

**CALIFORNIA
BOARD OF BEHAVIORAL SCIENCES
EXAMINATION COMMITTEE
MEETING MINUTES**

MAY 18, 2000

(Approved August 25, 2000)

**DEPARTMENT OF CONSUMER AFFAIRS
400 R STREET, SUITE 1030
SACRAMENTO, CA**

MEMBERS PRESENT

Marsena Buck, LCSW Member, Committee Chair
Selma Fields, MFT Member
Karen Pines, MFT Member

MEMBERS ABSENT

STAFF PRESENT

Sherry Mehl, Executive Officer
LaVonne Powell, Legal Counsel
Julie McAuliffe, Administrative Analyst
Debra Stiger, MFT Evaluator

GUEST LIST ON FILE

The meeting was called to order at 1:40 p.m.

1. APPROVAL OF FEBRUARY 3, 2000 MINUTES

SELMA FIELDS MOVED, KAREN PINES SECONDED, AND THE COMMITTEE CONCURRED TO RECOMMEND APPROVAL OF THE FEBRUARY 3, 2000 MINUTES.

2. EXAMINATION STATISTICS

The current oral examination statistics broken down by school were included in the meeting binder. Ms. Buck stated that the statistics are reviewed at each meeting. She stated that what was interesting to her was the changes in the pass rate from 1995 to 1999.

Ms. Mehl stated that the current statistics are different from previous statistics because they include a span over a five-year period. She thanked Kari Frank and Gwen Carkhuff for their tremendous work on compiling these statistics. These statistics are an excellent resource document. Ms. Mehl then explained that there are approved schools and accredited schools that offer acceptable marriage and family therapy degree programs. If an approved school has closed or changed their name, it is impossible to track this information by student. Therefore, some of the statistics are unattainable. Also, some schools have closed and opened under another

name. These types of situations have resulted in these statistics being somewhat skewed and should be viewed as an information only document.

Ms. Pines commented that the pass rates are so low. She thought that the schools should be doing a better job of preparing their students. Ms. Buck explained that this issue has been discussed by the Board at great lengths and the Board has recently been focusing on postgraduate experience and supervision. She indicated that these statistics are one variable in the whole process. She is very interested in seeing the statistics in a few years now that more reliable supervision requirements were implemented for associate clinical social workers.

Ms. Buck then stated that within the schools of social work, some schools do not gear their curricula to clinical practice. This may be one factor in the pass rate.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists, stated that schools with a 50% pass rate are maintaining the status quo because that is the current pass rate for the examination. Schools with higher pass rates may be superior and schools with lower pass rates may be a reason for concern. She indicated that what is relevant is that the schools provide theory and very little application. This is a field where the application is critical to be successful in the examination process. As long as the schools are keeping up with the overall application it then is up to the individual to obtain the right experience.

Ms. Pines stated that marriage and family therapist students do have clinical applications in school and it seems like a model for good application could be a part of the masters program. Ms. Fields stated that the examination candidate handbook is available and students should review this and make sure that they are gaining the proper experience to prepare them for examination.

Jan Lee Wong, Executive Director of the National Association of Social Workers, commented that the written and oral examinations test for different components that are necessary for independent practice. If an individual passes the written examination the assumption must be made that the person is knowledgeable and their education and experience is valuable. If that individual then fails the oral examination, the individual has not received training in the necessary components for passage of that examination. He stated that it is very important not to generalize and just assume that since they did not pass the oral examination, there must be something wrong with the educational program. Mr. Wong then asked the representative from Stanislaus State University to explain why some schools have a clinical focus and others do not. The representative explained that Stanislaus' focus comes from the community. They have a very active advisory board made up of individuals who work in the mental health agencies. These individuals assist the school in shaping their curriculum in addition to the Council on Social Work Education standards.

Geraldine Esposito, Executive Director of the Society for Clinical Social Work, stated that Stanislaus' situation is unique in the social work schools in California. Two forces have impacted the social work education program in California. First was the intense budget squeeze from the Department of Mental Health in the 1980's on public mental health programs. These programs were training grounds for associate clinical social workers and were transitioned to deal only with the severely mentally ill. The second force was that California State University schools of social work came out with a mission statement that clearly spoke against clinical education. Given those two forces as well as managed care, the settings now do not offer the experience necessary to pass the oral examination.

Ms. Buck stated that when she attended school she was taught theoretical things like the law, ethics, the history of the profession of social work and the framework of practice. Her experience was gained at agency settings.

Ms. Buck stated that she has been reviewing the examination statistics for six years and has seen a definite improvement. The examination process is meant to test people for independent practice and is always a work in progress.

3. DISCUSSION REGARDING LIMITING THE NUMBER OF TIMES TO PARTICIPATE IN AN EXAMINATION

This issue was discussed at the February meeting and the Committee requested that statistical information be provided at this meeting. Included in the meeting materials were charts indicating the number of persons who have participated in the oral examination for the past 10 years. Ms. Mehl explained that the information reflected on the charts was a significant amount of information that the Board has never compiled before. The charts reflected that of the total candidates who pass the examination, approximately 75% of them pass in the first two times. When the third time is included, approximately 80% of the candidates pass the examination. On the marriage and family therapist examination chart, of the first time passers of 5,128, only 180 people did not continue to participate in the examination over the ten year period. This is a very miniscule amount and most people continue to take the examination and pass on the third time. After the fifth time, a person's chances of passing the examination are small. Charts of the two license types reflected almost the same results. These charts clearly indicated the need to intervene after the fifth time and possibly require additional experience or education. A Board member mentioned that these people who continue to fail the examination are practicing. Ms. Mehl stated that this is a problem because their failure of the examination indicates that they are incompetent to practice and that they continue to be registered with the Board. She suggested that the Committee look at the law related to registration when determining the final outcome of this issue.

Ms. Buck thought it would be interesting to review enforcement cases and look at how many times a licensee participated in the examination. Ms. Mehl stated that we looked at this for LCSW's when the oral examination was an issue in the Legislature and the outcome of this research was that the majority of the enforcement cases included licensees who became licensed prior to the implementation of the oral examination. The remaining licensees had taken the oral examination prior to the standardization of the examination. This was a significant study that assisted in proving the need for an oral examination.

Ms. Fields questioned about intern registration and examination participation. Ms. Mehl explained that an intern is registered for six years. If they gain their experience in those six years and are in the examination cycle, they do not have to stay currently register unless they are employed in a private practice. They can continue in the examination process indefinitely without being registered. Another scenario is that an individual can apply and receive endless registrations so long as their degree title is one named in law and never participate in the examination process. The only restriction on a subsequent registration is that the intern cannot work in a private practice.

Ms. Mehl suggested that staff prepare several options to assist in filtering through the different scenarios and bring these back to the Committee. Staff can also research how other boards have addressed this issue.

Ms. Riemersma stated that the charts reflect people who are employed in exempt work settings and are able to work in these settings whether they have a registration or not. She indicated that it is best that these people

continue to register with Board because then the Board has jurisdiction over them. She questioned if there was a way to review the experience that the people who continue to fail the examination have gained to determine if there are similarities.

David Fox, Marriage and Family Therapist, indicated that he was very troubled by this issue and asked where was the evidence that indicated a need to limit the number of times one can participate in an examination. He stated there was no evidence presented that reflected these people who continue to participate in the examination are dangerous. Of the many boards within the Department of Consumer Affairs, only four Boards limit the number of times to participate in an examination. LaVonne Powell, Legal Counsel for the Board, stated that four was a significant number in relation to healing arts boards. Ms. Mehl stated that she had spoken with Thomas O'Connor, Executive Officer of the Board of Psychology, and he was following this issue very closely and was very interested in looking into whether his board would want to limit the number as well. Mr. Fox stated that the State Bar, Board of Accountancy and the Medical Board do not have limits and their licensees work very closely with the public. He then indicated that the enforcement statistics do not reflect a need to limit examination participation.

Mr. Fox suggested that the Board mandate a six-hour continuing education course in law and ethics in order to keep licensees law abiding and not put the effort on limiting examination participation. He then questioned if there is some type of uniqueness about the people who take the examination more than three times. He felt that a good number of them are minorities and English is their second language. He asked that the Board research this issue. He then asked that the Board do some type of research similar to the LCSW regarding enforcement of MFT's prior to the standardization of the oral examination. He was curious how the Board would decide what type of additional education would be required if the Board chose to include this in the limiting of examination participation. He indicated that the Board has not done studies to determine what types of education need to be targeted. He stated that if a candidate failed in different examination contents each time they took the examination, it would be difficult to be specific in what remedial education was needed.

Mary Mallory indicated that she teaches college courses and thought that when students fail over and over again they have not been given enough information on what they are doing wrong. She thought that a prescription for improvement would be a good idea. Ms. Mehl stated that the Board is not an educational institution, it is a licensing board, and the candidates are given a multitude of information in the candidate handbook and their examination results. Ms. Buck stated that an examination given in a classroom is very unlike an examination given for a license and the level of responsibility is different.

Ms. Fields stated that it is the intent of the Board to have Dr. Hertz from the Office of Examination Resources give a presentation in the future about the current examination process. She then indicated that she was concerned that an individual could continue to be registered with the Board and carry a title over a period of time and not move on toward full licensure.

Ms. Pines suggested two possible approaches in looking into this issue further. First she asked that a study of candidates who fail the examination after three times be performed, identify where the passage really starts to drop off, and clarify the relevance of cutting off the examination after the fifth time. As a licensed practitioner who has been practicing in the field for twenty years, Ms. Pines truly felt that there is a potential for harm from people who cannot pass the oral examination yet continue to work in mental health employment setting. She then asked that staff research whether language was a barrier for licensure.

Ms. Buck asked that the Committee look at the issue of issuance of second and third registrations and the fact that a person is not required to be registered to participate in the examination.

Ms. Riemersma asked the Board if at some point they would reconsider the limitation of being in this country for ten years or less in order to receive English as a second language accommodations on the examinations. She thought there should be no time limitation.

Gwen Carkhuff, Examination Administrative Analyst with the Board, explained that when an application is received from an individual who has provided documentation that they immigrated to this country within the last ten years, this applicant is given a special accommodation of time an a half for both examinations. This accommodation follows them through the process and is not eliminated if it takes longer than their ten year cut off time for the applicant to pass the examinations. She then indicated that the Board receives a very small percentage of application requesting the English as a second language accommodation.

Ms. Fields stated that the Committee is exploring this issue from a public protection perspective.

SELMA FIELDS MOVED, KAREN PINES SECONDED, AND THE COMMITTEE CONCURRED TO HAVE STAFF LOOK AT THE COMMITTEES CONCERNS AND PROVIDE INFORMATION AND DIFFERENT OPTIONS.

4. REVIEW OF STRATEGIC PLAN PERFORMANCE MEASURES

The Committee reviewed their performance measures. There were no changes recommended.

The meeting adjourned at 2:55 p.m.