Board of Behavioral Sciences

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POLICY AND ADVOCACY COMMITTEE MEETING NOTICE
October 30, 2015
9:00 a.m.

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

I. Call to Order and Establishment of Quorum

II. Introductions*

III. Approval of the August 7, 2015 Committee Meeting Minutes

IV. Discussion and Recommendations for Possible Action Regarding Defining Out-of-State Education for LMFT and LPCC Applicants

V. Discussion and Recommendations for Possible Action Regarding Licensed Professional Clinical Counselor Degree Content

VI. Discussion and Recommendations for Possible Action Regarding Possession of a Controlled Substance as a Basis for Discipline

VII. Discussion and Recommendations for Possible Action to Change Marriage and Family Therapist Intern Title to Associate Marriage and Family Therapist

VIII. Discussion and Recommendations for Possible Action for Proposed Omnibus Bill

a. Delete Business and Professions Code Sections 4980.40, 4980.50, 4980.80, 4980.90, 4984.01, 4984.7, 4984.72, 4992.1, 4996.1, 4996.3, 4996.4, 4999.45, 4999.46, 4999.50, 4999.52, 4999.57, 4999.58, 4999.59, 4999.100 – Expired Examination Restructure Provisions

b. Amend Business and Professions Code Sections 4980.43(b), 4996.23, and 4999.47(a) – Experienced Gained as an Independent Contractor

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

c. Amend Business and Professions Code Sections 4980.43(c) and 4999.46(g) – Amount of Supervised Experience Required for Applicants in the Exam Cycle

d. Amend Business and Professions Code Section 4992.05 – Associate Clinical Social Worker Reference

e. Amend Business and Professions Code Section 4999.40 – Program Certification Requirement for LPCC Applicants

f. Delete Business and Professions Code Section 4999.54 – Expired Grandparent Provision

g. Amend Business and Professions Code Section 4996.18 – LCSW Applicants: School Accreditation and Exam Eligibility

IX. Discussion and Recommendations for Possible Action Regarding Acceptable Accreditation Entities

X. Status of Board-Sponsored Legislation and Other Legislation Affecting the Board

XI. Status of Board Rulemaking Proposals

XII. Suggestions for Future Agenda Items

XIII. Public Comment for Items not on the Agenda

XIV. 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 and order of items 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.

Board of Behavioral Sciences

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

Policy and Advocacy Committee Minutes - *DRAFT*
August 7, 2015

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

Members Present	**Staff Present**
Renee Lonner, Chair, LCSW Member	Kim Madsen, Executive Officer
Deborah Brown, Public Member	Steve Sodergren, Asst. Executive Officer
Christina Wong, LCSW Member	Rosanne Helms, Legislative Analyst
	Dianne Dobbs, Legal Counsel
	Christina Kitamura, Administrative Analyst

Members Absent	**Public Attendees**
Dr. Christine Wietlisbach, Public Member	Sign-in sheet on file

I. Call to Order and Establishment of Quorum

Renee Lonner, Policy and Advocacy Committee (Committee) Chair, called the meeting to order at 9:03 a.m. Christina Kitamura took roll, and a quorum was established.

II. Introductions

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

III. Approval of the January 30, 2015 Committee Meeting Minutes

Renee Lonner moved to approve the January 30, 2015 Committee meeting minutes. Christina Wong seconded. The Committee voted unanimously to pass the motion.

Roll call vote:

Deborah Brown - yay
Renee Lonner - yay
Christina Wong - yay

IV. Approval of the April 23, 2015 Committee Meeting Minutes

Correction on page 15, line 18: Omit Deborah Brown, Public Member.

Renee Lonner moved to approve the April 23, 2015 Committee meeting minutes as amended. Christina Wong seconded. The Committee voted to pass the motion.

Roll call vote:

Deborah Brown - abstain
Renee Lonner - yay
Christina Wong - yay

V. Discussion and Recommendations for Possible Action Regarding Out-of-State Education

Business and Professions Code (BPC) state that in regards to LMFT and LPCC applicants, the Board shall accept education gained while residing outside of California if it is substantially equivalent to the Board's in-state education requirements for licensure. The law also defines what coursework makes the education substantially equivalent, and whether post-degree remediation is acceptable. Therefore, education requirements are triggered based on the residence of the applicant while obtaining his or her degree.

<u>Problem: In-State Applicants Cannot Remediate Coursework</u>
The Board screens all in-state schools to ensure that they meet education requirements because remediation outside the degree program is not permitted for in-state applicants. However, if an applicant who resides in California attends an out-of-state school that has not designed its program to lead to California licensure, he or she is treated as an in-state applicant (and thus is not allowed to remediate missing coursework), because the education was gained while residing in California.

This distinction can be confusing to applicants, who may not be aware that a degree program taken from an online school while they reside in California can make them ineligible for licensure because they are a California resident. The Board has placed a statement on its website to increase awareness of this issue.

<u>Problem: It can be Difficult to Determine Where a Student Resided While Obtaining a Degree</u>
It can be difficult for the Board to obtain proof of where an applicant resided while he or she completed his or her degree program, especially if the degree program was completed several years prior. The fact that residing in California while completing an out-of-state degree program prohibits remediation of any deficiencies may provide an incentive for the applicant to list an out-of-state address. Further complicating matters, sometimes students move from one state (and school) to another while completing a degree program.

This issue affects the LMFT and LPCC license types because of the large quantity of California-specific coursework that is required for those license types. There are no California-specific coursework requirements other than California law and ethics, which may be remediated.

Dianne Dobbs stated that the current language of the statute, “education gained while residing outside of California”, would have to be changed.

Rosanne Helms suggested changing the language to require the physical address of the school.

Kim Higginbotham replied that Ms. Helm’s suggestion would not address the issue. For example, the University of Phoenix is based out-of-state, but it has a California-approved program. She suggested obtaining a program certification from each school to determine that the school is an in-state program.

The school must complete the program certification form to confirm the applicant’s coursework. Christy Berger suggested adding a question on the form: Which campus was this person’s degree based?

Ms. Dobbs suggested changing the language to “education gained from an out-of-state-school.”

Steve Tierney pointed out that Ms. Dobbs suggested language would allow a California resident who took an out-of-state program to remediate, but would not allow a California resident who took an in-state program to remediate. He opined that it would be fair to consider why the Board would allow those who gained out-of-state education to remediate when the Board would not allow those who gained in-state education to remediate.

Ms. Helms responded that per SB 33, the LPCC degree program was to be integrated and there would not be a need for remediation. Ms. Higginbotham added that the new programs do not need to be remediated.

Ms. Helms will write a draft and present the draft language in October.

No action was taken.

VI. Discussion and Recommendations for Possible Action Regarding Licensed Professional Clinical Counselor Degree Content

In order to qualify for an LPCC license, the law requires that the applicant possess a master’s degree or doctoral degree that is counseling or psychotherapy in content and contains the supervised practicum and core content areas required by law.

Problem: The Board is receiving LPCC applications from applicants who have degrees that may not be intended to lead to licensure as a clinical counselor. Typically, these degrees are from out-of-state. Examples of these degrees are as follows:

- Behavior Analysis;
- Art Therapy;
- Dance Therapy;
- Human Relations
- Human Services;
- Rehabilitation Counseling; and

- Substance Use and Addictions.

The law only requires the degree to be counseling or psychotherapy in content. However, it is possible for a degree to have some counseling or psychotherapy content but not be intended to prepare the student for licensure.

The law does require the degree to contain practicum and certain specified core content areas. Effective January 1, 2016, out-of-state applicants can remediate of most degree requirements, including up to 6 out of the 13 core content areas. Practicum may also be remediated if licensed out-of-state, and the practicum requirement is waived if the applicant has been licensed in another state for two or more years.

LPCC Scope of Practice: Although LPCC licensing law does not provide a clear picture of the content of the degree, it does provide a clearly defined scope of practice.

LMFT Licensing Law: LMFT licensing law is more specific about the degree titles required for licensure. It lists specified Master's or Doctoral degrees as acceptable. The law gives the Board authority to make the final decision about whether or not a degree is acceptable. In addition, out-of-state degrees are not required to have one of the specified titles.

Counselor Licensure in Other States: Many other states also contain vague language in their licensing law about the degree title, typically requiring the degree to be in mental health counseling or a related field. However, in some states, the statutes or regulations are more specific about the type of degree allowed.

The Texas Administrative Code requires a Master's or Doctoral degree in counseling or a counseling-related field from an accredited school. The code then specifically defines a "counseling-related field."

CACREP Accreditation: The Council for Accreditation of Counseling & Related Educational Programs (CACREP) accredits counseling programs covering specified topic areas.

Ms. Lonner expressed that she prefers the language provided by Texas.

Dean Porter, California Association for Licensed Professional Clinical Counselors (CALPCC), stated that the intent was to use the content of the degree, not the title of the degree, which would determine a qualifying degree for LPCC licensure.

Ms. Madsen explained that these students obtaining degrees do not have the core curriculum in place, including clinical practicum. However, the law allows them to remediate. This is why staff likes the Texas definition - because it defines the clinical component. Ms. Madsen stated that language needs to be developed to clarify that the practicum must be clinical.

Ms. Madsen offered to direct staff to develop language and bring it back to the Committee in October.

No action taken.

VII. Discussion and Recommendations for Possible Action Regarding Board Policies

a. Record Retention Schedule for Enforcement Related Files

The State Records Management Act, Government Code Sections 14740-14774, requires the Department of General Services (DGS) to establish and administer a record retention program. DGS assigned this task to the DGS Procurement Division's California Records and Information Management (CalRIM) Program.

CalRIM established the overall record management policy and published a handbook to provide guidance to state agencies in establishing their record retention program. Each agency must manage its own records program and is required to review its retention schedule every five years.

A review of the May 2000 Consumer Committee meeting minutes revealed that the Board had an existing retention schedule; however, the schedule did not include a retention period for citation and fines. This committee determined that citation and fines would be kept for a period of one year in the office and ten years at the State Records Center (SRC).

In January 2001, Board Policy #E-00-1 Record Retention Schedule for Enforcement Related Files was adopted. This policy specifies the number of years the Board will retain enforcement-related material in the Board office, at SRC, and provides for confidential destruction of these materials following the retention period. The retention period for citation and fines is a total of 5 years and not the 11 years agreed to by the Committee members.

However, in January 2007, B&P Section 4990.9 was revised to state in part that the Board may publish on the Internet the final determination of a citation and fine of $1,500 dollars or less for a period of time in excess of 5 years from the date of the citation.

Board staff recommended that the Committee members review the current retention period (1.5 years) for complaints and investigations that are closed without merit. Considering the type of cases closed without merit, retaining the information for 6 months in the Board office and then destroying the case confidentially may be more appropriate.

Staff also recommended updating the policy language to update the reference to Government Code Section 14750, which is incorrect.

Renee Lonner moved to direct staff to make the recommended revisions to present to the Board for consideration. Christina Wong seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

b. Complaint Disclosure Policy

During the May 2006 Board meeting, Board Members were informed that Executive Order #S-03-06 required all state agencies to take a number of actions related to agency compliance with the California Public Records Act (PRA). The action required of each agency was to review and revise as necessary, written guidelines for accessibility of public records. A review of the Board policies noted that Policy #E-06-01 and #E-06-02 required revisions.

The Board Members voted to amend Policy #E-06-01 and Policy #E-06-02 to disclose settlements and arbitrations upon request and to include revisions to the language for clarity.

The PRA requires public records be available upon request and provides for specific timelines and general process to respond to a request. Government Code Section 6254 specifies which records are not subject to public disclosure. In accordance to Government Code Section 6250, DCA developed guidelines follow upon receipt of a public record request. B&P Code Section 27 specifies what information must be available through the Internet.

Since 2006, revisions to both of these code sections have been enacted, with the last revisions occurring in 2014. These revisions include the contents of Policy # E-06-01 and #E-06-02.

B&P Code Section 4990.09 specifies how long a citation and fine issued for $1,500 or more shall be published on the Internet. A citation and fine of less than $1,500 may not be published on the Internet.

At the time these policies were adopted, some of the code sections related to PRAs and license disclosure were not specific. So it was prudent for Boards and Bureaus to adopt policy guidelines as to what specific information would be available to the public. Now, the Board's policies for complaint disclosure and public disclosure of license verification are now incorporated into the B&P Code and the Government Code.

Staff recommended rescinding Policy #E-06-01 and #E-06-02 since both policies are redundant.

Christina Wong moved to recommend that the Board rescind Policy #E-06-01 and #E-06-02. Deborah Brown seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

The Committee took a break at 10:27 a.m. and reconvened at 10:40 a.m.

c. Mail Ballots and Confidentiality of Executive Session

During the November 2002 Board meeting, Board Members discussed the adoption of the Mail Ballots and Confidentiality of Executive Session Policy #B-02-1. The discussion focused on whether or not it was necessary to have this policy when there

are several statutes and regulations that addresses mail ballots and confidentiality. Further, the members added that this issue could be addressed during Board Member training.

DCA Legal Counsel stated that although DCA provided new board member orientation, new members may not be aware of all the confidentiality issues before they become a functioning board member. At the end of the discussion, the Board decided not to adopt this policy.

Upon research, Board staff recently discovered that Policy #B-02-1 was not adopted. The policy reflected an adoption date and therefore, it was assumed the policy was adopted. The ability to determine a decision by mail ballot is addressed in Government Code Section 11526. This code does not specify the number of votes needed to hold a case for discussion; nor, do Board records reflect how the current number of "two" was determined.

The Bagley-Keene Open Meeting Act addresses the confidentiality of a closed session meeting. The mail ballot process is included in the Board Member Procedure Manual.

Board staff recommended removing the document from the list of Board policies, since it was never adopted by the Board.

Deborah Brown moved to recommend that the Board removed Policy #B-02-1 from the Board policies. Christina Wong seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

d. Advertising Psychotherapy/Psychotherapist

In November 1995, the Board adopted Policy #E-95-2, Advertising Psychotherapy/Psychotherapist. It appears that this policy was adopted because of a concern regarding the use of the words "psychotherapy" and "psychotherapist" by Board licensees in advertisements.

On August 14, 2012, the Board gave notice of proposed changes to CCR Section 1811. This regulation package proposed changes to clarify which abbreviations may be used in an advertisement and whether or not a licensee can use the term "psychotherapy" and "psychotherapist" when advertising. The proposal added a subsection "c" to CCR 1811 regarding the use of "psychotherapy" and "psychotherapist."

CCR 1811 (a) specifies the type of abbreviations a licensee or registrant may use in advertisements.

On January 9, 2013, the Office of Administrative Law (OAL) approved the proposed changes to CCR 1811. This regulation changed went into effect on April 1, 2013.

The current language of CCR 1811 appears to incorporate the intent of Board Policy #E-95-02. Therefore, this policy is no longer relevant. Staff recommends that the Committee consider rescinding this policy.

Christina Wong moved to recommend that the Board rescind Board Policy #E-95-02. Renee Lonner seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

e. Correspondence Degree Programs

A review of the May 7, 1998 Licensing Committee meeting minutes reveal that the Licensing Committee discussed the issue of accepting correspondence degree program. Staff contacted other states to determine any other state accepted correspondence degree programs. The results from this survey revealed that most states do not accept this type of degree program. A clear policy decision had never been in place, and staff requested direction on this issue.

The Licensing Committee subsequently voted to not accept correspondence degrees. This action resulted in Board Policy #L-98-02.

Various sections of the B&P Code specify the educational qualifications for licensure. Pursuant to these sections, applicants must possess a qualifying degree from an educational institution that is accredited by a specific accrediting agency.

A correspondence degree program was likely a precursor to the online degree programs that are in place today. Currently, the law specifies the type of degree programs that the Board may accept to satisfy the requirements for licensure. Therefore, Policy #L-98-02 is no longer relevant. Staff recommended that the Committee consider rescinding this policy.

Deborah Brown moved to recommend that the Board rescind Board Policy #L-98-02. Christina Wong seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

f. License Surrenders

During the February 1998 Enforcement Committee meeting, the Board's License Surrender Policy #E-96-1 was discussed. The members noted this policy and the recommended language in the Board's Disciplinary Guidelines for voluntary surrender. Although no changes to the policy were proposed, Richard Leslie, Legal Counsel for CAMFT, stated that in the voluntary surrender decisions, there is mention of the ability for licensees to petition for reinstatement. Mr. Leslie believed that petitioning for

reinstatement should not be an option. The current Executive Officer and DCA Legal Counsel agreed to look into this matter.

Since 1996, the Board's Disciplinary Guidelines have been revised several times, which are incorporated by reference in CCR Section 1888. Accordingly, in order to propose any revision to these guidelines, the Board must initiate a rulemaking package.

A review of the Board's current Disciplinary Guidelines reveals that nearly all of the language in Policy #E-96-1 is reflected in the Disciplinary Guidelines.

Renee Lonner moved to recommend that the Board rescind Board Policy #E-96-1. Christina Wong seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

g. Third Party Complaints

During the February 1998 Enforcement Committee meeting, the Executive Officer and the Enforcement Committee discussed whether or not to adopt a policy regarding third party complaints. At that time, these types of complaints were received regarding child custody cases. For various reasons, investigation of these complaints could not move forward. Following this discussion, the Enforcement Committee agreed to recommend adoption of the proposed policy.

Board enforcement staff currently follows Policy #E-98-01. In general, third party complaints are challenging to investigate. Frequently, the allegations are such that a release of information is required from the patient in addition to first hand testimony. Board staff may or may not be successful in obtaining this release. Further, the patient may be reluctant to participate in the investigation and/or subsequent prosecution. In these situations where a release of information could not be obtained and/or the patient is not willing to participate, the case is closed.

There are cases in which the Board is able to investigate a third party complaint. In these cases, frequently the evidence to determine whether or not a violation occurred is available without involving the patient. In these cases, the Board proceeds with the investigation.

With respect to the concerns expressed in 1998 about child custody cases, through a legislative change, the Board now has access to child custody evaluation reports for investigative purposes.

Christina Wong moved to direct staff to prepare an updated version to Policy #E-98-01 and present to the Board at its next meeting. Renee Lonner seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay

Christina Wong: Yay
Deborah Brown: Yay

h. Public Disclosure of License Verification

Agenda item VII h regarding Public Disclosure of License Verification was merged with item VII b Complaint Disclosure Policy, and was discussed as item VII b.

i. Succession of Officers

During the November 2004 Board Meeting, the Board Members requested that a policy be drafted to address situations when the Board Chair is unable to serve for reasons including term expiration and absences. A review of Board Minutes during that time period indicates that the Board experienced delays in Board Member appointments. The current Board Chair was in the final months of service to the Board and was not reappointed. As a result, the Board was left without a Board Chair in the summer of 2004 and did not have a process or policy to address this situation.

In February 2005, the Board adopted the Succession of Officers Policy #B-05-01.

In recent years, Board staff has actively contacted the Governor's Appointment Office and DCA to inform them of any upcoming Board Member vacancies. Through these efforts, the Board has not experienced any situation that led to current policy. Additionally, at every May Board Meeting, prior to the election of officers, Board Members are provided with each member's expiration date of his/her term. Board Members are cautioned about potential consequences of electing a member whose term is nearly complete and has not been reappointed to the Board.

While the Board has not invoked the use of this policy in recent years, it seems reasonable to have a policy addressing the absence of the Board Chair. However, the policy should be updated to reflect minor changes since 2005.

Christina Wong moved to direct staff to prepare an updated version to Policy #B-05-01 and present it to the Board at its next meeting. Deborah Brown seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

j. Board Member Attendance and Reimbursement Policy

During the 1997-1998 Sunset Review, Boards were asked about their Board Member attendance policies. At its January 1998 meeting, the Board was informed of this inquiry and was provided information regarding other boards' attendance policies to review. Following the review of other Board policies, Policy #B-98-1 was drafted and adopted in May 1998.

This policy addresses the following topics.

- Expectation that all Board Members should attend all Board and Committee meetings;
- Defines the term “meeting”;
- Procedure to follow if a Board Member will be absent from a Board Meeting or Committee Meeting;
- Per Diem reimbursement;
- Expenses related to Board and Committee meetings and other approved Board functions;
- Business expenses such as meals, costs of hotels, rental cars, official telephone calls, facsimiles, postage, emergency purchases, transportation;
- In-state reimbursement rates for mileage, meals, lodging, taxi service, rental cars;
- Reimbursement requests;
- Out-of-state travel; and
- Conference fees

Many of the topics in Policy #B-98-1 are specified under current law. B&P Code Section 103 sets forth the compensation (per diem) for Board Members. However, this code section does not specify the types of activities that are considered “official duties”. The State Administrative Manual (SAM) specifies travel reimbursement rates that are incorporated into the DCA Travel Guide.

The topics related to attendance are relevant. Although the expectation is that the Board Member will attend all Board and Committee meetings, Board Member attendance is not specified in law. Further, a summary of Board Member attendance is provided in the each Sunset Review Report.

Since many of the topics related to travel are already addressed in the SAM and incorporated in the DCA Travel Guide it seems redundant to have a Board policy addressing these topics. The DCA Travel Guide is provided to all Board Members soon after their appointment to the Board. All revisions to travel, such as mileage reimbursement, are provided as the revisions occur.

Therefore, the Committee may wish to consider revising Policy #B-98-1 to set forth a policy related only to Board Member attendance. Additionally, the committee may wish to consider adopting a new policy clarifying the “official duties” for which per diem may be claimed.

Renee Lonner moved to rescind Board Policy #B-98-1 and present a new Per Diem policy to the Board at its next meeting. Christina Wong seconded. The Committee voted unanimously to pass the motion.

Roll call vote:
Renee Lonner: Yay
Christina Wong: Yay
Deborah Brown: Yay

VIII. Status of Board-Sponsored Legislation and Other Legislation Affecting the Board

Board-Sponsored Legislation

- SB 531 Enforcement Process – This bill is currently in the Senate for concurrence of amendments.
- SB 620 Licensure Requirements – This bill is currently in the Senate for concurrence of amendments.
- SB 800 Omnibus Bill – This bill is currently in the Assembly Appropriations Committee.

Board-Supported Legislation

- AB 250 Telehealth: Marriage and Family Therapist Interns and Trainees – This bill was signed by the Governor.
- AB 1140 California Victim Compensation and Government Claims Board - This bill will contain language that clarifies that a violence peer counselor may not perform services that fall under the scope of practice of any of the professions which the Board regulates, unless those services take place in an exempt setting.

  At its June 2015 meeting, the Board reviewed and took a "support if amended" position on this language, asking for one minor clarifying amendment.

  The author's office committed to taking the language at the July 14, 2015 Senate Committee on Public Safety Hearing. The language has not been released in print yet.

IX. Status of Board Rulemaking Proposals

Disciplinary Guidelines and SB 1441: Uniform Standards for Substance Abuse
These regulations were approved by the Secretary of State on June 23, 2015 and will take effect October 1, 2015.

Implementation of SB 704: Examination Restructure
This proposal is now under review by DCA.

Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families
This proposal is now under review by DCA.

Standards of Practice for Telehealth
The 45-day public comment period ends on August 24, 2015. The public hearing is scheduled on August 25, 2015.

X. Suggestions for Future Agenda Items

There were no suggestions for future agenda items.

XI. Public Comment for Items not on the Agenda

There were no public comments.

XII. Adjournment

The meeting was adjourned at 11:07 a.m.

Board of Behavioral Sciences

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Memo

To: Committee Members **Date:** October 15, 2015

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

Subject: **Discussion of Definition of Out-of-State Education**

Background

Current statute permits the Board to accept education gained outside of California toward licensure if it is substantially equivalent to the Board's in-state education requirements for licensure.

For LMFT and LPCC applicants, Business and Professions Code (BPC) Sections 4980.74 and 4999.61, respectively state that the Board shall accept education gained while residing outside of California if it is substantially equivalent. Subsequent sections of the law then define what coursework makes the education substantially equivalent, and whether or not post-degree remediation is acceptable.

This means that out-of-state education requirements are triggered based on the residence of the applicant while obtaining his or her degree.

Summary of the Problem

1. In-State Applicants Cannot Remediate Coursework:

   An increasing number of applicants who reside in California are completing online degree programs from schools that are not based in California.

   The Board screens all in-state schools to ensure that they meet education requirements, and remediation outside the degree program is not permitted for in-state applicants. However, if an applicant who resides in California attends an out-of-state school which has not designed its program to lead to California licensure, he or she is treated as an in-state applicant (and thus is not allowed to remediate missing coursework), because the education was gained while residing in California.

This distinction can be confusing to applicants, who may not be aware that a degree program taken from an online school while they reside in California can make them ineligible for licensure because they are a considered an in-state applicant and can't remediate. To increase awareness of this issue, the Board has placed the following statement on its website:

If you are enrolled in or considering an online degree program that is based in another state, please be aware that your degree will be evaluated in accordance with California in-state degree requirements. Please contact your school to ensure that the program integrates the California-specific content required of California residents. ***This coursework must be integrated into the program and cannot be remediated post-degree.*** *Therefore, it is imperative that the California-specific requirements are included in the degree program.*

2. It can be Difficult to Determine Where a Student Resided While Obtaining a Degree:

   It can be difficult for the Board to obtain proof of where an applicant resided while he or she completed his or her degree program, especially if the degree program was completed several years prior. The fact that residing in California while completing an out-of-state degree program prohibits remediation of any deficiencies may provide an incentive for the applicant to list an out-of-state address.

   Further complicating matters, sometimes students move from one state (and school) to another while completing a degree program.

Affected License Types

This issue affects the LMFT and LPCC license types because of the large quantity of California-specific coursework that is required for those license types. It does not affect LCSW applicants because their degree must be accredited by the Commission on Accreditation of the Council on Social Work Education. There are no California-specific coursework requirements other than California law and ethics, which may be remediated.

Previous Committee Discussion

The Committee discussed this issue at its August 7, 2015 meeting. Staff was asked to do the following:

- Amend language in BPC Sections 4980.74 (for LMFT applicants) and 4999.61 (for LPCC applicants) as follows: "*The board shall accept education gained ~~while residing outside of California~~from an out-of-state school for purposes of satisfying licensure or registration requirements if the education is substantially equivalent…"*

This amendment triggers out-of-state education requirements based on the location of the school, rather than the location of the student while he or she gained the education. It will allow applicants who live in California, but who obtained an online degree from a school located outside of California, to remediate California-specific course content that may have not been in the degree program.

In-State versus Out-of-State Remediation

The Committee also asked staff to provide examples of coursework that may be remediated by an out-of-state student, but not an in-state student.

The Board addressed a similar issue a couple of years ago when it sponsored AB 428 (Chapter 376, Statutes of 2013). At that time, there was a problem with in-state LMFT applicants who began their degree prior to August 1, 2012, being unable to remediate spousal and partner abuse coursework and alcoholism and other chemical substance dependency if it was not contained in their degree program. This led to approximately 10 applicants per year being denied licensure because they could not legally remediate the coursework. AB 428 amended the law to allow this coursework to be remediated.

LMFT and LPCC education requirements have changed for California-based degree programs begun after August 1, 2012. Instead of requiring specific classes, the law now requires specified topic areas to be woven throughout the degree, in what is called an "integrated degree program."

Under this system, the Board works with each California-based school ahead of time to ensure the degree includes the appropriate content. The school submits a program certification to verify the content. Using this method, the Board knows each graduate from that program meets the education requirements.

Students from degrees begun after August 1, 2012 are just beginning to submit applications for registration. At this time, the Board has not seen any coursework deficiencies from these applicants. Therefore, having the Board work with California schools ahead-of-time appears to be effective. Staff recommends monitoring this system on an ongoing basis, and pursuing a law change in the future if necessary.

Recommendation

Conduct an open discussion about the proposed amendments. Direct staff to make any discussed changes, and any non-substantive changes, and bring to the Board for consideration as a legislative proposal.

Attachments

Attachment A: Proposed Language

Attachment B: Relevant Code Sections

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ATTACHMENT A
PROPOSED LANGUAGE

§4980.74. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) The board shall accept education gained ~~while residing outside of California~~ from an out-of-state school for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4980.78, and the applicant complies with Section 4980.76, if applicable. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

§4999.61. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) The board shall accept education gained ~~while residing outside of California~~ from an out-of-state school for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision (b) of Section 4999.40, if applicable.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

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ATTACHMENT B
RELEVANT CODE SECTIONS

LMFT STATUTE

BPC §4980.74. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4980.78, and the applicant complies with Section 4980.76, if applicable. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

BPC §4980.78. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS NOT LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

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

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

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

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

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

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

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

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

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed prior to registration as an intern.

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

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) from an educational institution approved by the Bureau for Private Postsecondary

Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

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

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

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

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

BPC §4980.81. ADDITIONAL COURSEWORK REQUIREMENTS FOR OUT-OF-STATE APPLICANTS

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

(a) For purposes of Sections 4980.78 and 4980.79, an applicant shall meet all of the following educational requirements:

(1) A minimum of two semester units of instruction in the diagnosis, assessment, prognosis, and treatment of mental disorders, including severe mental disorders, evidence-based practices, psychological testing, psychopharmacology, and promising mental health practices that are evaluated in peer reviewed literature. This shall include at least one semester unit or 15 hours of instruction in psychological testing and at least one semester unit or 15 hours of instruction in psychopharmacology.

(2) (A) Developmental issues from infancy to old age, including demonstration of at least one semester unit, or 15 hours, of instruction that includes all of the following subjects:

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

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

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

(B) An applicant who is deficient in any of these subjects may remediate the coursework by completing three hours of instruction in each deficient subject.

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

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

(ii) A minimum of 10 contact hours of coursework that includes all of the following:

(I) The assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

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

(III) Long-term care.

(IV) End-of-life and grief.

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

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

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

(vi) Marriage, divorce, and blended families.

(vii) Poverty and deprivation.

(viii) Financial and social stress.

(ix) Effects of trauma.

(x) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (ix), inclusive.

(4) At least one semester unit, or 15 hours, of instruction in multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality,

sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.

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

(6) A minimum of 15 contact hours of coursework in substance use disorders, and a minimum of 15 contact hours of coursework in cooccurring disorders and addiction. The following subjects shall be included in this coursework:

(A) The definition of substance use disorders, cooccurring disorders, and addiction. For purposes of this subparagraph “cooccurring disorders” means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.

(B) Medical aspects of substance use disorders and cooccurring disorders.

(C) The effects of psychoactive drug use.

(D) Current theories of the etiology of substance abuse and addiction.

(E) The role of persons and systems that support or compound substance abuse and addiction.

(F) Major approaches to identification, evaluation, and treatment of substance use disorders, cooccurring disorders, and addiction, including, but not limited to, best practices.

(G) Legal aspects of substance abuse.

(H) Populations at risk with regard to substance use disorders and cooccurring disorders.

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

(J) Recognition of substance use disorders, cooccurring disorders, and addiction, and appropriate referral.

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

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

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

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

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

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

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

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

(G) Licensing law and licensing process.

LCSW STATUTE

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

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

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

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

(1) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than 3,200 hours of qualifying

supervised experience, time actively licensed as a clinical social worker shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LPCC STATUTE

BPC §4999.61. EDUCATION AND EXPERIENCE GAINED OUTSIDE OF CALIFORNIA; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision (b) of Section 4999.40, if applicable.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

BPC §4999.62. SUBSTANTIALLY EQUIVALENT EDUCATION; ADDITIONAL COURSEWORK; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) For purposes of Section 4999.61, education is substantially equivalent if all of the following requirements are met:

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

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

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

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

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

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

(i) An applicant whose degree is deficient in no more than six of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. Coursework taken to meet those deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

(ii) An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 that did not contain instruction in California law and ethics shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence,

treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, and therapist disclosures to clients. An applicant shall complete this coursework prior to registration as an intern.

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

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

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

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

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

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

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

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

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

(B) This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

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

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

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

Board of Behavioral Sciences

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Memo

To:	Committee Members	**Date:**	October 15, 2015
From:	Rosanne Helms Legislative Analyst	**Telephone:**	(916) 574-7897
Subject:	**Required Degree for LPCC License – Counseling and Psychotherapy Content**		

Background

In order to qualify for an LPCC license, Business and Professions Code (BPC) Section 4999.33(b) requires the applicant's degree to comply with the following:

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

Summary of the Problem

The Board is receiving LPCC applications from applicants who have degrees that may not be intended to lead to licensure as a clinical counselor. Typically, these degrees are from out-of-state. Examples of these degrees are as follows:

- Behavior Analysis;
- Art Therapy;
- Dance Therapy;
- Human Relations;
- Human Services;
- Rehabilitation Counseling; and
- Substance Use and Addictions.

The law only requires the degree to be "counseling or psychotherapy in content." However, it is possible for a degree to have some counseling or psychotherapy content but not be intended to prepare the student for licensure as a professional clinical counselor.

Although the law does require the degree to contain practicum and certain specified core content areas, the new out-of-state licensure requirements, which become effective January 1, 2016, allow remediation of most degree requirements, including up to 6 out of the 13 core content areas. Practicum may also be remediated if licensed out-of-state, and the practicum requirement is waived if the applicant has been licensed in another state for two or more years.

Previous Committee Discussion and Direction

At its August 7, 2015 meeting, Committee discussed the possibility of clarifying which degrees are accepted to practice professional clinical counseling. Requirements from other states were considered (**Attachment C**), and CACREP accreditation categories were discussed (**Attachment D**). The Board directed staff to draft language defining acceptable degrees, using the Texas Administrative Code section as a model. It also directed staff to look into tightening the practicum requirement to ensure it requires clinical experience.

Based on the Committee's recommendation, this proposal makes the following amendments:

1. **Specify Acceptable Degrees:** Staff drafted language specifying which degrees are or are not acceptable, for both in-state and out-of-state degrees. The language is modeled after Texas', but some degree titles were modified based on what the Board's evaluators commonly see.

2. **Tighten In-State Practicum Requirements to Ensure Clinical Experience**: The in-state practicum requirement has been amended to specify that direct client contact is required (this is specified in the LMFT practicum requirement). The language has also been amended to no longer allow any equivalencies to in-state supervised practicum/field study experience.

3. **Amend Practicum Requirements for Out-of-State Applicants**: The out-of-state practicum requirement has been amended to specify that the 280 hours of face-to-face experience must now be "supervised clinical experience counseling individuals, families, or groups" instead of just experience doing "face-to-face counseling". The amendment mirrors what is already required of in-state applicants.

Recommendation

Conduct an open discussion about the proposed language shown in **Attachment A**. Direct staff to make any discussed changes, as well as any non-substantive changes to the proposed language, and submit to the Board for consideration as a legislative proposal.

Attachments

Attachment A: Proposed Language
Attachment B: BPC §4999.20 – LPCC Scope of Practice
Attachment C: Degree Title Requirements in Other States
Attachment D: CACREP Program Accreditation Areas and Overview of Each

ATTACHMENT A
PROPOSED LANGUAGE

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

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

(b) To qualify for examination eligibility or registration, applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited or approved institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it meets the following criteria:

> (1) ~~c~~Contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c); ~~and,~~
>
> (2) Contains, except as provided in subdivision (d), the coursework in the core content areas listed in subparagraphs (A) to (I), inclusive, of paragraph (1) of subdivision (c)~~.~~; and
>
> (3) The degree is in a mental health discipline utilizing human development, psychotherapeutic, and mental health principals including, but not limited to, clinical counseling, counseling psychology, marriage and family therapy, pastoral counseling, or counseling and guidance. Degrees that do not meet this criteria include, but are not limited to, sociology, education, administration, dance therapy, theology, and human relations.

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

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

(A) Counseling and psychotherapeutic theories and techniques, including the counseling process in a multicultural society, an orientation to wellness and prevention, counseling theories to assist in selection of appropriate counseling interventions, models of counseling consistent with current professional research and

practice, development of a personal model of counseling, and multidisciplinary responses to crises, emergencies, and disasters.

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

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

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

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

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

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

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

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

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

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

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment.

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

(G) Health and wellness promotion.

(H) Other recognized counseling interventions.

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

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

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

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

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

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

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

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

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

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

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

(7) A minimum of 10 contact hours of instruction in aging and long-term care, which may include, but is not limited to, the biological, social, and psychological aspects of aging. On and after January 1, 2012, this coursework shall include instruction on the

assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

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

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

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

(a) This section shall apply to the following:

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

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

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

(b) To qualify for examination eligibility or registration, applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited or approved institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it meets the following criteria:

(1) ~~c~~Contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c); ~~and,~~

(2) Contains, except as provided in subdivision (f), the coursework in the core content areas listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c)~~.~~; and

(3) The degree is in a mental health discipline utilizing human development, psychotherapeutic, and mental health principals including, but not limited to, clinical counseling, counseling psychology, marriage and family therapy, pastoral counseling, or counseling and guidance. Degrees that do not meet this criteria

include, but are not limited to, sociology, education, administration, dance therapy, theology, and human relations.

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

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

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

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

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

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

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

(F) Multicultural counseling theories and techniques, including counselors' roles in developing cultural self-awareness, identity development, promoting cultural social justice, individual and community strategies for working with and advocating for diverse

populations, and counselors' roles in eliminating biases and prejudices, and processes of intentional and unintentional oppression and discrimination.

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

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

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

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

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

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

(M) Advanced counseling and psychotherapeutic theories and techniques, including the application of counseling constructs, assessment and treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

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

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

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment.

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

(G) Health and wellness promotion.

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

(I) How to find and use resources.

(J) Other recognized counseling interventions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§4999.62. SUBSTANTIALLY EQUIVALENT EDUCATION; ADDITIONAL COURSEWORK; NON-LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) For purposes of Section 4999.61, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited or approved institution, as defined in Section 4999.12, and is in a mental health discipline utilizing human development, psychotherapeutic, and mental health principals including, but not limited to, clinical counseling, counseling psychology, marriage and family therapy, pastoral counseling, or counseling and guidance. Degrees that do not meet this criteria include, but are not limited to, sociology, education, administration, dance therapy, theology, and human relations. ~~and consists~~ The degree must consist of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

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

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 280 hours of face-to-face ~~counseling.~~supervised clinical experience counseling individuals, families, or groups.

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

(i) An applicant whose degree is deficient in no more than six of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. Coursework taken to meet those deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

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

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

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

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

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

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

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

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

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

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

(B) This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

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

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

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

§4999.63. SUBSTANTIALLY EQUIVALENT EDUCATION; ADDITIONAL COURSEWORK; LICENSE HOLDER; EFFECTIVE JANUARY 1, 2016

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

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

(1) The degree is obtained from an accredited or approved institution, as defined in Section 4999.12, and is in a mental health discipline utilizing human development, psychotherapeutic, and mental health principals including, but not limited to, clinical counseling, counseling psychology, marriage and family therapy, pastoral counseling, or counseling and guidance. Degrees that do not meet this criteria include, but are not

limited to, sociology, education, administration, dance therapy, theology, and human relations. ~~and consists of~~ The degree must consist of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

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

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 280 hours of face-to-face ~~counseling.~~supervised clinical experience counseling individuals, families, or groups.

(i) An applicant who has been licensed for at least two years in clinical practice, as verified by the board, is exempt from this requirement.

(ii) An out-of-state applicant who has been licensed for less than two years in clinical practice, as verified by the board, who does not meet the practicum requirement, shall remediate the requirement by demonstrating completion of a total of 280 hours of face-to face ~~counseling~~supervised clinical experience, as specified in subparagraph (K) of paragraph (3) of subdivision (c) of Section 4999.33. Any postdegree hours gained to meet this requirement are in addition to the 3,000 hours of experience required by this chapter, and shall be gained while the applicant is registered with the board as an intern.

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

(i) An applicant whose degree is deficient in no more than six of the required areas of study specified in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing graduate level coursework at an accredited or approved institution, as defined in Section 4999.12. Coursework taken to meet those deficiencies shall be the equivalent of three semester units or four and one-half quarter units of study.

(ii) An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 that did not contain instruction in California law and ethics shall complete an 18-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult

abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, and therapist disclosures to clients. An applicant shall complete this coursework prior to registration as an intern.

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

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

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

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

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

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

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

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

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

(E) This coursework may be from an accredited or approved school, college, or university as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited or approved school, college, or university as defined

in Section 4999.12, or from a continuing education provider that is acceptable to the board as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

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

(B) At least one semester unit or 15 hours of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

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

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ATTACHMENT B
LPCC SCOPE OF PRACTICE
BPC §4999.20

BPC §4999.20.

(a) (1) “Professional clinical counseling” means the application of counseling interventions and psychotherapeutic techniques to identify and remediate cognitive, mental, and emotional issues, including personal growth, adjustment to disability, crisis intervention, and psychosocial and environmental problems, and the use, application, and integration of the coursework and training required by Sections 4999.32 and 4999.33. “Professional clinical counseling” includes conducting assessments for the purpose of establishing counseling goals and objectives to empower individuals to deal adequately with life situations, reduce stress, experience growth, change behavior, and make well-informed, rational decisions.

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

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

(A) One of the following:

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

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

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

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

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

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

the context of a professional clinical counseling relationship and use a variety of counseling theories and approaches.

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

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

ATTACHMENT C
DEGREE TITLE REQUIREMENTS IN OTHER STATES

Massachusetts (262 CMR 2.05) (Degree Requirements Post-July 1, 2017)

Applicants must have completed a Master's or Doctoral degree in Mental Health Counseling or a Related Field with a minimum of 60 semester credit hours or 80 quarter credit hours from an integrated, planned and comprehensive program from a Recognized Educational Institution.

Missouri (20 CSR 2095-2.010)

A master's degree must be accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), or the
Counseling on Rehabilitation Education, Incorporated (CORE),or be in counseling or the following mental health disciplines:

- Counseling & guidance;
- Counseling psychology;
- Clinical psychology; or
- School psychology

The degree must consist of 48 semester or equivalent quarter hours. The degree must teach counseling principles, theories, techniques, and counseling interventions.

New Jersey (N.J.A.C. 13:34-11.2(a)(3)(i))

The degree awarded is a master's degree or doctorate in counseling. The word "Counseling" or the word "Counselor" shall appear in the title of the graduate degree awarded and the institution offering the degree shall state in the catalog or in another format acceptable to the Committee that the purpose of the graduate degree is to prepare students for the professional practice of counseling

Texas (Texas Administrative Code Title 22, §§681.82 and 681.2(7))

Requires a graduate degree in counseling or related field on at least the master's level.

Texas Administrative Code §681.2(7) specifically defines a "counseling-related field" as *"A mental health discipline utilizing human development, psychotherapeutic, and mental health principles including, but not limited to, clinical or counseling psychology, psychiatry, social work, marriage and family therapy, and counseling and guidance. Non-counseling related fields include, but are not limited to, sociology, education, administration, dance therapy and theology."*

West Virginia (W. VA. Code §27-1-6.1(a))

A master's or doctoral degree from an institution with a program accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP), the National Council on Accreditation for Teacher Education (NCATE), the North Central Association of Colleges and Schools (NCACS), the Southern Association of

Colleges and Schools (SACS), Council on Rehabilitation Education (CORE) or a comparable accrediting body. Acceptable graduate degrees include a specialization in community agency counseling, mental health counseling, pastoral counseling, rehabilitation counseling, school counseling, and substance abuse or addictions counseling. Similar degrees that include the word “counseling” and include the core of coursework as outlined in 6.1.b may be accepted.

Application for Accreditation

Date _____

Institution _____

Department/Academic Unit _____

Mailing Address _____

_____

_____

Program Website _____

CACREP Liaison _____

Telephone (_____)_____ Fax (_____)_____E-mail _____

Place an "X" on the left next to the program area(s) for which accreditation is sought and indicate the degree(s) offered.

Entry-Level

_____ Addictions Counseling ❑ M.Ed. ❑ M.A. ❑ M.S. ❑ Other _____

_____ Career Counseling ❑ M.Ed. ❑ M.A. ❑ M.S. ❑ Other _____

_____ Clinical Mental Health Counseling ❑ M.Ed. ❑ M.A. ❑ M.S. ❑ Other _____

_____ Marriage, Couple, and Family Counseling ❑ M.Ed. ❑ M.A. ❑ M.S. ❑ Other _____

_____ School Counseling ❑ M.Ed. ❑ M.A. ❑ M.S. ❑ Other _____

_____ Student Affairs and College Counseling ❑ M.Ed. ❑ M.A. ❑ M.S. ❑ Other _____

Doctoral-Level

_____ Counselor Education and Supervision ❑ Ph.D. ❑ Ed.D.

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FOR STUDENTS

Student FAQs

News for Students

Getting Licensed After You Graduate

Why Become a Professional Counselor?

FIND CACREP PROGRAMS

Use our interactive searchable directory to find CACREP accredited programs.

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JOIN Our Community

Join us on Facebook and Twitter

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For Students

Choosing a Graduate Program

There are many factors to consider when choosing a masters-level counseling program to attend. Attending a CACREP accredited program makes your choice a little easier because you can be assured that the program has met the standards of quality established by the profession.

CACREP accredits masters-degree programs in the following areas:

Addiction Counseling – Addiction Counseling programs prepare graduates to work with persons and families affected by alcohol, drugs, gambling, sexual and other addictive disorders (e.g., food-related). These 60-semester hour programs focus on models of treatment, prevention, recovery, and relapse prevention of addiction, along with the appropriate application of appropriate interventions. Graduates of Addiction Counseling programs may choose to work in private practice or may work in a variety of community agencies offering counseling services for substance abuse.

Career Counseling – Career Counseling programs prepare graduates to help persons wanting to make career decisions. Sometimes known as vocational counselors, career counselors help clients explore the intersection of their education, skills, interests, and personality to determine and plan for possible career paths. Career counselors often make use of inventories and other assessment tools to assist persons in making decisions. In addition, career counselors understand and maintain resource information on employment and labor market trends. Career counselors may work in a variety of settings from private practice, to career resource centers or employee assistance programs associated with specific industries or organizations.

Clinical Mental Health Counseling – Clinical Mental Health Counseling programs prepare graduates to work with clients across a spectrum of mental and emotional disorders, as well as to promote mental health and wellness. Clients may be seen individually, in couples, families, or group settings. Clinical Mental Health Counselors are knowledgeable in the principles and practices of diagnosis, treatment, referral and prevention and often work in interdisciplinary teams with other health professionals (e.g., psychiatrists, social workers, MDs). Employment opportunities may include private practice, community-based mental health centers, hospitals and other treatment centers.

(Please note that over the years, the titles used for this program area have been revised and regrouped. Therefore, the CACREP Directory of Accredited Programs may show programs with designations such as Community Counseling (CC) or Mental Health Counseling (MHC) only. These designations indicate that the accredited program was reviewed prior to the implementation of the 2009 CACREP Standards when the CC program standards and the MHC program standards were combined. Programs that have either the CC or MHC designation will be changed upon their next full accreditation review.)

Marriage, Couple and Family Counseling – Graduates of Marriage, Couple and Family Counseling programs have been prepared to work with individuals, couples and families from a family systems perspective. From this perspective, Marriage, Couple and Family Counselors work with clients across of variety of mental and emotional disorders, relationship issues, or communication issues and in a variety of work settings including

inpatient facilities, community mental health centers, private practice offices, and social service agencies.

School Counseling – School Counseling programs prepare graduates to work with students ranging from kindergarten through high school. School counselors are prepared to promote the academic, career, and personal/social development of all K-12 students through understanding how to design and implement comprehensive school guidance and counseling programs that include time for individual counseling, group counseling, classroom guidance, family and teacher consultations within the school setting. School counselors work with in both private and public school systems at the elementary, middle, and high school levels.

Student Affairs and College Counseling – these programs prepare students to assume a variety of positions in higher education and student affairs offices after graduation. Such positions might include working at a college's or university's housing and residential life office, assisting with management activities at a student union, offering student leadership activities and orientation sessions, or providing counseling, career services, and multicultural support services. Students opting to specialize in student affairs and college counseling programs acquire a strong professional counseling knowledge base including: history of the profession, philosophy, ethics, theory and assessment, while simultaneously learning about the culture of higher education, its organizational dynamics, and administrative structure to enable them to provide leadership in student development issues and policy-making in student affairs.

(Please note that over the years, the titles used for this program area have been revised and regrouped. Therefore, the CACREP Directory of Accredited Programs may show titles areas such as College Counseling (CIC) or Student Affairs (SA) or Student Affairs College Counseling (SACC) to represent this area. These designations indicate that the accredited program was reviewed under a previous set of CACREP Standards and the program designation will be changed upon its next full accreditation review.

Although with the implementation of the 2009 CACREP Standards, institutions no longer have the option to seek accreditation under the following program areas titles, the CACREP Directory of Accredited Programs still reflects those institutions that have attained accreditation for these programs through the end of their current accreditation cycle. When these programs apply for their next full accreditation review, these programs will be dropped from the CACREP list.

Community Counseling (CC) – see description for Clinical Mental Health Counseling above.

College Counseling (CIC) – see description for Student Affairs and College Counseling above.

Gerontological Counseling: Program in gerontological counseling provide students with the knowledge and skills needed to work with older adults and their families. Students are exposed to the psychological, biological, and socio-cultural factors that impact the aging process and human reaction to this process to better understand the needs and issues of older adults. Graduates of this program area are prepared for leadership roles in a variety of human services agencies, both in the private and public sectors, that deal with aging.

Mental Health Counseling – see description for Clinical Mental Health Counseling above

Student Affairs (SA) or Student Affairs College Counseling (SACC) – see description for Student Affairs and College Counseling above.

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Board of Behavioral Sciences

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Memo

To: Committee Members **Date:** September 3, 2015

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

Subject: **Possession of a Controlled Substance as a Basis for Discipline**

Summary

This bill proposal would make it unprofessional conduct for a Board licensee or registrant to possess an unprescribed controlled substance.

Background

The Board has no statute or regulation stating that it is unprofessional conduct to unlawfully possess a controlled substance. Due to this, the Board's Enforcement Unit has difficulty pursuing disciplinary action when a licensee or registrant is arrested for possession of drugs and/or drug paraphernalia.

For example, the Board sometimes gets cases where a licensee is arrested for drug possession, however there is no conviction, and there is also no evidence that the licensee was actually taking the drugs. In such a case, in order to pursue disciplinary action, the Board would have to argue that the possession is general unprofessional conduct. To do this, a subject matter expert needs to review police reports and sign a declaration stating that, in their expert opinion, unprofessional conduct occurred.

Staff at the Attorney General's Office notes that many healing arts boards have a provision in law that include possession of a controlled substance as a basis for disciplinary action, and suggests the Board consider similar language.

Examples of boards under DCA with language in statute making possession a specific basis for discipline include the Board of Registered Nursing (Business and Professions Code (BPC) §2762), the Board of Occupational Therapy (BPC §2570.29), and the Dental Hygiene Committee (BPC §1952). These statutes are provided in **Attachment C**.

Proposed Language

Staff recommends placing the following language in the unprofessional conduct statute for each license type (**Attachment A**):

Unprofessional conduct includes, but is not limited to…

(xx) Obtaining or possessing in violation of law, or except as directed by a licensed physician and surgeon, dentist, optometrist, or podiatrist, any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022.

Attachment B contains BPC §4022 and relevant sections of Health and Safety Code Division 10, which are referenced in the proposed language.

Recommendation

Conduct an open discussion about the proposed language. Direct staff to make any discussed changes and any non-substantive changes, and bring to the Board for consideration as Board-sponsored legislation.

Attachments

Attachment A: Proposed Language

Attachment B: Relevant Code Sections Referenced in Proposed Language

Attachment C: Similar Code Sections for other Healing Arts Boards

ATTACHMENT A
PROPOSED LANGUAGE

LMFT STATUTE

§4982. UNPROFESSIONAL CONDUCT

The board may deny a license or registration or may suspend or revoke the license or registration of a licensee or registrant if he or she has been guilty of unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:

(a) The conviction of a crime substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the meaning of this section. The board may order any license or registration suspended or revoked, or may decline to issue a license or registration when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or, when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

(b) Securing a license or registration by fraud, deceit, or misrepresentation on any application for licensure or registration submitted to the board, whether engaged in by an applicant for a license or registration, or by a licensee in support of any application for licensure or registration.

(c) Administering to himself or herself any controlled substance or using of any of the dangerous drugs specified in Section 4022, or of any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to the person applying for a registration or license or holding a registration or license under this chapter, or to any other person, or to the public, or, to the extent that the use impairs the ability of the person applying for or holding a registration or license to conduct with safety to the public the practice authorized by the registration or license. The board shall deny an application for a registration or license or revoke the license or registration of any person, other than one who is licensed as a physician and surgeon, who uses or offers to use drugs in the course of performing marriage and family therapy services.

(d) Gross negligence or incompetence in the performance of marriage and family therapy.

(e) Violating, attempting to violate, or conspiring to violate any of the provisions of this chapter or any regulation adopted by the board.

(f) Misrepresentation as to the type or status of a license or registration held by the person, or otherwise misrepresenting or permitting misrepresentation of his or her education, professional qualifications, or professional affiliations to any person or entity.

(g) Impersonation of another by any licensee, registrant, or applicant for a license or registration, or, in the case of a licensee, allowing any other person to use his or her license or registration.

(h) Aiding or abetting, or employing, directly or indirectly, any unlicensed or unregistered person to engage in conduct for which a license or registration is required under this chapter.

(i) Intentionally or recklessly causing physical or emotional harm to any client.

(j) The commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee or registrant.

(k) Engaging in sexual relations with a client, or a former client within two years following termination of therapy, soliciting sexual relations with a client, or committing an act of sexual abuse, or sexual misconduct with a client, or committing an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of a marriage and family therapist.

(l) Performing, or holding oneself out as being able to perform, or offering to perform, or permitting any trainee or registered intern under supervision to perform, any professional services beyond the scope of the license authorized by this chapter.

(m) Failure to maintain confidentiality, except as otherwise required or permitted by law, of all information that has been received from a client in confidence during the course of treatment and all information about the client that is obtained from tests or other means.

(n) Prior to the commencement of treatment, failing to disclose to the client or prospective client the fee to be charged for the professional services, or the basis upon which that fee will be computed.

(o) Paying, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of professional clients. All consideration, compensation, or remuneration shall be in relation to professional counseling services actually provided by the licensee. Nothing in this subdivision shall prevent collaboration among two or more licensees in a case or cases. However, no fee shall be charged for that collaboration, except when disclosure of the fee has been made in compliance with subdivision (n).

(p) Advertising in a manner that is false, fraudulent, misleading, or deceptive, as defined in Section 651.

(q) Reproduction or description in public, or in any publication subject to general public distribution, of any psychological test or other assessment device, the value of which depends in whole or in part on the naivete of the subject, in ways that might invalidate the test or device.

(r) Any conduct in the supervision of any registered intern, associate clinical social worker, or trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.

(s) Performing or holding oneself out as being able to perform professional services beyond the scope of one's competence, as established by one's education, training, or experience. This subdivision shall not be construed to expand the scope of the license authorized by this chapter.

(t) Permitting a trainee or registered intern under one's supervision or control to perform, or permitting the trainee or registered intern to hold himself or herself out as competent to perform, professional services beyond the trainee's or registered intern's level of education, training, or experience.

(u) The violation of any statute or regulation governing the gaining and supervision of experience required by this chapter.

(v) Failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered.

(w) Failure to comply with the child abuse reporting requirements of Section 11166 of the Penal Code.

(x) Failure to comply with the elder and dependent adult abuse reporting requirements of Section 15630 of the Welfare and Institutions Code.

(y) Willful violation of Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code.

(z) Failure to comply with Section 2290.5.

(aa) (1) Engaging in an act described in Section 261, 286, 288a, or 289 of the Penal Code with a minor or an act described in Section 288 or 288.5 of the Penal Code regardless of whether the act occurred prior to or after the time the registration or license was issued by the board. An act described in this subdivision occurring prior to the effective date of this subdivision shall constitute unprofessional conduct and shall subject the licensee to refusal, suspension, or revocation of a license under this section.

(2) The Legislature hereby finds and declares that protection of the public, and in particular minors, from sexual misconduct by a licensee is a compelling governmental interest, and that the ability to suspend or revoke a license for sexual conduct with a minor occurring prior to the effective date of this section is equally important to protecting the public as is the ability to refuse a license for sexual conduct with a minor occurring prior to the effective date of this section.

(ab) Engaging in any conduct that subverts or attempts to subvert any licensing examination or the administration of an examination as described in Section 123.

(ac) Obtaining or possessing in violation of law, or except as directed by a licensed physician and surgeon, dentist, optometrist, or podiatrist, any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022.

LEP STATUTE

§4989.54. UNPROFESSIONAL CONDUCT

The board may deny a license or may suspend or revoke the license of a licensee if he or she has been guilty of unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:

(a) Conviction of a crime substantially related to the qualifications, functions, and duties of an educational psychologist.

(1) The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

(2) The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, or duties of a licensee under this chapter.

(3) A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, or duties of a licensee under this chapter shall be deemed to be a conviction within the meaning of this section.

(4) The board may order a license suspended or revoked, or may decline to issue a license when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not guilty or setting aside the verdict of guilty or dismissing the accusation, information, or indictment.

(b) Securing a license by fraud, deceit, or misrepresentation on an application for licensure submitted to the board, whether engaged in by an applicant for a license or by a licensee in support of an application for licensure.

(c) Administering to himself or herself a controlled substance or using any of the dangerous drugs specified in Section 4022 or an alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to himself or herself or to any other person or to the public or to the extent that the use impairs his or her ability to safely perform the functions authorized by the license. The board shall deny an application for a license or revoke the license of any person, other than one who is licensed as a physician and surgeon, who uses or offers to use drugs in the course of performing educational psychology.

(d) Failure to comply with the consent provisions in Section 2290.5.

(e) Advertising in a manner that is false, fraudulent, misleading, or deceptive, as defined in Section 651.

(f) Violating, attempting to violate, or conspiring to violate any of the provisions of this chapter or any regulation adopted by the board.

(g) Commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee.

(h) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action imposed by another state or territory or possession of the United States or by any other governmental agency, on a license, certificate, or registration to practice educational psychology or any other healing art. A certified copy of the disciplinary action, decision, or judgment shall be conclusive evidence of that action.

(i) Revocation, suspension, or restriction by the board of a license, certificate, or registration to practice as an educational psychologist, a clinical social worker, professional clinical counselor, or marriage and family therapist.

(j) Failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered.

(k) Gross negligence or incompetence in the practice of educational psychology.

(l) Misrepresentation as to the type or status of a license held by the licensee or otherwise misrepresenting or permitting misrepresentation of his or her education, professional qualifications, or professional affiliations to any person or entity.

(m) Intentionally or recklessly causing physical or emotional harm to any client.

(n) Engaging in sexual relations with a client or a former client within two years following termination of professional services, soliciting sexual relations with a client, or committing an act of sexual abuse or sexual
misconduct with a client or committing an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of a licensed educational psychologist.

(o) Prior to the commencement of treatment, failing to disclose to the client or prospective client the fee to be charged for the professional services or the basis upon which that fee will be computed.

(p) Paying, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of professional clients.

(q) Failing to maintain confidentiality, except as otherwise required or permitted by law, of all information that has been received from a client in confidence during the course of treatment and all information about the client that is obtained from tests or other means.

(r) Performing, holding himself or herself out as being able to perform, or offering to perform any professional services beyond the scope of the license authorized by this chapter or beyond his or her field or fields of competence as established by his or her education, training, or experience.

(s) Reproducing or describing in public, or in any publication subject to general public distribution, any psychological test or other assessment device the value of which depends in whole or in part on the naivete of the subject in ways that might invalidate the test or device. An educational psychologist shall limit access to the test or device to persons with professional interests who can be expected to safeguard its use.

(t) Aiding or abetting an unlicensed person to engage in conduct requiring a license under this chapter.

(u) When employed by another person or agency, encouraging, either orally or in writing, the employer's or agency's clientele to utilize his or her private practice for further counseling without the approval of the employing agency or administration.

(v) Failing to comply with the child abuse reporting requirements of Section 11166 of the Penal Code.

(w) Failing to comply with the elder and adult dependent abuse reporting requirements of Section 15630 of the Welfare and Institutions Code.

(x) Willful violation of Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code.

(y) (1) Engaging in an act described in Section 261, 286, 288a, or 289 of the Penal Code with a minor or an act described in Section 288 or 288.5 of the Penal Code regardless of whether the act occurred prior to or after the time the registration or license was issued by the board. An act described in this subdivision occurring prior to the effective date of this subdivision shall constitute unprofessional conduct and shall subject the licensee to refusal, suspension, or revocation of a license under this section.

(2) The Legislature hereby finds and declares that protection of the public, and in particular minors, from sexual misconduct by a licensee is a compelling governmental interest, and that the ability to suspend or revoke a license for sexual conduct with a minor occurring prior to the effective date of this section is equally important to protecting the public as is the ability to refuse a license for sexual conduct with a minor occurring prior to the effective date of this section.

(z) Engaging in any conduct that subverts or attempts to subvert any licensing examination or the administration of the examination as described in Section 123.

(aa) Impersonation of another by any licensee or applicant for a license, or, in the case of a licensee, allowing any other person to use his or her license.

(ab) Permitting a person under his or her supervision or control to perform, or permitting that person to hold himself or herself out as competent to perform, professional services beyond the level of education, training,
or experience of that person.

(ac) Obtaining or possessing in violation of law, or except as directed by a licensed physician and surgeon, dentist, optometrist, or podiatrist, any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022.

LCSW STATUTE

§4992.3. UNPROFESSIONAL CONDUCT; EFFECT ON LICENSEE OR REGISTRANT

The board may deny a license or a registration, or may suspend or revoke the license or registration of a licensee or registrant if he or she has been guilty of unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:

(a) The conviction of a crime substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge

substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter is a conviction within the meaning of this section. The board may order any license or registration suspended or revoked, or may decline to issue a license or registration when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or, when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

(b) Securing a license or registration by fraud, deceit, or misrepresentation on any application for licensure or registration submitted to the board, whether engaged in by an applicant for a license or registration, or by a licensee in support of any application for licensure or registration.

(c) Administering to himself or herself any controlled substance or using any of the dangerous drugs specified in Section 4022 or any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to the person applying for a registration or license or holding a registration or license under this chapter, or to any other person, or to the public, or, to the extent that the use impairs the ability of the person applying for or holding a registration or license to conduct with safety to the public the practice authorized by the registration or license. The board shall deny an application for a registration or license or revoke the license or registration of any person who uses or offers to use drugs in the course of performing clinical social work. This provision does not apply to any person also licensed as a physician and surgeon under Chapter 5 (commencing with Section 2000) or the Osteopathic Act who lawfully prescribes drugs to a patient under his or her care.

(d) Incompetence in the performance of clinical social work.

(e) An act or omission that falls sufficiently below the standard of conduct of the profession as to constitute an act of gross negligence.

(f) Violating, attempting to violate, or conspiring to violate this chapter or any regulation adopted by the board.

(g) Misrepresentation as to the type or status of a license or registration held by the person, or otherwise misrepresenting or permitting misrepresentation of his or her education, professional qualifications, or professional affiliations to any person or entity. For purposes of this subdivision, this misrepresentation includes, but is not limited to, misrepresentation of the person's qualifications as an adoption service provider pursuant to Section 8502 of the Family Code.

(h) Impersonation of another by any licensee, registrant, or applicant for a license or registration, or, in the case of a licensee, allowing any other person to use his or her license or registration.

(i) Aiding or abetting any unlicensed or unregistered person to engage in conduct for which a license or registration is required under this chapter.

(j) Intentionally or recklessly causing physical or emotional harm to any client.

(k) The commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee or registrant.

(l) Engaging in sexual relations with a client or with a former client within two years from the termination date of therapy with the client, soliciting sexual relations with a client, or committing an act of sexual abuse, or sexual misconduct with a client, or committing an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of a clinical social worker.

(m) Performing, or holding one's self out as being able to perform, or offering to perform or permitting, any registered associate clinical social worker or intern under supervision to perform any professional services beyond the scope of one's competence, as established by one's education, training, or experience. This subdivision shall not be construed to expand the scope of the license authorized by this chapter.

(n) Failure to maintain confidentiality, except as otherwise required or permitted by law, of all information that has been received from a client in confidence during the course of treatment and all information about the client that is obtained from tests or other means.

(o) Prior to the commencement of treatment, failing to disclose to the client or prospective client the fee to be charged for the professional services, or the basis upon which that fee will be computed.

(p) Paying, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of professional clients. All consideration, compensation, or remuneration shall be in relation to professional counseling services actually provided by the licensee. Nothing in this subdivision shall prevent collaboration among two or more licensees in a case or cases. However, no fee shall be charged for that collaboration, except when disclosure of the fee has been made in compliance with subdivision (o).

(q) Advertising in a manner that is false, fraudulent, misleading, or deceptive, as defined in Section 651.

(r) Reproduction or description in public, or in any publication subject to general public distribution, of any psychological test or other assessment device, the value of which depends in whole or in part on the naivete of the subject, in ways that might invalidate the test or device. A licensee shall limit access to that test or device to persons with professional interest who are expected to safeguard its use.

(s) Any conduct in the supervision of any registered associate clinical social worker, intern, or trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.

(t) Failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered.

(u) Failure to comply with the child abuse reporting requirements of Section 11166 of the Penal Code.

(v) Failure to comply with the elder and dependent adult abuse reporting requirements of Section 15630 of the Welfare and Institutions Code.

(w) Willful violation of Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code.

(x) Failure to comply with Section 2290.5.

(y) (1) Engaging in an act described in Section 261, 286, 288a, or 289 of the Penal Code with a minor or an act described in Section 288 or 288.5 of the Penal Code regardless of whether the act occurred prior to or after the time the registration or license was issued by the board. An act described in this subdivision occurring prior to the effective date of this subdivision shall constitute unprofessional conduct and shall subject the licensee to refusal, suspension, or revocation of a license under this section.

(2) The Legislature hereby finds and declares that protection of the public, and in particular minors, from sexual misconduct by a licensee is a compelling governmental interest, and that the ability to suspend or revoke a license for sexual conduct with a minor occurring prior to the effective date of this section is equally important to protecting the public as is the ability to refuse a license for sexual conduct with a minor occurring prior to the effective date of this section.

(z) Engaging in any conduct that subverts or attempts to subvert any licensing examination or the administration of the examination as described in Section 123.

(aa) Obtaining or possessing in violation of law, or except as directed by a licensed physician and surgeon, dentist, optometrist, or podiatrist, any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022.

LPCC STATUTE

§4999.90. UNPROFESSIONAL CONDUCT

The board may refuse to issue any registration or license, or may suspend or revoke the registration or license of any intern or licensed professional clinical counselor, if the applicant, licensee, or registrant has been guilty of unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:

(a) The conviction of a crime substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, or duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the meaning of this section. The board may order any license or registration suspended or revoked, or may decline to issue a license or registration when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or, when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

(b) Securing a license or registration by fraud, deceit, or misrepresentation on any application for licensure or registration submitted to the board, whether engaged in by an applicant for a license or registration, or by a licensee in support of any application for licensure or registration.

(c) Administering to himself or herself any controlled substance or using any of the dangerous drugs specified in Section 4022, or any alcoholic beverage to the extent, or in a manner, as to be dangerous or injurious to the person applying for a registration or license or holding a registration or license under this chapter, or to any other person, or to the public, or, to the extent that the use impairs the ability of the person applying for or holding a registration or license to conduct with safety to the public the practice authorized by the registration or license. The board shall deny an application for a registration or license or revoke the license or registration of any person, other than one who is licensed as a physician and surgeon, who uses or offers to use drugs in the course of performing licensed professional clinical counseling services.

(d) Gross negligence or incompetence in the performance of licensed professional clinical counseling services.

(e) Violating, attempting to violate, or conspiring to violate any of the provisions of this chapter or any regulation adopted by the board.

(f) Misrepresentation as to the type or status of a license or registration held by the person, or otherwise misrepresenting or permitting misrepresentation of his or her education, professional qualifications, or professional affiliations to any person or entity.

(g) Impersonation of another by any licensee, registrant, or applicant for a license or registration, or, in the case of a licensee or registrant, allowing any other person to use his or her license or registration.

(h) Aiding or abetting, or employing, directly or indirectly, any unlicensed or unregistered person to engage in conduct for which a license or registration is required under this chapter.

(i) Intentionally or recklessly causing physical or emotional harm to any client.

(j) The commission of any dishonest, corrupt, or fraudulent act substantially related to the qualifications, functions, or duties of a licensee or registrant.

(k) Engaging in sexual relations with a client, or a former client within two years following termination of therapy, soliciting sexual relations with a client, or committing an act of sexual abuse, or sexual misconduct with a client, or committing an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of a licensed professional clinical counselor.

(l) Performing, or holding oneself out as being able to perform, or offering to perform, or permitting any trainee, applicant, or registrant under supervision to perform, any professional services beyond the scope of the license authorized by this chapter.

(m) Failure to maintain confidentiality, except as otherwise required or permitted by law, of all information that has been received from a client in confidence during the course of treatment and all information about the client which is obtained from tests or other means.

(n) Prior to the commencement of treatment, failing to disclose to the client or prospective client the fee to be charged for the professional services, or the basis upon which that fee will be computed.

(o) Paying, accepting, or soliciting any consideration, compensation, or remuneration, whether monetary or otherwise, for the referral of professional clients. All consideration, compensation, or remuneration shall be in relation to professional clinical counseling services actually provided by the licensee. Nothing in this subdivision shall prevent collaboration among two or more licensees in a case or cases. However, no fee shall be charged for that collaboration, except when disclosure of the fee has been made in compliance with subdivision (n).

(p) Advertising in a manner that is false, fraudulent, misleading, or deceptive, as defined in Section 651.

(q) Reproduction or description in public, or in any publication subject to general public distribution, of any psychological test or other assessment device, the value of which depends in whole or in part on the naivete of the subject, in ways that might invalidate the test or device.

(r) Any conduct in the supervision of a registered intern, associate clinical social worker, or clinical counselor trainee by any licensee that violates this chapter or any rules or regulations adopted by the board.

(s) Performing or holding oneself out as being able to perform professional services beyond the scope of one's competence, as established by one's education, training, or experience. This subdivision shall not be construed to expand the scope of the license authorized by this chapter.

(t) Permitting a clinical counselor trainee or intern under one's supervision or control to perform, or permitting the clinical counselor trainee or intern to hold himself or herself out as competent to perform, professional services beyond the clinical counselor trainee's or intern's level of education, training, or experience.

(u) The violation of any statute or regulation of the standards of the profession, and the nature of the services being rendered, governing the gaining and supervision of experience required by this chapter.

(v) Failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered.

(w) Failure to comply with the child abuse reporting requirements of Section 11166 of the Penal Code.

(x) Failing to comply with the elder and dependent adult abuse reporting requirements of Section 15630 of the Welfare and Institutions Code.

(y) Repeated acts of negligence.

(z) (1) Engaging in an act described in Section 261, 286, 288a, or 289 of the Penal Code with a minor or an act described in Section 288 or 288.5 of the Penal Code regardless of whether the act occurred prior to or after the time the registration or license was issued by the board. An act described in this subdivision occurring prior to the effective date of this subdivision shall constitute unprofessional conduct and shall subject the licensee to refusal, suspension, or revocation of a license under this section.

(2) The Legislature hereby finds and declares that protection of the public, and in particular minors, from sexual misconduct by a licensee is a compelling governmental interest, and that the ability to suspend or revoke a license for sexual conduct with a minor occurring prior to the effective date of this section is equally important to protecting the public as is the ability to refuse a license for sexual conduct with a minor occurring prior to the effective date of this section.

(aa) Engaging in any conduct that subverts or attempts to subvert any licensing examination or the administration of an examination as described in Section 123.

(ab) Revocation, suspension, or restriction by the board of a license, certificate, or registration to practice as a professional clinical counselor, clinical social worker, educational psychologist, or marriage and family therapist.

(ac) Failing to comply with the procedures set forth in Section 2290.5 when delivering health care via telehealth.

(ad) Willful violation of Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code.

(ae) Obtaining or possessing in violation of law, or except as directed by a licensed physician and surgeon, dentist, optometrist, or podiatrist, any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022.

ATTACHMENT B
RELEVANT CODE SECTIONS REFERENCED IN PROPOSED LANGUAGE

BUSINESS AND PROFESSIONS CODE (BPC) §4022

"Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.

(b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a ____," "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

HEALTH AND SAFETY CODE (HSC) DIVISION 10 (COMMENCING WITH §11000)

HSC §11007.

"Controlled substance," unless otherwise specified, means a drug, substance, or immediate precursor which is listed in any schedule in Section 11054, 11055, 11056, 11057, or 11058.

HSC §11054.

(a) The controlled substances listed in this section are included in Schedule I.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of those isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetylmethadol.

(2) Allylprodine.

(3) Alphacetylmethadol (except levoalphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM).

(4) Alphameprodine.

(5) Alphamethadol.

(6) Benzethidine.

(7) Betacetylmethadol.

(8) Betameprodine.

(9) Betamethadol.

(10) Betaprodine.

(11) Clonitazene.

(12) Dextromoramide.

(13) Diampromide.

(14) Diethylthiambutene.

(15) Difenoxin.

(16) Dimenoxadol.

(17) Dimepheptanol.

(18) Dimethylthiambutene.

(19) Dioxaphetyl butyrate.

(20) Dipipanone.

(21) Ethylmethylthiambutene.

(22) Etonitazene.

(23) Etoxeridine.

(24) Furethidine.

(25) Hydroxypethidine.

(26) Ketobemidone.

(27) Levomoramide.

(28) Levophenacylmorphan.

(29) Morpheridine.

(30) Noracymethadol.

(31) Norlevorphanol.

(32) Normethadone.

(33) Norpipanone.

(34) Phenadoxone.

(35) Phenampromide.

(36) Phenomorphan.

(37) Phenoperidine.

(38) Piritramide.

(39) Proheptazine.

(40) Properidine.

(41) Propiram.

(42) Racemoramide.

(43) Tilidine.

(44) Trimeperidine.

(45) Any substance which contains any quantity of acetylfentanyl (N-[1-phenethyl-4-piperidinyl] acetanilide) or a derivative thereof.

(46) Any substance which contains any quantity of the thiophene analog of acetylfentanyl (N-[1-[2-(2-thienyl)ethyl]-4-piperidinyl] acetanilide) or a derivative thereof.

(47) 1-Methyl-4-Phenyl-4-Propionoxypiperidine (MPPP).

(48) 1-(2-Phenethyl)-4-Phenyl-4-Acetyloxypiperidine (PEPAP).

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine.

(2) Acetyldihydrocodeine.

(3) Benzylmorphine.

(4) Codeine methylbromide.

(5) Codeine-N-Oxide.

(6) Cyprenorphine.

(7) Desomorphine.

(8) Dihydromorphine.

(9) Drotebanol.

(10) Etorphine (except hydrochloride salt).

(11) Heroin.

(12) Hydromorphinol.

(13) Methyldesorphine.

(14) Methyldihydromorphine.

(15) Morphine methylbromide.

(16) Morphine methylsulfonate.

(17) Morphine-N-Oxide.

(18) Myrophine.

(19) Nicocodeine.

(20) Nicomorphine.

(21) Normorphine.

(22) Pholcodine.

(23) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision only, the term “isomer” includes the optical, position, and geometric isomers):

(1) 4-bromo-2,5-dimethoxy-amphetamine—Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA.

(2) 2,5-dimethoxyamphetamine—Some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA.

(3) 4-methoxyamphetamine—Some trade or other names: 4-methoxy-alpha-methylphenethylamine, paramethoxyamphetamine, PMA.

(4) 5-methoxy-3,4-methylenedioxy-amphetamine.

(5) 4-methyl-2,5-dimethoxy-amphetamine—Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; “DOM”; and “STP.”

(6) 3,4-methylenedioxy amphetamine.

(7) 3,4,5-trimethoxy amphetamine.

(8) Bufotenine—Some trade or other names: 3-(beta-dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5 indolol; N,N-dimethylserolonin, 5-hydroxy-N,N-dimethyltryptamine; mappine.

(9) Diethyltryptamine—Some trade or other names: N,N-Diethyltryptamine; DET.

(10) Dimethyltryptamine—Some trade or other names: DMT.

(11) Ibogaine—Some trade or other names: 7-Ethyl-6,6beta, 7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1’,2’:1,2] azepino [5,4-b] indole; Tabernantheiboga.

(12) Lysergic acid diethylamide.

(13) Marijuana.

(14) Mescaline.

(15) Peyote—Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant, and every compound, manufacture, salts, derivative, mixture, or preparation of the plant, its seeds or extracts (interprets 21 U.S.C. Sec. 812(c), Schedule 1(c)(12)).

(16) N-ethyl-3-piperidyl benzilate.

(17) N-methyl-3-piperidyl benzilate.

(18) Psilocybin.

(19) Psilocyn.

(20) Tetrahydrocannabinols. Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: delta 1 cis or trans tetrahydrocannabinol, and their optical isomers; delta 6 cis or trans tetrahydrocannabinol, and their optical isomers; delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered).

(21) Ethylamine analog of phencyclidine—Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE.

(22) Pyrrolidine analog of phencyclidine—Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCP, PHP.

(23) Thiophene analog of phencyclidine—Some trade or other names: 1-[1-(2 thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Mecloqualone.

(2) Methaqualone.

(3) Gamma hydroxybutyric acid (also known by other names such as GHB; gamma hydroxy butyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate), including its immediate precursors, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, including, but not limited to, gammabutyrolactone, for which an application has not been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 355).

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its isomers:

(1) Cocaine base.

(2) Fenethylline, including its salts.

(3) N-Ethylamphetamine, including its salts.

HSC §11055.

(a) The controlled substances listed in this section are included in Schedule II.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium, opiate, and any salt, compound, derivative, or preparation of opium or opiate, with the exception of naloxone hydrochloride (N-allyl-14-hydroxy-nordihydromorphinone hydrochloride), but including the following:

(A) Raw opium.

(B) Opium extracts.

(C) Opium fluid extracts.

(D) Powdered opium.

(E) Granulated opium.

(F) Tincture of opium.

(G) Codeine.

(H) Ethylmorphine.

(I) Hydrocodone.

(J) Hydromorphone.

(K) Metopon.

(L) Morphine.

(M) Oxycodone.

(N) Oxymorphone.

(O) Thebaine.

(2) Any salt, compound, isomer, or derivative, whether natural or synthetic, of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).

(6) Cocaine, except as specified in Section 11054.

(7) Ecgonine, whether natural or synthetic, or any salt, isomer, derivative, or preparation thereof.

(c) Opiates. Unless specifically excepted or unless in another schedule, any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of those isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(1) Alfentanyl.

(2) Alphaprodine.

(3) Anileridine.

(4) Bezitramide.

(5) Bulk dextropropoxyphene (nondosage forms).

(6) Dihydrocodeine.

(7) Diphenoxylate.

(8) Fentanyl.

(9) Isomethadone.

(10) Levoalphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM. This substance is authorized for the treatment of narcotic addicts under federal law (see Part 291 (commencing with Section 291.501) and Part 1308 (commencing with Section 1308.01) of Title 21 of the Code of Federal Regulations).

(11) Levomethorphan.

(12) Levorphanol.

(13) Metazocine.

(14) Methadone.

(15) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane.

(16) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.

(17) Pethidine (meperidine).

(18) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.

(19) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate.

(20) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid.

(21) Phenazocine.

(22) Piminodine.

(23) Racemethorphan.

(24) Racemorphan.

(25) Sufentanyl.

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.

(2) Methamphetamine, its salts, isomers, and salts of its isomers.

(3) Dimethylamphetamine (N,N-dimethylamphetamine), its salts, isomers, and salts of its isomers.

(4) N-Ethylmethamphetamine (N-ethyl, N-methylamphetamine), its salts, isomers, and salts of its isomers.

(5) Phenmetrazine and its salts.

(6) Methylphenidate.

(7) Khat, which includes all parts of the plant classified botanically as Catha Edulis, whether growing or not, the seeds thereof, any extract from any part of the plant, and

every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts.

(8) Cathinone (also known as alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone).

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital.

(2) Pentobarbital.

(3) Phencyclidines, including the following:

(A) 1-(1-phenylcyclohexyl) piperidine (PCP).

(B) 1-(1-phenylcyclohexyl) morpholine (PCM).

(C) Any analog of phencyclidine which is added by the Attorney General by regulation pursuant to this paragraph.

The Attorney General, or his or her designee, may, by rule or regulation, add additional analogs of phencyclidine to those enumerated in this paragraph after notice, posting, and hearing pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The Attorney General shall, in the calendar year of the regular session of the Legislature in which the rule or regulation is adopted, submit a draft of a proposed bill to each house of the Legislature which would incorporate the analogs into this code. No rule or regulation shall remain in effect beyond January 1 after the calendar year of the regular session in which the draft of the proposed bill is submitted to each house. However, if the draft of the proposed bill is submitted during a recess of the Legislature exceeding 45 calendar days, the rule or regulation shall be effective until January 1 after the next calendar year.

(4) Secobarbital.

(5) Glutethimide.

(f) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Immediate precursor to amphetamine and methamphetamine:

(A) Phenylacetone. Some trade or other names: phenyl-2 propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.

(2) Immediate precursors to phencyclidine (PCP):

(A) 1-phenylcyclohexylamine.

(B) 1-piperidinocyclohexane carbonitrile (PCC).

HSC §11056.

(a) The controlled substances listed in this section are included in Schedule III.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances.

(2) Benzphetamine.

(3) Chlorphentermine.

(4) Clortermine.

(5) Mazindol.

(6) Phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing any of the following:

(A) Amobarbital

(B) Secobarbital

(C) Pentobarbital
or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(2) Any suppository dosage form containing any of the following:

(A) Amobarbital

(B) Secobarbital

(C) Pentobarbital
or any salt of any of these drugs and approved by the federal Food and Drug Administration for marketing only as a suppository.

(3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof.

(4) Chlorhexadol.

(5) Lysergic acid.

(6) Lysergic acid amide.

(7) Methyprylon.

(8) Sulfondiethylmethane.

(9) Sulfonethylmethane.

(10) Sulfonmethane.

(11) Gamma hydroxybutyric acid, and its salts, isomers and salts of isomers, contained in a drug product for which an application has been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 355).

(d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts. Additionally, oral liquid preparations of dihydrocodeinone containing the above specified amounts may not contain as its nonnarcotic ingredients two or more antihistamines in combination with each other.

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Anabolic steroids and chorionic gonadotropin. Any material, compound, mixture, or preparation containing chorionic gonadotropin or an anabolic steroid (excluding anabolic steroid products listed in the “Table of Exempt Anabolic Steroid Products” (Section 1308.34 of Title 21 of the Code of Federal Regulations), as exempt from the federal Controlled Substances Act (Section 801 and following of Title 21 of the United States Code)), including, but not limited to, the following:

(1) Androisoxazole.

(2) Androstenediol.

(3) Bolandiol.

(4) Bolasterone.

(5) Boldenone.

(6) Chlormethandienone.

(7) Clostebol.

(8) Dihydromesterone.

(9) Ethylestrenol.

(10) Fluoxymesterone.

(11) Formyldienolone.

(12) 4-Hydroxy-19-nortestosterone.

(13) Mesterolone.

(14) Methandriol.

(15) Methandrostenolone.

(16) Methenolone.

(17) 17-Methyltestosterone.

(18) Methyltrienolone.

(19) Nandrolone.

(20) Norbolethone.

(21) Norethandrolone.

(22) Normethandrolone.

(23) Oxandrolone.

(24) Oxymestrone.

(25) Oxymetholone.

(26) Quinbolone.

(27) Stanolone.

(28) Stanozolol.

(29) Stenbolone.

(30) Testosterone.

(31) Trenbolone.

(32) Chorionic Gonadotropin (HGC).

(g) Ketamine. Any material, compound, mixture, or preparation containing ketamine.

(h) Hallucinogenic substances. Any of the following hallucinogenic substances: dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the federal Food and Drug Administration.

HSC §11057.

(a) The controlled substances listed in this section are included in Schedule IV.

(b) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(c) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane).

(3) Butorphanol.

(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Alprazolam.

(2) Barbital.

(3) Chloral betaine.

(4) Chloral hydrate.

(5) Chlordiazepoxide.

(6) Clobazam.

(7) Clonazepam.

(8) Clorazepate.

(9) Diazepam.

(10) Estazolam.

(11) Ethchlorvynol.

(12) Ethinamate.

(13) Flunitrazepam.

(14) Flurazepam.

(15) Halazepam.

(16) Lorazepam.

(17) Mebutamate.

(18) Meprobamate.

(19) Methohexital.

(20) Methylphenobarbital (Mephobarbital).

(21) Midazolam.

(22) Nitrazepam.

(23) Oxazepam.

(24) Paraldehyde.

(25) Petrichoral.

(26) Phenobarbital.

(27) Prazepam.

(28) Quazepam.

(29) Temazepam.

(30) Triazolam.

(31) Zaleplon.

(32) Zolpidem.

(e) Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers, whenever the existence of those salts, isomers, and salts of isomers is possible:

(1) Fenfluramine.

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of those isomers is possible within the specific chemical designation:

(1) Diethylpropion.

(2) Mazindol.

(3) Modafinil.

(4) Phentermine.

(5) Pemoline (including organometallic complexes and chelates thereof).

(6) Pipradrol.

(7) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(8) Cathine ((+)-norpseudoephedrine).

(g) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of pentazocine, including its salts.

HSC §11058.

(a) The controlled substances listed in this section are included in Schedule V.

(b) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which shall include one or more nonnarcotic active medicinal ingredients in sufficient

proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(d) Buprenorphine.

ATTACHMENT C
SIMILAR CODE SECTIONS FOR OTHER HEALING ARTS BOARDS

BOARD OF REGISTERED NURSING

BPC §2762.

In addition to other acts constituting unprofessional conduct within the meaning of this chapter it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

(d) Be committed or confined by a court of competent jurisdiction for intemperate use of or addiction to the use of any of the substances described in subdivisions (a) and (b) of this section, in which event the court order of commitment or confinement is prima facie evidence of such commitment or confinement.

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section.

BOARD OF OCCUPATIONAL THERAPY

BPC §2570.29.

In addition to other acts constituting unprofessional conduct within the meaning of this chapter, it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or, except as directed by a licensed physician and surgeon, dentist, optometrist, or podiatrist, to administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(b) Use to an extent or in a manner dangerous or injurious to himself or herself, to any other person, or to the public, or that impairs his or her ability to conduct with safety to the public the practice authorized by his or her license, of any of the following:

(1) A controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code.

(2) A dangerous drug or dangerous device as defined in Section 4022.

(3) Alcoholic beverages.

(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

(d) Be committed or confined by a court of competent jurisdiction for intemperate use of any of the substances described in subdivisions (a) and (b) of this section, in which event the court order of commitment or confinement is prima facie evidence of the commitment or confinement.

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital or patient record, or any other record, pertaining to the substances described in subdivision (a) of this section.

DENTAL HYGIENE COMMITTEE

BPC §1952.

It is unprofessional conduct for a person licensed under this article to do any of the following:

(a) Obtain or possess in violation of law, or except as directed by a licensed physician and surgeon, dentist, or podiatrist, a controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug as defined in Section 4022.

(b) Use a controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or a dangerous drug as defined in Section 4022, or alcoholic beverages or other intoxicating substances, to an extent or in a manner dangerous or injurious to himself or herself, to any person, or the public to the extent

that the use impairs the licensee's ability to conduct with safety to the public the practice authorized by his or her license.

(c) Be convicted of a charge of violating any federal statute or rules, or any statute or rule of this state, regulating controlled substances, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug, as defined in Section 4022, or be convicted of more than one misdemeanor, or any felony, involving the use or consumption of alcohol or drugs, if the conviction is substantially related to the practice authorized by his or her license.

(1) The record of conviction or a copy certified by the clerk of the court or by the judge in whose court the conviction is had, shall be conclusive evidence of a violation of this section. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section.

(2) The committee may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under any provision of the Penal Code, including, but not limited to, Section 1203.4 of the Penal Code, allowing a person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

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Board of Behavioral Sciences

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Memo

To:	Committee Members	**Date:**	September 17, 2015
From:	Rosanne Helms Legislative Analyst	**Telephone:**	(916) 574-7897
Subject:	**MFT Registrants: Discussion of Use of the Title "Intern" versus "Associate"**		

Summary

This memo discusses whether MFT interns should be re-named associate MFTs.

Background

At the August 28, 2015 Board meeting, Dr. Ben Caldwell of the American Association for Marriage and Family Therapy – California Division (AAMFT-CA) presented a proposal to change the "Marriage and Family Therapist Intern" title to "Associate Marriage and Family Therapist."

Dr. Caldwell presented the following arguments as reasons the title "associate" may be more appropriate than "intern" for registrants:

- The intern title is more socially understood as referring to someone who is still in school.
- Because of the socially accepted connotations, some employers are more likely to exploit MFT interns by offering them little or no pay for their work.
- Consumers often discount the credibility of MFT interns based on their title.
- Some other states and professions are moving away from the use of the intern title for post-graduates.

The Board directed staff to bring this issue to the Policy and Advocacy Committee for further discussion.

Definition

The Merriam-Webster Dictionary defines the word "associate" as follows:

Associate: *2. having a rank or position that is below the highest level in a group, organization, etc.*

(Source: merriam-webster.com, Merriam-Webster, Incorporated, 2015)

Titles in Other States - LMFT Applicants

Attachment B contains a state licensure comparison chart compiled by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB). The chart provides the titles used by each state for marriage and family therapist licensees and pre-licensees.

Findings from the chart include the following:

- Although a few states still use the "intern" title, many more use the "associate" title.
- Some states do not register post-degree graduates who are gaining experience hours toward licensure, making direct comparison with these states difficult.
- Other titles utilized for post-degree applicants include
  - Certified Marriage and Family Therapist (Tennessee)
  - Resident in Marriage and Family Therapy (Virginia)
  - Unlicensed Marriage and Family Therapist (Washington DC)
  - Provisionally Licensed Marriage and Family Therapist (West Virginia)
  - Training Licensed Marriage and Family Therapist (Wisconsin)
  - Provisional Marriage and Family Therapist (Wyoming)

Staff also looked at the statutes for a sample of high-population states to determine the title given to those gaining experience hours (if any):

Texas: Uses the term "Licensed Marriage and Family Therapist Associate" to refer to someone who performs services for compensation under board- approved supervision. (Texas Administrative Code Title 22, §801.2)

Colorado: Registers "Marriage and Family Therapist Candidates", which are individuals who have completed their degree but who still need to gain supervised experience and pass an exam. (Colorado Revised Statutes §12-43-504)

Massachusetts: Does not register those still gaining experience. According to the law, private practice settings are not considered acceptable settings for post-masters supervised clinical experience. (Code of Massachusetts Regulations (CMR); 262 CMR 3.03)

New York: New York issues a limited permit for applicants who meet all qualifications for licensure except the examination and/or experience requirements. (New York State Education Law, Title 8, Article 163, §8409)

Titles in Other States - LPCC Applicants

Attachment C contains a partial state licensure comparison chart completed by the American Counseling Association (ACA) in 2014. The chart includes titles used in other states for professional clinical counselors and pre-licensure registrants. (The chart contains extensive licensure information for each state; therefore, it is quite lengthy and staff has chosen a sampling of states only.)

Here are some key findings from the ACA chart:

- States use a wider variety of terms for pre-licensed LPCCs than they do for pre-licensed LMFTs. They include the following:
    - Licensed Professional Clinical Counselor Candidate (Colorado)
    - Provisional Mental Health Counselor (Florida)
    - Conditional Licensed Clinical Professional Counselor (Maine)
    - Professional Counselor/Clinical Resident (Ohio)
    - Limited Licensed Professional Counselor (Michigan)
    - Counselor-in-Training (Missouri)
    - Licensed Graduate Professional Counselor (Maryland)
- According to the chart, 12 states use "Associate" in their pre-licensed title, while 7 states use "Intern."

Staff also looked at the statute of the same sample of larger states to determine the title given to those gaining experience hours (if any):

Texas: Uses the term "LPC Intern" to refer to someone who may practice only under the supervision of a Licensed Professional Counselor Supervisor (Texas Administrative Code Title 22, §681.52)

Colorado: Uses the title "Licensed Professional Counselor Candidate" for individuals who have completed their degree but who still need to gain supervised experience and pass an exam. (Colorado Revised Statutes §12-43-603)

Massachusetts: Supervised experience must be gained at a clinical field experience site. A clinical field experience site does not include private practice. (Code of Massachusetts Regulations (CMR); 262 CMR 2.02)

New York: New York issues a limited permit for applicants who meet all qualifications for licensure, except the examination and/or experience requirements. (New York State Education Law, Title 8, Article 163, §8409)

BBS Title History

In the early 1970's, the Board's LMFT licensing law made no apparent references to any pre-licensed status. In November 1978, a regulation section was added identifying marriage, family, and child counselor interns and discussed the education required to register as an intern.

Around this same time, social workers had a reference to an "apprentice clinical social worker" in statute, which was defined as a person with a master's degree working under supervision. This title was deleted in 1976. Social workers also had a "registered social worker" status.

Previous BBS Title Change Legislation

Legislative and regulatory changes will be needed if the Board decides to change LMFT and LPCC registrant titles from "Intern" to "Associate."

The Board's last title change was in 1999, when the title "marriage, family and child counselor" was changed to "marriage and family therapist." AB 1449 (Chapter 108, Statutes of 1998) added §4980.08 to the Business and Professions Code, and stated that any reference in any statute or regulation to a "marriage, family and child counselor" shall be deemed a reference to a "marriage and family therapist."

AB 1449 had a six-month delayed implementation. The Board then gradually changed the references in statute and regulation, with many (but not all) references being changed in 2003.

Proposed Language

Attachment A shows the suggested language if the Board was to decide to move forward with the title change for LMFT and LPCC registrants.

To start, the language simply states that in any statute or regulation, the "intern" and "associate" titles are equivalent. In subsequent years, the Board would need to change references to "interns" in the law when it runs other bills or regulatory proposals.

The language proposed in **Attachment A** also contains a one-year delayed implementation, to January 1, 2018. This would allow the Board time to update Section 1811 of the regulations, which lists specific titles that registrants may use in advertisements.

Recommendation

Conduct an open discussion about the pros and cons of changing the LMFT and LPCC registrant titles from "Intern" to "Associate."

If the Committee believes the change is appropriate, direct staff to make any discussed changes, as well as any non-substantive changes, to the proposed language, and bring to the Board for consideration as a legislative proposal.

Attachments

Attachment A: Draft Language

Attachment B: Association of Marital and Family Therapy Regulatory Boards (AMFTRB) State Licensure Comparison Chart (July 2015)

Attachment C: American Counseling Association Licensure Chart (Partial Only), from *"Licensure Requirements for Professional Counselors, A State-by-State Report"* (2014 Edition)

ATTACHMENT A
PROPOSED LANGUAGE

LMFT CODE

ADD §4980.09. REGISTRATION TITLE NAME CHANGE

(a) The title "marriage and family therapist intern" or "marriage and family therapist registered intern" is hereby renamed "associate marriage and family therapist" or "registered associate marriage and family therapist," respectively. Any reference in any statute or regulation to a "marriage and family therapist intern" or "marriage and family therapist registered intern" shall be deemed a reference to an "associate marriage and family therapist" or "registered associate marriage and family therapist".

(b) Nothing in this section shall be construed to expand or constrict the scope of practice of a person licensed or registered pursuant to this chapter.

(c) This section shall become operative January 1, 2018.

LPCC CODE

ADD §4999.12.5. REGISTRATION TITLE NAME CHANGE

(a) The title "professional clinical counselor intern" or "professional clinical counselor registered intern" is hereby renamed "associate professional clinical counselor" or "registered associate professional clinical counselor," respectively. Any reference in any statute or regulation to a "professional clinical counselor intern" or "professional clinical counselor registered intern" shall be deemed a reference to an "associate professional clinical counselor" or "registered associate professional clinical counselor".

(b) Nothing in this section shall be construed to expand or constrict the scope of practice of a person licensed or registered pursuant to this chapter.

(c) This section shall become operative January 1, 2018.

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AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
	Each state may have multiple levels of Marriage and Family Therapists.		Each state has a set of requirements for each level of licensure offered. This column briefly lists those requirements, as well as where to find those requirements outlined in that states rules and/or statute.
Alabama	**LMFT, MFT Intern, LMFTA**	**Licensed Marriage and Family Therapist; Marriage and Family Therapy Intern; Marriage and Family Therapy Associate;**	Prior to attaining independent licensure: Completion of a minimum of two (2) years post-degree full time (30 or more clock hours per week) MFT work experience , Completion of two-hundred (200) hours of supervision, one-hundred (100) of which must be individual, Completion of a minimum of one-thousand (1000) post-degree direct client hours completed concurrently with the required ratio of one (1) supervision hour to every ten (10) client contact hours; two hundred-fifty (250) of these direct contact hours must be with couples or families physically present in the therapy room.
Alaska	**LMFT, LMFC, LMFTA**	**Marital and Family Therapist; Marriage and Family Counselor; Marriage and Family Therapist Associate**	The board shall issue a four-year license for the supervised practice of marital and family therapy to a person who meets the requirements of AS 08.63.100(a)(1), (2), and (3)(A)—(B). See section Sec. 08.63.110. Supervision must include: practiced marital and family therapy to include 1,500 hours of direct clinical contact with couples, individuals, and families; and clinical contact for at least 200 hours, including 100 hours of individual supervision and 100 hours of group supervision approved by the board.
Arizona	**LMFT, LMFTA**	**Licensed Marriage and Family Therapist; Licensed Marriage and Family Therapist Associate**	After completing the degree required in R4-6-601, an applicant for licensure as a marriage and family therapist shall complete a minimum of 3200 hours of supervised work experience in the practice. A minimum of 1000 of the 1600 hours of direct client. During the supervised work experience required in R4-6-603. An applicant for licensure as a marriage and family therapist shall receive a minimum of 200 hours of clinical supervision in no less than 24 months and at least 120 of the hours shall address issues focusing on couples and families. See Section R4-6-604. contact shall be client contact with couples and families. The remaining 600 hours may be with individuals and groups of marriage and family therapy in no less than 24 months. See section R4-6-603.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Arkansas	**LMFT, LAMFT**	**Licensed Marriage and Family Therapist; Licensed Associate Marriage and Family Therapist**	Must provide evidence of three years of supervised full-time experience in marriage and family therapy beyond the Master's Degree acceptable to the Board. One year of experience may be gained for each 30 semester hours of graduate work beyond the Master's level, provided the hours are clearly marriage and family therapy in nature and acceptable to the Board. See Section 3.4. Canidate must complete three years of Client Contact Hours (CCH) with supervision. One year equal 1000 hours of client contact. Supervision is provided in 3 phases: Year 1
California	**LMFT**	**Licensed Marriage and Family Therapist**	must accrue 3,000 hours of supervised work experience and 104 weeks of supervision. Couples, Families, and Children (min 500 credited hours) The first 150 conjoint couples and family hours can be double counted (e.g. 150 actual hours X 2 = 300 credited hours); Group Psychotherapy (max 500 hours); Telehealth Counseling, including telephone counseling (max 375 hours) B. Administrating and evaluating psychological tests, writing clinical reports, writing progress notes or process notes (max 250 hours) C. Other Non-Counseling Work Experience (max 1,000 credited hours; all items below when added together shall not exceed 1,000 credited hours) 1.Workshops, seminars, training sessions, and conferences (max 250 hours) 2.Personal Psychotherapy (max 300 credited hours; e.g. 100 actual hours X 3 = 300 credited hours) You need at least one hour of individual or two hours of group supervision in any week that you claim supervised work experience.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Colorado	**LMFT**	**Licensed Marriage and Family Therapists**	Applicant demonstrates that s/he had at least two (2) years of post-master's or one year of post-doctoral practice in individual and marriage and family therapy under supervision prior to licensure, certification, listing or registration in the jurisdiction through which applicant seeks licensure in Colorado; or applicant provides information satisfactory to the Board demonstrating her/his active practice of marriage and family therapy for two (2) years. Active practice of marriage and family therapy" means applicant has engaged in the practice of marriage and family therapy at least twenty (20) hours per week, averaged over the entire time s/he has been in practice, with no more than a six month absence from the practice of marriage and family therapy. If applicant has taught marriage and family therapy, applicant may count the hours spent teaching marriage and family therapy (including time spent in preparation, meeting with students, and related activities) as hours of active practice of marriage and family therapy provided such teaching was in courses in the same or similar field of marriage and family therapy as the
Connecticut	**LMFT**	**Licensed Marriage and Family Therapists**	Successful completion of at least 12 months of supervised postgraduate work experience. The postgraduate work experience must include at least 1,000 hours of direct client contact offering marital and family therapy services and 100 hours of post-graduate clinical supervision provided by a licensed marital and family therapist. Of the 100 hours of supervision required, at least 50

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Delaware	**LMFT/ LAMFT**	**Licensed Marriage and Family Therapist; Licensed Marriage and Family Therapist Associate**	Individuals who have completed the experience requirements of regulation 5.1.2 and hold an acceptable degree under regulation 6.2, may apply for an LMFT without first obtaining an LAMFT. LMFT applicants under this exception must submit documentation of their experience pursuant to the requirements of regulation 5.1.2 and their educational background pursuant to regulation 6.2. If the submitted documentation is acceptable to the Board, the applicant will receive permission to take the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) exam. If approved to take the exam, an applicant under this exception will receive an LMFT once the Board receives proof that the applicant has passed the exam. A score equal to or greater than the pass point set by the AMFTRB is required to pass the exam.Experience. Applicants must provide documentation of completion of 3,200 hours of marriage and family therapy services, over a period of no less than two (2) but no more than four (4) consecutive years. Of the required 3,200 hours total experience, 1,600
Florida	**LMFT**	**Licensed Marriage and Family Therapist**	4.Completed two years of post-master's supervised experience under the supervision of a licensed marriage and family therapist with five years of experience or the equivalent (see 64B4-21.007 F.A.C.) who is qualified as determined by the Board. The supervision experience must have consisted of at least 1,500 hours providing psychotherapy face-to-face with clients for the profession for which licensure is sought, and shall be accrued in no less than 100 weeks. At least 100 hours of supervision per 1,500 hours of psychotherapy face-to-face with clients provided by the intern; At least one (1) hour of supervision every two (2) weeks; at least one (1) hour of supervision per fifteen (15) hours of psychotherapy, with a minimum of one (1) hour of supervision every two (2) weeks.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Georgia	**LMFT; LAMFT**	**Licensed Marriage and Family Therapists; Licensed Marriage and Family Therapy Associate**	Licensure as an associate marriage and family therapist and two years of full-time post-master's experience or its equivalent in the practice of marriage and family therapy under direction and supervision as an associate marriage and family therapist, which shall include a minimum of 2,000 hours of direct clinical experience and 100 hours of supervision of such experience and which shall be completed within a period of not less than two years and not more than five years See section 43-10A-13.
Hawaii	**LMFT**	**Licensed Marriage and Family Therapist**	-One year practicum with three hundred hours supervised client contact; -1,000 hours of direct marriage and family therapy, and 200 hours clinical supervision in not less than twenty-four months; and
Idaho	**LAMFT** **LMFT**	**Licensed associate marriage and family therapist** **Licensed marriage and family therapist**	LMFT - 3,000 hr requirement as outlined in Section 54-3405C(3), Idaho Code. A minimum of two thousand (2,000) postgraduate direct client contact hours, in no less than a two (2) year time period shall include a minimum one thousand (1,000) direct client contact hours with couples and families; and 200) hours of supervision. Effective July 1, 2014 a minimum of 100 hrs post-graduate supervision must be obtained from a registered marriage and family therapist supervisor. The remaining 100 hrs of supervision may also be obtained from a
Illinois	**LAMFT**	**Licensed associate marriage and family therapist**	An applicant for a license as a marriage and family therapist shall, following receipt of the first qualifying education degree, complete at least 3000 hours of professional work
Indiana	**LMFT** **LMFTA**	**Licensed Marriage and Family Therapist** **Licensed Marriage and Family Therapist Associate**	An applicant for a license as a marriage and family therapist under section 1 of this chapter must have at least two (2) years of postdegree clinicalexperience, during which at least fifty percent (50%) of the applicant's clients were receiving marriage and family therapy services. The applicant's clinical experience must include one thousand (1,000) hours of postdegree clinical experience and two hundred (200) hours of postdegree clinical supervision, of which one hundred (100) hours must be individual supervision, under the supervision of a licensed marriage and family therapist who has at least five (5)years of experience or an equivalent supervisor, as determined by the board.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Iowa	**LMFT**	**Licensed Marital and Family Therapist**	LMFT - https://www.legis.iowa.gov/docs/ACO/IAC/LINC/06-12-2013.Rule.645.31.5.pdf a.Be a minimum of two years or the equivalent of full-time, postgraduate supervised professional work experience in marital and family therapy. b.Be completed following completion of the practicum, internship, and all graduate coursework, with the exception of the thesis. c.Include successful completion of at least 3,000 hours of marital and family therapy that shall include at least 1,500 hours of direct client contact and 200 hours of clinical supervision. Applicants who entered a program of study prior to July 1, 2010, shall include successful completion of 200 hours of clinical supervision concurrent with 1,000 hours of marital and family therapy conducted in person with couples families and individuals. d.Include a minimum of 25 percent of all clinical supervision in person. Up to 75 percent of all supervision may be completed by electronic means with no more than 50
Kansas	**LMFT** **LCMFT**	**Licensed Marriage and Family Therapist** **Licensed Clinical Marriage and Family Therapist**	Hours of experience for LCMFT - http://www.ksbsrb.org/faq_LMFT-LCMFT.htm#CMFT The total amount to be completed over a minimum of 24 months is 4,000 hours of experience, including 1500 hours of direct client contact providing psychotherapy and assessments and 150 hours of supervision. The supervision shall be provided throughout the entirety of the postgraduate supervised professional experience with at least one hour of clinical supervision each week that the supervisee accrues at least 15 hours of direct client contact. Of the 150 required supervision hours, at least 50 hours must be individual, face-to-face supervision. The remaining 100 hours may be done in either group or individual supervision. There can be no more than 6 supervisees in the group. There must be at least two separate supervision sessions per month, at least one of which shall be one-on-one individual

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Kentucky	**LMFT** **LMFTA**	**Licensed Marriage and Family Therapist** **Licensed Marriage and Family Therapist Associate**	At least two (2) years' experience in the practice of marriage and family therapy, acceptable to the board and subsequent to being granted a master's degree; and A minimum of two hundred (200) hours of clinical supervision acceptable to the board and subsequent to being granted a master's degree.
Louisiana	**LMFT**	**Licensed Marriage and Family Therapist**	Up to 220 of the required 500 hours of supervised direct client contact and 44 of the required 100 hours of face-to-face supervision not completed during a practicum and/or internship during the completion of the qualifying degree program or postgraduate training institute may be completed once an applicant is provisionally licensed as a provisional licensed marriage and family therapist and is under the supervision of an LMFT board-approved supervisor. These hours shall be added to the required 2000 hours of supervised direct client contact required for licensure. Experience Requirements. While maintaining a license in good standing as a LMFT, the applicant must have completed a minimum of two years of professional experience as a marriage and family therapist working with individuals, couples, families or groups from a systemic perspective or working as an academic clinical supervisor utilizing a systemic orientation as determined by the advisory committee.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Maine	**LMFT**	**Licensed Marriage and Family Therapist**	Except as set forth in Section 4(2) of this chapter, the applicant shall complete 3000 hours of supervised clinical counseling experience in marriage and family counseling over a period of not less than 2 years following attainment of the qualifying degree. The 3000 hours shall include a minimum of 1000 hours of direct clinical contact hours with couples and families. The conditional licensee must receive a minimum of 200 hours of clinical supervision with the approved supervisor designated by the licensee. Supervision shall occur with substantial regularity throughout this period at the approximate rate of one hour of supervision per 15 hours of experience. Of the minimum 200 hours of clinical supervision, at least 100 hours shall consist of individual supervision. The approved supervisor may participate by live audio conference or live videoconference in lieu of physical presence in up to 50 hours of individual supervision. Unless waived pursuant to Section 4(4) of this chapter, supervised experience must be earned during the applicant's period of conditional licensure.
Maryland	**LCMFT**	**Licensed Clinical Marriage and Family Therapist**	To qualify for licensure as a clinical marriage and family therapist, an applicant shall have completed or achieved: A supervised clinical practice that includes at least 60 hours of approved supervision and 300 hours of direct client contact with couples, families, and individuals, at least 100 hours of which are relational therapy. C. Not less than 2 years with a minimum of 2,000 hours of supervised clinical experience in marriage and family therapy obtained under the supervision of an approved marriage and family therapy supervisor after the award of the master's degree, doctoral degree, or its substantial equivalent as determined by the Board, of which: (1) 1,000 hours shall be face-to-face client contact hours; and (2) 100 hours shall be face-to-face clinical
Massachusetts	**LMFT**	**Licensed Marriage and Family Therapist**	2 years, 3360 hours, post masters supervised clinical experience under the direction of an approved supervisor. 200 hours of supervision are required, 100 must be individual supervision.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Michigan	**LMFT**	**Licensed Marriage and Family Therapist**	1000 direct client contact hours 60 hours of that under supervision concurrent with the 300 hours of supervised direct client contact hours
Minnesota	**LMFT and LAMFT**	**Licensed Marriage and Family Therapist and Licensed Associate Marriage Family Therapist**	2 years, 1000 hours of clinical contact including assessment, diagnosis, and treatment of mental illness 200 hours of supervision 500 of those hours must be in: unammried couples, married couples, separating and divorcing couples, and family groups including children
Mississippi	**LMFT and LMFTA**	**Licensed Marriage and Family Therapist and Licensed Marriage and Family Therapy Associate**	12 consecutive monthsthat provided him or her face to face clinical practice with individuals, couples and families Minimum of 500 face to face client contact hours
Missouri	**LMFT**	**Licensed Marriage and Family Therapist**	Minimum of 24 calendar months of supervised experience Minimum of 3000 hours of supervised experience in marital and family therapy
Montana	**LMFT**	**Licensed Marriage and Family Therapist**	3000 hours of supervised experience 1000 hours of face-to-face client contact in the practice of marriage and family therapy 500 may be accumulated while achieving the
Nebraska	**CMFT**	**Certified Marriage and Family Therapist**	3000 hours of supervised experience in mental health practice. during the 5 years immediately preceding the application of license
Nevada	**MFT and MFT Intern**	**Marriage and Family Therapist and Marriage and Family**	2 years of postgraduate experience in marriage and family therapy 3000 hours of supervised experience in marriage and family therapy, of which at least
New Hampshir	**LMFT**	**Licensed Marriage and Family Therapist**	2 years, 1000 hours of supervised practice under supervision approved by the AAMFT or the board 200 hours of face-to-face supervision by a supervisor approved
New Jersey	**LMFT**	**Licensed Marriage and Family Therapist**	2 years of supervosed marriage and family therapy experience and one calendat year of counsleing experience. Supervised marriage and family therapy experience for each calendar year shall consist of: - a minimum of 50 hours of face-to-face supervision, of which not more that 25 may be in group supervision - maximum of 1150 of actual marriage and family therapy client contact - maximum of 300 hours of other work-related activities

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
New Mexico	**LMFT**	**Licensed Marriage and family Therapist**	A minimum of two years' postgraduate marriage and family therapy experience. 1,000 hours of postgraduate marriage and family clinical client contact. 200 hours of appropriate postgraduate marriage and family supervision, including at
New York	**MFT, LMFT**	**Marriage & Family Therapist, Licensed Marriage & Family Therapist**	To meet the experience requirement for licensure as a Marriage and Family Therapist, you must complete at least 1,500 client contact hours in the practice of Marriage and Family Therapy. The experience may only be completed under a limited permit issued by the Department or as part of the licensure qualifying education program, for experience in New York; experience completed in other jurisdictions must be completed legally in accordance with the laws of the jurisdiction. You and your supervisor must submit documentation of completion of a supervised clinical experience of at least 1,500 client
North Carolina	**LMFT, LMFTA**	**Licensed Marriage and family Therapist, Licensed Marriage and family therapy associate**	LMFTA: a signed supervision with a AAMFT approved Supervisor must accompany the license application. LMFTA's have up to 3 yrs from the date of initial licensing to acquire the clinical and approved hours required for transition to LMFT. LMFT: At least 1500 hrs clinical experience (face to face therapy) in the practice of marriage and family therapy, not more than 300 hrs of which were obtained while the applicant was a student in degree program, at least 1000 which were obtained after the degree was granted, min of 200 supervision hrs
North Dakota	**LAMFT,LMFT**	**Associate Marriage and family therapist licensee that has completed the educational and exam requirements, and is in the process of completing postgraduate supervision hrs. Licensed Marriage and family therapist**	2 yrs, minimum of 1500 hrs Supervised: at least 200 hrs face to face contact with at least 100 hr settings in individual settings. 100 hrs per yr, min of one hr every 2 weeks.
Ohio	**MFT, IMFT**	**Marriage & Family Therapist, Independent Marriage & Family Therapist**	at least two calender years of supervised training while engaged in the practice of marriange and family therapy

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Oklahoma *these regulations are stated as unofficial and	**LMFT**	**Licensed Marriage and family Therapist**	(1) Applicants must complete two (2) calendar years of work in marital and family therapy following the receipt of the qualifying degree.(2) These two years must be completed under a supervisor approved by
Oregon	**LMFT**	**Licensed Marriage and family Therapist**	LMFT direct method: 2,000 hrs prior to July 1,2002 or from out of state*at least 480 hours of clinical experience must accrue within 5 yrs prior to application. LMFT intern method: 2000 hrs total of 1,000 hrs providing therapy
Pennsylvania	**LMFT**	**Licensed Marriage and Family therapist**	masters: 3000 hours under supervision. This must be accomplished in no less than two years. 1500 hours must be clinical, the other 1500 hours are non-clinical work hours. You must complete 600 hours in one year to count any hours.
Rhode Island	**MFT**	**Marriage and family therapist**	minimum of 12 semester hours or 18 quarter hours of supervised practicum and a one (1) calendar year of supervised internship consisting of twenty (20) hours per week or its equivalent with emphasis in marriage and family therapy supervised by the department within the college or university granting the requisite degree or by an accredited postgraduate clinical training program, approved by COAMFTE and/or experience which is deemed equivalent by the Board; and a minimum of two (2) years of relevant postgraduate experience, including at least two thousand (2,000) hours of direct client contact offering clinical or counseling or therapy services with emphasis in marriage and family therapy subsequent to being awarded a master's degree or doctorate with a minimum of one hundred (100) hours of post-degree supervised case work spread over two (2) years.
South Carolina	**LMFT, LMFT intern**	**Licensed Marriage and Family therapist, Licensed Marriage and family therapy intern**	The clinical experience must include a minimum of three hundred (300) hours of face-to-face client contact, one half (1/2) of which must be relational. A minimum of fifty (50) hours of clinical supervision must be provided by a marriage and family therapy supervisor. LMFT intern: The clinical experience must include a minimum of three hundred (300) hours of face-to-face client contact, one half (1/2) of which must be relational. A minimum of fifty (50) hours of clinical supervision must be provided by a marriage and family therapy supervisor.
Guam	**IMFT**	**Individual Marriage and Family therapist**	3000 hours of documented post graduate clinical expereince and 100 hours of supervision, 1500 of the hours must be face to face treatment.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
South Dakota	**LMFT**	**Licensed Marriage & Family Therapist**	LMFT: 1,700 hrs of post-graduate experience providing therapy; 200 supervision hrs, 100 of which must be individual; Min of 2 yrs
Tennessee	**LMFT, CMFT**	**Licensed Marriage & Family Therapist, Certified Marriage and Family Therapist**	LMFT: 1,000 hrs of post-graduate clinical experience; 200 hrs of direct supervision, 2 yrs post-mater's clinical experience consisting of no less than 10 hrs per week pursuant to rule 0450-02.14 and 0450-02-.05; Passed the Tennessee Jurisprudence Exam for LMFTs as administered by Board Staff; CMFT: Meets
Texas	**LMFT, LMFT Associate**	**Licensed Marriage & Family Therapist, License Marriage & Family Therapist Associate**	LMFT: 3,000 hrs of board-approved marriage and family therapy practice, 1,500 hrs of which must be direct clinical experience, of which 750 hrs must be provided to couples and families; At least 200 hrs board-approved supervision, of which at least 100 hrs of individual supervision, no more than 100 hrs being transferred from the graduate program, at least 50 hrs of the post-graduate supervision must be individual supervision, of the 200 hrs, no more than 50 hrs may be by telephonic or electric media, a minimum of 1 hr of supervision every 2 weeks; Minimum of 2 yrs experience; passed Texas Jurisprudence Exam, examination specifics found in Rules-Subchapter H; LMFT Associate: Meets educational requirements and working under supervision, has yet to submit documentation of supervised clinical experience
Utah	**MFT, Associate MFT/Extern**	**Marriage and Faaily Therapist, Associate Marriage and Family Therapist/Extern**	MFT: A minimum of 4,000 hrs of supervised training which shall: (a) be completed in not less than 2 yrs; (b) be completed while the applicant is an employee of a public or private agency engaged in mental health therapy; (c) include at least 100 hrs of direct supervision spread uniformly throughout the training period; (d) include a minimum of 1,000 hrs of mental health therapy of which at least 500 hrs are in couple or family therapy with 2 or more clients participating and at least 1 physically present; Specifics found in R156-
Vermont	**MFT**	**Marriage and Family Therapist**	MFT: No supervised practice may occur within the State of Vermont until the prospective license has been entered on the roster of non-licensed and non-certified psychotherapists; 3,000 hrs of supervised individual, couple, family , or group therapy from a systems perspective over a minimum of 2 yrs; 2,000 hrs of which must be direct service, 50% of which must be with couples and/or families;

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State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Virginia	**MFT; Resident in MFT**	**Marriage and Family Therapist; Resident in Marriage and Family Therapy**	MFT: 4,000 hrs of supervised, post-graduate degree work experience in a minimum of 2 yrs, in those 2 yrs an applicant must complete 1,000 hrs of direct client contact of which at least 500 hrs must be with couples and/or families, and 200 hrs of face-to-face supervision with a licensed supervisor receiving a minimum of 1 hr of supervision per 20 hrs of spervised work experience; Resident in MFT: have completed the specified educational requirements; have completed at least 2 yrs of supervised post-graduate degree experience, no fewer than 4,000 hrs of supervised work experience, to include 200 hrs of supervision, received a min of 1 hr ad a max of 4 hrs of supervision for every 40 hrs of supervised work experience, no more than 100 hrs of supervision may be acquired through grou psupervision, at least 2,000 hrs must be acquired in direct client contact of which 1,000 hrs shall be with couples or families or both
Washington	**LMFT; LMFTA**	**Licensed Marriage and Family Therapist; Licenced Marriage and Family Therapist Associate**	LMFT: 3,000 hrs of experience, 1,000 hrs of which must be direct client contact, 500 hrs must be gained in diagnosing and treating coupes and families in a min of 2 calendar yrs of full-time marriage and family therapy; at least 200 hrs of qualified supervision, 100 of which must be one-on-one supervision, and the remaining hours may be in one-on-one or group supervision; of the total supervision, 100 hrs must be with a licensed marriage and family therapist (LMFT) who has at least five yrs clinical experience, the other 100 hrs may be with a equally qualified licensed mental health practitioner; LMFTA: pre-licensure candidate with a graduate degree in a mental health field that is gaining the experience necessary to become a licensed marriage and family therapist under supervision

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State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Washington D.	**LMFT; Unlicensed MFT**	**Licensed Marriage and Family Therapist; Unlicensed Marriage and Family Therapist**	LMFT: 2,000 hrs of supervised practice in marriage and family therapy, 1,000 hrs of which must be face-to-face direct client contact hours, 1 hr of direct supervision required for every 20 hrs of direct client contact, all of which must be in a minimum of 2 yrs and within 5 yrs after the day the first qualifying degree was conferred and the practicum completed; Unlicensed MFT: has completed the educational requirements for a degree in marriage and family therapy but has not met the clinical requirements for licensure and is engaged in the practice of marriage and family therapy pursuant to § 7712.
West Virginia	**MFT: Provisionally LMFT**	**Marriage and Family Therapist; Provisionally Licensed Marriage and Fmaily Therapist**	M.A. degrees: 3,000 hrs of supervised marriage and family therapy post-graduate work experience in a min of 2 yrs; Doctoral degree: 1500 hrs of supervised marriage and family therapy work experience after earning degree in a min of 1 yr; Both M.A. and Doctoral degrees: at least 50% of the supervised marriage and family therapy experience must be in the direct provision of therapy to individuals, couples or families, 1 hr of direct individual supervision per 20 hrs of practice; Provisionally LMFT: Meets education requirements and is working under supervision, has yet to submit documentation of supervised experience, provisional license is valid for 36 months and may be renewed once for an additional 24 months
Wisonsin	**LMFT; Temporarily Licensed MFT; Training Licensed MFT**	**Licensed Marriage and Family Therapist; Temporarily Licensed Marriage and Family Therpist; Training Licensed Marriage and Family Therapist**	LMFT: 3000 hrs of post-graduate supervised experience including at least 1000 hrs of face-to-face client contact in a min of 24 months, applicant must apply for a training license in order to accrue experience hrs; passed the state and national exam with specifics found in MPSW 18.01; Temp LMFT: completed educational and supervised practice requirements and is waiting for the next available examination, temp license is valid for 9 months; Training LMFT: satisfies the education requirements found in 457.06 and is working under supervision to fulfill experience requirements, training license valid for 48 months.

AMFTRB State Licensure Comparison Chart (compiled July, 2015 – check individual state websites of details and any changes to laws or rules)			
State	**Title(s)**	**Title(s) Meaning**	**Post-Graduate Experience Needed**
Wyoming	**LMFT; PMFT**	**Licensed Marriage and Family Therapist; Provisional Marriage and Family Therapist**	LMFT: 3,000 hrs of supervised clinical training/work post-graduate experience in individual, couple, marriage and family therapy, 1,200 hrs of which msuch be direct client contact hours, and 500 of those hrs must be direct clinical services to couples and families; PMFT: educational requirements have been met, individual may continue progress, under the supervision of a designated qualified clinical supervisor and under the administrative supervision of an employer, towards satisfactory completion of the education, experience and examination requirements established in these rules, provisional license is not renewable but may be extended upon a showing of good cause

Source: Association of Marital and Family Therapy Regulatory Boards (AMFTRB).

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Attachment C

Licensure Requirements for Professional Counselors – 2014

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
ARIZONA AZ Board of Behavioral Health Examiners 3443 N. Central Avenue, Suite 1700 Phoenix, AZ 85012 602/542-1882 602/364-0890 (fax) **Counseling Contact:** Pamela Osborn **Pamela.Osborn@azbbhe.us** (602) 542-1895 information@azbbhe.us **http://azbbhe.us/** Application fee: $250 LPC License fee: $250 LAC License fee: $100 Temporary License fee: $50 Fingerprint Background Check: $29	**Licensed Professional Counselor** (LPC) **Licensed Associate Counselor** (LAC) LACs shall practice only under direct supervision as prescribed by the board and shall not engage in independent practice.	Master's degree or higher in counseling or a related field from a program that is either CACREP or CORE accredited or includes a minimum of 60 semester hours and completion of coursework in 14 content areas. As of October 31, 2015: If a program is not accredited by CACREP or CORE, it must require 700 clinical supervision hours and a minimum of 24 semester hours in 8 content areas.	2 years/3,200 hours of full-time post-master's supervised work experience in psychotherapy, including assessment, diagnosis, and treatment. 100 hours of clinical supervision and 1,600 hours of direct client contact are required. No more than 400 of the additional hours can be psychoeducational. Applicant must receive a minimum of 10 hours of clinical supervision obtained during direct observation or a review of audiotapes/videotapes by the clinical supervisor while applicant is providing treatment and evaluation services to a client.	NCE, NCMHCE or CRCE

Source: "Licensure Requirements for Professional Clinical Counselors: A State-by-State Report" 2014 Edition, American Counseling Association

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
COLORADO CO **Division of Professions and Occupations** 1560 Broadway, Suite 1350 Denver, CO 80202 303/894-7768 303/894-7764 (fax) Contact: Karin Gleichauf **Karin.gleichauf@state.co.us** mentalhealth@dora.state.co.us **www.dora.state.co.us/mental-health** LPC License: $160 Provisional License: $100 LPC Candidate: $160	**Licensed Professional Counselor** (LPC) **Licensed Professional Counselor Candidate** (LPCC)* An applicant who has completed the education requirements and is under a licensed supervisor; valid for 4 years. (if not registered as a LPCC, must register as a Registered Psychotherapist in the Registered Psychotherapist Board Database)	Master's degree or higher in professional counseling from a CACREP accredited program, or equivalent program from a regionally accredited college/ university consisting of 48 semester hours, completion of coursework in core areas and a practicum and/or internship. *If enrolled after August 31, 2014, the program must consist of 60 graduate semester hours..	2 years/2,000 hours of post-master's practice in applied psychotherapy under board approved supervision. (Doctoral degree can be 1,000 in 12 months) 100 hours of supervision is required, 70 of which must be face to face individual supervision. The teaching of psychotherapy can count up to 600 hours and 30 hours of required supervision *Electronic supervision is allowed – initial 2 hour meeting must be in person and every six (6) months an in person meeting must be had and the electronic supervision must be audio and visual (as of July 20, 2012)	NCE and CO Jurisprudence Exam

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
FLORIDA FL Board of Clinical Social Work, Marriage & Family Therapy, and Mental Health Counseling 4052 Bald Cypress Way, BIN C-08 Tallahassee, FL 32399-3258 850/245-4474 850/921-5389 (fax) mqa_491@doh.state.fl.us **www.doh.state.fl.us/mqa/491** Application fee: $100 Initial License fee: $105 Registered Mental Health Counselor Intern Application fee: $150	**Licensed Mental Health Counselor** (LMHC) **Provisional Mental Health Counselor** A person provisionally licensed to provide mental health counseling under supervision; valid for 24 months. Issued to licensure applicants who have completed their clinical experience requirement intending to provide services in Florida while satisfying coursework and/or exam requirements.	Master's degree or higher from a CACREP accredited mental health counseling program that includes 60 semester hours, a course in human sexuality, and a course in substance abuse. OR Master's degree or higher from a program related to the practice of mental health counseling from an accredited institution that includes 60 semester hours, 12 specific course content areas, and 1,000 hours of a supervised practicum, internship, or field experience. AND for both options: Completion of an 8 hour laws and rules course, a 2 hour prevention of medical errors course from a board approved provider:, And within 6 months of licensure have to complete from a board approved provider: 3 hour course on human immunodeficiency virus and acquired immune deficiency syndrome 2 hour domestic violence course from a board approved provider.	2 years of supervised post-master's clinical experience in mental health counseling that consists of at least 1,500 hours providing psychotherapy face-to-face with clients and at least 100 face-to-face hours of supervision (50 of which can be group supervision). Supervision must be under an LMHC or equivalent.	NCMHCE

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
IDAHO ID State Licensing Board of Professional Counselors and Marriage & Family Therapists Physical address: 700 W. State St. Boise, ID 83702 Contact: Deborah Sexton Deborah.Sexton@ibd.idaho.gov Mailing address: PO Box 83720 Boise, ID 83720-0063 208/334-3233 208/334-3945 (fax) cou@ibol.idaho.gov **http://www.ibol.idaho.gov** LPC/LCPC Application fee: $75 LPC/LCPC License fee: $75 Counselor Intern Application fee: $25	**Licensed Clinical Professional Counselor** (LCPC) **Licensed Professional Counselor** (LPC) **Registered Counselor Intern** A counselor performing under supervision as a part of the supervised experience requirement.	Master's degree or higher in a counseling field from an accredited college/university, with 60 semester hours and completion of a 6 semester hour advanced counseling practicum.	**LCPC** Hold a valid LPC license; and 2 years/2,000 hours of supervised direct client contact experience accumulated after licensure in any state. 1,000 hours must be under supervision of an LCPC. Minimum of 1 hour face-to-face, one-on-one supervision for every 30 hours of direct client contact. Successful completion of a Diagnostic Evaluation graduate course or equivalent training/ experience acceptable to the board. **LPC** 1,000 hours is defined as one thousand clock hours of experience working in a counseling setting, 400 hours of which shall be direct client contact. Supervised experience in practica and/or internships taken at the graduate level may be utilized. The supervised experience shall include a minimum of 1 hour of face-to-face or one-to-one or one-to-two consultation	**LCPC** NCMHCE **LPC** NCE

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
MARYLAND MD Board of Examiners of Professional Counselors and Therapists 4201 Patterson Avenue Baltimore, MD 21215 Contact: Anna Sullivan Anna.sullivan@maryland.gov 410/764-4732 410/358-1610 (fax) **www.dhmh.state.md.us/bopc** Application Processing: $75 Credentials Evaluation fee: $25 Certification and Licensure fee: $100	**Licensed Clinical Professional Counselor** (LCPC) **Licensed Graduate Professional Counselor** Title used while fulfilling the supervised clinical experience requirement.	Master's degree or higher in professional counseling or related field from an accredited educational institution, with a minimum of 60 graduate semester hours in specific coursework, including completion of an alcohol and drug counseling course and supervised field experience. OR Doctoral degree with a minimum of 90 graduate semester hours in counseling training approved by the board.	3 years/3,000 hours of supervised clinical experience in professional counseling (2 years/2,000 hours must be post-masters). 1,500 hours must be face-to-face client contact and 100 hours minimum of face-to-face clinical supervision. Supervision must be under a board approved supervisor. At least half of hours need to be accumulated under the supervision of an LCPC approved by the board. If obtained a doctoral degree: 2 years/2,000 hours of supervised clinical experience in professional counseling (1 year/1,000 hours must be post-doctorate). 1,000 hours must be face-to-face client contact and 50 hours minimum of face-to-face clinical supervision. Supervision must be under a board approved supervisor.	NCE and Maryland Professional Counselors and Therapists Act Exam

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
MISSOURI MO Committee for Professional Counselors 3605 Missouri Boulevard P.O. Box 1335 Jefferson City, MO 65102 573/751-0018 800/735-2966 TTY 573/751-0735 (fax) profcounselor@pr.mo.gov **http://pr.mo.gov/counselors.asp** Contact: Loree Kessler **Loree.Kessler@pr.mo.gov** Application fee: $150 Registration of Supervision fee: $100 Background Fingerprint Check (if done electronically through L-1 Enrollment Services): $52.20 www.l1id.com	**Licensed Professional Counselor** (LPC) **Counselor-in-Training** Issued automatically when supervision is registered and approved and all other requirements are met.	Master's degree or higher in counseling, counseling psychology, clinical psychology, or school psychology from a regionally accredited college/university, with at least 48 semester hours reflecting the CACREP or CORE curriculum and a practicum, internship, or field experience consisting of 6 semester hours in the practice of counseling.	2 years/3,000 hours of post-master's continuous counseling experience (full or part-time), to be completed within 60 months. 1,200 hours must be direct client contact. 30 hours of post-master's study may be substituted for 1,500 of the 3,000 hours. If obtained a doctorate or specialist's degree: 1 year/1,500 hours of counseling experience (full or part-time), to be completed within 36 months. 600 hours must be direct client contact. For both degree paths: 15 hours of supervised counseling experience per week is required, with 1 hour a week of face-to-face supervision. If electronic supervision is continuously interactive, it can count towards required hours. Supervision must be under an LPC or licensed psychologist or psychiatrist approved and registered with the board.	NCE

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
NEVADA NV Board of Examiners for Marriage & Family Therapists and Clinical Professional Counselors P.O. Box 370130 Las Vegas NV 89134-0130 702/486-7388 702/486-7258 (fax) nvmftbd@mftbd.nv.gov **http://marriage.state.nv.us/** Initial Application fee: $75 Issuance of Initial License: $50	**Licensed Clinical Professional Counselor** (LCPC) **Licensed Clinical Professional Counselor Intern** Required before beginning supervised experience after obtaining valid master's degree; valid for 3 years.	Master's degree or higher in mental health counseling or community counseling from a program approved by CACREP, or equivalent program of at least 48 semester hours and completion of the minimum required coursework, including three semester hour courses or four quarter hour courses in Supervised Clinical Practice by way of either practicum or internship in mental health counseling; accomplished over a period of one academic year.	2 years/3,000 hours of post-master's supervised counseling experience. To include 1,500 hours of direct client contact, 1,200 hours in the practice of clinical professional counseling and 100 hours of direct supervision under an approved supervisor of which at least 1 hour per week was completed for each work setting at which the applicant provided counseling.	NCMHCE

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
NORTH CAROLINA NC Board of Licensed Professional Counselors P.O. Box 1369 Garner, NC 27529 919/661-0820 919/779-5642 (fax) ncblpc@mgmt4u.com **www.ncblpc.org** Application fee (if mailed): $5 Application processing fee: $100	**Licensed Professional Counselor** (LPC) **Licensed Professional Counselor Associate** (LPCA) Individuals who are pursuing the LPC license but still need to complete the supervised experience requirements.	Master's degree or higher in counseling from a regionally accredited institution of higher education that includes coursework in 9 areas of study and meets the following additional requirements: -If enrolled prior to July 1, 2009 48 semester hours (or 72 quarter hours) are required. -If enrolled prior to July 1, 2013 but after June 30, 2009 54 semester hours (or 81 quarter hours) are required. -If enrolled after June 30, 2013 60 semester hours (or 90 quarter hours) are required. A practicum and internship must be completed as part of the graduate course of study: -must cover at least a combined total of 17 hours of graduate counseling supervision; -must consist of a combined minimum of 300 hours of supervised graduate counseling experience at a rate of not less than 1 hour of clinical supervision per 40 hours of graduate counseling experience; and -at least 60% of this counseling experience shall be direct graduate counseling experience.	3,000 hours of supervised professional practice; 2,000 hours must be direct counseling. No hours can be applied from the practicum/internship. Not less than 8 hours per week but no more than 40 hours per week. 100 hours of clinical supervision required. 75 hours must be individual supervision. Must have a minimum of 1 hour of clinical supervision for every 40 hours of professional practice. Supervision shall be based on direct (live) observation, co-therapy, audio and video recordings, and live supervision. Supervisor must be approved by the board.	**LPC/LPCA** NCE, NCMHCE, or CRCE and NC jurisprudence exam **LPCA** NCE, NCMHCE, or CRCE

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
OREGON OR Board of Licensed Professional Counselors and Therapists 3218 Pringle Road SE, Suite 250 Salem, OR 97302-6312 503/378-5499 503/373-1427 (fax) lpc.lmft@state.or.us **www.oregon.gov/oblpct** Application fee: $125	**Licensed Professional Counselor** (LPC) **Registered Intern** An applicant registered to obtain post-degree supervised work experience toward licensure.	Master's degree or higher in counseling, with 48 semester hours (or 72 quarter hours) in a CACREP or CORE accredited program, or the content equivalent, from a regionally accredited institution. Completion of an internship/ practicum consisting of 600 clock hours. If Graduating after October 1, 2014: Master's degree or higher in counseling, with 60 semester hours (or 90 quarter hours) in a CACREP or CORE accredited program, or the content equivalent, from a regionally accredited institution.	3 years of full-time supervised experience in counseling, to include 2,400 hours of direct client contact. The supervision must take place concurrently with the direct client contact hours and must total no less than 2 hours of supervision for months where 45 or less direct client contact hours are completed; or total no less than 3 hours of supervision for months where 46 or more direct client contact hours are completed. Up to 75% of the individual supervision can be electronic and 50% of total supervision can be group. An approved supervisor must provide supervision. 600 (from 48 credit hours) or 700 (from 60 credit hours) client contact hours may be obtained during the clinical portion of the qualifying degree program.	NCE, NCMHCE, CRCE, or other exam, as approved by the board and Oregon Law and Rules Exam

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
TEXAS TX State Board of Examiners of Professional Counselors P.O. Box 149347, MC 1982 Austin, TX 78714 512/834-6658 512/834-6677 (fax) lpc@dshs.state.tx.us **www.dshs.state.tx.us/counselor/** Application fee: $200	**Licensed Professional Counselor** (LPC) **Licensed Professional Counselor Intern** (LPC-I) An applicant practicing under supervision; valid for 5 years.	Master's degree or higher in professional counseling or related field from an accredited college/university consisting of 48 graduate semester hours. Completion of specific coursework and a 300 clock hour supervised practicum with at least 100 hours of direct client contact. Counseling related field: a mental health discipline utilizing human development, psychotherapeutic, and mental health principles including, but not limited to, psychology, psychiatry, social work, marriage and family therapy, and guidance and counseling. Non-counseling related fields include, but are not limited to, sociology, education, administration, dance therapy and theology.	3,000 hours of post-master's supervised experience, including 1,500 hours of direct client contact. Supervision must be under a board approved LPC.	NCE and Texas Jurisprudence Exam

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
UTAH UT Professional Counselor Licensing Board P.O. Box 146741 Salt Lake City, UT 84114 801/530-6628 866/275-3675 (Utah toll-free number) 801/530-6511 (fax) **http://dopl.utah.gov/licensing/professional_counseling.html** LPC Application fee: $120 CPC Intern Application fee: $85	**Licensed Clinical Mental Health Counselor** (LCMHC) **Licensed Associate Clinical Mental Health Counselor** (LACMHC Credential required before starting the supervised experience requirement; valid for 3 years.	Master's degree or higher in mental health counseling from a CACREP accredited program, including a minimum of 60 graduate semester hours (or 90 quarter hours) in specific coursework. A minimum of 3 semester hours or 4 ½ quarter hours of a practicum. A minimum of 6 semester hours or 9 quarter hours of an internship.	Must already possess the LACMHC 4,000 hours of post-master's supervised professional counseling experience. 1,000 hours must be supervised experience in mental health therapy. 100 hours of face-to-face supervision required. Supervision must be under a licensed mental health therapist on site on with a contract.	NCE, NCMHCE, and the Utah Professional Counselor Law, Rules and Ethics Exam

State	Credential Title(s)	Educational Requirements	Experiential Requirements	Exam Required
WASHINGTON WA Licensed Mental Health Counselors, Marriage & Family Therapists and Social Workers Advisory Committee P.O. Box 47877 Olympia, WA 98504-7877 360/236-4700 360/236-4818 (fax) hpqa.csc@doh.wa.gov **www.doh.wa.gov/licensing/** LMHC Application fee: $150 LMHC Initial License fee: $125 LMHCA Application fee: $50 Certified Counselor application and certification fee: $110 Examination or re-examination fee: $85 Certified Adviser application and certification fee: $80 Examination or re-examination fee: $85 Agency Affiliated Counselor application and registration fee: $50	**Licensed Mental Health Counselor** (LMHC) **Licensed Mental Health Counselor Associate** (LMHCA)* A pre-licensure candidate who has a graduate degree in mental health counseling or related field and is working toward meeting the supervised experience requirements (may renew annually up to 6 times) .	**LMHC/LMHCA** Master's degree or higher in mental health counseling or related field from a regionally accredited college or university that includes a supervised counseling practicum or internship. Individuals who are certified as NCC or CCMHC are considered to meet educational requirements. **ALL professionals must complete** 4 hours of HIV/AIDS education and training.	**LMHC** 3 years of full-time counseling or 3,000 hours of postgraduate supervised mental health counseling in an approved setting. To include 1,200 hours of direct counseling with individuals, couples, groups, or families and 100 hours of immediate supervision by a board approved supervisor. Graduates from CACREP-accredited programs can count up to 50 hours of supervision and 500 hours of experience from their practicum/internship.	**LMHC** NCE or NCMHCE **LMHCA** None

Board of Behavioral Sciences

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Memo

To: Committee Members

Date: August 26, 2015

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: **Proposed 2016 Omnibus Legislation**

Upon review, staff has determined that several sections of the Business and Professions Code (BPC) pertaining to the Board of Behavioral Sciences require amendments. These amendments are as follows:

1. **Delete BPC Sections 4980.40, 4980.50, 4980.80, 4980.90, 4984.01, 4984.7, 4984.72, 4992.1, 4996.1, 4996.3, 4996.4, 4999.45, 4999.46, 4999.50, 4999.52, 4999.57, 4999.58, 4999.59, 4999.100 - Expired Examination Restructure Provisions and Out-of-State Applicant Provisions**

   Background: The Board's examination restructure, affecting the exam process for LMFT, LCSW, and LPCC applicants, takes effect on January 1, 2016. The Board's new out-of-state application requirements for LMFT and LPCC applicants also take effect on January 1, 2016. At this time, several Business and Professions Code sections defining the old processes and requirements become inoperative.

   Recommendation: Delete the above-referenced BPC sections, as they are no longer operative.

2. **Amend BPC Sections 4980.43(b), 4996.23, and 4999.47(a) – Experience Gained as an Independent Contractor**

   Background: The law allows LMFT, LCSW, and LPCC applicants to gain experience hours as a W-2 employee or a volunteer, but not as an independent contractor. However, the Board gets a significant number of applications for exam eligibility from individuals who are contracting and receiving a 1099 tax form. Some applicants think that because the statute says "employed", they can be 1099 employees, which is incorrect.

Recommendation: Amend the law to clarify that interns, trainees, and associates may not be employed as independent contractors, and that they may not gain any experience hours for work performed as an independent contractor and/or reported on an IRS Form 1099.

3. **Amend BPC Sections 4980.43 and 4999.46 – Amount of Supervised Experience Required for Applicants in the Exam Cycle**

Background: LMFT and LPCC licensing law requires all applicants to be under supervision at all times. It sets specific requirements for how much supervision and intern and trainee must have. However, the law is unclear about how much supervision an LMFT and LPCC applicant in the exam cycle must obtain. Unlike interns, such an applicant is no longer gaining experience hours to count toward licensure and is waiting to take/pass the examinations.

LCSW licensing law has a provision that specifies that associates and applicants for examination must receive at least one hour of supervision per week for each setting he or she is working in (BPC §4996.23(n)). This does not mean more hours may not be required, for example, if an associate worked over 10 hours in a setting, he or she would still be required to obtain an additional hour of supervision (BPC §4996.23(c)(3)).

Recommendation: Amend BPC Sections 4980.43 (LMFT law) and 4999.46 (LPCC law) to state that interns and applicants for examination must receive at least one hour of direct supervisor contact per week for each setting he or she is working in. This would clear up confusion about how much supervision an applicant who is finished gaining his or her hours, but who has not yet passed the examination, must obtain.

As part of this change, BPC Sections 4980.43(c)(2) (LMFT law) and 4999.46(g)(2) have also been amended to clarify that these subsections only apply to interns and intern applicants (those following the 90 day rule which allows gaining hours in an exempt setting while waiting for the intern number to be issued).

4. **Amend BPC Section 4992.05 – Associate Clinical Social Worker Reference**

Background: The statute refers to registrants gaining hours to be an LCSW as "associate clinical social workers." Subsection 4992.05(b) references "associate social workers."

Recommendation: Replace the term "associate social worker" in Section 4992.05(b) with the term "associate clinical social worker."

5. **Amend BPC Section 4996.18 – LCSW Applicants: School Accreditation and Exam Eligibility**

Background: This statute states that an LCSW applicant is not eligible for examination until his or her school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

The purpose of this statute is to keep an LCSW applicant from becoming licensed until it is confirmed that his or her school obtains the accreditation required for licensure. However,

the wording of this requirement could be problematic when the timing of the exams changes with the exam restructure.

Under the exam restructure, associates must take a law and ethics exam within the first year of registration in order to renew that registration. This new requirement results in the first examination being taken much sooner after graduation that the previous requirement did (previously, both required exams were taken at the end of gaining hours). Since accrediting a school sometimes takes several years, the language could cause a first year associate to be unable to take the law and ethics exam, and consequently, be unable to renew his or her associate registration.
To remedy this situation, staff proposes allowing registrants to take the law and ethics exam so that they may continue renewing their registrations. Instead, they would be prohibited from taking the clinical exam (which is taken later, at the end of gaining hours) until the school has achieved accreditation.
Recommendation: Amend BPC §4996.18(c) as follows:

"…The applicant shall not, however, be eligible ~~for~~to take the clinical examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education."

6. **Amend BPC Sections 4999.40, 4999.60, 4999.61 – Program Certification Requirement for LPCC Applicants**

Background: LMFT law (BPC §4980.38) requires that an applicant for registration or licensure must submit a certification from his or her educational institution that the institution's required curriculum for graduation meets either the education requirements specified in BPC §4980.36 (for graduate degrees begun after August 1, 2012) or BPC §§ 4980.37 and 4980.41 (for graduate degrees begun before August 1, 2012.

There is no requirement in law that LPCC applicants submit this type of certification, although it is required in the application. Such a certification is a crucial piece of information as it assists the Board's evaluators in determining whether an individual's degree meets all education requirements. Even though the information is currently being obtained through the application, staff believes it important to have such a requirement in LPCC law in case provision of the information is ever challenged.

Recommendation: Add a subsection in BPC §4999.40 requiring LPCC applicants to provide a program certification to the Board, just as LMFT applicants are required to do. Change references to section 4999.40 in sections 4999.60 and 4999.61.

7. **Delete BPC Section 4999.54, Amend BPC Sections 4999.52, 4999.120 – Expired LPCC Grandparenting Provision**

Background: This section established a grandparenting period at the beginning of the LPCC licensing program. The Board accepted applications for licensure via grandparenting between January 1, 2011 and December 31, 2011.

Until this time, it was necessary to keep the grandparenting provision in law because there were applicants who were still in the one-year remediation period if they had deficiencies in

their education and experience, and there were still applicants in the exam cycle attempting to pass the grandparenting-required exams.

As of summer 2015, all remediation periods have expired and the final grandparenting exam has been administered. Therefore, this section is no longer necessary.

Recommendation: Delete BPC §4999.54, as it is no longer necessary. Amend BPC §§4999.52 and 4999.120 to remove references to BPC §4999.54.

Recommendation

Conduct an open discussion about the proposed amendments. Direct staff to make any discussed changes, and any non-substantive changes, and bring to the Board for consideration as a legislative proposal.

Attachments

Attachment: Proposed language

2016 OMNIBUS BILL
PROPOSED LANGUAGE

Delete §4980.40.

~~To qualify for a license, an applicant shall have all of the following qualifications:~~

~~(a) Meet the educational requirements of Section 4980.36 or both Sections 4980.37 and 4980.41, as applicable.~~

~~(b) Be at least 18 years of age.~~

~~(c) Have at least two years of experience that meet the requirements of Section 4980.43.~~

~~(d) Pass a board administered written or oral examination or both types of examinations, except that an applicant who passed a written examination and who has not taken and passed an oral examination shall instead be required to take and pass a clinical vignette written examination.~~

~~(e) Not have committed acts or crimes constituting grounds for denial of licensure under Section 480. The board shall not issue a registration or license to any person who has been convicted of a crime in this or another state or in a territory of the United States that involves sexual abuse of children or who is required to register pursuant to Section 290 of the Penal Code or the equivalent in another state or territory.~~

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

Amend BPC §4980.43.

(a) Prior to applying for licensure examinations, each applicant shall complete experience that shall comply with the following:

(1) A minimum of 3,000 hours completed during a period of at least 104 weeks.

(2) Not more than 40 hours in any seven consecutive days.

(3) Not less than 1,700 hours of supervised experience completed subsequent to the granting of the qualifying master's or doctoral degree.

(4) Not more than 1,300 hours of supervised experience obtained prior to completing a master's or doctoral degree.

The applicant shall not be credited with more than 750 hours of counseling and direct supervisor contact prior to completing the master's or doctoral degree.

(5) No hours of experience may be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction and becoming a trainee except for personal psychotherapy.

(6) No hours of experience may be gained more than six years prior to the date the application for examination eligibility was filed, except that up to 500 hours of clinical experience gained in the supervised practicum required by subdivision (c) of Section 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt from this six-year requirement.

(7) Not more than a combined total of 1,000 hours of experience in the following:

(A) Direct supervisor contact.

(B) Professional enrichment activities. For purposes of this chapter, "professional enrichment activities" include the following:

(i) Workshops, seminars, training sessions, or conferences directly related to marriage and family therapy attended by the applicant that are approved by the applicant's supervisor. An applicant shall have no more than 250 hours of verified attendance at these workshops, seminars, training sessions, or conferences.

(ii) Participation by the applicant in personal psychotherapy, which includes group, marital or conjoint, family, or individual psychotherapy by an appropriately licensed professional. An applicant shall have no more than 100 hours of participation in personal psychotherapy. The applicant shall be credited with three hours of experience for each hour of personal psychotherapy.

(8) Not more than 500 hours of experience providing group therapy or group counseling.

(9) For all hours gained on or after January 1, 2012, not more than 500 hours of experience in the following:

(A) Experience administering and evaluating psychological tests, writing clinical reports, writing progress notes, or writing process notes.

(B) Client centered advocacy.

(10) Not less than 500 total hours of experience in diagnosing and treating couples, families, and children. For up to 150 hours of treating couples and families in conjoint therapy, the applicant shall be credited with two hours of experience for each hour of therapy provided.

(11) Not more than 375 hours of experience providing personal psychotherapy, crisis counseling, or other counseling services via telehealth in accordance with Section 2290.5.

(12) It is anticipated and encouraged that hours of experience will include working with elders and dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities or protect their rights.

This subdivision shall only apply to hours gained on and after January 1, 2010.

(b) All applicants, trainees, and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of marriage and family therapy. Supervised experience shall be gained by interns and trainees only as an employee or as a volunteer. The requirements of this chapter regarding gaining hours of experience and supervision are applicable equally to employees and volunteers. ~~Experience shall not be gained by interns or trainees as an independent contractor.~~ Interns and trainees shall not be employed as independent contractors, and shall not gain experience for work performed as an independent contractor and/or reported on an IRS Form 1099.

(1) If employed, an intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure.

(2) If volunteering, an intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure.

(c) Except for experience gained pursuant to subparagraph (B) of paragraph (7) of subdivision (a), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting, as specified:

(1) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of client contact in each setting.

(2) An ~~individual supervised after being granted a qualifying degree~~intern and intern applicant shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of client contact is gained in each setting. No more than five hours of supervision, whether individual or group, shall be credited during any single week.

(3) For purposes of this section, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours per week of face-to-face contact in a group.

(4) Direct supervisor contact shall occur within the same week as the hours claimed.

(5) Direct supervisor contact provided in a group shall be provided in a group of not more than eight supervisees and in segments lasting no less than one continuous hour.

(6) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.

(7) All experience gained by a trainee shall be monitored by the supervisor as specified by regulation.

(d)(1) A trainee may be credited with supervised experience completed in any setting that meets all of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the trainee's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(C) Is not a private practice owned by a licensed marriage and family therapist, a licensed psychologist, a licensed clinical social worker, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(2) Experience may be gained by the trainee solely as part of the position for which the trainee volunteers or is employed.

(e)(1)An intern may be credited with supervised experience completed in any setting that meets both of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(2) An applicant shall not be employed or volunteer in a private practice, as defined in subparagraph (C) of paragraph (1) of subdivision (d), until registered as an intern.

(3) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration to interns.

(4) Except for periods of time during a supervisor's vacation or sick leave, an intern who is employed or volunteering in private practice shall be under the direct supervision of a licensee that has satisfied the requirements of subdivision (g) of Section 4980.03. The supervising licensee shall either be employed by and practice at the same site as the intern's employer, or shall be an owner or shareholder of the private practice. Alternative supervision may be arranged during a supervisor's vacation or sick leave if the supervision meets the requirements of this section.

(5) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.

(f) Except as provided in subdivision (g), all persons shall register with the board as an intern in order to be credited for postdegree hours of supervised experience gained toward licensure.

(g) Except when employed in a private practice setting, all postdegree hours of experience shall be credited toward licensure so long as the applicant applies for the intern registration within 90 days of the granting of the qualifying master's or doctoral degree and is thereafter granted the intern registration by the board.

(h) Trainees, interns, and applicants shall not receive any remuneration from patients or clients, and shall only be paid by their employers.

(i) Trainees, interns, and applicants shall only 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 their employer and supervisor, and in compliance with the laws and regulations pertaining to supervision. Trainees and interns shall have no proprietary interest in their employers' businesses and shall not lease or rent space, pay for furnishings, equipment or supplies, or in any other way pay for the obligations of their employers.

(j) 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.

(k) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.

(l) Notwithstanding any other provision of law, interns and applicants for examination shall receive a minimum of one hour of direct supervisor contact per week for each setting in which he or she is working.

Delete §4980.50.

~~(a) Every applicant who meets the educational and experience requirements and applies for a license as a marriage and family therapist shall be examined by the board. The examinations shall be as set forth in subdivision (d) of Section 4980.40. The examinations shall be given at least twice a year at a time and place and under~~

~~supervision as the board may determine. The board shall examine the candidate with regard to his or her knowledge and professional skills and his or her judgment in the utilization of appropriate techniques and methods.~~

~~(b) The board shall not deny any applicant, who has submitted a complete application for examination, admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.~~

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

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

~~(e) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the standard written or clinical vignette written examination permission to retake either examination pending completion of the investigation of any complaints against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Sections 11503 and 11504 of the Government Code, respectively, or the applicant has been denied in accordance with subdivision (b) of Section 485.~~

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

~~(g) On or after January 1, 2002, no applicant shall be eligible to participate in a clinical vignette written examination if his or her passing score on the standard written examination occurred more than seven years before.~~

~~(h) An applicant who has qualified pursuant to this chapter shall be issued a license as a marriage and family therapist in the form that the board may deem appropriate.~~

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

Delete §4980.80.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Delete §4980.90.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Delete §4984.01.

~~(a) The marriage and family therapist intern registration shall expire one year from the last day of the month in which it was issued.~~

~~(b) To renew the registration, the registrant shall, on or before the expiration date of the registration, complete all of the following actions:~~

~~(1) Apply for renewal on a form prescribed by the board.~~

~~(2) Pay a renewal fee prescribed by the board.~~

~~(3) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken against him or her by a regulatory or licensing board in this or any other state subsequent to the last renewal of the registration.~~

~~(c) The registration may be renewed a maximum of five times. No registration shall be renewed or reinstated beyond six years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a new intern registration if the applicant meets the educational requirements for registration in effect at the time of the application for a new intern registration. An applicant who is issued a subsequent intern registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.~~

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

Delete §4984.7.

~~(a) The board shall assess the following fees relating to the licensure of marriage and family therapists:~~

~~(1) The application fee for an intern registration shall be seventy-five dollars ($75).~~

~~(2) The renewal fee for an intern registration shall be seventy-five dollars ($75).~~

~~(3) The fee for the application for examination eligibility shall be one hundred dollars ($100).~~

~~(4) The fee for the standard written examination shall be one hundred dollars ($100). The fee for the clinical vignette examination shall be one hundred dollars ($100).~~

~~(A) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fee.~~

~~(B) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.~~

~~(5) The fee for rescoring an examination shall be twenty dollars ($20).~~

~~(6) The fee for issuance of an initial license shall be a maximum of one hundred eighty dollars ($180).~~

~~(7) The fee for license renewal shall be a maximum of one hundred eighty dollars ($180).~~

~~(8) The fee for inactive license renewal shall be a maximum of ninety dollars ($90).~~

~~(9) The renewal delinquency fee shall be a maximum of ninety dollars ($90). A person who permits his or her license to expire is subject to the delinquency fee.~~

~~(10) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars ($20).~~

~~(11) The fee for issuance of a certificate or letter of good standing shall be twenty five dollars ($25).~~

~~(12) The fee for issuance of a retired license shall be forty dollars ($40).~~

~~(b) With regard to license, examination, and other fees, the board shall establish fee amounts at or below the maximum amounts specified in this chapter.~~

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

Delete §4984.72.

~~(a) An applicant who fails a standard or clinical vignette written examination may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all requirements in effect on the date of application, and pays all required fees.~~

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

Amend §4992.05.

(a) Effective January 1, 2016, an applicant for licensure as a clinical social worker shall pass the following two examinations as prescribed by the board:

(1) A California law and ethics examination.

(2) A clinical examination.

(b) Upon registration with the board, an associate clinical social worker registrant shall, within the first year of registration, take an examination on California law and ethics.

(c) A registrant may take the clinical examination only upon meeting all of the following requirements:

(1) Completion of all education requirements.

(2) Passage of the California law and ethics examination.

(3) Completion of all required supervised work experience.

(d) This section shall become operative on January 1, 2016.

Delete §4992.1.

~~(a) Only individuals who have the qualifications prescribed by the board under this chapter are eligible to take the examination.~~

~~(b) Every applicant who is issued a clinical social worker license shall be examined by the board.~~

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

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

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

~~(f) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the standard written or clinical vignette written examination permission to retake either examination pending completion of the investigation of any complaint against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, or the applicant has been denied in accordance with subdivision (b) of Section 485.~~

~~(g) On or after January 1, 2002, no applicant shall be eligible to participate in a clinical vignette written examination if his or her passing score on the standard written examination occurred more than seven years before.~~

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

Delete §4996.1.

~~(a) The board shall issue a clinical social worker license to each applicant who qualifies pursuant to this article and successfully passes a board-administered written or oral examination or both examinations. An applicant who has successfully passed a~~

~~previously administered written examination may be subsequently required to take and pass another written examination.~~

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

Delete §4996.3.

~~(a) The board shall assess the following fees relating to the licensure of clinical social workers:~~

~~(1) The application fee for registration as an associate clinical social worker shall be seventy-five dollars ($75).~~

~~(2) The fee for renewal of an associate clinical social worker registration shall be seventy-five dollars ($75).~~

~~(3) The fee for application for examination eligibility shall be one hundred dollars ($100).~~

~~(4) The fee for the standard written examination shall be a maximum of one hundred fifty dollars ($150). The fee for the clinical vignette examination shall be one hundred dollars ($100).~~

~~(A) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fees.~~

~~(B) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The written examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.~~

~~(5) The fee for rescoring an examination shall be twenty dollars ($20).~~

~~(6) The fee for issuance of an initial license shall be a maximum of one hundred fifty-five dollars ($155).~~

~~(7) The fee for license renewal shall be a maximum of one hundred fifty-five dollars ($155).~~

~~(8) The fee for inactive license renewal shall be a maximum of seventy-seven dollars and fifty cents ($77.50).~~

~~(9) The renewal delinquency fee shall be a maximum of seventy-five dollars ($75). A person who permits his or her license to expire is subject to the delinquency fee.~~

~~(10) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars ($20).~~

~~(11) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars ($25).~~

~~(12) The fee for issuance of a retired license shall be forty dollars ($40).~~

~~(b) With regard to license, examination, and other fees, the board shall establish fee amounts at or below the maximum amounts specified in this chapter.~~

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

Delete §4996.4.

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

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

Amend §4996.18.

(a) A person who wishes to be credited with experience toward licensure requirements shall register with the board as an associate clinical social worker prior to obtaining that experience. The application shall be made on a form prescribed by the board.

(b) An applicant for registration shall satisfy the following requirements:

(1) Possess a master's degree from an accredited school or department of social work.

(2) Have committed no crimes or acts constituting grounds for denial of licensure under Section 480.

(3) Commencing January 1, 2014, have completed training or coursework, which may be embedded within more than one course, in California law and professional ethics for clinical social workers, including instruction in all of the following areas of study:

(A) Contemporary professional ethics and statutes, regulations, and court decisions that delineate the scope of practice of clinical social work.

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

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

(D) The psychotherapist-patient privilege, confidentiality, dangerous patients, and the treatment of minors with and without parental consent.

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

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

(G) Licensing law and process.

(c) An applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education shall be eligible, and shall be required, to register as an associate clinical social worker in order to gain experience toward licensure if the applicant has not committed any crimes or acts that constitute grounds for denial of licensure under Section 480. That applicant shall not, however, be eligible ~~for~~to take the clinical examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

(d) All applicants and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of clinical social work.

(e) Any experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Any experience obtained under the supervision of a supervisor with whom the applicant has a personal relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.

(f) An applicant who possesses a master's degree from an accredited school or department of social work shall be able to apply experience the applicant obtained during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education toward the

licensure requirements, if the experience meets the requirements of Section 4996.23. This subdivision shall apply retroactively to persons who possess a master's degree from an accredited school or department of social work and who obtained experience during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education.

(g) An applicant for registration or licensure trained in an educational institution outside the United States shall demonstrate to the satisfaction of the board that he or she possesses a master's of social work degree that is equivalent to a master's degree issued from a school or department of social work that is accredited by the Commission on Accreditation of the Council on Social Work Education. These applicants shall provide the board with a comprehensive evaluation of the degree and shall provide any other documentation the board deems necessary. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements regardless of evaluation or accreditation.

(h) A registrant shall not provide clinical social work services to the public for a fee, monetary or otherwise, except as an employee.

(i) A registrant shall inform each client or patient prior to performing any professional services that he or she is unlicensed and is under the supervision of a licensed professional.

Amend BPC §4996.23

The experience required by subdivision (c) of Section 4996.2 shall meet the following criteria:

(a) All persons registered with the board on and after January 1, 2002, shall have at least 3,200 hours of post-master's degree supervised experience providing clinical social work services as permitted by Section 4996.9. At least 1,700 hours shall be gained under the supervision of a licensed clinical social worker. The remaining required supervised experience may be gained under the supervision of a licensed mental health professional acceptable to the board as defined by a regulation adopted by the board. This experience shall consist of the following:

(1) A minimum of 2,000 hours in clinical psychosocial diagnosis, assessment, and treatment, including psychotherapy or counseling.

(2) A maximum of 1,200 hours in client-centered advocacy, consultation, evaluation, and research.

(3) Of the 2,000 clinical hours required in paragraph (1), no less than 750 hours shall be face-to-face individual or group psychotherapy provided to clients in the context of clinical social work services.

(4) A minimum of two years of supervised experience is required to be obtained over a period of not less than 104 weeks and shall have been gained within the six years immediately preceding the date on which the application for licensure was filed.

(5) Experience shall not be credited for more than 40 hours in any week.

(b) "Supervision" means responsibility for, and control of, the quality of clinical social work services being provided. Consultation or peer discussion shall not be considered to be supervision.

(c) (1) Prior to the commencement of supervision, a supervisor shall comply with all requirements enumerated in Section 1870 of Title 16 of the California Code of Regulations and shall sign under penalty of perjury the "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" form.

(2) Supervised experience shall include at least one hour of direct supervisor contact for a minimum of 104 weeks. For purposes of this subdivision, "one hour of direct supervisor contact" means one

hour per week of face-to-face contact on an individual basis or two hours of face-to-face contact in a group conducted within the same week as the hours claimed.

(3) An associate shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained. No more than five hours of supervision, whether individual or group, shall be credited during any single week.

(4) Group supervision shall be provided in a group of not more than eight supervisees and shall be provided in segments lasting no less than one continuous hour.

(5) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, and of the 52 weeks of required individual supervision, not less than 13 weeks shall be supervised by a licensed clinical social worker.

(6) Notwithstanding paragraph (2), an associate clinical social worker working for a governmental entity, school, college, or university, or an institution that is both a nonprofit and charitable institution, may obtain the required weekly direct supervisor contact via live two-way videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is preserved.

(d) The supervisor and the associate shall develop a supervisory plan that describes the goals and objectives of supervision. These goals shall include the ongoing assessment of strengths and limitations and the assurance of practice in accordance with the laws and regulations. The associate shall submit to the board the initial original supervisory plan upon application for licensure.

(e) Experience shall only be gained in a setting that meets both of the following:

(1) Lawfully and regularly provides clinical social work, mental health counseling, or psychotherapy.

(2) Provides oversight to ensure that the associate's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4996.9.

(f) Experience shall not be gained until the applicant has been registered as an associate clinical social worker.

(g) Employment in a private practice as defined in subdivision (h) shall not commence until the applicant has been registered as an associate clinical social worker.

(h) A private practice setting is a setting that is owned by a licensed clinical social worker, a licensed marriage and family therapist, a licensed psychologist, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(i) Associates shall not be employed as independent contractors, and shall not gain experience for work performed as an independent contractor and/or reported on an IRS Form 1099.

~~(i)~~(j) If volunteering, the associate shall provide the board with a letter from his or her employer verifying his or her voluntary status upon application for licensure.

~~(j)~~(k) If employed, the associate shall provide the board with copies of his or her W-2 tax forms for each year of experience claimed upon application for licensure.

~~(k)~~(l) While an associate may be either a paid employee or volunteer, employers are encouraged to provide fair remuneration to associates.

~~(l)~~(m) An associate shall not do the following:

(1) Receive any remuneration from patients or clients and shall only be paid by his or her employer.

(2) Have any proprietary interest in the employer's business.

(3) Lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of his or her employer.

~~(m)~~(n) An associate, 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.

~~(n)~~(o) Notwithstanding any other provision of law, associates and applicants for examination shall receive a minimum of one hour of supervision per week for each setting in which he or she is working.

Amend §4999.40.

(a) Each educational institution preparing applicants to qualify for licensure shall notify each of its students by means of its public documents or otherwise in writing that its degree program is designed to meet the requirements of Section 4999.32 or 4999.33 and shall certify to the board that it has so notified its students.

(b) An applicant for registration or licensure shall submit to the board a certification by the applicant's educational institution that the institution's required curriculum for graduation and any associated coursework completed by the applicant does one of the following:

(1) Meets all of the requirements set forth in Section 4999.32.

(2) Meets all of the requirements set forth in Section 4999.33.

~~(b)~~(c) An applicant trained at an educational institution outside the United States shall demonstrate to the satisfaction of the board that he or she possesses a qualifying degree that is equivalent to a degree earned from an institution of higher education that is accredited or approved. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services and shall provide any other documentation the board deems necessary.

Delete §4999.45.

~~An intern employed under this chapter shall:~~

~~(a) Not perform any duties, except for those services provided as a clinical counselor trainee, until registered as an intern.~~

~~(b) Not be employed or volunteer in a private practice until registered as an intern.~~

~~(c) Inform each client prior to performing any professional services that he or she is unlicensed and under supervision.~~

~~(d) Renew annually for a maximum of five years after initial registration with the board.~~

~~(e) When no further renewals are possible, an applicant may apply for and obtain a new intern registration if the applicant meets the educational requirements for registration in effect at the time of the application for a new intern registration. An applicant issued a subsequent intern registration pursuant to this subdivision may be employed or volunteer in any allowable work setting except private practice.~~

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

Delete §4999.46.

~~(a) To qualify for the licensure examinations specified in subdivision (c) of Section 4999.52, applicants shall complete clinical mental health experience under the general supervision of an approved supervisor as defined in Section 4999.12.~~

~~(b) The experience shall include a minimum of 3,000 postdegree hours of supervised clinical mental health experience related to the practice of professional clinical counseling, performed over a period of not less than two years (104 weeks), which shall include:~~

~~(1) Not more than 40 hours in any seven consecutive days.~~

~~(2) Not less than 1,750 hours of direct counseling with individuals, groups, couples, or families in a setting described in Section 4999.44 using a variety of psychotherapeutic techniques and recognized counseling interventions within the scope of practice of licensed professional clinical counselors.~~

~~(3) Not more than 500 hours of experience providing group therapy or group counseling.~~

~~(4) Not more than 375 hours of experience providing personal psychotherapy, crisis counseling, or other counseling services via telehealth in accordance with Section 2290.5.~~

~~(5) Not less than 150 hours of clinical experience in a hospital or community mental health setting, as defined in Section 1820 of Title 16 of the California Code of Regulations.~~

~~(6) Not more than a combined total of 1,250 hours of experience in the following related activities:~~

~~(A) Direct supervisor contact.~~

~~(B) Client centered advocacy.~~

~~(C) Not more than 250 hours of experience administering tests and evaluating psychological tests of clients, writing clinical reports, writing progress notes, or writing process notes.~~

~~(D) Not more than 250 hours of verified attendance at workshops, seminars, training sessions, or conferences directly related to professional clinical counseling that are approved by the applicant's supervisor.~~

~~(c) No hours of clinical mental health experience may be gained more than six years prior to the date the application for examination eligibility was filed.~~

~~(d) An applicant shall register with the board as an intern in order to be credited for postdegree hours of experience toward licensure. Postdegree hours of experience shall be credited toward licensure, provided that the applicant applies for intern registration within 90 days of the granting of the qualifying degree and is registered as an intern by the board.~~

~~(e) All applicants and interns shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of professional clinical counseling.~~

~~(f) Experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal, professional, or business relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.~~

~~(g) Except for experience gained pursuant to subparagraph (D) of paragraph (6) of subdivision (b), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.~~

~~(1) No more than six hours of supervision, whether individual or group, shall be credited during any single week. This paragraph shall apply to supervision hours gained on or after January 1, 2009.~~

~~(2) An intern shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained.~~

~~(3) For purposes of this section, "one hour of direct supervisor contact" means one hour of face-to-face contact on an individual basis or two hours of face-to-face contact in a group of not more than eight persons in segments lasting no less than one continuous hour.~~

~~(4) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable, may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.~~

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

Amend §4999.46.

(a) To qualify for the licensure examination specified by paragraph (2) of subdivision (a) of Section 4999.53, applicants shall complete clinical mental health experience under the general supervision of an approved supervisor as defined in Section 4999.12.

(b) The experience shall include a minimum of 3,000 postdegree hours of supervised clinical mental health experience related to the practice of professional clinical counseling, performed over a period of not less than two years (104 weeks), which shall include:

(1) Not more than 40 hours in any seven consecutive days.

(2) Not less than 1,750 hours of direct counseling with individuals, groups, couples, or families in a setting described in Section 4999.44 using a variety of psychotherapeutic techniques and recognized counseling interventions within the scope of practice of licensed professional clinical counselors.

(3) Not more than 500 hours of experience providing group therapy or group counseling.

(4) Not more than 375 hours of experience providing personal psychotherapy, crisis counseling, or other counseling services via telehealth in accordance with Section 2290.5.

(5) Not less than 150 hours of clinical experience in a hospital or community mental health setting, as defined in Section 1820 of Title 16 of the California Code of Regulations.

(6) Not more than a combined total of 1,250 hours of experience in the following related activities:

(A) Direct supervisor contact.

(B) Client centered advocacy.

(C) Not more than 250 hours of experience administering tests and evaluating psychological tests of clients, writing clinical reports, writing progress notes, or writing process notes.

(D) Not more than 250 hours of verified attendance at workshops, seminars, training sessions, or conferences directly related to professional clinical counseling that are approved by the applicant’s supervisor.

(c) No hours of clinical mental health experience may be gained more than six years prior to the date the application for examination eligibility was filed.

(d) An applicant shall register with the board as an intern in order to be credited for postdegree hours of experience toward licensure. Postdegree hours of experience shall be credited toward licensure, provided that the applicant applies for intern registration within 90 days of the granting of the qualifying degree and is registered as an intern by the board.

(e) All applicants and interns shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of professional clinical counseling.

(f) Experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Experience obtained under the supervision of a supervisor with whom the applicant has had or currently has a personal, professional, or business relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.

(g) Except for experience gained pursuant to subparagraph (D) of paragraph (6) of subdivision (b), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(1) No more than six hours of supervision, whether individual or group, shall be credited during any single week. This paragraph shall apply to supervision hours gained on or after January 1, 2009.

(2) An intern or intern applicant shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained.

(3) For purposes of this section, “one hour of direct supervisor contact” means one hour of face-to-face contact on an individual basis or two hours of face-to-face contact in a group of not more than eight persons in segments lasting no less than one continuous hour.

(4) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable, may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.

(h) Notwithstanding any other provision of law, interns and applicants for examination shall receive a minimum of one hour of direct supervisor contact per week for each setting in which he or she is working.

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

Amend BPC §4999.47

(a) Clinical counselor trainees, interns, and applicants shall perform services only as an employee or as a volunteer.

The requirements of this chapter regarding gaining hours of clinical mental health experience and supervision are applicable equally to employees and volunteers. ~~Experience shall not be gained by interns or trainees as an independent contractor.~~ Interns and trainees shall not be employed as independent contractors, and shall not gain experience for work performed as an independent contractor and/or reported on an IRS Form 1099.

(1) If employed, a clinical counselor intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure as a professional clinical counselor.

(2) If volunteering, a clinical counselor intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure as a professional clinical counselor.

(b) Clinical counselor trainees, interns, and applicants shall not receive any remuneration from patients or clients, and shall only be paid by their employers.

(c) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration.

(d) Clinical counselor trainees, interns, and applicants who provide voluntary 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 clinical counselor trainees, interns, and applicants for services rendered in any lawful work setting other than a private practice shall be considered an employee and not an independent contractor.

(e) The board may audit an intern or applicant who receives reimbursement for expenses and the intern or applicant shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.

(f) Clinical counselor trainees, interns, and applicants shall only perform services at the place where their employer regularly conducts business and services, which may include other locations, as long as the services are performed under the direction and control of the employer and supervisor in compliance with the laws and regulations pertaining to supervision. Clinical counselor trainees, interns, and applicants shall have no proprietary interest in the employer's business.

(g) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and clinical counselor trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.

Delete §4999.50.

~~(a) The board may issue a professional clinical counselor license to any person who meets all of the following requirements:~~

~~(1) He or she has received a master's or doctoral degree described in Section 4999.32 or 4999.33, as applicable.~~

~~(2) He or she has completed at least 3,000 hours of supervised experience in the practice of professional clinical counseling as provided in Section 4999.46.~~

~~(3) He or she provides evidence of a passing score, as determined by the board, on examinations designated by the board pursuant to Section 4999.52.~~

~~(b) An applicant who has satisfied the requirements of this chapter shall be issued a license as a professional clinical counselor in the form that the board may deem appropriate.~~

~~(c) The board shall begin accepting applications for examination eligibility on January 1, 2012.~~

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

Delete §4999.52.

~~(a) Except as provided in Section 4999.54, every applicant for a license as a professional clinical counselor shall be examined by the board. The board shall examine the candidate with regard to his or her knowledge and professional skills and his or her judgment in the utilization of appropriate techniques and methods.~~

~~(b) The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine.~~

~~(c) (1) It is the intent of the Legislature that national licensing examinations, such as the National Counselor Examination for Licensure and Certification (NCE) and the National Clinical Mental Health Counselor Examination (NCMHCE), be evaluated by the board as requirements for licensure as a professional clinical counselor.~~

~~(2) The board shall evaluate various national examinations in order to determine whether they meet the prevailing standards for the validation and use of licensing and certification tests in California.~~

~~(3) The Department of Consumer Affairs' Office of Professional Examination Services shall review the occupational analysis that was used for developing the national examinations in order to determine if it adequately describes the licensing group and adequately determines the tasks, knowledge, skills, and abilities the licensed professional clinical counselor would need to perform the functions under this chapter.~~

~~(4) Examinations shall measure knowledge and abilities demonstrably important to the safe, effective practice of the profession.~~

~~(5) If national examinations do not meet the standards specified in paragraph (2), the board may require a passing score on either of the following:~~

~~(A) The national examinations plus one or more board-developed examinations.~~

~~(B) One or more board-developed examinations.~~

~~(6) If the board decides to require a national examination specified in paragraph (1), a passing score on this examination shall be accepted by the board for a period of seven years from the date the examination was taken.~~

~~(7) If the board decides to require the examinations specified in paragraph (5), a passing score on these examinations shall be accepted by the board for a period of seven years from the date the examination was taken.~~

~~(8) The licensing examinations shall also incorporate a California law and ethics examination element that is acceptable to the board, or, as an alternative, the board may develop a separate California law and ethics examination.~~

~~(d) The board shall not deny any applicant who has submitted a complete application for examination admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.~~

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

~~(f) If an applicant for examination is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the~~

~~examinations, but may notify the applicant that licensure will not be granted pending completion of the investigation.~~

~~(g) Notwithstanding Section 135, the board may deny any applicant who has previously failed an examination permission to retake that examination pending completion of the investigation of any complaints against the applicant.~~

~~(h) Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, respectively, or the application has been denied in accordance with subdivision (b) of Section 485.~~

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

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

Amend §4999.52.

(a) ~~Except as provided in Section 4999.54, every~~Every applicant for a license as a professional clinical counselor shall be examined by the board. The board shall examine the candidate with regard to his or her knowledge and professional skills and his or her judgment in the utilization of appropriate techniques and methods.

(b) The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine.

(c) The board shall not deny any applicant who has submitted a complete application for examination admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.

(d) The board shall not deny any applicant whose application for licensure is complete admission to the examinations specified by paragraph (2) of subdivision (a) of Section 4999.53, nor shall the board postpone or delay this examination for any applicant or delay informing the candidate of the results of this examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.

(e) If an applicant for the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, who has passed the California law and ethics examination, is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take this examination, but may notify the applicant that licensure will not be granted pending completion of the investigation.

(f) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the California law and ethics examination, or the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, permission to retake either examination pending completion of the investigation of any complaints against the applicant.

(g) Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, respectively, or the application has been denied in accordance with subdivision (b) of Section 485.

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

(i) On and after January 1, 2016, the examination specified by paragraph (2) of subdivision (a) of Section 4999.53 shall be passed within seven years of an applicant's initial attempt.

(j) A passing score on the clinical examination shall be accepted by the board for a period of seven years from the date the examination was taken.

(k) No applicant shall be eligible to participate in the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, if he or she fails to obtain a passing score on this examination within seven years from his or her initial attempt. If the applicant fails to obtain a passing score within seven years of initial attempt, he or she shall obtain a passing score on the current version of the California law and ethics examination in order to be eligible to retake this examination.

(l) This section shall become operative on January 1, 2016.

Delete §4999.54.

~~(a) Notwithstanding Section 4999.50, the board may issue a license to any person who submits an application for a license between January 1, 2011, and December 31, 2011,~~

~~provided that all documentation~~
~~is submitted within 12 months of the board's evaluation of the application, and provided he or she meets one of the following sets of criteria:~~

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

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

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

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

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

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

~~(C) Has at least two years, full-time or the equivalent, of postdegree counseling experience, that includes at least 1,700 hours of experience in a clinical setting supervised by a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, a licensed physician and surgeon specializing in psychiatry, a professional clinical counselor or a person who is licensed in another state to independently practice professional clinical counseling, as defined in Section 4999.20, or a master's level counselor or therapist who is certified by a national certifying or registering organization, including, but not limited to, the National Board for Certified Counselors or the Commission on Rehabilitation Counselor Certification.~~

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

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

~~(ii) The National Clinical Mental Health Counselor Examination.~~

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

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

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

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

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

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

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

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

Delete §4999.57.

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

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

~~(c) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.~~

~~(2) An applicant who completed a course that meets the requirements of subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.~~

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

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

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

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

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

Delete §4999.58.

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

~~(1) At the time of application, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States.~~

~~(2) Has held the license described in paragraph (1) for at least two years immediately preceding the date of application.~~

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

~~(1) The education and supervised experience requirements of the other jurisdiction are substantially the equivalent of this chapter, as described in subdivision (e) and in Section 4999.46.~~

~~(2) The person complies with subdivision (b) of Section 4999.40, if applicable.~~

~~(3) The person successfully completes the examinations required by the board pursuant to paragraph (3) of subdivision (a) of Section 4999.50. An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:~~

~~(A) The applicant obtained a passing score on the national licensing examination that is required by the board.~~

~~(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.~~

~~(4) The person pays the required fees.~~

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

~~(d) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.~~

~~(2) An applicant who completed a course that meets the requirements of subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.~~

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

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

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

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

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

Delete §4999.59.

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

~~(1) At the time of application, holds a valid license described in paragraph (1) of subdivision (a) of Section 4999.58.~~

~~(2) Has held the license described in paragraph (1) for less than two years immediately preceding the date of application.~~

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

~~(c) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.~~

~~(2) An applicant who completed a course that meets the requirements of subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.~~

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

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

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

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

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

~~(1) The applicant obtained a passing score on the national licensing examination that is required by the board.~~

~~(2) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.~~

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

Amend §4999.60.

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

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

(1) The applicant's education is substantially equivalent, as defined in Section 4999.63.

(2) The applicant complies with subdivision ~~(b)~~(c) of Section 4999.40, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours if the applicant's degree meets the practicum requirement described in subparagraph (C) of paragraph (1) of subdivision (b) of Section 4999.63 without exemptions or remediation.

(4) The applicant passes the examinations required to obtain a license under this chapter. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

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

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

Amend §4999.61.

(a) This section applies to persons who apply for examination eligibility or registration on or after January 1, 2016, and who do not hold a license as described in Section 4999.60.

(b) The board shall accept education gained while residing outside of California for purposes of satisfying licensure or registration requirements if the education is substantially equivalent, as defined in Section 4999.62, and the applicant complies with subdivision ~~(b)~~(c) of Section 4999.40, if applicable.

(c) The board shall accept experience gained outside of California for purposes of satisfying licensure or registration requirements if the experience is substantially equivalent to that required by this chapter.

Delete §4999.100.

~~(a) An intern registration shall expire one year from the last day of the month in which it was issued.~~

~~(b) To renew a registration, the registrant shall, on or before the expiration date of the registration, do the following:~~

~~(1) Apply for a renewal on a form prescribed by the board.~~

~~(2) Pay a renewal fee prescribed by the board.~~

~~(3) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the registrant's last renewal.~~

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

Amend §4999.120.

The board shall assess fees for the application for and the issuance and renewal of licenses and for the registration of interns to cover administrative and operating expenses of the board related to this chapter. Fees assessed pursuant to this section shall not exceed the following:

(a) The fee for the application for examination eligibility shall be up to two hundred fifty dollars ($250).

(b) The fee for the application for intern registration shall be up to one hundred fifty dollars ($150).

(c) The fee for the application for licensure shall be up to one hundred eighty dollars ($180).

(d) The fee for the board-administered clinical examination, if the board chooses to adopt this examination in regulations, shall be up to two hundred fifty dollars ($250).

(e) The fee for the law and ethics examination shall be up to one hundred fifty dollars ($150).

~~(f) The fee for the examination described in subdivision (b) of Section 4999.54 shall be up to one hundred dollars ($100).~~

(~~g~~f) The fee for the issuance of a license shall be up to two hundred fifty dollars ($250).

(~~h~~g) The fee for annual renewal of an intern registration shall be up to one hundred fifty dollars ($150).

(~~i~~h) The fee for two-year renewal of licenses shall be up to two hundred fifty dollars ($250).

(~~j~~i) The fee for issuance of a retired license shall be forty dollars ($40).

(~~k~~j) The fee for rescoring an examination shall be twenty dollars ($20).

(~~l~~k) The fee for issuance of a replacement license or registration shall be twenty dollars ($20).

(~~m~~l) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars ($25).

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Board of Behavioral Sciences

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Memo

To: Committee Members

Date: October 20, 2015

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: **Acceptance of Accreditation Agencies**

Background

Current LMFT licensing law (Business and Professions Code (BPC) §§ 4980.36 and 4980.37) require the qualifying degree be obtained from a school, college or university that is approved by the state Bureau for Private Postsecondary Education, or accredited by either the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) or by a regional accrediting agency that is recognized by the United States Department of Education (USDE).

LPCC licensing law also requires the qualifying degree be obtained from an accredited or approved school. It defines "accredited" as a school, college, or university that is accredited by the Western Association of Schools and Colleges, or its equivalent regional accrediting association. (BPC §4999.12(b))

Both LMFT and LPCC law gives the Board the discretion to make the final determination as to whether a degree meets all requirements, regardless of accreditation or approval. (BPC §§4980.36(b), 4980.37(b), 4999.32(d), 4999.33(f))

Summary of the Problem

Board staff believes that it may be helpful to revise the definition of an "accredited" school in statute.

Currently, the statute references a regional accrediting agency recognized by the USDE as acceptable. However, the USDE does not recognize a specific category of regional-only accrediting agencies. Instead, the USDE recognizes two basic categories of accreditation, as follows:

1. Regional and National Institutional Accrediting Agencies; and
2. Specialized Accrediting Agencies.

Recently, the Board received an application from The Seattle School of Theology and Psychology (The Seattle School), which offers a Masters of Arts in Counseling Psychology. The degree program meets the Board's educational requirements. However, the school is accredited by the Commission on Accrediting of the Association of Theological Schools (ATS) and the Transnational Association of Christian Colleges and Schools (TRACS).

Historically, the Board would have rejected the application, due to the fact that BPC §§4980.36 and 4980.37 state that the degree program must be accredited by a regional accrediting agency that is recognized by the USDE. The Board has interpreted this phrase to mean that the school must be accredited by a regional accrediting agency such as the Western Association of Schools and Colleges (WASC) or a similar regional entity.

Upon further research, staff learned that TRACS is recognized by USDE as a "regional and national institutional accrediting agency," and ATS is recognized by USDE as a "specialized accrediting agency." Due to that and the fact that the degree met all educational requirements, the application was ultimately accepted using the Board's "discretion to make the final determination" clause in law.

However, this case demonstrates that the law could be clarified by better aligning the definition of an "accredited" school with USDE's definition.

USDE Accreditation

Attachment B contains the USDE's FAQs about accreditation. It explains that there are two types of accreditation, "institutional" accreditation (categorized by USDE as "regional and national institutional accrediting agencies") and "specialized" or "programmatic" accreditation (categorized by USDE as "specialized accrediting agencies").

"Institutional" accreditation usually applies to the entire educational institution, while "specialized" accreditation usually applies to specific programs within an institution.

Attachment C contains the USDE's listing of its recognized regional and national institutional accrediting agencies. This list includes the regional accrediting agencies, such as WASC, but also includes agencies that do not fit the definition of "regional" entities, such as TRACS.

Attachment D contains the USDE's listing of its recognized specialized accrediting agencies. This list is much more extensive, and contains agencies that accredit programs for various specialized professions.

Proposed Amendments

Staff recommends that the Board consider accepting a degree from a program accredited by a "regional or national institutional accrediting agency" that is recognized by the USDE, rather than simply referring to a USDE-recognized regional accrediting entity. This amendment would make Board's statute consistent with the categories that USDE recognizes.

The amendment would need to be made in BPC sections 4980.36 and 4980.37 (LMFT degree program requirements), BPC sections 4980.78 and 4980.79 (LMFT education requirements for out-of state applicants) and BPC section 4999.12 (LPCC definition of an accredited school).

In addition, staff recommends deleting BPC section 4980.40.5. This section was put in place in 2009 when the State of California's Bureau for Private Postsecondary Education (BPPE) had been sunset. The BPPE is no longer sunsetted, and therefore this section is no longer used.

The proposed amendments are shown in **Attachment A.**

Recommendation

Conduct an open discussion about the proposed language shown in **Attachment A**. Direct staff to make any discussed changes, as well as any non-substantive changes to the proposed language, and submit to the Board for consideration as a legislative proposal.

Attachments

Attachment A: Proposed Language
Attachment B: U.S. Department of Education: FAQs about Accreditation
Attachment C: U.S. Department of Education Regional and National Institutional Accrediting Agencies
Attachment D: U.S. Department of Education Specialized Accrediting Agencies

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ATTACHMENT A
PROPOSED LANGUAGE

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

(a) This section shall apply to the following:

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

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

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

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

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

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

(A) Marriage and family therapy principles.

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

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

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

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

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

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

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

(1) Both of the following:

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

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

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

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

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

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

(I) Applied use of theory and psychotherapeutic techniques.

(II) Assessment, diagnosis, and prognosis.

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

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

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

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

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

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

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

(2) Instruction in all of the following:

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

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

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

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

(iii) Aging and its biological, social, cognitive, and psychological aspects. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

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

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

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

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

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

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

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

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

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

(v) Marriage, divorce, and blended families.

(vi) Long-term care.

(vii) End of life and grief.

(viii) Poverty and deprivation.

(ix) Financial and social stress.

(x) Effects of trauma.

(xi) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (x), inclusive.

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

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

(F) The effects of socioeconomic status on treatment and available resources.

(G) Resilience, including the personal and community qualities that enable persons to cope with adversity, trauma, tragedy, threats, or other stresses.

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

(I) Substance use disorders, co-occurring disorders, and addiction, including, but not limited to, instruction in all of the following:

(i) The definition of substance use disorders, co-occurring disorders, and addiction. For purposes of this subparagraph, “co-occurring disorders” means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.

(ii) Medical aspects of substance use disorders and co-occurring disorders.

(iii) The effects of psychoactive drug use.

(iv) Current theories of the etiology of substance abuse and addiction.

(v) The role of persons and systems that support or compound substance abuse and addiction.

(vi) Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including, but not limited to, best practices.

(vii) Legal aspects of substance abuse.

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

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

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

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

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

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

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

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

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

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

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

(vii) Licensing law and licensing process.

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

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

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

(a) This section shall apply to applicants for licensure or registration who begin graduate study before August 1, 2012, and complete that study on or before December 31, 2018. Those applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4980.36.

(b) To qualify for a license or registration, applicants shall possess a doctor's or master's degree in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United

States Department of Education or approved by the Bureau for Private Postsecondary Education. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation or approval. In order to qualify for licensure pursuant to this section, a doctor's or master's degree program shall be a single, integrated program primarily designed to train marriage and family therapists and shall contain no less than 48 semester or 72 quarter units of instruction. This instruction shall include no less than 12 semester units or 18 quarter units of coursework in the areas of marriage, family, and child counseling, and marital and family systems approaches to treatment. The coursework shall include all of the following areas:

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

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

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

(4) A variety of approaches to the treatment of children.

The board shall, by regulation, set forth the subjects of instruction required in this subdivision.

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

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

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

(d) As an alternative to meeting the qualifications specified in subdivision (b), the board shall accept as equivalent degrees those master's or doctor's degrees granted by educational institutions whose degree program is approved by the Commission on Accreditation for Marriage and Family Therapy Education.

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

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

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

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

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

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

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

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

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

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

DELETE §4980.40.5. EDUCATIONAL REQUIREMENTS FOR MARRIAGE AND FAMILY THERAPIST; BUREAU FOR PRIVATE POSTSECONDARY EDUCATION AND EQUIVALENT DEGREES

~~(a) A doctoral or master's degree in marriage, family, and child counseling, marital and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling, or marriage and family therapy, obtained from a school, college, or university approved by the Bureau for Private Postsecondary Education as of June 30, 2007, shall be considered by the board to meet the requirements necessary for licensure as a marriage and family therapist and for registration as a marriage and family therapist intern provided that the degree is conferred on or before July 1, 2010.~~

~~(b) As an alternative to meeting the qualifications specified in subdivision (a) of Section 4980.40, the board shall accept as equivalent degrees those doctoral or master's degrees that otherwise meet the requirements of this chapter and are conferred by educational institutions accredited by any of the following associations:~~

~~(1) Northwest Commission on Colleges and Universities.~~

~~(2) Middle States Association of Colleges and Secondary Schools.~~

~~(3) New England Association of Schools and Colleges.~~

~~(4) North Central Association of Colleges and Secondary Schools.~~

~~(5) Southern Association of Colleges and Schools.~~

AMEND §4980.78. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS NOT LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

(a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

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

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

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

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

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

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

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

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

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or

from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

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

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

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

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

AMEND §4980.79. SUBSTANTIALLY EQUIVALENT EDUCATION; COURSEWORK REQUIRED OF APPLICANTS LICENSED OUTSIDE OF CALIFORNIA; EFFECTIVE JANUARY 1, 2016

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

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

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

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

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

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

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

(i) An out-of-state applicant who has been licensed for at least two years in clinical practice, as verified by the board, is exempt from this requirement.

(ii) An out-of-state applicant who has been licensed for less than two years in clinical practice, as verified by the board, who does not meet the practicum requirement, shall remediate it by obtaining 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, or a combination of face-to-face counseling and client-centered advocacy. These hours are in addition to the 3,000 hours of experience required by this chapter, and shall be gained while registered as an intern.

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

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

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

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall include content specific to California law and ethics. An applicant shall complete this coursework prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an

accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate coursework shall not satisfy this requirement.

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

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

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

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

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

AMEND §4999.12. DEFINITIONS

For purposes of this chapter, the following terms have the following meanings:

(a) “Board” means the Board of Behavioral Sciences.

(b) “Accredited” means a school, college, or university accredited by the ~~Western Association of Schools and Colleges, or its equivalent~~ a regional ~~accrediting association.~~or national institutional accrediting agency that is recognized by the United States Department of Education.

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

(d) “Applicant” means an unlicensed person who has completed a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, as applicable, and whose application for registration as an intern is pending or who has applied for examination eligibility, or an unlicensed person who has completed the requirements for licensure

specified in this chapter and is no longer registered with the board as an intern.

(e) “Licensed professional clinical counselor” or “LPCC” means a person licensed under this chapter to practice professional clinical counseling, as defined in Section 4999.20.

(f) “Intern” means an unlicensed person who meets the requirements of Section 4999.42 and is registered with the board.

(g) “Clinical counselor trainee” means an unlicensed person who is currently enrolled in a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, as applicable, that is designed to qualify him or her for licensure under this chapter, and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.

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

(1) Has documented two years of clinical experience as a licensed professional clinical counselor, licensed marriage and family therapist, licensed clinical psychologist, licensed clinical social worker, or licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

(2) Has received professional training in supervision.

(3) Has not provided therapeutic services to the clinical counselor trainee or intern.

(4) Has a current and valid license that is not under suspension or probation.

(i) “Client centered advocacy” includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

(j) “Advertising” or “advertise” includes, but is not limited to, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. It also includes business solicitations communicated by radio or television broadcasting. Signs within church buildings or notices in church bulletins mailed to a congregation shall not be construed as advertising within the meaning of this chapter.

(k) “Referral” means evaluating and identifying the needs of a client to determine whether it is advisable to refer the client to other specialists, informing the client of that judgment, and communicating that determination as requested or deemed appropriate to referral sources.

(l) “Research” means a systematic effort to collect, analyze, and interpret quantitative

and qualitative data that describes how social characteristics, behavior, emotion, cognitions, disabilities, mental disorders, and interpersonal transactions among individuals and organizations interact.

(m) “Supervision” includes the following:

(1) Ensuring that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the person being supervised.

(2) Reviewing client or patient records, monitoring and evaluating assessment, diagnosis, and treatment decisions of the clinical counselor trainee.

(3) Monitoring and evaluating the ability of the intern or clinical counselor trainee to provide services to the particular clientele at the site or sites where he or she will be practicing.

(4) Ensuring compliance with laws and regulations governing the practice of licensed professional clinical counseling.

(5) That amount of direct observation, or review of audio or videotapes of counseling or therapy, as deemed appropriate by the supervisor.

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U.S. Department of Education

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The Database of Accredited Postsecondary Institutions and Programs

OFFICE OF POSTSECONDARY EDUCATION

FAQs about Accreditation

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What is accreditation?
Accreditation is the recognition that an institution maintains standards requisite for its graduates to gain admission to other reputable institutions of higher learning or to achieve credentials for professional practice. The goal of accreditation is to ensure that education provided by institutions of higher education meets acceptable levels of quality.

What are accrediting agencies?
Accrediting agencies are organizations (or bodies) that establish operating standards for educational or professional institutions and programs, determine the extent to which the standards are met, and publicly announce their findings.

Are there different types of accreditation?
There are two basic types of educational accreditation, one identified as “institutional” and one referred to as “specialized” or “programmatic.” Institutional accreditation normally applies to an entire institution, indicating that each of an institution’s parts is contributing to the achievement of the institution’s objectives, although not necessarily all at the same level of quality. Specialized accreditation normally applies to the evaluation of programs , departments, or schools which usually are parts of a total collegiate or other postsecondary institution. The unit accredited may be as large as a college or school within a university or as small as a curriculum within a discipline. Most of the specialized accrediting agencies review units within a postsecondary institution which is accredited by one of the regional accrediting commissions. However, certain of the specialized accrediting agencies accredit professional schools and other specialized or vocational or other postsecondary institutions which are free-standing in their operations. Thus, a "specialized" or "programmatic" accrediting agency may also function in the capacity of an "institutional" accrediting agency. In addition, a number of specialized accrediting agencies accredit educational programs within non-educational settings, such as hospitals.

Can the institutional accreditation system be used to determine whether my credit hours will transfer or what courses will satisfy my professional license renewal?
Accreditation does not provide automatic acceptance by an institution of credit earned at another institution, nor does it give assurance of acceptance of graduates by employers. Acceptance of students or graduates is always the prerogative of the receiving institution or employer. For these reasons, besides ascertaining the accredited status of a school or program, students should take additional measures to determine, prior to enrollment, whether or not their educational goals will be met through attendance at a particular institution. These measures should include inquiries to institutions to which transfer might be desired or to prospective employers and, if possible, personal inspection of the institution at which enrollment is contemplated.

Is every accrediting agency included in the database?
Only agencies that are recognized by the U.S. Department of Education are included in this database.

Click here for more information about Accreditation in the U.S.

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ADMINISTRATORS (HTTP://WWW2.ED.GOV/ADMINS/LANDING.JHTML?SRC=LN) / FINANCIAL AID FOR POSTSECONDARY STUDENTS

Accreditation in the United States

Regional and National Institutional Accrediting Agencies

The following regional and national accrediting agencies are recognized by the Secretary as reliable authorities concerning the quality of education or training offered by the institutions of higher education or higher education programs they accredit.

The dates specified for each entry are (1) the date of initial listing as a nationally recognized accrediting agency, (2) the date of the most recent review for renewed recognition of the agency by Department staff and by the NACIQI, and (3) the date of the next scheduled review of the agency's compliance report or full petition for renewal of recognition. (Note: S=Spring NACIQI meeting; F=Fall NACIQI meeting; C= Compliance Report)

Unless otherwise noted in a Title IV note after the agency's name, accreditation by an agency listed below may be used by an institution accredited by the agency to establish eligibility to participate in Title IV programs. Since December 1999, the Department has been routinely including distance education (defined at the time to include correspondence education) in its in-depth review of all agencies seeking initial or continued recognition. Consequently, all recognition decisions made after December 1, 1999 and prior to July 2010 include a determination as to whether an agency's scope of recognition includes the accreditation of distance education. Beginning in July 2010, at each review for renewal of recognition, an agency will be expected to demonstrate its evaluation of distance education and/or correspondence education in order to retain distance education and/or correspondence education in its scope of recognition.

Accrediting Commission of Career Schools and Colleges
1967/2011/S2016
Scope of recognition: the accreditation of postsecondary, non-degree-granting institutions and degree-granting institutions in the United States, including those granting associate , baccalaureate and master's degrees, that are predominantly organized to educate students for occupational, trade and technical careers, and including institutions that offer programs via distance education.

How Do I Find...

- Student loans, forgiveness (http://www2.ed.gov/fund/grants-college.html?src=rn)
- College accreditation (http://ope.ed.gov/accreditation/)
- No Child Left Behind (http://www2.ed.gov/nclb/landing.jhtml?src=rn
- FERPA (http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn)
- FAFSA (http://fafsa.ed.gov/)
- 2015 Budget Proposal (http://www.ed.gov/budget15)

More > (http://www2.ed.gov/about/top-tasks.html?src=rn)

Information About...

- Transforming Teaching (http://www.ed.gov

Michale McComis, Executive Director
2101 Wilson Boulevard, Suite 302
Arlington, Virginia 22201
Tel. (703) 247-4212, Fax (703) 247-4533
E-mail address: mccomis@accsc.org (mailto:mccomis@accsc.org)
Web address: http://www.accsc.org/ (http://www.accsc.org/)

Accrediting Council for Continuing Education and Training
1978/2013/S2018
Scope of recognition: the accreditation throughout the United States of institutions of higher education that offer continuing education and vocational programs that confer certificates or occupational associate degrees, including those programs offered via distance education.
Title IV Note: *Only those institutions classified by this agency as "vocational " may use accreditation by the agency to establish eligibility to participate in Title IV programs.*

William V. Larkin, Executive Director
1722 N Street, NW
Washington, DC 20036
Tel. (202) 955-1113, Fax (202) 955-1118
E-mail address: wvlarkin@accet.org (mailto:wvlarkin@accet.org)
Web address: http://www.accet.org/ (http://www.accet.org/)

Accrediting Council for Independent Colleges and Schools
1956/2013/S2016
Scope of recognition: the accreditation of private postsecondary institutions offering certificates or diplomas, and postsecondary institutions offering associate, bachelor's, or master's degrees in programs designed to educate students for professional, technical, or occupational careers, including those that offer those programs via distance education.

Albert C. Gray
Executive Director and Chief Executive Officer
750 First Street, NE, Suite 980
Washington, DC 20002-4242
Tel. (202) 336-6780, Fax (202) 842-2593
E-mail address: agray@acics.org (mailto:agray@acics.org)
Web address: http://www.acics.org/ (http://www.acics.org/)

Council on Occupational Education
1969/2013/S2016
Scope of recognition: the accreditation and preaccreditation ("Candidacy Status") throughout the United States of postsecondary occupational education institutions offering non-degree and applied associate degree programs in specific career and technical education fields, including institutions that offer programs via distance education.

Gary Puckett, Executive Director
7840 Roswell Road, Building 300, Suite 325
Atlanta, Georgia 30350
Tel. (770) 396-3898, (800) 917-2081, Fax (770) 396-3790
E-mail address: puckettg@council.org (mailto:puckettg@council.org)
Web address: http://www.council.org/ (http://www.council.org/)

/teaching)
- Family and Community Engagement (http://www.ed.gov/family-and-community-engagement)
- Early Learning (http://www.ed.gov/early-learning)
- K-12 Reforms (http://www.ed.gov/k-12reforms)

More > (http://www.ed.gov/priorities)

Related Topics

No Related Topics Found

Distance Education Accrediting Commission
1959/2012/S2017
Scope of recognition: the accreditation of postsecondary institutions in the United States that offer degree and/or non-degree programs primarily by the distance or correspondence education method up to and including the professional doctoral degree, including those institutions that are specifically certified by the agency as accredited for Title IV purposes.
Title IV Note:*Only accredited institutions that are certified by the agency as accredited for Title IV purposes may use accreditation by this agency to establish eligibility of its degree and/or non-degree programs to participate in Title IV programs.*

Leah K. Matthews, Executive Director
1101 17th Street NW, Suite 808
Washington, DC 20036
Tel. (202) 234-5100, Fax (202) 332-1386
E-mail address: info@deac.org (mailto:info@deac.org)
Web address:http://www.deac.org/ (http://www.deac.org/)

Middle States Commission on Higher Education
1952/2012/F2017
Scope of recognition: the accreditation and preaccreditation ("Candidacy status") of institutions of higher education in Delaware, the District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, and the U.S. Virgin Islands, including distance and correspondence education programs offered at those institutions.

Elizabeth H. Sibolski, President
3624 Market Street
Philadelphia, Pennsylvania 19104
Tel. (267) 284-5000, Fax (215) 662-5950
E-mail address: info@msche.org (mailto:info@msche.org)
Web address: http://www.msche.org/ (http://www.msche.org/)

Middle States Commission on Secondary Schools
2004/2014/S2017
Scope of recognition: the accreditation of institutions with postsecondary, non-degree granting career and technology programs in Delaware, Maryland, New Jersey, New York, Pennsylvania, the Commonwealth of Puerto Rico, the District of Columbia, and the U.S. Virgin Islands to include the accreditation of postsecondary, non-degree granting institutions that offer all or part of their educational programs via distance education modalities..
Title IV Note:*Only those vocational/technical schools accredited by this agency that offer non-degree, postsecondary education may use that accreditation to establish eligibility to participate in Title IV programs*.
Henry Cram, President
3624 Market Street, 2 West
Philadelphia, Pennsylvania 19104-2680
Tel. (267) 284-5000, Fax (215) 662-0957
E-mail address: jpruitt@msa-cess.org (mailto:jpruitt@msa-cess.org)
Web address: http://www.msa-cess.org/ (http://www.msa-cess.org/)

New England Association of Schools and Colleges, Commission on Institutions of Higher Education
1952/2015/F2017
Scope of recognition: the accreditation and pre-accreditation ("Candidacy status") of

institutions of higher education in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont that award bachelor's, master's, and/or doctoral degrees and associate degree-granting institutions in those states that include degrees in liberal arts or general studies among their offerings, including the accreditation of programs offered via distance education within these institutions..

Barbara E. Brittingham, President
3 Burlington Woods Drive, Suite 100
Burlington, Massachusetts 01803-4514
Tel. (781) 425-7700, Fax (781) 425-1001
E-mail address:bbrittingham@neasc.org (mailto:bbrittingham@neasc.org)
Web address: https://cihe.neasc.org/ (https://cihe.neasc.org/)

New York State Board of Regents, and the Commissioner of Education
1952/2012/F2017
Scope of recognition: the accreditation of those degree-granting institutions of higher education in New York, including distance education offered by those institutions, that designate the agency as their sole or primary nationally recognized accrediting agency for purposes of establishing eligibility to participate in HEA programs.

Elizabeth Berlin, Acting Commissioner of Education
State Education Department
The University of the State of New York
89 Washington Avenue
Albany, New York 12234
Tel. (518) 474-5844 Fax (518) 473-4909
E-Mail address: beth.berlin@nysed.gov (mailto:beth.berlin@nysed.gov)
Web address: http://www.nysed.gov/ (http://www.nysed.gov/)

North Central Association of Colleges and Schools, The Higher Learning Commission
1952/2013/S2015-C
Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of degree-granting institutions of higher education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Wyoming, including the tribal institutions and the accreditation of programs offered via distance education and correspondence education within these institutions. This recognition extends to the Institutional Actions Council jointly with the Board of Trustees of the Commission for decisions on cases for continued accreditation or reaffirmation, and continued candidacy, and to the Appeals Body jointly with the Board of Trustees of the Commission for decisions related to initial candidacy or accreditation or reaffirmation of accreditation.

Barbara Gellman-Danley, President
230 South LaSalle Street, Suite 7-500
Chicago, Illinois 60604-1413
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E-mail address: bgdanley@hlcommission.org (mailto:bgdanley@hlcommission.org)
Web address: http://www.hlcommission.org/ (http://www.hlcommission.org/)

Northwest Commission on Colleges and Universities
1952/2013/F2015-C
Scope of recognition: the accreditation and pre-accreditation ("Candidacy status") of

postsecondary degree-granting educational institutions in Alaska, Idaho, Montana, Nevada, Oregon, Utah, and Washington, and the accreditation of programs offered via distance education within these institutions.

Sandra E. Elman, President
8060 165th Avenue, NE, Suite 100
Redmond, Washington 98052
Tel. (425) 558-4224, Fax (425) 376-0596
E-mail address: selman@nwccu.org (mailto:selman@nwccu.org)
Web address: http://www.nwccu.org/ (http://www.nwccu.org/)

Southern Association of Colleges and Schools, Commission on Colleges
1952/2014/S2017
Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of degree-granting institutions of higher education in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia, including the accreditation of programs offered via distance and correspondence education within these institutions. This recognition extends to the SACSCOC Board of Trustees and the Appeals Committee of the College Delegate Assembly on cases of initial candidacy or initial accreditation and for continued accreditation or candidacy.

Belle S. Wheelan, President
1866 Southern Lane
Decatur, Georgia 30033-4097
Tel. (404) 679-4512, Fax (404) 994-6592
E-mail address: bwheelan@sacscoc.org (mailto:bwheelan@sacscoc.org)
Web address: http://www.sacscoc.org/ (http://www.sacscoc.org/)

Transnational Association of Christian Colleges and Schools, Accreditation Commission
1991/2013/S2016
Scope of recognition: the accreditation and preaccreditation ("Candidate" status) of Christian postsecondary institutions in the United States that offer certificates, diplomas, and associate, baccalaureate, and graduate degrees, including institutions that offer distance education.

T. Paul Boatner, President
15935 Forest Road
Forest, Virginia 24551
Tel. (434) 525-9539, Fax (434) 525-9538
E-mail address: mailto:%20info@tracs.org (mailto:%20info@tracs.org)
Web address: http://www.tracs.org/ (http://www.tracs.org/)

Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges
1952/2013/F2015-C
Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of community and other colleges with a primarily pre-baccalaureate mission located in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and the Republic of the Marshall Islands, which offer certificates, associate degrees, and the first baccalaureate degree by means of a substantive change review offered by institutions that are already

accredited by the agency, and such programs offered via distance education and correspondence education at these colleges. This recognition also extends to the Committee on Substantive Change of the Commission, for decisions on substantive changes, and the Appeals Panel.

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10 Commercial Boulevard, Suite 204
Novato, California 94949
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Web address: http://www.accjc.org/ (http://www.accjc.org/)

Western Association of Schools and Colleges, Senior Colleges and University Commission
1952/2012/F2017
Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") of senior colleges and universities in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands and the Republic of the Marshall Islands, including distance education programs offered at those institutions.

Mary Ellen Petrisko
President
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Alameda, California 94501
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Web address: http://www.wascsenior.org/ (http://www.wascsenior.org/)

« (http://www2.ed.gov/admins/finaid/accred/accreditation_pg3.html) 4 (http://www2.ed.gov/admins/finaid/accred/accreditation_pg4.html) | 5 (http://www2.ed.gov/admins/finaid/accred/accreditation_pg5.html) | 6 » (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html)
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Last Modified: 09/02/2015

Repaying Loans (http://studentaid.ed.gov/repay-loans?src=ft)

Defaulted Loans (http://studentaid.ed.gov/repay-loans/default?src=ft)

Loan Forgiveness (http://studentaid.ed.gov/repay-loans/forgiveness-cancellation?src=ft)

Loan Servicers (https://studentaid.ed.gov/repay-loans/understand/servicers?src=ft#who-is-my-loan-servicer)

Grants & Programs

(http://www2.ed.gov/fund/grants-apply.html?src=ft)

Apply for Pell Grants (http://www.fafsa.ed.gov/?src=ft)

Grants Forecast (http://www2.ed.gov/fund/grant/find/edlite-forecast.html?src=ft)

Apply for a Grant (http://www2.ed.gov/fund/grant/apply/grantapps/index.html?src=ft)

Eligibility for Grants (http://www2.ed.gov/programs/find/elig/index.html?src=ft)

/nclb/?src=ft)

FERPA (http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=ft)

Civil Rights (http://www2.ed.gov/about/offices/list/ocr/know.html?src=ft)

Data & Research

(http://www2.ed.gov/rschstat/?src=ft)

Education Statistics (http://nces.ed.gov/?src=ft)

Postsecondary Education Data (http://nces.ed.gov/ipeds/?src=ft)

State Education Data (http://eddataexpress.ed.gov/?src=ft)

Nation's Report Card (http://nces.ed.gov/nationsreportcard/?src=ft)

What Works Clearinghouse (http://ies.ed.gov/ncee/wwc/?src=ft)

/contacts/gen/?src=ft)

ED Offices (http://www2.ed.gov/about/offices/list/?src=ft)

Jobs (http://www.ed.gov/jobs/?src=ft)

Press Releases (http://www.ed.gov/news/?src=ft)

FAQs (https://answers.ed.gov/?src=ft)

Budget, Performance (http://www2.ed.gov/about/overview/focus/performance.html?src=ft)

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(https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)

(http://www.ed.gov/feed)

(https://plus.google.com/+usdepartmentofeducation)

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U.S. Department of Education

ADMINISTRATORS (HTTP://WWW2.ED.GOV/ADMINS/LANDING.JHTML?SRC=LN) / FINANCIAL AID FOR POSTSECONDARY STUDENTS

Accreditation in the United States

Specialized Accrediting Agencies

The dates specified for each entry are the date of initial listing as a recognized agency, the date of the Secretary's most recent grant of renewed recognition, and the date of the agency's next scheduled review for renewal of recognition by the National Advisory Committee on Institutional Quality and Integrity. (Note: S = Spring meeting; F = Fall meeting; C=Compliance Report)

ARTS AND HUMANITIES (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#arts) |EDUCATION TRAINING (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#ed) |LEGAL (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#law) |COMMUNITY AND SOCIAL SERVICES (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#comm) |PERSONAL CARE AND SERVICES (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#personal)| HEALTHCARE| (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#health)

ARTS AND HUMANITIES

National Association of Schools of Art and Design, Commission on Accreditation

1966/2014/F2017

Scope of recognition: for the accreditation throughout the United States of freestanding institutions and units offering art/design and art/design-related programs (both degree- and non-degree-granting), including those offered via distance education.

Title IV Note: *Only freestanding schools or colleges of art and design may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Karen P. Moynahan, Executive Director
11250 Roger Bacon Drive, Suite 21
Reston, Virginia 20190
Tel. (703) 437-0700, Fax (703) 437-6312
E-mail address: info@arts-accredit.org (mailto:info@arts-accredit.org)
Web address: http://www.arts-accredit.org/ (http://www.arts-accredit.org/)

National Association of Schools of Dance, Commission on Accreditation

How Do I Find...

- Student loans, forgiveness (http://www2.ed.gov/fund/grants-college.html?src=rn)
- College accreditation (http://ope.ed.gov/accreditation/)
- No Child Left Behind (http://www2.ed.gov/nclb/landing.jhtml?src=rn
- FERPA (http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn)
- FAFSA (http://fafsa.ed.gov/)
- 2015 Budget Proposal (http://www.ed.gov/budget15)

More > (http://www2.ed.gov/about/top-tasks.html?src=rn)

Information About...

- Transforming Teaching (http://www.ed.gov

1983/2015/S2019
Scope of recognition: the accreditation throughout the United States of freestanding institutions that offer dance and dance-related programs (both degree and non-degree-granting), including those offered via distance education.
Title IV Note: *Only freestanding schools or colleges of dance may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Reston, Virginia 20190
Tel. (703) 437-0700, Fax (703) 437-6312
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Web address: http://www.arts-accredit.org/ (http://www.arts-accredit.org/)

National Association of Schools of Music, Commission on Accreditation,
1952/2015/S2019
Scope of recognition: the accreditation throughout the United States of freestanding institutions that offer music and music related programs (both degree and non-degree-granting), including those offered via distance education.
Title IV Note: *Only freestanding schools or colleges of music may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.arts-accredit.org/ (http://www.arts-accredit.org/)

National Association of Schools of Theatre, Commission on Accreditation
1982/2015/S2019br> Scope of recognition: the accreditation throughout the United States of freestanding institutions that offer theatre and theatre-related programs (both degree and non-degree-granting), including those offered via distance education.
Title IV Note: *Only freestanding schools or colleges of theatre may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.arts-accredit.org/ (http://www.arts-accredit.org/)

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EDUCATION TRAINING

Montessori Accreditation Council for Teacher Education
1995/2013/F2015
Scope of recognition: The accreditation of Montessori teacher education institutions and programs throughout the United States, including those offered via distance education.
Title IV Note: *Only freestanding Montessori teacher education schools may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

/teaching)
- Family and Community Engagement (http://www.ed.gov/family-and-community-engagement)
- Early Learning (http://www.ed.gov/early-learning)
- K-12 Reforms (http://www.ed.gov/k-12reforms)

More > (http://www.ed.gov/priorities)

Related Topics

No Related Topics Found

Rebecca Pelton, President
Montessori Accreditation Council for Teacher Education
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Web address: http://www.macte.org/ (http://www.macte.org/)

National Council for Accreditation of Teacher Education
1952/2006/S2014
Scope of recognition: the accreditation throughout the United States of professional education units providing baccalaureate and graduate degree programs for the preparation of teachers and other professional personnel for elementary and secondary schools, including programs offering distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

James G. Cibulka, President
2010 Massachusetts Avenue, NW
Washington, DC 20036-1023
Tel. (202) 466-7496, Fax (202) 296-6620
E-mail address:ncate@ncate.org (mailto:ncate@ncate.org)
Web address: ncate.org (http://www.ncate.org/)

Teacher Education Accreditation Council, Accreditation Committee
2003/2005/S2014
Scope of recognition: for the accreditation and pre-accreditation throughout the United States of professional teacher education programs in institutions offering baccalaureate and graduate degrees for the preparation of K-12 teachers.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

Mark LaCelle-Peterson , President
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Web address: http://www.teac.org/ (http://www.teac.org/)

Top (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#skipnav2)

LEGAL

American Bar Association, Council of the Section of Legal Education and Admissions to the Bar
1952/2013/S2016
Scope of recognition: the accreditation throughout the United States of programs in legal education that lead to the first professional degree in law, including those offered via distance education, as well as freestanding law schools offering such programs. This recognition also extends to the Accreditation Committee of the Section of Legal Education (Accreditation Committee) for decisions involving continued accreditation (referred to by the agency as "approval") of law schools.
Title IV Note: *Only freestanding law schools may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

Barry A. Currier
Managing Director, Accreditation and Legal Education
ABA Section of Legal Education and Admissions to the Bar
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Web address: www.abanet.org/legaled/ (http://www.abanet.org/legaled/)

Top (http://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html#skipnav2)

COMMUNITY AND SOCIAL SERVICES

Association for Biblical Higher Education, Commission on Accreditation
1952/2014/S2017
Scope of recognition: the accreditation and preaccreditation (“Candidate for Accreditation”), at the undergraduate level, of institutions of biblical higher education in the United States offering both campus-based and distance education instructional programs.

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Association for Clinical Pastoral Education, Inc., Accreditation Commission
1969/2013/S2017
Scope of recognition: the accreditation of both clinical pastoral education (CPE) centers and CPE and Supervisory CPE programs located within the United States and territories.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Web address: http://www.acpe.edu/ (http://www.acpe.edu/)

Association of Advanced Rabbinical and Talmudic Schools, Accreditation Commission
1974/2015/F2017
Scope of recognition: the accreditation and preaccreditation ("Correspondent" and "Candidate") within the United States of advanced rabbinical and Talmudic schools.

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Commission on Accrediting of the Association of Theological Schools
1952/2013/S2016
Scope of recognition:The accreditation of theological schools and seminaries, as well as schools or programs that are parts of colleges or universities, in the United States, offering post baccalaureate degrees in professional and academic theological education, including delivery via distance education.
Title IV Note: *Only freestanding institutions, colleges, or seminaries of theology may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.ats.edu/ (http://www.ats.edu/)

Commission on English Language Program Accreditation
2003/2013/F2016
Scope of recognition: the accreditation of postsecondary, non-degree-granting English language programs and institutions in the United States.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Web address:http://www.cea-accredit.org/ (http://www.cea-accredit.org/)

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PERSONAL CARE AND SERVICES

American Board of Funeral Service Education, Committee on Accreditation
1972/2010/F2015
Scope of recognition: the accreditation of institutions and programs within the United States awarding diplomas, associate degrees and bachelor's degrees in funeral service or mortuary science, including the accreditation of distance learning courses and programs offered by these programs and institutions.
Title IV Note: *Only freestanding schools or colleges of funeral service or mortuary science may use accreditation by this agency to establish eligibility to participate in Title IV programs*.

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Web address: http://www.abfse.org/ (http://www.abfse.org/)

Commission on Massage Therapy Accreditation
2002/2010/F2015

Scope of recognition: The accreditation of institutions and programs in the United States that award postsecondary certificates, postsecondary diplomas, academic Associate degrees and occupational Associate degrees, in the practice of massage therapy, bodywork, and aesthetics/esthetics and skin care, including components of programs which are offered through distance learning modalities.
Title IV Note: *Only freestanding schools or colleges of massage therapy, body work and aesthetics/esthetics may use accreditation by this agency to establish eligibility to participate in Title IV programs*.

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Web address: http://www.comta.org/ (http://www.comta.org/)

National Accrediting Commission of Career Arts and Sciences, Inc.
1970/2010/F2015
Scope of recognition: The accreditation throughout the United States of postsecondary schools and departments of cosmetology arts and sciences and massage therapy.

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HEALTHCARE

Academy of Nutrition and Dietetics, Accreditation Council for Education in Nutrition and Dietetics
1974/2012/F2017
Scope of recognition: the accreditation and pre-accreditation, within the United States, of Didactic and Coordinated Programs in Dietetics at both the undergraduate and graduate level, post-baccalaureate Dietetic Internships, and Dietetic Technician Programs at the associate degree level, and for its accreditation of such programs offered via distance education.
Title IV Note: *Only postbaccalaureate dietetic internship programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: www.eatright.org/acend (http://www.eatright.org/acend)

Accreditation Commission for Acupuncture and Oriental Medicine

1988/2013/S2016
Scope of recognition: the accreditation and preaccreditation ("Candidacy" status) throughout the United States of first-professional master's degree and professional master's level certificate and diploma programs in acupuncture and Oriental Medicine and professional post-graduate doctoral programs in acupuncture and in Oriental Medicine (DAOM), as well as freestanding institutions and colleges of acupuncture or Oriental Medicine that offer such programs.
Title IV Note: *Only freestanding institutions or colleges of acupuncture or Oriental medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Accreditation Commission for Education in Nursing, Inc. – May 6, 2013
Formerly: National League for Nursing Accrediting Commission

1952/2014/S2015-C
Scope of recognition: Accreditation of nursing education programs and schools, both postsecondary and higher degree, which offer a certificate, diploma, or a recognized professional degree including clinical doctorate, masters, baccalaureate, associate, diploma, and practical nursing programs in the United States and its territories, including those offered via distance education.
Title IV Note: *Practical, diploma, associate, baccalaureate, and higher degree nursing education programs that are not located in a regionally accredited institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: www.acenursing.org (http://www.acenursing.org/)

Accreditation Commission for Midwifery Education
1982/2014/S2017
Scope of recognition: the accreditation and pre-accreditation of basic certificate, basic graduate nurse-midwifery, direct entry midwifery, and pre-certification nurse-midwifery education programs, including those programs that offer distance education.
Title IV Note: *Only freestanding institutions of midwifery education may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.acnm.org/ (http://www.acnm.org/)

Accreditation Council for Pharmacy Education
1952/2014/S2017
Scope of recognition: the accreditation and preaccreditation within the United States of professional degree programs in pharmacy leading to the degree of Doctor of Pharmacy, including those programs offered via distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Accrediting Bureau of Health Education Schools
1969/2011/S2016
Scope of recognition: the accreditation of private, postsecondary institutions in the United States offering predominantly allied health education programs and the programmatic accreditation of medical assistant, medical laboratory technician and surgical technology programs, leading to a certificate, diploma, Associate of Applied Science, Associate of Occupational Science, Academic Associate degree, or Baccalaureate degree, including those offered via distance education.
Title IV Note: *Only freestanding allied health education institutions and institutions that offer predominantly allied health programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.abhes.org/ (http://www.abhes.org/)

American Dental Association, Commission on Dental Accreditation
1952/2013/S2017
Scope of recognition: the accreditation of predoctoral dental education programs (leading to the D.D.S. or D.M.D. degree), advanced dental education programs, and allied dental education programs that are fully operational or have attained "Initial Accreditation" status, including programs offered via distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs*.

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Web address: http://www.ada.org/coda (http://www.ada.org/coda)

American Occupational Therapy Association, Accreditation Council for

Occupational Therapy Education
1952/2012/S2017
Scope of recognition: the accreditation of occupational therapy educational programs offering the professional master's degree, combined baccalaureate/master's degree, and occupational therapy doctorate (OTD) degree; the accreditation of occupational therapy assistant programs offering the associate degree or a certificate; and the accreditation of these programs offered via distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Optometric Association, Accreditation Council on Optometric Education
1952/2015/F2017
Scope of recognition: the accreditation in the United States of professional optometric degree programs, optometric technician (associate degree) programs, and optometric residency programs, and for the pre-accreditation category of Preliminary Approval for professional optometric degree programs.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Osteopathic Association, Commission on Osteopathic College Accreditation
1952/2011/S2016
Scope of recognition: : the accreditation and preaccreditation ("Provisional Accreditation") throughout the United States of freestanding institutions of osteopathic medicine and of osteopathic medical programs leading to the degree of Doctor of Osteopathy or Doctor of Osteopathic Medicine..
Title IV Note: *: Only freestanding schools or colleges of osteopathic medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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American Physical Therapy Association, Commission on Accreditation in Physical Therapy Education
1977/2014/S2017
Scope of recognition: the accreditation and preaccreditation ("Candidate for Accreditation") in the United States of physical therapist education programs leading to the first professional degree at the master's or doctoral level and physical therapist assistant education programs at the associate degree level and for its accreditation of such programs offered via distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Web address: http://www.apta.org/ (http://www.apta.org/)

American Podiatric Medical Association, Council on Podiatric Medical Education
1952/2013/F2016
Scope of recognition: the accreditation and preaccreditation ("Provisional Accreditation") throughout the United States of freestanding colleges of podiatric medicine and programs of podiatric medicine, including first professional programs leading to the degree of Doctor of Podiatric Medicine.
Title IV Note: *Only freestanding schools or colleges of podiatric medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.cpme.org/ (http://www.cpme.org/)

American Psychological Association, Commission on Accreditation
1970/2013/S2016
Scope of recognition: the accreditation in the United States of doctoral programs in clinical, counseling, school and combined professional-scientific psychology; doctoral internship programs in health service psychology; and postdoctoral residency programs in health service psychology. The preaccreditation in the United States of doctoral internship programs in health service psychology and postdoctoral residency programs in health service psychology.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Speech-Language-Hearing Association, Council on Academic Accreditation in Audiology and Speech-Language Pathology
1967/2010/F2015
Scope of recognition: The accreditation and preaccreditation (Accreditation Candidate) throughout the United States of education programs in audiology and speech-language pathology leading to the first professional or clinical degree at the master's or doctoral level, and the accreditation of these programs offered via distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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American Veterinary Medical Association, Council on Education
1952/2012/S2016-C
Scope of recognition: the accreditation and preaccreditation ("Provisional Accreditation") in the United States of programs leading to professional degrees (D.V.M. or D.M.D.) in veterinary medicine.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Commission on Collegiate Nursing Education
2000/2014/S2017
Scope of recognition: the accreditation of nursing education programs in the United States, at the baccalaureate, masters, and doctoral levels, including programs offering distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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/accreditation/index.htm)

Council on Accreditation of Nurse Anesthesia Educational Programs
1955/2013/F2015-C
Scope of recognition: The accreditation of institutions and programs of nurse anesthesia at the post master`s certificate, master`s, or doctoral degree levels in the United States, and its territories, including programs offering distance education.
Title IV Note: *Only hospital-based nurse anesthesia programs and freestanding nurse anesthesia institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs*

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The Council on Chiropractic Education
1974/2013/F2016
Scope of recognition: the accreditation of programs leading to the Doctor of Chiropractic degree and single-purpose institutions offering the Doctor of Chiropractic program.
Title IV Note: *Only freestanding schools or colleges of chiropractic may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Council on Education for Public Health
1974/2013/F2018
Scope of recognition: the accreditation within the United States of schools of public health and public health programs outside schools of public health, at the baccalaureate and graduate degree levels, including those offered via distance education.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Council on Naturopathic Medical Education
2003/2010/F2015
Scope of recognition: The accreditation and preaccreditation throughout the United States of graduate-level, four-year naturopathic medical education programs leading to the Doctor of Naturopathic Medicine (NMD) or Doctor of Naturopathy (ND).

Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.*

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Joint Review Committee on Education in Radiologic Technology
1957/2013/F2016
Scope of recognition: the accreditation of educational programs in radiography, magnetic resonance, radiation therapy, and medical dosimetry, including those offered via distance education, at the certificate, associate, and baccalaureate levels.
Title IV Note: *Only hospital-based radiologic technology programs and freestanding radiologic technology institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.jrcert.org/ (http://www.jrcert.org/)

Liaison Committee on Medical Education
1952/2014/F2017
Scope of recognition: the accreditation of medical education programs within the United States leading to the M.D. degree.
Title IV Note: *Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs*.

The LCME is administered in odd-numbered years, beginning each July 1, by:

Barbara Barzanski, Interim Secretary
Council on Medical Education of the American Medical Association
515 North State Street
Chicago, Illinois 60610
Tel. (312) 464-1690, Fax (312) 464-5830
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Web address: http://www.ama-assn.org/ (http://www.ama-assn.org/)

The LCME is administered in even-numbered years, beginning each July 1, by:
Dan Hunt, Secretary
Association of American Medical Colleges
2450 N Street, N.W.
Washington, DC 20037
Tel. (202) 828-0596, Fax (202) 828-1125
E-mail address: mailto:%20dhunt@aamc.org (mailto:%20dhunt@aamc.org)
Web address: http://www.lcme.org/ (http://www.lcme.org/)

Midwifery Education Accreditation Council

2001/2012/F2015
Scope of recognition: the accreditation and pre-accreditation throughout the United States of direct-entry midwifery educational institutions and programs conferring degrees and certificates, including the accreditation of such programs offered via distance education and correspondence education.
Title IV Note: *Only freestanding direct-entry midwifery educational institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.*

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Web address: http://www.meacschools.org/ (http://www.meacschools.org/)

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7 | 8 (http://www2.ed.gov/admins/finaid/accred/accreditation_pg8.html) | 9 (http://www2.ed.gov/admins/finaid/accred/accreditation_pg9.html)
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Last Modified: 09/02/2015

Grants & Programs

(http://www2.ed.gov/fund/grants-apply.html?src=ft)

Apply for Pell Grants (http://www.fafsa.ed.gov/?src=ft)

Grants Forecast (http://www2.ed.gov/fund/grant/find/edlite-forecast.html?src=ft)

Apply for a Grant (http://www2.ed.gov/fund/grant/apply/grantapps/index.html?src=ft)

Eligibility for Grants (http://www2.ed.gov/programs/find/elig/index.html?src=ft)

Postsecondary Education Data (http://nces.ed.gov/ipeds/?src=ft)

State Education Data (http://eddataexpress.ed.gov/?src=ft)

Nation's Report Card (http://nces.ed.gov/nationsreportcard/?src=ft)

What Works Clearinghouse (http://ies.ed.gov/ncee/wwc/?src=ft)

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(http://www.ed.gov/feed)

(https://plus.google.com/+usdepartmentofeducation)

More > (http://www2.ed.gov/about/overview/focus/social-media.html?src=ft)

Notices (http://www2.ed.gov/notices/index.html?src=ft) FOIA (http://www2.ed.gov/policy/gen/leg/foia/foiatoc.html?src=ft)
Privacy (http://www2.ed.gov/notices/privacy/index.html) Accessibility (http://www2.ed.gov/notices/accessibility/index.html)
Security (http://www2.ed.gov/notices/security/index.html?src=ft)
Information quality (http://www2.ed.gov/policy/gen/guid/infoqualguide.html?src=ft)
Inspector General (http://www2.ed.gov/about/offices/list/oig/index.html?src=ft) Whitehouse.gov (http://www.whitehouse.gov/)
USA.gov (http://www.usa.gov/) Benefits.gov (http://www.benefits.gov/) Regulations.gov (http://www.regulations.gov/)

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Board of Behavioral Sciences

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Memo

To: Committee Members

Date: October 15, 2015

From: Rosanne Helms
Legislative Analyst

Telephone: (916) 574-7897

Subject: **Review of Board Sponsored and Monitored Legislation**

BOARD-SPONSORED LEGISLATION

The Board sponsored the following legislative proposals:

1. **SB 531 (Bates) Board of Behavioral Sciences Enforcement Process**

   This bill makes two separate amendments to the law governing the enforcement process:

   a) It modifies the Board's requirements for an individual to petition for a termination of probation or modification of penalty. Under the proposal, the Board may deny a petition without hearing if the petitioner is not in compliance with the terms of his or her probation.

   b) It clarifies that the Board has jurisdiction to investigate and take disciplinary action even if the status of a license or registration changes or if the license or registration expires.

   The goal of these changes is to increase the efficiency of the enforcement process.

   This bill proposal was approved by the Board at its November 20, 2014 meeting.

   Signed by the Governor (Chapter 261, Statutes of 2015).

2. **SB 620 (Block) Board of Behavioral Sciences: Licensure Requirements**

   This bill streamlines the experience requirements for LMFT and LPCC applicants. It eliminates the complex assortment of minimum and maximum hours of differing types of experience required for licensure (also known as the "buckets" of experience) and instead requires 1,750 hours of the experience to be direct clinical counseling hours. The remaining required 1,250 hours may be non-clinical experience.

The bill also makes amendments to LCSW law to allow LCSW applicants to count some direct supervisor contact hours, as well as some hours spent attending workshops, trainings, conferences, and seminars, toward their required experience.

This bill proposal was approved by the Board at its November 20, 2014 meeting.

Signed by the Governor (Chapter 262, Statutes of 2015).

3. **SB 800 (Senate Business, Professions, and Economic Development Committee) Healing Arts (Omnibus Bill)**

   This bill proposal, approved by the Board at its November 20, 2014 meeting, makes minor, technical, and non-substantive amendments to add clarity and consistency to current licensing law.

   Signed by the Governor (Chapter 426, Statutes of 2015).

BOARD-SUPPORTED LEGISLATION

AB 250 (Olbernolte): Telehealth: Marriage and Family Therapist Interns and Trainees
This bill would clarify that MFT interns and trainees may practice via telehealth.

At its May 21, 2015 meeting, the Board took a "support" position on this bill.

Signed by the Governor; Chapter 50, Statutes of 2015.

AB 858/690 (Wood): Medi-Cal: Federally Qualified Health Centers: Rural Health Clinics
AB 690 bill would allow Medi-Cal reimbursement for covered mental health services provided by a marriage and family therapist employed by a federally qualified health center or a rural health clinic.

At its May 21, 2015 meeting, the Board took a "support" position on AB 690.

Status: The provisions of AB 690 were amended into another bill, AB 858, on May 28, 2015. However, the Governor vetoed AB 858. AB 690 is a two-year bill, and therefore may still reappear next legislative session.

AB 832 (Garcia): Child Abuse: Reportable Conduct
This bill would specify that voluntary acts of sodomy, oral copulation, and sexual penetration are not considered acts of sexual assault that must be reported by a mandated reporter, unless it is between a person age 21 or older and a minor under age 16.

At its May 21, 2015 meeting, the Board took a "support if amended" position on this bill, and asked for an amendment to clarify that only non-abusive sexual conduct would not be reportable.

Status: The Board's requested amendment was made, however this is a two-year bill.

AB 1001 (Maienschein): Child Abuse: Reporting
This bill clarifies that it is illegal for anyone, including a supervisor, to impede or interfere with the making of a mandated report of suspected child abuse or neglect.
At its May 21, 2015 meeting, the Board took a "support" position on this bill.

Status: This is a two-year bill.

AB 1140 (Bonta): California Victim Compensation and Government Claims Board
This bill contains language that clarifies that a violence peer counselor may not perform services that fall under the scope of practice of any of the professions which the Board regulates, unless those services take place in an exempt setting.

At its June 12, 2015 meeting, the Board reviewed and took a "support if amended" position on this language, asking for one minor clarifying amendment.

Signed by the Governor (Chapter 569, Statutes of 2015).

THE BOARD MONITORED THE FOLLOWING LEGISLATION:

AB 85 (Wilk): Open Meetings
This bill would make an advisory body consisting of less than three members subject to the Bagley-Keene Open Meeting Act if a member of the state body is serving on it in his or her official capacity, and if the advisory body is supported, wholly or partially, by funds from the state body.

At its May 21, 2015 meeting, the Board took an "oppose" position on this bill.

The Governor vetoed this bill.

AB 333 (Melendez): Healing Arts: Continuing Education
This bill would allow a healing arts licensee who takes coursework toward, and becomes a certified instructor of, CPR or AED use, to count one unit of credit toward his or her continuing education requirement. The CE credit would only count if the licensee's licensing board laws or regulations do not exclude counting such courses or activities.

At its May 21, 2015 meeting, the Board took an "oppose unless amended" position on this bill, and asked that the Board be removed from the provisions of the bill.

This bill was amended on June 24, 2015 to require a licensing board's laws or regulations to allow CPR or AED continuing education courses in order for the provisions of this bill to apply. Therefore, this bill no longer affects Board licensees, as the Board's statutes and regulations do not permit this type of CE coursework. The Board's position is now "neutral."

Signed by the Governor (Chapter 360, Statutes of 2015).

AB 796 (Nazarian): Health Care Coverage: Autism and Pervasive Developmental Disorders
This bill modifies the definition of "qualified autism service professional" and "qualified autism service paraprofessional" to allow insurance coverage for types of behavioral health treatment other than applied behavior analysis.

At its May 21, 2015 meeting, the Board opted to remain neutral on this bill.

Status: This is a two-year bill.

AB 1279 (Holden): Music Therapy
This bill seeks to define music therapy in statute and to provide guidance to consumers and agencies regarding the education and training requirements of a qualified music therapist.

At its May 21, 2015 meeting, the Board opted to remain neutral on this bill.

The Governor vetoed this bill.

SB 479 (Bates): Healing Arts: Behavior Analysis: Licensing
This bill establishes licensure for behavior analysts and assistant behavior analysts under the Board of Psychology.

At its June 12, 2015 meeting, the Board opted to remain neutral on this bill.

Status: This is a two-year bill.

SB 614 (Leno): Medi-Cal: Mental Health Services: Peer and Family Support Specialist Certification
This bill would require the State Department of Health Care Services to develop a peer and family support specialist certification program.

At its May 21, 2015 meeting, the Board took an "Oppose unless Amended" position on this bill, requesting amendments that specified certain information in statute, rather than designating that information to be defined in regulations. The amendments the Board requested in statute are as follows:

- Inclusion of a clear definition of a peer and family support specialist;
- Inclusion of a defined scope of practice for a peer and family support specialist;
- Specification of the required hours of supervision for a peer and family support specialist, and identification of who may provide this supervision;
- Specification of the training requirements for a peer and family support specialist; and
- Addition of a fingerprinting requirement for peer and family support specialists.

This bill was amended on July 6, 2015. The amended version provides a definition of a peer and family support specialist, as the Board requested. However, the Board's remaining requested amendments are either not addressed or are only partially addressed.

Status: This is a two-year bill.

Board of Behavioral Sciences

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Memo

To:	Board Members	**Date:**	October 15, 2015
From:	Christy Berger Regulatory Analyst	**Telephone:**	(916) 574-7817

Subject: Status of Board Rulemaking Proposals

APPROVED REGULATIONS

Disciplinary Guidelines and SB 1441: Uniform Standards for Substance Abuse: Amend Title 16, CCR Section 1888

This is a regulatory proposal that the Department of Consumer Affairs (DCA) and the state Legislature have asked all healing arts licensing boards to pursue. It creates uniform standards for discipline that the boards must follow in cases of licensee or registrant substance abuse. This proposal was prompted by a concern at the Legislature that there is a lack of a consistent policy across DCA's healing arts boards for handling cases that involve licensees or registrants who abuse drugs or alcohol.

These regulations were approved by the Secretary of state on June 23, 2015 and took effect October 1, 2015.

CURRENT REGULATORY PROPOSALS

Implementation of SB 704 (Examination Restructure): Amend Title 16, CCR Sections 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877; Add Sections 1805.01, 1822.5, 1822.6, 1830, 1878

This proposal would revise Board regulations for consistency with statutory changes made by SB 704[1], which restructures the examination process for LMFT, LCSW, and LPCC applicants effective January 1, 2016.

[1] Chapter 387, Statutes of 2011

The proposal was approved by the Board at its meeting in August 2014. It was published in its California Regulatory Notice Register on November 14, 2014, and the public comment period has ended. This proposal is under concurrent review by the Office of Administrative Law and the Department of Finance, and is expected to take effect January 1, 2016.

Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families: Amend Title 16, CCR Sections 1820.5 and 1822; Add Sections 1820.6 and 1820.7

This proposal clarifies requirements for LPCCs to treat couples and families, and outlines a process by which LPCCs and PCC Interns would receive Board confirmation that they have met the requirements to treat couples and families.

The final proposal was approved by the Board at its meeting in May 2014. It was published in the California Regulatory Notice Register on March 6, 2015, and the public comment period has ended. This proposal is under concurrent review by the Office of Administrative Law and the Department of Finance, and is expected to take effect January 1, 2016.

Standards of Practice for Telehealth: Add Title 16, CCR Section 1815.5

This proposal addresses the use of telehealth in the provision of psychotherapy, and clarifies questions, such as when a California license is needed, actions a licensee must take in order to protect the client in a telehealth setting, and that failure to follow telehealth requirements is considered unprofessional conduct.

The final proposal was approved by the Board at its meeting in May 2015. It was published in the California Regulatory Notice Register on July 10, 2015. The 45-day public comment period has ended, and the public hearing was held on August 25, 2015. In response to comments received, modifications were made to the proposal and the 15-day public comment period ended on September 24, 2015. This proposal is currently under review by the Department of Consumer Affairs.