

Board of Behavioral Sciences

Order of Adoption

The Board of Behavioral Sciences of the Department of Consumer Affairs hereby amends and adopts regulations in Division 18 of Title 16 of the California Code of Regulations, as follows:

§1811. USE OF LICENSE NUMBER IN DIRECTORIES AND ADVERTISEMENTS ADVERTISING

~~(a)~~ All persons or referral services regulated by the board who advertise their services shall include ~~their license or registration number in the advertisement unless such advertisement contains the following specific information:~~all of the following information in any advertisement:

~~(a)(1)~~ The full name of the licensee, registrant, or registered referral service as filed with the board; ~~and~~

~~(b)(2)~~ ~~A designation of the~~The type of complete title of the license or registration held or an acceptable abbreviation, as follows:

~~(1)(A)~~ Licensed Marriage and Family Therapist, or MFT, or LMFT.

~~(2)(B)~~ Licensed Educational Psychologist or LEP.

~~(3)(C)~~ Licensed Clinical Social Worker or LCSW.

~~(D)~~ Marriage and Family Therapist Registered Intern or MFT Registered Intern.

The abbreviation "MFTI" shall not be used in an advertisement unless the title "marriage and family therapist registered intern" appears in the advertisement.

~~(E)~~ Registered Associate Clinical Social Worker or Registered Associate CSW.

~~(4)(F)~~ Registered MFT Referral Service.

~~(5)(G)~~ Licensed Professional Clinical Counselor or LPCC.

~~(H)~~ Professional Clinical Counselor Registered Intern or PCC Registered Intern.

The abbreviation "PCCI" shall not be used in an advertisement unless the title "professional clinical counselor registered intern" appears in the advertisement.

~~(3)~~ The license or registration number.

~~(c)~~ ~~An unlicensed Marriage and Family Therapist Registered Intern may advertise if such advertisement complies with Section 4980.44(c) of the Code making disclosures required by that section.~~

~~(d)~~ ~~An unlicensed Associate Clinical Social Worker may advertise if such advertisement complies~~

~~with Section 4996.18 (e) of the Code making disclosures required by that section.~~

~~(e) An unlicensed Professional Clinical Counselor Intern may advertise if such advertisement complies with Section 4999.45(c) of the Code making disclosures required by that section.~~

(b) Registrants must include the name of his or her employer in an advertisement, or if not employed, the name of the entity for which he or she volunteers.

(c) Licensees may use the words "psychotherapy" or "psychotherapist" in an advertisement provided that all the applicable requirements of subsection (a) are met.

(d) It is permissible for a person to include academic credentials in advertising as long as the degree is earned, and the representations and statements regarding that degree are true and not misleading and are in compliance with Section 651 of the Code. For purposes of this subdivision, "earned" shall not mean an honorary or other degree conferred without actual study in the educational field.

(e) The board may issue citations and fines containing a fine and an order of abatement for any violation of Section 651 of the Code.

(f) For the purposes of this section, "acceptable abbreviation" means the abbreviation listed in subsection (a)(2) of this Section.

Note: Authority cited: Sections 129.5, 137, 650.4, 651, 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 137, 651, 4980, 4980.44, 4996.18, and 4999.45, Business and Professions Code.

§1870. REQUIREMENTS FOR ASSOCIATE CLINICAL SOCIAL WORKER SUPERVISORS

Any person supervising an associate clinical social worker registered with the board (hereinafter called "supervisor") within California shall comply with the requirements set forth 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 3/10, form #1800 37A-522), hereby incorporated by reference, which requires that:

- (1) The supervisor possesses and will maintain a current valid California license as a licensed clinical social worker or a licensed mental health professional acceptable to the Board as specified in Section 1874.
- (2) The supervisor has been so licensed in California or in any other state for a total of at least two (2) years prior to commencing any supervision.
- ~~(2)~~(3) 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)~~(4) The supervisor has practiced psychotherapy or provided direct supervision of associates, or marriage and family therapist interns or trainees who perform

psychotherapy for at least two (2) years within the last five (5) years immediately preceding supervision.

~~(4)~~(5) The supervisor has had sufficient experience, training and education in the area of clinical supervision to competently supervise associates.

(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, 4996.22, and 4999.76 of the Code. The content of such training shall include, but not be limited to:

(i) Familiarity with supervision literature through reading assignments specified by course instructors;

(ii) Facilitation of therapist-client and supervisor-therapist relationships;

(iii) Evaluation and identification of problems in therapist-client and supervisor-therapist relationships;

(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;

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

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

~~(5)~~(6) 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)~~(7) 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)~~(8) The supervisor and the associate shall develop the “Supervisory Plan” as described in Section 1870.1. The associate shall submit the original signed plan for each supervisor to the board upon application for licensure.

~~(8)~~(9) The supervisor shall provide the associate with the original, signed “Responsibility Statement for Supervisors of an Associate Clinical Social Worker” (revised 3/10, form #1800 37A-522), prior to commencement of any supervision. The associate shall provide the board with the original signed form for each supervisor upon application for licensure.

~~(9)~~(10) A supervisor shall give at least one (1) week's written notice to an associate of the supervisor's intent not to 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)~~(11) 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)~~(12) 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).

Note: Authority cited: Section 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.54, 4996.22 and 4996.23, Business and Professions Code.

§1887.3 CONTINUING EDUCATION COURSE REQUIREMENTS

- (a) During each renewal period, a licensee shall accrue at least thirty-six (36) hours of continuing education coursework as defined in Section 1887.4. A licensee may accrue no more than eighteen (18) hours of continuing education earned through self-study courses during each renewal period.
- (b) A marriage and family therapist and clinical social worker licensee who started graduate study prior to January 1, 1986, shall take a continuing education course in the detection and treatment of alcohol and other chemical substance dependency during their first renewal period after the adoption of these regulations. The course shall be at least seven (7) hours in length and its content shall comply with the requirements of Section 29 of the Code. This is a one-time requirement for those licensees specified above. Equivalent alcohol and other chemical substance dependency courses taken prior to the adoption of these regulations, or proof of equivalent teaching or practice experience, may be submitted to the board upon request in lieu of this requirement; however, this coursework or experience shall not be credited as hours towards the continuing education requirements.

- (c) ~~Pursuant to Section 32 of the Code, a~~ marriage and family therapist, ~~and~~ clinical social worker, ~~and professional clinical counselor~~ licensee shall take a continuing education course in the characteristics and methods of assessment and treatment of people living with human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) during their first renewal period after the adoption of these regulations. The course shall be at least seven (7) hours in length and its content shall comply with the requirements of Section 32 of the Code. This is a one-time requirement for all licensees. Equivalent HIV and AIDS courses taken prior to the adoption of these regulations, or proof of equivalent teaching or practice experience, may be submitted to the board upon request in lieu of this requirement; however, this coursework or experience shall not be credited as hours towards the continuing education requirements.
- (d) Any person renewing his or her license on and after January 1, 2004 shall complete a minimum of six (6) hours of continuing education in the subject of law and ethics for each renewal period. The six (6) hours shall be considered part of the thirty-six (36) hour continuing education requirement.
- (e) If a licensee teaches a course, the licensee may claim credit for the course only one time during a single renewal period, receiving the same amount of hours of continuing education credit as a licensee who attended the course.
- (f) A licensee may not claim the same course more than once during a single renewal period for hours of continuing education credit.
- (g) A licensee who takes a course as a condition of probation resulting from disciplinary action by the board may not apply the course as credit towards the continuing education requirement.
- (h) Provisions of this section shall apply to licensed educational psychologists as follows:
- (1) Beginning January 1, 2012 and through December 31, 2012 licensees shall complete at least eighteen (18) hours of continuing education prior to his or her license renewal, in accordance with subdivision (d) through (g).
 - (2) On and after January 1, 2013, licensees shall meet the requirements of subdivision (a) through (g).

Note: Authority Cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76 Business and Professions Code. Reference: Sections 29, 32, 4980.54, 4989.34, 4996.22 and 4999.76 Business and Professions Code.

Dated: _____

Kim Madsen
Executive Officer