

**BOARD OF BEHAVIORAL SCIENCES
PROPOSED LANGUAGE**

Article 1. General Provisions

(1) Repeal Section 1815 as follows:

~~1815. Oral Examination Appeals.~~

~~(a) Any person who fails an oral examination may appeal such failure to the board upon payment of the fee prescribed by statute for rescoring an examination. The bases for appeal shall be examiner misconduct, which means prejudice or bias as evidenced by the statements and/or actions of an examiner, and/or examiner error regarding the competence of the examinee which negatively affects the outcome of the examination.~~

~~(b) All appeals and supporting documentation must be filed with the board within 30 days from the date on which the results of the examination were mailed. An appeal shall be in writing and the applicant shall set forth the ground for appeal and all of the specific facts or circumstances which constitute the basis for the appeal and how those facts or circumstances demonstrate examiner misconduct or error.~~

~~(c) In order to aid in the filing of an appeal, an examinee may review the tape recording of his or her examination within the 30-day period provided in subsection (b) above. The examinee may take written notes but shall not make or be permitted to make any reproduction of the tape. Such review shall occur only one time and shall be no longer than one hour in length. It shall take place in the board office at a time~~

~~designated by the executive officer. Except as provided herein, examination materials shall not be released to or reviewed by any examinee.~~

~~(d) In order to be eligible for reexamination at the next scheduled examination, an applicant who is awaiting the results of an appeal must file an application for reexamination, together with a fee therefor, on or before the final filing date for that examination.~~

~~(e) An examinee will be notified in writing of the results of the appeal. In acting on appeals, the board may take such action as it deems appropriate, including issuance of a license where the board determines that the examinee has demonstrated the required competence.~~

Note: Authority cited: Sections 4980.60 and 4990.14, Business and Professions Code.
Reference: Sections 4980.50, 4984.7, 4986.80, 4992.1 and 4996.3, Business and Professions Code.

Article 2. Fees

(2) Amend Section 1816.2. to read as follows:

1816.2. Written and Oral Examination and Re-Examination Fees.

(a) The examination and re-examination fee for the standard written examination of the licensed clinical social worker shall be one hundred dollars (\$100.00).

(b) The examination and re-examination fee for the ~~oral examination~~ written clinical vignette examination of the licensed clinical social worker shall be ~~two~~ one hundred dollars ~~(\$200.00)~~ (\$100.00).

(c) The examination and re-examination fee for the standard written examination of the ~~marriage, family, and child counselor~~ marriage and family therapist shall be one hundred dollars (\$100.00).

(d) The examination and re-examination fee for the ~~oral examination~~ written clinical vignette examination of the ~~marriage, family, and child counselor~~ marriage and family therapist shall be ~~two~~ one hundred dollars (~~\$200.00~~) (\$100.00).

(e) The examination and re-examination fee for the written examination of the licensed educational psychologist shall be one hundred dollars (\$100.00).

Note: Authority cited: Sections 4980.60 and 4990.14, Business and Professions Code.
Reference: Sections 4984.7, 4986.80, 4996.3(a) and 4996.4, Business and Professions Code.

(3) Amend Section 1816.3. to read as follows:

1816.3. Examination Appeal and Rescoring Fees.

(a) The fee for rescoring ~~the marriage, family, and child counselor~~ any marriage and family therapist, licensed clinical social worker, or licensed educational psychologist written examination shall be twenty dollars (\$20.00).

(b) ~~The fee for appeal of the marriage, family, and child counselor oral examination shall be one hundred dollars (\$100.00).~~

(c) ~~The fee for appeal of the licensed clinical social worker oral examination shall be one hundred dollars (\$100.00).~~

Note: Authority cited: Sections 4980.60 and 4990.14, Business and Professions Code.
Reference: Sections 4984.7, 4986.80 and 4996.3, Business and Professions Code.

Article 4. Marriage, Family and Child Counselors

(4) Adopt Section 1829 of Division 18 of Title 16 to read as follows:

1829. Examinations.

The written examinations shall consist of the following:

(a) A standard written examination designed to determine an applicant's knowledge, familiarity with the field, and practical understanding of the principles, techniques, objectives, theory and laws under which he or she must operate; and

(b) A written clinical vignette examination designed to assess the applicant's judgment, knowledge of the application of psychosocial and psychotherapeutic methods and measures in treatment, and ability to assume professional responsibilities.

Note: Authority cited: Sections 4980.40 and 4980.60, Business and Professions Code. Reference: Section 4980.40, Business and Professions Code.

(5) Amend Section 1833.3. to read as follows:

1833.3. Reexamination.

An applicant who fails any ~~written or oral~~ examination may within one (1) year from the date of that failure retake that examination as regularly scheduled without further application upon payment of the required examination fees. Thereafter, the applicant shall not be eligible for further examination unless a new application is filed, meeting all requirements, and required fees are paid.

Note: Authority cited: Section 4980.60, Business and Professions Code. Reference: Sections 4980.40 and 4980.50, Business and Professions Code.

Article 6. Licensed Clinical Social Workers

(6) Amend Section 1877 to read as follows:

1877. Examinations.

The written examinations may shall consist of, ~~but is not necessarily limited to,~~ the following:

(a) A standard written examination designed to determine an applicant's knowledge, familiarity with the field, and practical understanding of the principles, techniques, objectives, theory and laws under which he or she must operate; and

(b) ~~An oral examination or qualifications appraisal~~ written clinical vignette examination designed to assess the applicant's ~~maturity~~ of judgment, knowledge of the application of psychosocial and psychotherapeutic methods and measures in treatment, and ability to assume professional responsibilities.

Note: Authority cited: Section 4990.14, Business and Professions Code. Reference: Section 4992.1, Business and Professions Code.