

## AMENDMENTS TO ASSEMBLY BILL NO. 462

## Amendment 1

In the title, in line 1, strike out “4999.20 and 4999.46” and insert:

4980.03, 4999.12, 4999.20, 4999.46, and 4999.60

## Amendment 2

In the title, in line 2, after “Code,” insert:

and to amend Section 3110.5 of the Family Code,

## Amendment 3

On page 2, before line 1, insert:

SECTION 1. Section 4980.03 of the Business and Professions Code is amended to read:

4980.03. (a) “Board,” as used in this chapter, means the Board of Behavioral Sciences.

(b) “Associate,” as used in this chapter, means an unlicensed person who has earned a master’s or doctoral degree qualifying the person for licensure and is registered with the board as an associate.

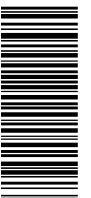
(c) “Trainee,” as used in this chapter, means an unlicensed person who is currently enrolled in a master’s or doctoral degree program, as specified in Sections 4980.36 and 4980.37, that is designed to qualify the person for licensure under this chapter, and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.

(d) “Applicant for licensure,” as used in this chapter, means an unlicensed person who has completed the required education and required hours of supervised experience for licensure.

(e) “Advertise,” as used in this chapter, includes, but is not limited to, any public communication, as defined in subdivision (a) of Section 651, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. Signs within religious buildings or notices in church bulletins mailed to a congregation shall not be construed as advertising within the meaning of this chapter.

(f) “Experience,” as used in this chapter, means experience in interpersonal relationships, psychotherapy, marriage and family therapy, direct clinical counseling, and nonclinical practice that satisfies the requirements for licensure as a marriage and family therapist.

(g) “Supervisor,” as used in this chapter, means an individual who meets all of the following requirements:



(1) Has held an active license for at least two years within the five-year period immediately preceding any supervision as any of the following:

(A) A licensed professional clinical counselor, licensed marriage and family therapist, psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900), licensed clinical social worker, licensed educational psychologist, or equivalent out-of-state license. A licensed educational psychologist may only supervise the provision of educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.

(B) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology or an out-of-state licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

~~(2) If the supervisor is a licensed professional clinical counselor, the person has completed the additional training and education requirements specified in subparagraphs (A) to (C), inclusive, of paragraph (3) of subdivision (a) of Section 4999.20.~~

~~(3)~~

(2) For at least two years within the five-year period immediately preceding any supervision, has practiced psychotherapy, provided psychological counseling pursuant to subdivision ~~(c)~~ (b) of Section 4989.14, or provided direct clinical supervision of psychotherapy performed by marriage and family therapist trainees, associate marriage and family therapists, associate professional clinical counselors, or associate clinical social workers. Supervision of psychotherapy performed by a social work intern or a professional clinical counselor trainee shall be accepted if the supervision provided is substantially equivalent to the supervision required for registrants.

~~(4)~~

(3) Has received training in supervision as specified in this chapter and by regulation.

~~(5)~~

(4) Has not provided therapeutic services to the supervisee.

~~(6)~~

(5) Has and maintains a current and active license that is not under suspension or probation as one of the following:

(A) A marriage and family therapist, professional clinical counselor, clinical social worker, or licensed educational psychologist, issued by the board.

(B) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900).

(C) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

~~(7)~~

(6) Is not a spouse, domestic partner, or relative of the supervisee.

~~(8)~~

(7) Does not currently have or previously had a personal, professional, or business relationship with the supervisee that undermines the authority or effectiveness of the supervision.

(h) "Client centered advocacy," as used in this chapter, includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

(i) "Accredited," as used in this chapter, means a school, college, or university accredited by either the Commission on Accreditation for Marriage and Family Therapy Education or a regional or national institutional accrediting agency that is recognized by the United States Department of Education.

(j) "Approved," as used in this chapter, means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary Education at the time of the applicant's graduation from the school, college, or university.

SEC. 2. Section 4999.12 of the Business and Professions Code is amended to read:

4999.12. For purposes of this chapter, the following terms have the following meanings:

(a) "Board" means the Board of Behavioral Sciences.

(b) "Accredited" means a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education.

(c) "Approved" means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary Education at the time of the applicant's graduation from the school, college, or university.

(d) "Applicant for licensure" means an unlicensed person who has completed the required education and required hours of supervised experience for licensure.

(e) "Licensed professional clinical counselor" or "LPCC" means a person licensed under this chapter to practice professional clinical counseling, as defined in Section 4999.20.

(f) "Associate" means an unlicensed person who meets the requirements of Section 4999.42 and is registered with the board.

(g) "Clinical counselor trainee" means an unlicensed person who is currently enrolled in a master's or doctoral degree program, as specified in Section 4999.32 or 4999.33, that is designed to qualify the person for licensure and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.

(h) "Supervisor" means an individual who meets all of the following requirements:

(1) Has held an active license for at least two years within the five-year period immediately preceding any supervision as either:

(A) A licensed professional clinical counselor, licensed marriage and family therapist, psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900), licensed clinical social worker, licensed educational psychologist, or equivalent out-of-state license. A licensed educational psychologist may only supervise the provision of educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.

(B) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology, or an out-of-state licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

~~(2) If the individual is a licensed professional clinical counselor seeking to supervise an associate marriage and family therapist, a marriage and family therapist trainee, or an associate professional clinical counselor or licensee seeking experience~~

~~to treat couples and families pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 4999.20, the individual shall meet the additional training and education requirements in subparagraphs (A) to (C), inclusive, of paragraph (3) of subdivision (a) of Section 4999.20.~~

~~(3)~~

(2) For at least two years within the five-year period immediately preceding any supervision, has practiced psychotherapy, provided psychological counseling pursuant to subdivision ~~(e)~~ (b) of Section 4989.14, or provided direct clinical supervision of psychotherapy performed by marriage and family therapist trainees, associate marriage and family therapists, associate professional clinical counselors, or associate clinical social workers. Supervision of psychotherapy performed by a social work intern or a professional clinical counselor trainee shall be accepted if the supervision provided is substantially equivalent to the supervision required for registrants.

~~(4)~~

(3) Has received training in supervision as specified in this chapter and by regulation.

~~(5)~~

(4) Has not provided therapeutic services to the supervisee.

~~(6)~~

(5) Has and maintains a current and active license that is not under suspension or probation as one of the following:

(A) A marriage and family therapist, professional clinical counselor, clinical social worker, or licensed educational psychologist issued by the board.

(B) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900).

(C) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

~~(7)~~

(6) Is not a spouse, domestic partner, or relative of the supervisee.

~~(8)~~

(7) Does not currently have or previously had a personal, professional, or business relationship with the supervisee that undermines the authority or effectiveness of the supervision.

(i) "Client centered advocacy" includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

(j) "Advertising" or "advertise" includes, but is not limited to, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. It also includes business solicitations communicated by radio or television broadcasting. Signs within church buildings or notices in church bulletins mailed to a congregation shall not be construed as advertising within the meaning of this chapter.

(k) "Referral" means evaluating and identifying the needs of a client to determine whether it is advisable to refer the client to other specialists, informing the client of



that judgment, and communicating that determination as requested or deemed appropriate to referral sources.

(l) “Research” means a systematic effort to collect, analyze, and interpret quantitative and qualitative data that describes how social characteristics, behavior, emotion, cognitions, disabilities, mental disorders, and interpersonal transactions among individuals and organizations interact.

(m) “Supervision” means responsibility for, and control of, the quality of mental health and related services provided by the supervisee. Consultation or peer discussion shall not be considered supervision and shall not qualify as supervised experience. Supervision includes, but is not limited to, all of the following:

(1) Ensuring the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the supervisee.

(2) Monitoring and evaluating the supervisee’s assessment, diagnosis, and treatment decisions and providing regular feedback.

(3) Monitoring and evaluating the supervisee’s ability to provide services at the site or sites where the supervisee is practicing and to the particular clientele being served.

(4) Monitoring and addressing clinical dynamics, including, but not limited to, countertransference-, intrapsychic-, interpersonal-, or trauma-related issues that may affect the supervisory or the practitioner-patient relationship.

(5) Ensuring the supervisee’s compliance with laws and regulations governing the practice of licensed professional clinical counseling.

(6) Reviewing the supervisee’s progress notes, process notes, and other patient treatment records, as deemed appropriate by the supervisor.

(7) With the client’s written consent, providing direct observation or review of audio or video recordings of the supervisee’s counseling or therapy, as deemed appropriate by the supervisor.

(n) “Clinical setting” means any setting that meets both of the following requirements:

(1) Lawfully and regularly provides mental health counseling or psychotherapy.

(2) Provides oversight to ensure that the associate’s work meets the experience and supervision requirements set forth in this chapter and in regulation and is within the scope of practice of the profession.

~~(o) “Community mental health setting,” means a clinical setting that meets all of the following requirements:~~

~~(1) Lawfully and regularly provides mental health counseling or psychotherapy.~~

~~(2) Clients routinely receive psychopharmacological interventions in conjunction with psychotherapy, counseling, or other psycho-social interventions.~~

~~(3) Clients receive coordinated care that includes the collaboration of mental health providers.~~

~~(4) Is not a private practice.~~

#### Amendment 4

On page 2, in line 1, strike out “SECTION 1.” and insert:

SEC. 3.

## Amendment 5

On page 3, in line 38, strike out “SEC. 2.” and insert:

SEC. 4.

## Amendment 6

On page 5, between lines 12 and 13, insert:

SEC. 5. Section 4999.60 of the Business and Professions Code is amended to read:

4999.60. (a) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a license in another jurisdiction of the United States as a professional clinical counselor at the highest level for independent clinical practice if all of the following requirements are met:

(1) The applicant’s license in the other jurisdiction has been current, active, and unrestricted for at least two years immediately before the date the application was received by the board. The applicant shall disclose to the board for review any past restrictions or disciplinary action on an out-of-state license, and the board shall consider those actions in determining whether to issue a license to the applicant.

(2) The applicant’s degree that qualified the applicant for the out-of-state license is a master’s or doctoral degree that was obtained from an accredited or approved institution, as defined in Section 4999.12.

(3) The applicant complies with the fingerprint requirements established in Section 144.

(4) The applicant completes the coursework specified in subparagraphs (A) and (B) from an accredited or approved school, college, or university, as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board, as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(A) A minimum of 12 hours of coursework in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, the application of legal and ethical standards in different types of work settings, and licensing law and licensing process.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) The applicant obtains a minimum of seven contact hours of training or coursework in child abuse assessment and reporting, as specified in Section 28, and any regulations promulgated thereunder.

(6) On and after January 1, 2021, the applicant shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4999.66.

(7) The applicant passes the board-administered California law and ethics examination specified in Section 4999.53. The clinical examination specified in Section 4999.53 shall be waived for an applicant qualifying under this section.

~~(b) A licensee who is issued a license pursuant to this section shall be permitted to treat couples or families if the licensee meets one of the following:~~

~~(1) The scope of the license held in the other state permitted treatment of couples and families without restrictions or additional coursework and the licensee completes a minimum of six hours of continuing education specific to marriage and family therapy in each renewal cycle.~~

~~(2) The licensee completes the requirements to treat couples or families specified in paragraph (3) of subdivision (a) of Section 4999.20.~~

~~(c)~~

(b) This section was developed based on an examination of the licensure requirements for professional clinical counselors on a national level. This section shall not be construed to apply to any provisions under this division or Division 3 (commencing with Section 5000) other than this act.

SEC. 6. Section 3110.5 of the Family Code is amended to read:

3110.5. (a) A person may be a court-connected or private child custody evaluator under this chapter only if the person has completed the domestic violence and child abuse training program described in Section 1816 and has complied with Rules 5.220 and 5.230 of the California Rules of Court.

(b) (1) On or before January 1, 2002, the Judicial Council shall formulate a statewide rule of court that establishes education, experience, and training requirements for all child custody evaluators appointed pursuant to this chapter, Section 730 of the Evidence Code, or Chapter 15 (commencing with Section 2032.010) of Title 4 of Part 4 of the Code of Civil Procedure.

(A) The rule shall require a child custody evaluator to declare under penalty of perjury that the evaluator meets all of the education, experience, and training requirements specified in the rule and, if applicable, possesses a license in good standing. The Judicial Council shall establish forms to implement this section. The rule shall permit court-connected evaluators to conduct evaluations if they meet all of the qualifications established by the Judicial Council. The education, experience, and training requirements to be specified for court-connected evaluators shall include, but not be limited to, knowledge of the psychological and developmental needs of children and parent and child relationships.

(B) The rule shall require all evaluators to utilize comparable interview, assessment, and testing procedures for all parties that are consistent with generally accepted clinical, forensic, scientific, diagnostic, or medical standards. The rule shall also require evaluators to inform each adult party of the purpose, nature, and method of the evaluation.

(C) The rule may allow courts to permit the parties to stipulate to an evaluator of their choosing with the approval of the court under the circumstances set forth in subdivision (d). The rule may require courts to provide general information about how parties can contact qualified child custody evaluators in their county.

(2) On or before January 1, 2004, the Judicial Council shall include in the statewide rule of court created pursuant to this section a requirement that all court-connected and private child custody evaluators receive training in the nature of child sexual abuse. The Judicial Council shall develop standards for this training that shall include, but not be limited to, the following:

(A) Children's patterns of hiding and disclosing sexual abuse occurring in a family setting.

(B) The effects of sexual abuse on children.

(C) The nature and extent of child sexual abuse.

(D) The social and family dynamics of child sexual abuse.

(E) Techniques for identifying and assisting families affected by child sexual abuse.

(F) Legal rights, protections, and remedies available to victims of child sexual abuse.

(c) In addition to the education, experience, and training requirements established by the Judicial Council pursuant to subdivision (b), on or after January 1, 2005, a person may be a child custody evaluator under this chapter, Section 730 of the Evidence Code, or Chapter 15 (commencing with Section 2032.010) of Title 4 of Part 4 of the Code of Civil Procedure only if the person meets one of the following criteria:

(1) The person is licensed as a physician under Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code and either is a board certified psychiatrist or has completed a residency in psychiatry.

(2) The person is licensed as a psychologist under Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.

(3) The person is licensed as a marriage and family therapist under Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code.

(4) The person is licensed as a clinical social worker under Article 4 (commencing with Section 4996) of Chapter 14 of Division 2 of the Business and Professions Code.

(5) The person is licensed as a professional clinical counselor under Chapter 16 (commencing with Section 4999.10) of Division 2 of the Business and Professions Code and is qualified to assess couples and families pursuant to paragraph (3) of subdivision (a) of Section 4999.20 of the Business and Professions Code. Code.

(6) The person is a court-connected evaluator who has been certified by the court as meeting all of the qualifications for court-connected evaluators as specified by the Judicial Council pursuant to subdivision (b).

(d) Subdivision (c) does not apply in a case in which the court determines that there are no evaluators who meet the criteria of subdivision (c) who are willing and available, within a reasonable period of time, to perform child custody evaluations. In those cases, the parties may stipulate to an individual who does not meet the criteria of subdivision (c), subject to approval by the court.

(e) A child custody evaluator who is licensed by the Medical Board of California, the Board of Psychology, or the Board of Behavioral Sciences shall be subject to disciplinary action by that board for unprofessional conduct, as defined in the licensing law applicable to that licensee.

(f) On or after January 1, 2005, a court-connected or private child custody evaluator may not evaluate, investigate, or mediate an issue of child custody in a

proceeding pursuant to this division unless that person has completed child sexual abuse training as required by this section.

Amendment 7

On page 5, in line 13, strike out "SEC. 3." and insert:

SEC. 7.

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## LEGISLATIVE COUNSEL'S DIGEST

AB 462, as amended, Carrillo. Licensed Professional Clinical Counselor Act.

Existing law, the Licensed Professional Clinical Counselor Act, prohibits, except as provided, a person from practicing or advertising the performance of professional clinical counseling services without a license. The act defines "professional clinical counseling" to exclude the assessment or treatment of couples or families unless the professional clinical counselor has completed specified training and education requirements. Existing law authorizes an out-of-state professional clinical counselor licensee at the highest level for independent clinical practice to be licensed as a professional clinic counselor in this state if that person meets certain requirements, and permits that person to treat couples or families if that person meets certain additional requirements. The act requires supervised experience that is obtained for the purpose of qualifying for licensure to be related to the practice of professional clinical counseling and comply with specified requirements, including by requiring at least 150 hours of clinical experience in a hospital or community mental health setting, as defined. A violation of the act is punishable as a misdemeanor.

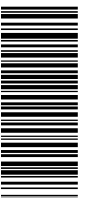
This bill would delete the provision excluding the assessment or treatment of couples or families without meeting specified training and education requirements from the definition of "professional clinical counseling." The bill would delete the additional requirements for an out-of-state professional clinical counselor licensee to be allowed to treat couples or families. The bill would also eliminate the licensure requirement of completing at least 150 hours of clinical experience in a hospital or community mental health setting. By widening the scope of activity subject to licensure as a professional clinical counselor, this bill would expand the scope of a crime and would impose a state-mandated local program.

This bill would make conforming changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.



[AMENDED IN...]

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 462**

**Introduced by Assembly Member Carrillo**

[Date introduced]

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[Title will go here]

LEGISLATIVE COUNSEL’S DIGEST

AB 462, as introduced, Carrillo. Licensed Professional Clinical Counselor Act.

[Text of Legislative Counsel’s Digest will go here]

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

THIS PAGE IS A MOCKUP OF THE MEASURE AS IT WILL BE PUBLISHED

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 462

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

## ASSEMBLY BILL

No. 462

Introduced by Assembly Member Carrillo

February 8, 2021

An act to amend Sections ~~4999.20 and 4999.46~~ 4980.03, 4999.12, 4999.20, 4999.46, and 4999.60 of the Business and Professions Code, and to amend Section 3110.5 of the Family Code, relating to healing arts.

## LEGISLATIVE COUNSEL'S DIGEST

AB 462, as introduced, Carrillo. Licensed Professional Clinical Counselor Act.

Existing law, the Licensed Professional Clinical Counselor Act, prohibits, except as provided, a person from practicing or advertising the performance of professional clinical counseling services without a license. The act defines “professional clinical counseling” to exclude the assessment or treatment of couples or families unless the professional clinical counselor has completed specified training and education requirements. *Existing law authorizes an out-of-state professional clinical counselor licensee at the highest level for independent clinical practice to be licensed as a professional clinic counselor in this state if that person meets certain requirements, and permits that person to treat couples or families if that person meets certain additional requirements.* The act requires supervised experience that is obtained for the purpose of qualifying for licensure to be related to the practice of professional clinical counseling and comply with specified requirements, including by requiring at least 150 hours of clinical



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**Amendment 1**  
**Amendment 2**



experience in a hospital or community mental health setting, as defined. A violation of the act is punishable as a misdemeanor.

This bill would delete the provision excluding the assessment or treatment of couples or families without meeting specified training and education requirements from the definition of “professional clinical counseling.” *The bill would delete the additional requirements for an out-of-state professional clinical counselor licensee to be allowed to treat couples or families.* The bill would also eliminate the licensure requirement of completing at least 150 hours of clinical experience in a hospital or community mental health setting. By widening the scope of activity subject to licensure as a professional clinical counselor, this bill would expand the scope of a crime and would impose a state-mandated local program.

*This bill would make conforming changes.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- + SECTION 1. Section 4980.03 of the Business and Professions
- + Code is amended to read:
- + 4980.03. (a) “Board,” as used in this chapter, means the Board
- + of Behavioral Sciences.
- + (b) “Associate,” as used in this chapter, means an unlicensed
- + person who has earned a master’s or doctoral degree qualifying
- + the person for licensure and is registered with the board as an
- + associate.
- + (c) “Trainee,” as used in this chapter, means an unlicensed
- + person who is currently enrolled in a master’s or doctoral degree
- + program, as specified in Sections 4980.36 and 4980.37, that is
- + designed to qualify the person for licensure under this chapter, and
- + who has completed no less than 12 semester units or 18 quarter
- + units of coursework in any qualifying degree program.

Amendment 3

- + (d) "Applicant for licensure," as used in this chapter, means an
- + unlicensed person who has completed the required education and
- + required hours of supervised experience for licensure.
- + (e) "Advertise," as used in this chapter, includes, but is not
- + limited to, any public communication, as defined in subdivision
- + (a) of Section 651, the issuance of any card, sign, or device to any
- + person, or the causing, permitting, or allowing of any sign or
- + marking on, or in, any building or structure, or in any newspaper
- + or magazine or in any directory, or any printed matter whatsoever,
- + with or without any limiting qualification. Signs within religious
- + buildings or notices in church bulletins mailed to a congregation
- + shall not be construed as advertising within the meaning of this
- + chapter.
- + (f) "Experience," as used in this chapter, means experience in
- + interpersonal relationships, psychotherapy, marriage and family
- + therapy, direct clinical counseling, and nonclinical practice that
- + satisfies the requirements for licensure as a marriage and family
- + therapist.
- + (g) "Supervisor," as used in this chapter, means an individual
- + who meets all of the following requirements:
- + (1) Has held an active license for at least two years within the
- + five-year period immediately preceding any supervision as any of
- + the following:
- + (A) A licensed professional clinical counselor, licensed marriage
- + and family therapist, psychologist licensed pursuant to Chapter
- + 6.6 (commencing with Section 2900), licensed clinical social
- + worker, licensed educational psychologist, or equivalent
- + out-of-state license. A licensed educational psychologist may only
- + supervise the provision of educationally related mental health
- + services that are consistent with the scope of practice of an
- + educational psychologist, as specified in Section 4989.14.
- + (B) A physician and surgeon who is certified in psychiatry by
- + the American Board of Psychiatry and Neurology or an out-of-state
- + licensed physician and surgeon who is certified in psychiatry by
- + the American Board of Psychiatry and Neurology.
- + ~~(2) If the supervisor is a licensed professional clinical counselor,~~
- + ~~the person has completed the additional training and education~~
- + ~~requirements specified in subparagraphs (A) to (C), inclusive, of~~
- + ~~paragraph (3) of subdivision (a) of Section 4999.20.~~
- + ~~(3)~~

- + (2) For at least two years within the five-year period immediately
- + preceding any supervision, has practiced psychotherapy, provided
- + psychological counseling pursuant to subdivision ~~(e)~~ (b) of Section
- + 4989.14, or provided direct clinical supervision of psychotherapy
- + performed by marriage and family therapist trainees, associate
- + marriage and family therapists, associate professional clinical
- + counselors, or associate clinical social workers. Supervision of
- + psychotherapy performed by a social work intern or a professional
- + clinical counselor trainee shall be accepted if the supervision
- + provided is substantially equivalent to the supervision required for
- + registrants.
- + ~~(4)~~
- + (3) Has received training in supervision as specified in this
- + chapter and by regulation.
- + ~~(5)~~
- + (4) Has not provided therapeutic services to the supervisee.
- + ~~(6)~~
- + (5) Has and maintains a current and active license that is not
- + under suspension or probation as one of the following:
- + (A) A marriage and family therapist, professional clinical
- + counselor, clinical social worker, or licensed educational
- + psychologist, issued by the board.
- + (B) A psychologist licensed pursuant to Chapter 6.6
- + (commencing with Section 2900).
- + (C) A physician and surgeon who is certified in psychiatry by
- + the American Board of Psychiatry and Neurology.
- + ~~(7)~~
- + (6) Is not a spouse, domestic partner, or relative of the
- + supervisee.
- + ~~(8)~~
- + (7) Does not currently have or previously had a personal,
- + professional, or business relationship with the supervisee that
- + undermines the authority or effectiveness of the supervision.
- + (h) "Client centered advocacy," as used in this chapter, includes,
- + but is not limited to, researching, identifying, and accessing
- + resources, or other activities, related to obtaining or providing
- + services and supports for clients or groups of clients receiving
- + psychotherapy or counseling services.
- + (i) "Accredited," as used in this chapter, means a school, college,
- + or university accredited by either the Commission on Accreditation

- + for Marriage and Family Therapy Education or a regional or
- + national institutional accrediting agency that is recognized by the
- + United States Department of Education.
- + (j) “Approved,” as used in this chapter, means a school, college,
- + or university that possessed unconditional approval by the Bureau
- + for Private Postsecondary Education at the time of the applicant’s
- + graduation from the school, college, or university.
- + *SEC. 2. Section 4999.12 of the Business and Professions Code*
- + *is amended to read:*
- + 4999.12. For purposes of this chapter, the following terms have
- + the following meanings:
- + (a) “Board” means the Board of Behavioral Sciences.
- + (b) “Accredited” means a school, college, or university
- + accredited by a regional or national institutional accrediting agency
- + that is recognized by the United States Department of Education.
- + (c) “Approved” means a school, college, or university that
- + possessed unconditional approval by the Bureau for Private
- + Postsecondary Education at the time of the applicant’s graduation
- + from the school, college, or university.
- + (d) “Applicant for licensure” means an unlicensed person who
- + has completed the required education and required hours of
- + supervised experience for licensure.
- + (e) “Licensed professional clinical counselor” or “LPCC” means
- + a person licensed under this chapter to practice professional clinical
- + counseling, as defined in Section 4999.20.
- + (f) “Associate” means an unlicensed person who meets the
- + requirements of Section 4999.42 and is registered with the board.
- + (g) “Clinical counselor trainee” means an unlicensed person
- + who is currently enrolled in a master’s or doctoral degree program,
- + as specified in Section 4999.32 or 4999.33, that is designed to
- + qualify the person for licensure and who has completed no less
- + than 12 semester units or 18 quarter units of coursework in any
- + qualifying degree program.
- + (h) “Supervisor” means an individual who meets all of the
- + following requirements:
- + (1) Has held an active license for at least two years within the
- + five-year period immediately preceding any supervision as either:
- + (A) A licensed professional clinical counselor, licensed marriage
- + and family therapist, psychologist licensed pursuant to Chapter
- + 6.6 (commencing with Section 2900), licensed clinical social

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— 6 —

- + worker, licensed educational psychologist, or equivalent
- + out-of-state license. A licensed educational psychologist may only
- + supervise the provision of educationally related mental health
- + services that are consistent with the scope of practice of an
- + educational psychologist, as specified in Section 4989.14.
- + (B) A physician and surgeon who is certified in psychiatry by
- + the American Board of Psychiatry and Neurology, or an out-of-state
- + licensed physician and surgeon who is certified in psychiatry by
- + the American Board of Psychiatry and Neurology.
- + ~~(2) If the individual is a licensed professional clinical counselor~~
- + ~~seeking to supervise an associate marriage and family therapist, a~~
- + ~~marriage and family therapist trainee, or an associate professional~~
- + ~~clinical counselor or licensee seeking experience to treat couples~~
- + ~~and families pursuant to subparagraph (B) of paragraph (3) of~~
- + ~~subdivision (a) of Section 4999.20, the individual shall meet the~~
- + ~~additional training and education requirements in subparagraphs~~
- + ~~(A) to (C), inclusive, of paragraph (3) of subdivision (a) of Section~~
- + ~~4999.20.~~
- + ~~(3)~~
- + (2) For at least two years within the five-year period immediately
- + preceding any supervision, has practiced psychotherapy, provided
- + psychological counseling pursuant to subdivision ~~(e)~~ (b) of Section
- + 4989.14, or provided direct clinical supervision of psychotherapy
- + performed by marriage and family therapist trainees, associate
- + marriage and family therapists, associate professional clinical
- + counselors, or associate clinical social workers. Supervision of
- + psychotherapy performed by a social work intern or a professional
- + clinical counselor trainee shall be accepted if the supervision
- + provided is substantially equivalent to the supervision required for
- + registrants.
- + ~~(4)~~
- + (3) Has received training in supervision as specified in this
- + chapter and by regulation.
- + ~~(5)~~
- + (4) Has not provided therapeutic services to the supervisee.
- + ~~(6)~~
- + (5) Has and maintains a current and active license that is not
- + under suspension or probation as one of the following:

- + (A) A marriage and family therapist, professional clinical
- + counselor, clinical social worker, or licensed educational
- + psychologist issued by the board.
- + (B) A psychologist licensed pursuant to Chapter 6.6
- + (commencing with Section 2900).
- + (C) A physician and surgeon who is certified in psychiatry by
- + the American Board of Psychiatry and Neurology.
- + ~~(7)~~
- + (6) Is not a spouse, domestic partner, or relative of the
- + supervisee.
- + ~~(8)~~
- + (7) Does not currently have or previously had a personal,
- + professional, or business relationship with the supervisee that
- + undermines the authority or effectiveness of the supervision.
- + (i) “Client centered advocacy” includes, but is not limited to,
- + researching, identifying, and accessing resources, or other activities,
- + related to obtaining or providing services and supports for clients
- + or groups of clients receiving psychotherapy or counseling services.
- + (j) “Advertising” or “advertise” includes, but is not limited to,
- + the issuance of any card, sign, or device to any person, or the
- + causing, permitting, or allowing of any sign or marking on, or in,
- + any building or structure, or in any newspaper or magazine or in
- + any directory, or any printed matter whatsoever, with or without
- + any limiting qualification. It also includes business solicitations
- + communicated by radio or television broadcasting. Signs within
- + church buildings or notices in church bulletins mailed to a
- + congregation shall not be construed as advertising within the
- + meaning of this chapter.
- + (k) “Referral” means evaluating and identifying the needs of a
- + client to determine whether it is advisable to refer the client to
- + other specialists, informing the client of that judgment, and
- + communicating that determination as requested or deemed
- + appropriate to referral sources.
- + (l) “Research” means a systematic effort to collect, analyze, and
- + interpret quantitative and qualitative data that describes how social
- + characteristics, behavior, emotion, cognitions, disabilities, mental
- + disorders, and interpersonal transactions among individuals and
- + organizations interact.
- + (m) “Supervision” means responsibility for, and control of, the
- + quality of mental health and related services provided by the

- + supervisee. Consultation or peer discussion shall not be considered
- + supervision and shall not qualify as supervised experience.
- + Supervision includes, but is not limited to, all of the following:
- + (1) Ensuring the extent, kind, and quality of counseling
- + performed is consistent with the education, training, and experience
- + of the supervisee.
- + (2) Monitoring and evaluating the supervisee's assessment,
- + diagnosis, and treatment decisions and providing regular feedback.
- + (3) Monitoring and evaluating the supervisee's ability to provide
- + services at the site or sites where the supervisee is practicing and
- + to the particular clientele being served.
- + (4) Monitoring and addressing clinical dynamics, including, but
- + not limited to, countertransference-, intrapsychic-, interpersonal-,
- + or trauma-related issues that may affect the supervisory or the
- + practitioner-patient relationship.
- + (5) Ensuring the supervisee's compliance with laws and
- + regulations governing the practice of licensed professional clinical
- + counseling.
- + (6) Reviewing the supervisee's progress notes, process notes,
- + and other patient treatment records, as deemed appropriate by the
- + supervisor.
- + (7) With the client's written consent, providing direct
- + observation or review of audio or video recordings of the
- + supervisee's counseling or therapy, as deemed appropriate by the
- + supervisor.
- + (n) "Clinical setting" means any setting that meets both of the
- + following requirements:
- + (1) Lawfully and regularly provides mental health counseling
- + or psychotherapy.
- + (2) Provides oversight to ensure that the associate's work meets
- + the experience and supervision requirements set forth in this
- + chapter and in regulation and is within the scope of practice of the
- + profession.
- + ~~(o) "Community mental health setting," means a clinical setting~~
- + ~~that meets all of the following requirements:~~
- + ~~(1) Lawfully and regularly provides mental health counseling~~
- + ~~or psychotherapy.~~
- + ~~(2) Clients routinely receive psychopharmacological~~
- + ~~interventions in conjunction with psychotherapy, counseling, or~~
- + ~~other psycho-social interventions.~~

Amendment 4

+ ~~(3) Clients receive coordinated care that includes the~~  
+ ~~collaboration of mental health providers.~~  
+ ~~(4) Is not a private practice.~~

Page 2

1 SECTION 1.  
2 SEC. 3. Section 4999.20 of the Business and Professions Code  
+ is amended to read:

3 4999.20. (a) (1) “Professional clinical counseling” means the  
4 application of counseling interventions and psychotherapeutic  
5 techniques to identify and remediate cognitive, mental, and  
6 emotional issues, including personal growth, adjustment to  
7 disability, crisis intervention, and psychosocial and environmental  
8 problems, and the use, application, and integration of the  
9 coursework and training required by Sections 4999.32 and 4999.33.  
10 “Professional clinical counseling” includes conducting assessments  
11 for the purpose of establishing counseling goals and objectives to  
12 empower individuals to deal adequately with life situations, reduce  
13 stress, experience growth, change behavior, and make  
14 well-informed, rational decisions.

15 (2) “Professional clinical counseling” is focused exclusively on  
16 the application of counseling interventions and psychotherapeutic  
17 techniques for the purposes of improving mental health, and is not  
18 intended to capture other, nonclinical forms of counseling for the  
19 purposes of licensure. For purposes of this paragraph, “nonclinical”  
20 means nonmental health.

Page 3

11 (3) “Professional clinical counseling” does not include the  
12 provision of clinical social work services.

13 (b) “Counseling interventions and psychotherapeutic techniques”  
14 means the application of cognitive, affective, verbal or nonverbal,  
15 systemic or holistic counseling strategies that include principles  
16 of development, wellness, and maladjustment that reflect a  
17 pluralistic society. These interventions and techniques are  
18 specifically implemented in the context of a professional clinical  
19 counseling relationship and use a variety of counseling theories  
20 and approaches.

21 (c) “Assessment” means selecting, administering, scoring, and  
22 interpreting tests, instruments, and other tools and methods  
23 designed to measure an individual’s attitudes, abilities, aptitudes,  
24 achievements, interests, personal characteristics, disabilities, and  
25 mental, emotional, and behavioral concerns and development and  
26 the use of methods and techniques for understanding human



Page 3 27 behavior in relation to coping with, adapting to, or ameliorating  
28 changing life situations, as part of the counseling process.  
29 “Assessment” shall not include the use of projective techniques  
30 in the assessment of personality, individually administered  
31 intelligence tests, neuropsychological testing, or utilization of a  
32 battery of three or more tests to determine the presence of  
33 psychosis, dementia, amnesia, cognitive impairment, or criminal  
34 behavior.  
35 (d) Professional clinical counselors shall refer clients to other  
36 licensed health care professionals when they identify issues beyond  
37 their own scope of education, training, and experience.  
38 ~~SEC. 2.~~  
+ SEC. 4. Section 4999.46 of the Business and Professions Code  
39 is amended to read:  
Page 4 1 4999.46. (a) Except as provided in subdivision (b), all  
2 applicants shall have an active associate registration with the board  
3 in order to gain postdegree hours of supervised experience.  
4 (b) (1) Preregistered postdegree hours of experience shall be  
5 credited toward licensure if all of the following apply:  
6 (A) The registration applicant applies for the associate  
7 registration and the board receives the application within 90 days  
8 of the granting of the qualifying master’s degree or doctoral degree.  
9 (B) For applicants completing graduate study on or after January  
10 1, 2020, the experience is obtained at a workplace that, prior to  
11 the registration applicant gaining supervised experience hours,  
12 requires completed Live Scan fingerprinting. The applicant shall  
13 provide the board with a copy of that completed State of California  
14 “Request for Live Scan Service” form with their application for  
15 licensure.  
16 (C) The board subsequently grants the associate registration.  
17 (2) The applicant shall not be employed or volunteer in a private  
18 practice until they have been issued an associate registration by  
19 the board.  
20 (c) Supervised experience that is obtained for the purposes of  
21 qualifying for licensure shall be related to the practice of  
22 professional clinical counseling and comply with the following:  
23 (1) A minimum of 3,000 postdegree hours performed over a  
24 period of not less than two years (104 weeks).  
25 (2) Not more than 40 hours in any seven consecutive days.

Amendment 5

Page 4 26 (3) Not less than 1,750 hours of direct clinical counseling with  
27 individuals, groups, couples, or families using a variety of  
28 psychotherapeutic techniques and recognized counseling  
29 interventions.

33 (4) A maximum of 1,250 hours of nonclinical practice,  
34 consisting of direct supervisor contact, administering and  
35 evaluating psychological tests, writing clinical reports, writing  
36 progress or process notes, client centered advocacy, and workshops,  
37 seminars, training sessions, or conferences directly related to  
38 professional clinical counseling that have been approved by the  
39 applicant's supervisor.

Page 5 1 (5) A maximum of 1,200 hours gained under the supervision  
2 of a licensed educational psychologist providing educationally  
3 related mental health services that are consistent with the scope  
4 of practice of an educational psychologist, as specified in Section  
5 4989.14.

6 (d) An individual who submits an application for licensure  
7 between January 1, 2016, and December 31, 2020, may  
8 alternatively qualify under the experience requirements of this  
9 section that were in place on January 1, 2015.

10 (e) Experience hours shall not have been gained more than six  
11 years prior to the date the application for licensure was received  
12 by the board.

+ *SEC. 5. Section 4999.60 of the Business and Professions Code*  
+ *is amended to read:*  
+ 4999.60. (a) The board may issue a license to a person who,  
+ at the time of submitting an application for a license pursuant to  
+ this chapter, holds a license in another jurisdiction of the United  
+ States as a professional clinical counselor at the highest level for  
+ independent clinical practice if all of the following requirements  
+ are met:  
+ (1) The applicant's license in the other jurisdiction has been  
+ current, active, and unrestricted for at least two years immediately  
+ before the date the application was received by the board. The  
+ applicant shall disclose to the board for review any past restrictions  
+ or disciplinary action on an out-of-state license, and the board shall  
+ consider those actions in determining whether to issue a license  
+ to the applicant.  
+ (2) The applicant's degree that qualified the applicant for the  
+ out-of-state license is a master's or doctoral degree that was

Amendment 6

- + obtained from an accredited or approved institution, as defined in
- + Section 4999.12.
- + (3) The applicant complies with the fingerprint requirements
- + established in Section 144.
- + (4) The applicant completes the coursework specified in
- + subparagraphs (A) and (B) from an accredited or approved school,
- + college, or university, as defined in Section 4999.12, or from a
- + continuing education provider that is acceptable to the board, as
- + defined in Section 4999.76. Undergraduate coursework shall not
- + satisfy this requirement.
- + (A) A minimum of 12 hours of coursework in California law
- + and professional ethics that includes, but is not limited to,
- + instruction in advertising, scope of practice, scope of competence,
- + treatment of minors, confidentiality, dangerous clients,
- + psychotherapist-client privilege, recordkeeping, client access to
- + records, state and federal laws relating to confidentiality of patient
- + health information, dual relationships, child abuse, elder and
- + dependent adult abuse, online therapy, insurance reimbursement,
- + civil liability, disciplinary actions and unprofessional conduct,
- + ethics complaints and ethical standards, termination of therapy,
- + standards of care, relevant family law, therapist disclosures to
- + clients, the application of legal and ethical standards in different
- + types of work settings, and licensing law and licensing process.
- + (B) At least one semester unit, or 15 hours, of instruction that
- + includes an understanding of various California cultures and the
- + social and psychological implications of socioeconomic position.
- + (5) The applicant obtains a minimum of seven contact hours of
- + training or coursework in child abuse assessment and reporting,
- + as specified in Section 28, and any regulations promulgated
- + thereunder.
- + (6) On and after January 1, 2021, the applicant shall show proof
- + of completion of at least six hours of coursework or applied
- + experience under supervision in suicide risk assessment and
- + intervention using one of the methods specified in Section 4999.66.
- + (7) The applicant passes the board-administered California law
- + and ethics examination specified in Section 4999.53. The clinical
- + examination specified in Section 4999.53 shall be waived for an
- + applicant qualifying under this section.

+ ~~(b) A licensee who is issued a license pursuant to this section~~  
 + ~~shall be permitted to treat couples or families if the licensee meets~~  
 + ~~one of the following:~~

+ ~~(1) The scope of the license held in the other state permitted~~  
 + ~~treatment of couples and families without restrictions or additional~~  
 + ~~coursework and the licensee completes a minimum of six hours~~  
 + ~~of continuing education specific to marriage and family therapy~~  
 + ~~in each renewal cycle.~~

+ ~~(2) The licensee completes the requirements to treat couples or~~  
 + ~~families specified in paragraph (3) of subdivision (a) of Section~~  
 + ~~4999.20.~~

+ ~~(e)~~

+ ~~(b) This section was developed based on an examination of the~~  
 + ~~licensure requirements for professional clinical counselors on a~~  
 + ~~national level. This section shall not be construed to apply to any~~  
 + ~~provisions under this division or Division 3 (commencing with~~  
 + ~~Section 5000) other than this act.~~

+ *SEC. 6. Section 3110.5 of the Family Code is amended to read:*

+ 3110.5. (a) A person may be a court-connected or private child  
 + custody evaluator under this chapter only if the person has  
 + completed the domestic violence and child abuse training program  
 + described in Section 1816 and has complied with Rules 5.220 and  
 + 5.230 of the California Rules of Court.

+ (b) (1) On or before January 1, 2002, the Judicial Council shall  
 + formulate a statewide rule of court that establishes education,  
 + experience, and training requirements for all child custody  
 + evaluators appointed pursuant to this chapter, Section 730 of the  
 + Evidence Code, or Chapter 15 (commencing with Section  
 + 2032.010) of Title 4 of Part 4 of the Code of Civil Procedure.

+ (A) The rule shall require a child custody evaluator to declare  
 + under penalty of perjury that the evaluator meets all of the  
 + education, experience, and training requirements specified in the  
 + rule and, if applicable, possesses a license in good standing. The  
 + Judicial Council shall establish forms to implement this section.  
 + The rule shall permit court-connected evaluators to conduct  
 + evaluations if they meet all of the qualifications established by the  
 + Judicial Council. The education, experience, and training  
 + requirements to be specified for court-connected evaluators shall  
 + include, but not be limited to, knowledge of the psychological and  
 + developmental needs of children and parent and child relationships.

+ (B) The rule shall require all evaluators to utilize comparable  
+ interview, assessment, and testing procedures for all parties that  
+ are consistent with generally accepted clinical, forensic, scientific,  
+ diagnostic, or medical standards. The rule shall also require  
+ evaluators to inform each adult party of the purpose, nature, and  
+ method of the evaluation.

+ (C) The rule may allow courts to permit the parties to stipulate  
+ to an evaluator of their choosing with the approval of the court  
+ under the circumstances set forth in subdivision (d). The rule may  
+ require courts to provide general information about how parties  
+ can contact qualified child custody evaluators in their county.

+ (2) On or before January 1, 2004, the Judicial Council shall  
+ include in the statewide rule of court created pursuant to this  
+ section a requirement that all court-connected and private child  
+ custody evaluators receive training in the nature of child sexual  
+ abuse. The Judicial Council shall develop standards for this training  
+ that shall include, but not be limited to, the following:

+ (A) Children's patterns of hiding and disclosing sexual abuse  
+ occurring in a family setting.

+ (B) The effects of sexual abuse on children.

+ (C) The nature and extent of child sexual abuse.

+ (D) The social and family dynamics of child sexual abuse.

+ (E) Techniques for identifying and assisting families affected  
+ by child sexual abuse.

+ (F) Legal rights, protections, and remedies available to victims  
+ of child sexual abuse.

+ (c) In addition to the education, experience, and training  
+ requirements established by the Judicial Council pursuant to  
+ subdivision (b), on or after January 1, 2005, a person may be a  
+ child custody evaluator under this chapter, Section 730 of the  
+ Evidence Code, or Chapter 15 (commencing with Section  
+ 2032.010) of Title 4 of Part 4 of the Code of Civil Procedure only  
+ if the person meets one of the following criteria:

+ (1) The person is licensed as a physician under Chapter 5  
+ (commencing with Section 2000) of Division 2 of the Business  
+ and Professions Code and either is a board certified psychiatrist  
+ or has completed a residency in psychiatry.

+ (2) The person is licensed as a psychologist under Chapter 6.6  
+ (commencing with Section 2900) of Division 2 of the Business  
+ and Professions Code.

+ (3) The person is licensed as a marriage and family therapist  
+ under Chapter 13 (commencing with Section 4980) of Division 2  
+ of the Business and Professions Code.

+ (4) The person is licensed as a clinical social worker under  
+ Article 4 (commencing with Section 4996) of Chapter 14 of  
+ Division 2 of the Business and Professions Code.

+ (5) The person is licensed as a professional clinical counselor  
+ under Chapter 16 (commencing with Section 4999.10) of Division  
+ 2 of the Business and Professions Code and is qualified to assess  
+ couples and families pursuant to paragraph (3) of subdivision (a)  
+ of Section 4999.20 of the Business and Professions Code. *Code.*

+ (6) The person is a court-connected evaluator who has been  
+ certified by the court as meeting all of the qualifications for  
+ court-connected evaluators as specified by the Judicial Council  
+ pursuant to subdivision (b).

+ (d) Subdivision (c) does not apply in a case in which the court  
+ determines that there are no evaluators who meet the criteria of  
+ subdivision (c) who are willing and available, within a reasonable  
+ period of time, to perform child custody evaluations. In those cases,  
+ the parties may stipulate to an individual who does not meet the  
+ criteria of subdivision (c), subject to approval by the court.

+ (e) A child custody evaluator who is licensed by the Medical  
+ Board of California, the Board of Psychology, or the Board of  
+ Behavioral Sciences shall be subject to disciplinary action by that  
+ board for unprofessional conduct, as defined in the licensing law  
+ applicable to that licensee.

+ (f) On or after January 1, 2005, a court-connected or private  
+ child custody evaluator may not evaluate, investigate, or mediate  
+ an issue of child custody in a proceeding pursuant to this division  
+ unless that person has completed child sexual abuse training as  
+ required by this section.

Page 5 13 ~~SEC. 3.~~

Amendment 7

+ *SEC. 7.* No reimbursement is required by this act pursuant to  
14 Section 6 of Article XIII B of the California Constitution because  
15 the only costs that may be incurred by a local agency or school  
16 district will be incurred because this act creates a new crime or  
17 infraction, eliminates a crime or infraction, or changes the penalty  
18 for a crime or infraction, within the meaning of Section 17556 of  
19 the Government Code, or changes the definition of a crime within

Page 5    20    the meaning of Section 6 of Article XIII B of the California  
         21    Constitution.

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