and fine to revocation of the license or registration. All proposed decisions and stipulations require the Board Members' approval before the decision becomes effective.

<b>Enforcement Program</b>	<b>Total Number</b>
Complaints Received	1243
Subsequent Arrest Notifications Received	714
Cases assigned Inv. Analyst	1929
Cases referred to DOI	23
Cases Closed	1999
Applications denied	57
Cases referred to AG	115
Statement of Issues Filed	21
Accusations Filed	64
Final Orders Adopted (Decisions/Stipulations)	87
Final Citations	35

## **PROBATION MONITORING PROGRAM**

In fiscal year 2013/2014, 49 new probationers were added to the Board's probation program. The Board has a total of 140 probationers; 93 are active probationers and 47 are tolled (individual is not practicing).

The Probation Monitoring Program is an effective tool that allows the licensee or registrant to remain in practice with specific terms and conditions that are designed to ensure consumer protection. Once the probationer successfully completes his/her probation, the licensee or registrant is permitted to practice unrestricted.

Probationers that are non-compliant with the terms and conditions of their probation subject their license or registration to revocation. In 2013/2014 the Board filed 4 accusations to revoke probation for issues of non-compliance.

Probationers that demonstrate consistent and sustained compliance with their probation terms and conditions may petition the Board to modify their current terms or to end their probation early. In 2013/2014, thirteen (13) probationers requested modification or termination of their probation. The Board granted ten probationers their request and denied three.

## **Legislative Activity**

In fiscal year 2013/2014, the Board sponsored three bills, identified ten bills impacting board licensees, and introduced or implemented seven regulation packages. Legislative work encompasses developing draft language for Board sponsored bills or proposed regulations and analyzing all bills that may impact Board licensees.

The following laws were signed by the Governor in fiscal year 2013/2014. The effective date of each bill is noted.

**AB 2213 (Eggman)** – LMFT and LPCC Out-of-State Requirements. This bill makes changes to the practicum requirements for out-of-state requirements; allows applicants to remediate certain coursework through continuing education instead of requiring all coursework to be from a graduate program; and all allows certain coursework to be remediated why registered as an intern. This bill was signed by the Governor on September 17, 2014. Most of the provisions of this bill will become effective on January 1, 2016.

**AB 1843 (Jones-Gordon)** – Child Custody Evaluation Reports. This bill will allow the Board access to confidential child custody reports for the purpose of investigations. The bill was signed by the Governor on August 25, 2014 and will become law on January 1, 2015.

**SB 1466 Omnibus Bill** - This bill makes several technical, minor changes, and non-substantive changes to add clarity and consistency to current licensing laws. The bill was signed by the Governor on September 9, 2014 and will become effective January 1, 2015.

The following regulation packages were approved by the Office of Administrative Law (OAL). The effective date of the new/revised regulation is included.

- Senate Bill 363 Regulations (approved by OAL July 15, 2013, effective October 1, 2013). This regulation package deleted regulatory language that conflicts with Senate Bill 363, which limited the number of client center advocacy hours a marriage and family therapist intern may gain towards licensure.
- Senate Bill 1111 Enforcement Regulations (approved by OAL March 25, 2013, effective July 1, 2013). These regulations delegate 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.
- Disciplinary Guidelines Regulations (approved by OAL April 2, 2013, effective July 1, 2013). These regulations made several revisions to the Disciplinary Guidelines, which are incorporated by reference into Board regulations.
- Continuing Education Regulations (approved by OAL September 16, 2014, effective January 1, 2015 (majority of phase-in effective July 1, 2015). These regulations cease the Board's Continuing Education Provider program and specify entities where a licensee may obtain continuing education credit.

The following regulation packages were submitted to OAL in fiscal year 2013/2014.

- SB 1441 Uniform Standards Regulations (Notice filed with OAL; 45 day public comment period ended July 8, 2014, packet is currently being reviewed by DCA). These regulations incorporate specific criteria for disciplining substance abusing licensees within the Board's Disciplinary Guidelines.

- Senate Bill 704 Exam Restructure Regulations (Final proposal approved by Board in August 2014; submitted to OAL; public comment period began November 14, 2014). This proposal revises current Board regulations for consistency with statutory changes made by Senate Bill 704 (Chapter 387, Statutes of 2011), which restructures the examination process for LMFT, LCSW, and LPCC applicants.

## **Board Activity**

### Outreach

Outreach to Board stakeholders provides the opportunity to convey law and regulatory changes and clarify the licensing process. As permitted, Board staff will attend association events and conduct presentations regarding the Board's licensing and application process. In fiscal year 2013/2014 Board staff attended several association events: NASW lobby days CAMFT's annual conference, AAMFT lobby days, MFT Stipend Award Selection, and NASW Reception Honoring Legislators. Additionally, staff conducted a webcast presentation to University of California social work students to discuss the registration process as an associate social worker.

Board executive staff also attended two association chapter meetings to provide an update on recent regulatory changes to attendees.

### **2012/2013 Accomplishments**

- Completed evaluation of all LPCC Grandparent applications in October 2013.
- Request for additional licensing and enforcement staff was approved and included in the Governor's 2014/2015 budget.
- Established the Supervision Committee to conduct a holistic review of supervision requirements and supervisors.
- Introduced legislation to revise the licensure requirements for Out-of-State applicants. This legislation was signed by the Governor and will become effective January 1, 2015.
- Developed an online video tutorial to assist ASW applicants in the licensure process. This video tutorial is available on the Board's website.
- Conducted a series of stakeholder meetings to discuss proposed legislation to allow the Board access to child custody reports for investigative purposes. This legislation was signed by the Governor and will become effective January 1, 2015.
- Transitioned to the BreEZe system. One significant feature of the BreEZe system provides licensees and registrants the ability to renew online. The online renewal feature is now available.

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