

TITLE 16 BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the Board of Behavioral Sciences (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Department of Consumer Affairs, 400 R Street, Suite 1030, Sacramento, CA 95814 at 10:00 a.m. on April 20, 2001. Written comments must be received by the Board at its office by mail at 400 R Street, Suite 3150, Sacramento, CA 95814, by e-mail at BBSWebMaster@bbs.ca.gov, or by fax at 916-323-0707, not later than 5:00 p.m. on April 9, 2001 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 4980.60 and 4990.14 of the Business and Professions Code, and to implement, interpret or make specific Sections 29, 32, 4980.54, and 4996.22 of said Code, the Board is considering changes to Division 18 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

The Board governs the practice of marriage and family therapy, licensed clinical social work, and licensed educational psychology. A majority of the Board's disciplinary violations relate to ethical and legal issues. The Board believes that a mandated six-hour course in law and ethics for all licensees every two year renewal cycle will reduce the number of disciplinary violations and would further ensure that licensees are familiar with the current laws and regulations.

This proposed amendment to Section 1887.3 would require that marriage and family therapists and licensed clinical social workers complete a six-hour course in law and ethics every renewal cycle and make clear that this course shall count toward the thirty-six hours of continuing education required each two year renewal cycle.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impacts on Representative Private Persons or Businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulatory action.

Effect on Housing Costs: The Board has made an initial determination that the proposed regulatory action would have no significant effect on housing costs.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulatory action would not affect small businesses as this proposed regulatory action would require that an individual licensee fulfill six of their currently mandated thirty six hours of continuing education with a course in law and ethics. The proposed regulatory action does not increase the total number of continuing education hours that are currently required.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal

described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board of Behavioral Sciences at 400 R Street, Suite 3150, Sacramento, California 95814.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be addressed to Julie McAuliffe at the above address or at (916) 445-4933, extension 1142.

The backup contact person is Sherry Mehl (916) 445-4933. The person designated to respond to questions on the substance of the regulatory proposal is Julie McAuliffe (916) 445-4933, extension 1142.

Website Access: Materials regarding this proposal can be found at www.bbs.ca.gov