

(approved April 26, 2002)

**BOARD OF BEHAVIORAL SCIENCES
FULL BOARD
MEETING MINUTES**

JANUARY 24, 2002

**HYATT REGENCY ISLANDIA
1441 QUIVIRA ROAD
SAN DIEGO, CA**

MEMBERS PRESENT

Karen Pines, MFT Member, Board Chair
Mark Burdick, LEP Member
Glynis Morrow, Public Member
Roberto Quiroz, Public Member
Howard Stein, Public Member
Susan Ulevitch, LCSW Member

MEMBERS ABSENT

STAFF PRESENT

Sherry Mehl, Executive Officer
Mary-Alice Coleman, Legal Counsel
Laura Freedman, Legal Counsel
Julie McAuliffe, Administrative Analyst
Janene Mayberry, Licensing Evaluator

GUEST LIST ON FILE

The meeting was called to order at approximately 9:10 a.m.

1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. McAuliffe called the role and a quorum was established.

2. ELECTION OF 2002 BOARD CHAIR AND VICE CHAIR

GLYNIS MORROW MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO ELECT KAREN PINES AS THE 2002 BOARD CHAIR.

GLYNIS MORROW MOVED, ROBERTO QUIROZ SECONDED, AND THE BOARD CONCURRED TO ELECT MARK BURDICK AS THE 2002 BOARD VICE CHAIR.

Mr. Quiroz asked that it be reflected in the minutes that an article in the December NASW Newsletter had identified him as a Licensed Clinical Social Worker (LCSW) member of the Board. Although he holds a master's of social work degree, he is a public member of the Board and is not licensed as an LCSW.

3. PUBLIC HEARING ON THE POSSIBLE REPLACEMENT OF THE ORAL EXAMINATIONS

Ms. Pines asked that comments be limited to those not already stated. She then indicated that this hearing would not include dialog between the commenters and the Board; this hearing was an opportunity for the public to provide their thoughts on the possible replacement of the oral examinations. The April meeting will include dialog between the Board and the public on this issue .

Ms. Mehl stated that Dr. Norman Hertz had retired from the Office of Examination Resources in December and the plans to implement field tests of the oral examination components in a written format have been postponed until March and statistical information should be provided to the Board in July.

Kathleen Wenger, Licensed Marriage and Family Therapist, indicated that she was in favor of removal of the oral examination as a condition for licensure. She provided information regarding the removal of the oral examination for licensure of clinical psychologists and briefly addressed the July 2001 Board meeting in which Dr. Hertz had suggested that there are other means of testing the necessary skills outside of an oral examination. She then talked about the additional requirements, including the supervision ratio and training requirements that have been added to the law in recent years. She thought that the amount of supervision required allows a supervisor to recognize if an intern has a problem that would affect their competency as a licensee. She then indicated that Dr. Hertz has defended the oral examination in the past but, as an expert in the field of testing, the fact that he has recommended other ways of testing have demonstrated his integrity and willingness to act on information to the best of his ability and his willingness to change his views. She did not think the oral examination measured the true capabilities of candidates and was an artificial environment.

Clarence Hibbs, Licensed Marriage and Family Therapist and a professor at Pepperdine University, supported retaining the oral examination. He indicated that he was concerned about the quality of services and the protection of the public. He stated that it was hard for him to believe that some sample of clinical ability may not be obtained if the oral were not required. He requires students to complete a mock oral examination and most students detest it but after completing the process state it was very helpful to them. He also thought that an oral examination was finality to the entire licensure process.

Geraldine Esposito, Executive Director of the California Society for Clinical Social Work, stated that the Society supports revisiting the issue of the oral examination. She stated that in the past the Society had adamantly supported retaining the oral examination at a time when only social workers were the only one of the three mental health professions that would not have an oral

examination. She stated that the oral examination, at one time, measured ones presentation of oneself, and it no longer does that. The examination has evolved to the point where the elements of the examination may be able to be achieved in a written format. Therefore, the Society now supports researching the idea of testing the necessary skills in a written format to determine if it measures what the oral examination should measure.

Nancy Elliott, MSW, stated that she supported removal of the oral examination. She provided the Board with twenty-five letters from people who also supported removal of the oral examination as a condition for licensure. She then suggested that agendas regarding this issue be sent to all licensees and examination candidates. She went on to state that she did not think that the oral examination was an accurate reflection of the profession. As a seasoned clinician, she thought that there were few practitioners who did not work collaboratively and the oral examination requires that a candidate respond independently in a short amount of time.

Ms. Mehl stated that the Board provides notification of all Board meetings through the website, the Newsletter, the Public Mailing List, and through the professional association's posting of the meeting dates in their publications. Unfortunately, the Board does not have the funds to mail the agenda to the 60,000 plus licensees and registrants. Additionally, the schools usually publish this information.

Mr. Quiroz stated that the Board feels that this is a very important issue and encourages public participation.

Ms. Pines stated that the Board had received numerous letters and is taking all comments into consideration in any decisions made.

Mr. Quiroz asked for thoughts on how the oral examination addresses the practice in mental health settings and private practice. Ms. Esposito responded by stating that she would support retaining the license as a measure of ability to treat severally mentally ill people. There are different levels of need and she is not at all sure that a person without any clinical knowledge can perform a thorough family assessment. She went on to state that there are different needs and different knowledge levels based on settings. She then stated that the exempt settings have been exempted from licensure for many years and the Board continues to have to defend a license that is for private practitioners. However, it was not the Board who provoked the decision to exempt these settings, it was the federal government which made the requirement for reimbursement a clinical license, and the unions of public agencies who did not want the positions declassified and deprofessionalized.

Burt Winer from Trinity College and a Licensed Marriage and Family Therapist, first stated that the communication from the Board has become quite enhanced since Ms. Mehl became the Executive Officer. He then stated that he thought the examination was highly anxiety producing and puts an undue focus on the examination itself instead of the testing of clinical skills. He supported elimination of the oral examination and stated that it did not truly reflect the professionalism of the candidates. He then suggested that there be some type of advanced preparation that candidates would be required to complete.

David Fox, Licensed Marriage and Family Therapist, presented his arguments in favor of retaining the oral examination. He provided the Board with information from past meetings, which included presentations from the Office of Examination Resources. He indicated that in the past the Board had always defended the oral examination as a necessary component for licensure. He thought that the Board should engage the services of an independent evaluation service to analyze the oral examination and the training of oral examiners, determine its strengths and weaknesses, fix the weaknesses, and then see what problems remain. Candidates would like to see the oral examination eliminated because it would make it easier for them to become licensed but that is not within the public interest and the examination should be made more rigorous and fair so the individuals who become licensed will do a better job.

Mr. Quiroz asked Mr. Fox's position on out of state candidates. Mr. Fox stated that California is in a leadership position and sets a higher standard. Out of state candidates should be required to adhere to all the requirements for in state candidates.

Craig Jackson, a teacher of the MSW program at Loma Linda University, thought that it might be time for California to look at multi-tiered licensing. Those working in certain settings may be able to meet the needs of those settings with a different examination. He is in favor of retaining the oral examination as a condition of licensure as it serves a useful purpose but thought that there are problems that need to be addressed. These included the timeframe given to review the vignette and the timeframe to respond to each question. He thought that pressure and anxiety are realities of life and these pressures are not a valid reason to eliminate a necessary examination for professional practice. Professionals should be articulate and must be able to present themselves.

Working under pressure is a part of the profession and one must rely on their training, experience, and expertise. He asked that the Board take this opportunity to enhance the oral examination and thanked the Board for these discussions.

Mr. Quiroz asked Mr. Jackson to provide information regarding multi-tiered licensure to the Board in the future.

The public hearing recessed at 10:45 a.m.

The public hearing reconvened at approximately 11:00 a.m.

Renata Chase, Licensed Clinical Social Worker, stated that she had supervised many associate clinical social workers and marriage and family therapist interns, and it is critical to have, in addition to the written examination, another way of measuring professional readiness. Therefore, she supported retaining the oral examination with improvements.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists, stated that the professional association was concerned about the replacement of the oral examination. She wholeheartedly supported that comments made by Mr. Jackson and thought that they were very well stated. The professional association, although not a reflection

of all members, is in favor of retaining the oral examination. The preparation alone is invaluable and if it were to be replaced, there would not need to be the same level of knowledge that is currently required. Ms. Riemersma's observation is that therapists generally do better in an oral examination than a written examination and eliminating the oral portion would do a disservice to the profession. She asked that the Board not make any hasty decisions about the oral examination. If the Board were to pilot test oral components in a written format, a fair amount of time would be needed to reflect accurate data to determine if the examination is measuring the necessary skills. She then stated that California sets the highest standards for the profession and other states should come up to our standards instead of California lowering theirs.

Antonio Mirada, Licensed Marriage and Family Therapist in private practice, believes that the oral examination is needed and that it serves a purpose. He enjoyed his oral examination process. He has been monitoring the examination statistics reflected by school and asked if there had ever been a statistical correlation between the schools and student passage of the oral examination. Ms. Mehl stated that when she came to the Board six years ago, she organized the dissemination of the school pass rate statistics. Looking back at these statistics, there is some correlation between schools and pass rates. There are many variables, including the number of students per school. Ms. Mehl then stated that the Education Committee will begin to further review these statistics and determine if changes are needed. Mr. Mirada stated that he thought there were too many schools in California that offer the marriage and family therapist degree.

Sheri Tridwell for the National Association of Social Workers stated that the members were polled and they received responses both in favor of eliminating the oral examination and those who supported retaining the oral examination with improvements.

Terry Forrester from Loma Linda University and a Licensed Clinical Social Worker, advocated for multi-tiered licensure with an oral examination required for each level. He is licensed in another state that has multi-tiered licensure. He thought that the skills for each setting are remarkably different and it may be necessary to test based on employment setting and services provided. He applauded the Boards efforts to enhance the supervision requirements and thought that more were needed.

Maria Puertes of the Los Angeles Department of Children and Family Services (LADCFS) supported retaining the oral examination. She stated that there is a parallel process between the oral examination and the treatment of clients and the examination allows practitioners another tool to assist them in their profession. She then mentioned the many necessary skills that are needed to be a successful practitioner and thought that the oral examination was testing those necessary skills. Mr. Quiroz asked if the LADCFS had experienced difficulties with recruiting Licensed Clinical Social Workers (LCSW). Ms. Puertes stated that there seems to be a problem everywhere, LCSWs are very much in need, and yes, LADCFS does have problems recruiting qualified professionals..

Diana Simon, an LCSW and Professor at Loma Linda University Social Work Program, stated that she has been in private practice for many years and is very dedicated to the private practice model. After many years of supporting the oral examination she has now changed her mind and no longer supports it. She does support a very rigorous type of examination in order for an

individual to be licensed in California. She indicated that the public sees a licensing model as one who demonstrates competency and thinks that it is critical that a very rigorous licensing procedure be required. She thought that if the oral examination were eliminated, the same arguments currently being discussed would then be focused on the written examination. She stated that it goes back to what will demonstrate competency and that should be the main priority.

Christine Prosser stated that she is licensed in Texas as a Marriage and Family Therapist and is currently pursuing licensure in California. She did not think that the oral examination had any correlation with actual clinical practice in either an agency or a private practice.

Ms. Pines thanked everyone for their comments.

The public hearing was closed at 11:50 a.m.

4. DISCUSSION AND POSSIBLE ACTION TO AMEND SECTIONS OF THE BUSINESS AND PROFESSIONS CODE THAT REFER TO THE ORAL EXAMINATIONS

Ms. Pines stated that these minor legislative changes would allow the Board to continue with discussions regarding the possible replacement of the oral examinations and allow the Board the flexibility to either retain the oral examination or replace it with a written format.

Ms. Esposito from the California Society for Clinical Social Work stated that the professional association supported the proposals.

MARK BURDICK MOVED, GLYNIS MORROW SECONDED, AND THE BOARD CONCURRED TO ADOPT THE PROPOSED AMENDMENTS.

The meeting adjourned at approximately 12:00 p.m.