

BOARD OF BEHAVIORAL SCIENCES
Regulation Changes Effective January 26, 2008

*Amendments are to Title 16, California Code of Regulations Sections 1833.1, 1870 and
Responsibility Statements for Supervisors*

Changes to the original language are shown by underline for new text and strikethrough for deleted text.

REQUIREMENTS FOR SUPERVISORS

Section 1833.1 - Explanation: This proposal does all of the following:

- Permits supervisors to meet the practice of psychotherapy requirement if they perform direct supervision of marriage and family therapist (MFT) trainees, MFT interns or associate clinical social workers (ASW) who perform psychotherapy, consistent with current practice.
- Deletes the requirement that supervisors of MFT interns and trainees average five client contact hours per week.
- Requires supervisors of MFT interns and trainees to complete the required supervision training each renewal period instead of every two years.
- Makes changes to the "Responsibility Statement for Supervisors" forms (attached).
- Requires trainees and ASWs to submit the signed "Responsibility Statement for Supervisors" form upon application for licensure, consistent with current practice.
- Requires supervisors of ASWs to provide the signed "Responsibility Statement for Supervisors" prior to commencement of supervision, consistent with MFT regulations.
- Prohibits the board from denying hours of experience gained by an ASW due to the failure of his or her supervisor to complete the supervisor training requirements, consistent with MFT regulations.
- Makes a number of technical and editorial changes for clarity and consistency.

Reason: This proposal provides more flexibility in the requirements to be a supervisor, which is expected to allow more people to qualify to be a supervisor. This proposal also cleans up a some inconsistencies between regulations and actual BBS practice and also between LCSW law and MFT law. This is intended to make it easier for supervisors and for registrants to understand what is required. This proposal also makes a number of editorial and technical changes, also intended to make these regulations easier to read and understand.

The amended text is as follows:

1833.1. REQUIREMENTS FOR SUPERVISORS.

(a) Any person supervising a trainee or an intern or trainee (hereinafter "supervisor") within California shall comply with the requirements set forth below and shall, prior to the commencement of such supervision, sign under penalty of perjury the "Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern" revised 12/05 requiring that: below.

(a) Prior to the commencement of any counseling or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Intern" (revised 08/07, form #1800 37A-523) requiring that:

(1) The supervisor possesses and maintains a current valid California license as ~~either~~ a marriage and family therapist, licensed clinical social worker, licensed psychologist, or physician who is certified in psychiatry as specified in Section ~~4980.40 (f)~~ 4980.03 (g) of the Code and has been so licensed in California for at least two years prior to commencing any supervision; or

(A) Provides supervision only to trainees at an academic institution that offers a qualifying degree program as specified in Section 4980.40 (a) of the Code; and

(B) Has been licensed in California as specified in Section ~~4980.40 (f)~~ 4980.03 (g) of the Code, and in any other state, for a total of at least two years prior to commencing any supervision.

~~(2) If such supervisor is~~ A supervisor who is not licensed as a marriage and family therapist, ~~he or she~~ shall have sufficient experience, training, and education in marriage and family therapy to competently practice marriage and family therapy in California.

(3) The supervisor keeps himself or herself informed of developments in marriage and family therapy and in California law governing the practice of marriage and family therapy.

(4) The supervisor has and maintains a current license in good standing and will immediately notify the trainee or intern ~~or trainee~~ of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure, that affects the supervisor's ability or right to supervise.

(5) The supervisor has practiced psychotherapy or provided direct supervision of trainees, interns, or associate clinical social workers who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding any supervision ~~and has averaged at least five (5) patient/client contact hours per week.~~

(6) The supervisor has had sufficient experience, training, and education in the area of clinical supervision to competently supervise trainees or interns.

(A) ~~Effective January 1, 2000, supervisors who are~~ Persons licensed by the board who provide supervision shall complete a minimum of six (6) hours of supervision training or coursework ~~every two (2) years in each renewal period while providing supervision.~~ This training or coursework may apply towards the continuing education requirements set forth in Sections 4980.54 and 4996.22 of the Code.

~~(B) Supervisors who are licensed by the board who have completed a minimum of six (6) hours of supervision training or coursework between January 1, 1997, and December 31, 1999, may apply that training towards the requirement described in subsection (A).~~

~~(C)~~ (B) ~~Supervisors who are~~ Persons licensed by the board who provide supervision and who commence supervision on and after January 1, 2000, and have not met requirements of subsection (A), shall complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of commencement of supervision.

(7) The supervisor knows and understands the laws and regulations pertaining to both the supervision of trainees and interns and the experience required for licensure as a marriage and family therapist.

(8) The supervisor shall ensure that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the trainee or intern ~~or trainee~~.

(9) The supervisor shall monitor and evaluate the extent, kind, and quality of counseling performed by the trainee or intern ~~or trainee~~ by direct observation, review of audio or video tapes of therapy, review of progress and process notes and other treatment records, or by any other means deemed appropriate by the supervisor.

(10) The supervisor shall address with the trainee or intern ~~or trainee~~ the manner in which emergencies will be handled.

(b) Each supervisor shall provide the trainee or intern ~~or trainee~~ with the original signed "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee" ~~revised 12-05~~ (revised 08/07, form #1800 37A-523) prior to the commencement of any counseling or supervision. ~~The intern~~ Trainees and interns shall provide the board with ~~his or her~~ the signed "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee" ~~revised 12-05~~ (revised 08/07, form #1800 37A-523) from each supervisor upon application for licensure. ~~The trainee shall provide the board with his or her signed~~ "Responsibility Statement for Supervisors of a Marriage and Family Therapist Intern or Trainee" revised 12-05 from each supervisor upon application for internship.

(c) A supervisor shall give at least one (1) week's prior written notice to ~~an~~ a trainee or intern ~~or trainee~~ of the supervisor's intent not to ~~certify~~ sign for any further hours of experience for such person. A supervisor who has not provided such notice shall sign for hours of experience obtained in good faith where such supervisor actually provided the required supervision.

(d) The supervisor shall obtain from ~~any~~ each trainee or intern ~~or trainee~~ for which whom supervision will be provided, the name, address, and telephone number of the trainee's or intern's ~~or trainee's~~ most recent supervisor and employer.

(e) In any setting that is not a private practice, a supervisor shall evaluate the site(s) where ~~an~~ a trainee or intern ~~or trainee~~ will be gaining hours of experience toward licensure and shall determine that: (1) the site(s) provides experience which is within the scope of practice of a marriage and family therapy therapist; and (2) the experience is in compliance with the requirements set forth in ~~this section~~ 1833 and section 4980.43 of the Code.

(f) Upon written request of the board, the supervisor shall provide to the board any documentation which verifies the supervisor's compliance with the requirements set forth in this section.

~~(g) The supervisor responsibility statement required by this section shall be used for supervisory relationships commencing on or after 1-1-98.~~

(h) ~~(g)~~ The board shall not deny hours of experience gained towards licensure by any supervisee due to failure of his or her supervisor to complete the training or coursework requirements in subsection (a) (6) (A).

1870. REQUIREMENTS FOR ASSOCIATE CLINICAL SOCIAL WORKER SUPERVISORS.

~~(a) Any person supervising an associate clinical social worker registered with the board on and after May 10, 1999, (hereinafter called "supervisor") within California shall comply with the requirements set forth below and shall, prior to the commencement of such supervision, sign under penalty of perjury the "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" (revised 07/05), which requires that: below.~~

(a) Prior to the commencement of any therapy or supervision, the supervisor shall sign under penalty of perjury the "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" (revised 08/07, form #1800 37A-522), which requires that:

(1) The supervisor possesses and will maintain a current valid California license as ~~either a licensed clinical social worker or a licensed mental health professional acceptable to the Board as specified in Section 4996.21(a) of the Code and Section 1874 of California Code of Regulations.~~

(2) The supervisor has and will maintain a current license in good standing and will immediately notify the associate of any disciplinary action, including revocation, suspension (even if stayed), probation terms, inactive license, or any lapse in licensure, that affects the supervisor's ability or right to supervise.

(3) The supervisor has practiced psychotherapy or provided direct supervision of associates, or marriage and family therapist interns or trainees who perform psychotherapy as part of his/her clinical experience for at least two (2) years within the last five (5) years immediately preceding supervision.

(4) The supervisor has had sufficient experience, training and education in the area of clinical supervision to competently supervise associates. ~~Effective January 1, 2001, supervisors who are licensed by the board shall have:~~

(A) ~~A~~ Persons licensed by the board who provide supervision shall have a minimum of fifteen (15) contact hours in supervision training obtained from a state agency or approved continuing education provider. This training may apply towards the approved continuing education requirements set forth in Sections 4980.54 and 4996.22 of the Code. The content of such training shall include, but not be limited to:

~~1. familiarity~~ (i) Familiarity with supervision literature through reading assignments specified by course instructors;

~~2. facilitation~~ (ii) Facilitation of therapist-client and supervisor-therapist relationships;

~~3. evaluation~~ (iii) Evaluation and identification of problems in therapist-client and supervisor ~~or~~ therapist relationships;

~~4. structuring~~ (iv) Structuring to maximize supervision, including times and conditions of supervision sessions, problem solving ability, and implementing supervisor interventions within a range of supervisory modalities including live, videotape, audiotape, and case report methods;

~~5. knowledge~~ (v) Knowledge of contextual variables such as culture, gender, ethnicity, and economic issues; and

~~6. the~~ (vi) The practice of clinical social work, including the mandated reporting laws, and knowledge of ethical and legal issues.

(5) The supervisor knows and understands the laws and regulations pertaining to both supervision of associates and the experience required for licensure as a clinical social worker.

~~(6) The supervisor shall ensure that the extent, kind and quality of clinical social work performed is consistent with the training and experience of the person being supervised and shall review client/patient records, monitor and evaluate assessment and treatment decisions of the associate clinical social worker, and monitor and evaluate the ability of the associate to provide services at the site(s) where he or she will be practicing and to the particular clientele being served, and~~

~~ensure compliance with all laws and regulations governing the practice of clinical social work.~~

(6) The supervisor shall do all of the following:

(A) Ensure that the extent, kind and quality of clinical social work performed by the associate is consistent with the training and experience of the person being supervised.

(B) Review client/patient records and monitor and evaluate assessment and treatment decisions of the associate clinical social worker.

(C) Monitor and evaluate the ability of the associate to provide services at the site(s) where he or she will be practicing and to the particular clientele being served.

(D) Ensure compliance with all laws and regulations governing the practice of clinical social work.

~~(7) Effective January 1, 1999, the~~ The supervisor and the associate shall develop the "Supervisory Plan" as described in Section 1870.1 of the California Code of Regulations. This ~~The associate shall submit the original signed plan for each supervisor shall be submitted~~ to the board upon application for licensure.

~~(8) The supervisor shall provide the board~~ associate with the original, signed "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" (revised 12-05 08/07, form #1800 37A-522), within 30 days of prior to commencement of any supervision. A copy of this form shall be provided to the associate by the supervisor. The associate shall provide the board with the original signed form for each supervisor upon application for licensure.

(9) A supervisor shall give at least one (1) week's written notice to an associate of the supervisor's intent not to ~~certify~~ sign for any further hours of experience for such person. A supervisor who has not provided such notice shall sign for hours of experience obtained in good faith where such supervisor actually provided the required supervision.

~~(10) Effective January 1, 1999, the~~ The supervisor shall complete an assessment of the ongoing strengths and limitations of the associate. The assessments shall be completed at least once a year and at the completion or termination of supervision. A copy of all assessments shall be provided to the associate by the supervisor.

(11) Upon written request of the board, the supervisor shall provide to the board any documentation which verifies the supervisor's compliance with the requirements set forth in this section.

(b) The board shall not deny hours of experience gained toward licensure by any associate due to the failure of his or her supervisor to complete the training requirements specified in subsection (a)(4)(A).

RESPONSIBILITY STATEMENT FOR SUPERVISORS OF A MARRIAGE AND FAMILY THERAPIST TRAINEE OR INTERN

1800 37A-523 (REV. 12/05 08/07)

BOARD OF BEHAVIORAL SCIENCES
1625 NORTH MARKET BLVD., SUITE S 200
SACRAMENTO CA 95834
TELEPHONE: (916) 574-7830
WEBSITE ADDRESS: http://www.bbs.ca.gov

Title 16, California Code of Regulations (16 CCR) Section ~~1833 &~~ 1833.1 requires any qualified licensed mental health professional who assumes responsibility for providing supervision to those working toward a Marriage and Family Therapist license to complete and sign, under penalty of perjury, the following statement prior to the commencement of any counseling or supervision.

Trainee's or Intern's Name	IMF Number
Supervisor's Name	

As the supervisor:

- 1) I am licensed in California and have been so licensed for at least two years prior to commencing this supervision.
A. The license I hold is: (16 CCR § 1833.1(a)(1) and Business and Professions Code (BPC) § 4980.03(g)(1))

Marriage and Family Therapist.....	_____	_____
	<i>License #</i>	<i>Issue Date</i>
Licensed Clinical Social Worker.....	_____	_____
	<i>License #</i>	<i>Issue Date</i>
*Psychologist.....	_____	_____
	<i>License #</i>	<i>Issue Date</i>
*Physician certified in psychiatry by the <i>American Board of Psychiatry and Neurology</i> (Business and Professions Code Section 4980.40(f))	_____	_____
	<i>License #</i>	<i>Issue Date</i>

**B. I have had sufficient experience, training, and education in marriage and family therapy to competently practice marriage and family therapy in California and I will keep myself informed about developments in marriage and family therapy. (16 CCR § 1833.1(a)(2))

C. I will keep myself informed about developments in marriage and family therapy and in California law governing the practice of marriage and family therapy. (16 CCR § 1833.1(a)(3))

- 2) I have and maintain a current and valid license in good standing and will immediately notify any trainee or intern or trainee under my supervision of any disciplinary action taken against my license, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure, that affects my ability or right to supervise. (16 CCR § 1833.1(a)(1), (a)(4))
- 3) I have practiced psychotherapy or provided direct supervision of trainees, interns, or associate clinical social workers who perform psychotherapy for at least two (2) years within the five (5) year period immediately preceding this supervision and I have averaged at least five (5) patient/client contact hours per week. (16 CCR § 1833.1(a)(5))
- 4) I have had sufficient experience, training, and education in the area of clinical supervision to competently supervise trainees or interns. (16 CCR § 1833.1(a)(6))
- 5) I have completed six (6) hours of supervision training or coursework within the two-year period immediately preceding this supervision, and must complete such coursework every two years in each renewal period while supervising. If I have not completed such training or coursework, I will complete a minimum of six (6) hours of supervision training or coursework within sixty (60) days of the commencement of this supervision, and every two years thereafter in each renewal period while providing supervision. (16 CCR § 1833.1(a)(6)(A)&(B))
- 6) I know and understand the laws and regulations pertaining to both the supervision of trainees and interns and the experience required for licensure as a marriage and family therapist. (16 CCR § 1833.1(a)(7))
- 7) I shall ensure that the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the trainee or intern or trainee. (16 CCR § 1833.1(a)(8))

* Psychologists and Physicians certified in psychiatry are not required to comply with #5.

** Applies only to supervisors NOT licensed as a Marriage and Family Therapist.

RESPONSIBILITY STATEMENT FOR SUPERVISORS OF AN ASSOCIATE CLINICAL SOCIAL WORKER

1800 37A-522 (REV. 4/05 08/07)

1625 NORTH MARKET BLVD, SUITE S 200

SACRAMENTO CA 95834

TELEPHONE:(916) 574-7830

WEBSITE ADDRESS: http://www.bbs.ca.gov

Title 16, California Code of Regulations (16 CCR) Section 1870 requires any qualified licensed mental health professional who assumes responsibility for providing supervision to those working toward a license as a Clinical Social Worker to complete and sign, under penalty of perjury, the following statement prior to the commencement of supervision.

Associate's Name	ASW Number
Supervisor's Name	

As the supervisor:

- 1) I am licensed in California. The license I hold is: (16 CCR § 1870(a)(1))

Licensed Clinical Social Worker.....	<i>License #</i>	<i>Issue Date</i>
*Marriage and Family Therapist.....	<i>License #</i>	<i>Issue Date</i>
*Psychologist.....	<i>License #</i>	<i>Issue Date</i>
*Physician certified in psychiatry by the <i>American Board of Psychiatry and Neurology</i>	<i>License #</i>	<i>Issue Date</i>
- 2) I have and will maintain a current and valid license in good standing and will immediately notify the associate of any disciplinary action, including revocation or suspension, even if stayed, probation terms, inactive license status, or any lapse in licensure, that affects my ability or right to supervise. (16 CCR § 1870(a)(1)&(2))
- 3) I have practiced psychotherapy or provided direct supervision of associates, or marriage and family therapist interns or trainees who perform psychotherapy as part of my clinical experience for at least two (2) years within the last five (5) years immediately preceding this supervision. (16 CCR § 1870(a)(3))
- 4) I have completed a minimum of fifteen (15) contact hours in supervision training that includes content specified in 16 CCR Section 1870(a)(4)) obtained from a state agency or approved continuing education provider. ** (16 CCR § 1870(a)(4)(A))
- 5) I have had sufficient experience, training, and education in the area of clinical supervision to competently supervise associates. (16 CCR § 1870(a)(4))
- 6) I know and understand the laws and regulations pertaining to both the supervision of associates and the experience required for licensure as a clinical social worker. (16 CCR § 1870(a)(5))
- 7) I shall ensure that the extent, kind, and quality of clinical social work performed is consistent with the training and experience of the associate. (16 CCR § 1870(a)(6)(A))
- 8) I shall review client/patient records, monitor and evaluate assessment and treatment decisions of the associate clinical social worker, and monitor and evaluate the ability of the associate to provide services at the site(s) where he or she will be practicing and to the particular clientele being served, and ensure compliance with all laws and regulations governing the practice of clinical social work. (16 CCR § 1870(a)(6)(B)-(D))

*** MFTs, Psychologists, and Physicians certified in psychiatry must be licensed for two years prior to commencement of supervision.**

**** Psychologists and Physicians board certified in psychiatry are not required to comply with #4.**

(OVER)

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- 9) I shall develop a supervisory plan as described in Section 1870.1 of the California Code of Regulations. The original signed plan shall be submitted to the board upon the associate's application for licensure. (16 CCR § 1870(a)(7), 1870.1)
- ~~10)~~ 10) I agree not to provide supervision to an associate unless the associate is a volunteer or employed by a setting that (1) lawfully and regularly provides clinical social work, mental health counseling, or psychotherapy; and (2) provides oversight to ensure that the associate's work at the setting meets the experience and supervision requirements set forth in Chapter 14 of the Business and Professions Code (BPC) and is within the scope of practice for clinical social work and psychotherapy as defined in BPC Section 4996.9. (BPC § 4996.23(e))
- ~~40)~~ 11) I shall provide the board associate with this original signed form ~~within 30 days of~~ prior to the commencement of any supervision. ~~I shall provide a copy of this form to the associate.~~ (16 CCR § 1870(a)(8))
- ~~44)~~ 12) I shall give at least one (1) week's written notice to the associate of my intent not to certify any further hours of experience for such person. If I have not provided such notice, I shall sign for hours of experience obtained in good faith where I actually provided the required supervision. (16 CCR § 1870(a)(9))
- ~~42)~~ 13) I shall complete an assessment of the ongoing strengths and ~~weaknesses~~ limitations of the associate at least once a year and upon completion or termination of supervision and will provide copies of all assessments to the associate. (16 CCR § 1870(a)(10))
- ~~43)~~ 14) Upon written request of the board, I shall provide to the board any documentation which verifies my compliance with the requirements set forth in ~~this~~ 16 CCR section 1870. (16 CCR § 1870(a)(11))

I declare under penalty of perjury under the laws of the State of California that I have read and understand the foregoing and that I meet all criteria stated herein and the information submitted on this form is true and correct.

<i>Printed Name of Qualified Supervisor</i>	<i>Signature of Qualified Supervisor</i>	<i>Date</i>
Mailing Address: <i>Number and Street</i>	<i>City</i>	<i>State</i> <i>Zip Code</i>
Qualified Supervisor's Daytime Telephone Number: () _____		

~~A copy of this form must be provided to the associate by the supervisor. (16 CCR § 1870(a)(1))~~

~~The original of this form must be mailed to: (16 CCR § 1870(a)(1))~~

 Board of Behavioral Sciences
 1625 North Market Blvd, Suite S 200
 Sacramento CA 95834

THE SUPERVISOR SHALL PROVIDE THE ASSOCIATE WITH THE ORIGINAL OF THIS SIGNED STATEMENT PRIOR TO THE COMMENCEMENT OF ANY SUPERVISION.

THE ASSOCIATE SHALL SUBMIT THE ORIGINAL SIGNED FORM TO THE BOARD UPON APPLICATION FOR LICENSURE.