

**BOARD OF BEHAVIORAL SCIENCES**

400 R STREET, SUITE 3150, SACRAMENTO, CA 95814

TELEPHONE: (916) 445-4933 TDD: (916) 322-1700

WEBSITE ADDRESS: <http://www.bbs.ca.gov>

SUBJECT: Advertising Psychotherapy/Psychotherapist	POLICY # E-95-2	DATE ADOPTED: 11/17/95
	SUPERSEDES:N/A	PAGE: 1 OF 1
DISTRIBUTE TO: Board Members/ All Staff	APPROVED BY:	BOARD OF BEHAVIORAL SCIENCES

Policy:

Use of the words “psychotherapy” or “psychotherapist” in advertising by a licensee is not, in itself*, a violation of law, of regulation, nor is it, in itself, false or misleading advertising, **provided that all of the following conditions are met:**

1. the advertising indicates the full name of the licensee and the complete title of the license (licensed marriage, family and child counselor, licensed clinical social worker, -- in those words).
2. the person advertising is competent, by reason of his/her education, training, and/or experience, to perform the professional services advertised or to act in a manner or professional capacity advertised.

* The words “in itself” are of significance. Whether or not a particular advertisement is found to be false or misleading or in violation of any law or regulation depends upon an analysis of **all** of the facts and circumstances relating to the advertisement in question. Certainly, the usage of any and all words will be amongst the factors considered.

Background:

This policy is adopted by the California Board of Behavioral Science Examiners (BBSE) because of its firm belief that arbitrary limits or restrictions on the use of the specific words in advertising do not serve the interests of the consumers of mental health services, but tend to promote unhealthy “turf” battles between competing professions. BBSE’s commitment is to the provision of factual information which will assist the consumer in making informed decisions with respect to the utilization of professional services.

This policy should not be construed, nor is it intended, to encourage any specific manner or form of advertising or the usage of any words. It is not intended to serve as a substitute for independent legal advice on the issue of permissible, i.e., lawful, advertising. Its purpose is simply and solely to clarify the position of the BBSE with respect to the use of words “psychotherapist” or “psychotherapy” in advertisements by its licensees.

Implementation: Immediate

Attachment: None