Meeting Minutes

Policy and Advocacy Committee

June 28, 2006

Sheraton Gateway LAX
6101 West Century Boulevard
Los Angeles, CA 90045

Meeting called to order at 1:40 p.m.
Roll was called and quorum established.

Committee Members Present:
Robert Gerst, Chair
Karen Pines
Ian Russ
Peter Manoleas

Staff present:
Paul Riches
Mona Maggio
Kari Frank
George Ritter

II. Review and Approval of January 20, 2006 Committee Meeting Minutes

Moved by Dr. Ian Russ
Seconded by Karen Pines

III. Review and Approval of April 19, 2006 Committee Meeting Minutes

Moved by Peter Manoleas
Seconded by Karen Pines

IV. Strategic Plan Goal #4 – Report on Progress

Mr. Riches provided an update on the report contained in the committee materials.

Mr. Riches identified board staff and members who are participating on the different workforce groups established by the Mental Health Services Act Advisory Committee on Workforce and Training.

Ms. Olivia Loewy, representing the American Association of Marriage and Family Therapists California Division (AAMFT), identified some of the audience members who are also participating on workforce groups.

Mr. Riches shared staff is currently reviewing the results of the brainstorming session at the diversity conference. Staff is currently identifying those areas that are already being worked on by staff, as well as reviewing the suggestions for new lines of inquiry by the board.
Mr. Riches indicated that staff is moving forward on the licensee demographics survey authorized at the February 2006 board meeting. A target date for circulation is late July early August.

V. Review and Possible Action on Pending Legislation

Mr. Riches provided current status of pending legislation.

Senate Bill 1475 contains the reorganization provisions relating the educational psychology and board administration sponsored by the board. The bill also includes the provisions sponsored by the board to increase the portability of licensure for clinical social workers.

Mr. Riches indicated that the board sponsored reorganization of the marriage and family therapist statutes was based on objections from the California Association of Marriage and Family Therapists (CAMFT). Mr. Riches indicated that subsequent discussions with CAMFT have started a process to proceed with consideration of substantive statutory changes on a item by item basis. Some of these items have begun to be considered by board committees. Mr. Manoleas asked Ms. Riemersma, representing the CAMFT, if this process was proceeding satisfactorily. Ms. Riemersma indicated that is was.

Mr. Gerst requested staff provide the board with a summary of changes to board sponsored provisions in Senate Bill 1475 made by the Legislative Counsel. Mr. Riches indicated that the information would be provided to the board members at the July board meeting.

AB 1852 passed Senate Business and Professions Committee on Monday, June 26, 2006 and will be referred to the Senate Appropriations Committee. The California Psychological Association added amendments to include pre-license “registrants” as being eligible for the loan repayment program.

SB 1476 provisions to defer the Board’s and many other DCA boards sunset dates for one additional year July 1, 2009.

Mr. Riches indicated that, due to staff error, the board neglected to consider a committee recommendation to support Assembly Bill 525 at the May board meeting. The bill and a current analysis was provided in the meeting materials. Ms. Reimersma provided a summary of the bill and indicated that CAMFT is the sponsor of Assembly Bill 525.

*The committee recommended that the board support AB 525.*

VI. Update on Rulemaking Activity.

Board adopted amendments to 16CCR1886.40 which allow fines of up to $5,000 were submitted to the Office of Administrative Law last week and should be approved mid August and become effective in September.

The Board will consider amendments to 16CCR1803 regarding delegation to the executive officer are pending and a regulation hearing will be conducted at the July Board Meeting.

VII. Discussion and Possible Action on Increasing Transparency of Licensure for Marriage and Family Therapists.

Mr. Riches provided a summary of existing law for individuals seeking licensure as a marriage and family therapist in California based on education, experience and licensure in other states.
Ms. Loewy outlined the request from AAMFT for the board to investigate this issue. The focus of the request is to remove the barriers to California licensure for experienced licensees in other states.

Mr. Russ pointed out that there will be more challenges regarding portability of licenses for marriage and family therapists than for clinical social workers because marriage and family therapy does not have a uniform national accrediting system for degree programs.

Mr. Manoleas suggested that the board should investigate a system like that at the Board of Registered Nursing that allows out-of-state licensees to work in shortage areas while getting licensed in California.

Ms. Riemersma indicated that existing law is appropriate regarding out-of-state applicants. Portability of license must have some standardization across the states. Concerned with licensees not meeting California standards. Would be a disservice to California licensees and consumers.

A member of the audience indicated that the board should recognize schools accredited by the Commission on Marriage and Family Therapy Education. The same member of the audience indicated that she was required to complete a credit level course in law and ethics when a continuing education course would have sufficed.

Mr. Riches indicated that the most common deficiencies for out-of-state applicants are the law and ethics course and the requirement to complete 250 hours of supervised experience as a marriage and family therapist intern. Any changes to requirements for licensure would require statutory change.

Ms. Riemersma indicated that knowledge of California law is critical. Given the presence of 80 marriage and family therapy programs in California it shouldn’t be that difficult for an individual to find and complete a credit level law and ethics course.

Ms. Loewy stated her appreciation for the Board’s work however, in her opinion it does not accurately reflect the varied requirements for supervised experience in other states. States do not treat experience requirements equally. Some states count total supervised hours while others only count direct client contact hours and some are a blend of both. In addition, the staff report suggests a high variability in degrees that is not a fair indicator of educational requirements.

Mr. Gerst asked AAMFT to submit a written request for particular statutory or regulatory changes the organization would advocate.

VIII. Review and Possible Action on Draft Regulations Related to Supervisor Qualifications [16CCR1833.3 & 16CCR1870].

Mr. Riches summarized the information in the meeting materials relating to regulation sections 1833.1 and 1870. Concern was expressed at the last board meeting that deleting the 5 hour patient contact requirement would undermine the quality of supervision.

Ms. Riemersma stated that providing supervision is providing therapy vicariously and that supervision is substantial portion of individual careers as therapists. Being a supervisor maintains the skills and knowledge required to practice effectively.

Mr. Russ expressed concern that recently licensed individuals may not be effective supervisors as they may not have sufficient practice experience.
Ms. Pines concurred with Mr. Russ’ concern and suggested that the committee consider lifting the client contact requirement after 5 years of licensure.

Ms. Riemersma stated that the board’s recent supervision survey showed individuals were satisfied with the supervision they received. The key to effective supervision is having recent relevant practice experience, but that is difficult to codify in an enforceable law.

Mr. Manoleas suggested that a longer period of practice might be required before becoming eligible to supervise interns and associates.

Mr. Russ indicated that the survey results were discussed at the Consortium meeting and the findings were that the survey was completed by interns and what it possibly showed was that interns liked their supervisors. However, the survey results do not establish whether they received good supervision.

Mr. Janlee Wong, representing the National Association of Social Workers California Chapter, expressed concern about basing policy anecdotal information and questioned whether there is any reliable information to demonstrate a problem.

Mr. Russ stated that service agencies, insurance companies, and third party payers would be a control on quality and that the standards for supervising marriage and family therapist interns and associate clinical social workers should be equivalent.

Ms. Carla Cross said a service agency is not going to permit an unqualified licensee to provide supervision and that it is doubtful that a licensee could build their career by being a supervisor only.

Ms. Loewy and Ms. Riemersma explained the requirements of the AAMFT and CAMFT supervisor certification programs.

*The committee recommended that the board adopt the language presented to the board at the May 2006 meeting.*

**IX. Review and Discussion Regarding the Reporting of Malpractice Judgments, Settlements, and Arbitrations**

The committee reviewed the materials provided outlining the need to communicate malpractice settlement and arbitration results to the board.

**X. Review and Possible Action on Technical Regulation Cleanup Related to LEP and Board Administration Statutory Changes.**

Mr. Riches provided a summary of the meeting material on the draft regulations. The changes primarily relate to eliminating grandparenting provisions adopted when the educational psychology license was first established in the early 1970s.

*The committee recommended that the board proceed with the suggested clean-up regulations.*

**XI. Review and Possible Action on Regulations Regarding Abandonment of Application Files (16CCR1806 & 1833.3).**

Mr. Riches provided a summary of the meeting material on the draft regulations. The proposal would realign the abandonment provisions to eliminate confusion regarding timeframes for taking the examinations.
Ms. Riemersma indicated that the language in subdivision (c) of Section 1806 was confusing and needed clarification.

Mr. Riches concurred and indicated that staff would work on a clarification.

_The committee recommended that the board pursue a regulation to clarify the rules on abandoning applications._

**XII. Suggestions for Future Agenda Items.**

Ms. Riemersma requested that the board consider reinstituting the oral examination for licensure.

Mr. Wong requested that the board evaluate the possibility of including video vignettes in the licensing examinations.