



Board of Behavioral Sciences

# Memo

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**To:** Committee Members

**Date:** July 15, 2022

**From:** Rosanne Helms  
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**Subject: Legislative Update**

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## BOARD-SPONSORED LEGISLATION

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The Board is pursuing of the following legislative proposals this year.

1. **AB 1758 (Aguiar-Curry) Board of Behavioral Sciences: Marriage and Family Therapists: Clinical Social Workers: Professional Clinical Counselors: Supervision of Applicants for Licensure via Videoconferencing**

This bill proposal would allow required weekly supervision via two-way, real-time videoconferencing in all settings, if the supervisor makes an assessment that this is appropriate. The Board approved this proposal at its November 5, 2021 meeting. It approved amendments to the bill at its February 11, 2022 meeting, and these were amended into the bill on March 29, 2022. This bill is an urgency measure.

*Status: This bill is on third reading in the Senate.*

2. **AB 1759 (Aguiar-Curry) Board of Behavioral Sciences: Licensees and Registrants: Marriage and Family Therapy, Educational Psychology, Clinical Social Work, and Professional Clinical Counseling**

This bill proposes two changes to the Board's continuing education requirements:

- It proposes requiring applicants for licensure and current licensees to complete 3 hours of training or coursework in the provision of mental health services via telehealth, including law and ethics related to telehealth, as a one-time requirement.
- It requires all Board registrants to complete a 3 hour continuing education course in California law and ethics each renewal cycle.

In addition, the proposal also makes clarifications that certain pre-licensees may provide services with clients via telehealth.

The Board approved a portion of this proposal at its September 10, 2021 meeting and a portion of the proposal at its November 5, 2021 meeting.

*Status: This bill is on third reading in the Senate.*

**3. SB 1495 (Senate Business, Professions and Economic Development Committee) Professions and Vocations**

This bill proposal, approved by the Board at its November 5, 2021 meeting, makes minor, technical, or non-substantive amendments to add clarity and consistency to current law.

Staff is still waiting to see if all of the Board's amendments will be accepted into the bill. Upcoming amendments are expected.

*Status: This bill is in the Assembly Appropriations Committee.*

<b>BOARD-SUPPORTED LEGISLATION</b>
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**1. AB 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions**

This bill would require DCA boards, within 90 days upon a licensee's or former licensee's provision of a certified copy of expungement, to update their online license search system with notification of the expungement order (if the person is relicensed or reappplies for licensure) or to remove the posting of revocation and previously posted arrests, charges, and convictions (if the person's license was revoked, they are no longer licensed, and have not reapplied).

At its May 2022 meeting, the Board took a "support if amended" position on this bill. The Board requested an amendment to BPC section 493.5(a)(2) in the bill.

*Status: This bill is a two-year bill. It is currently in the Senate Appropriations Committee.*

**2. AB 988 (Bauer-Kahan) Mental Health: 988 Crisis Hotline**

This bill takes steps to implement a statewide 988 mental health crisis hotline.

At its May 2022 meeting, the Board took a "support" position on this bill. However, significant amendments have been made to the bill's language since that time.

*Status: This bill is a two-year bill. It is currently in the Senate Appropriations Committee.*

**3. AB 1635 (Nguyen) Suicide Prevention: Mental Health Provider Educational Loan Repayment**

This bill creates a new account in the Mental Health Practitioner Education Fund to provide grants to repay education loans for specified Board licensees and registrants who commit to providing direct patient care for at least 24 months in an organization that provides mental health services to individuals who have been referred there by a suicide prevention hotline.

At its May 2022 meeting, the Board took a “support if amended” position on this bill, and requested amendments to identify a funding source, and an amendment to broaden the work settings eligible for the grant.

*Status: This bill is now dead.*

**4. AB 2222 (Reyes) Student Financial Aid: Golden State Social Opportunities Program**

This bill creates the Golden State Social Opportunities Program, which would provide grants of up to \$20,000 per year for qualifying students enrolled in a postgraduate program if they commit to working in a California-based nonprofit setting for their required post degree hours of supervised experience as an associate registered with this Board or the Board of Psychology.

At its May 2022 meeting, the Board took a “support if amended” position on the bill and requested various technical and clarifying amendments. The Board’s requested amendments have been made.

*Status: This bill is in the Senate Appropriations Committee.*

**5. AB 2666 (Salas) Behavioral Health Internship Grant Program**

This bill would require the Department of Health Care Access and Information (HCAI) to establish and administer a grant program to provide stipends to students in behavioral health fields of study and practice who are interning or completing licensure hours at federally qualified health centers (FQHCs) and who are unpaid.

At its May 2022 meeting, the Board took a “support if amended” position on the bill. It requested and requested various technical amendments and requested that a funding source be identified. Amendments have not been made at this time.

*Status: This bill is in the Senate Appropriations Committee.*

**6. SB 964 (Wiener) Behavioral Health**

This bill takes a number of steps to address the current behavioral health workforce shortage.

At its May 2022 meeting, the Board took a “support” position on the bill. However, the bill has been amended significantly since the Board considered it.

*Status: This bill is in the Assembly Appropriations Committee.*

**7. SB 966 (Limon) Federally Qualified Health Centers and Rural Health Clinics: Visits**

This bill would allow Medi-Cal reimbursement for covered mental health services provided by an associate clinical social worker or an associate marriage and family therapist employed by a federally qualified health center or a rural health clinic.

At its May 2022 meeting, the Board took a “support” position on the bill.

*Status: This bill is in the Assembly Appropriation Committee.*

**8. SB 1002 (Portantino) Workers’ Compensation: Licensed Clinical Social Workers**

This bill adds licensed clinical social workers as direct providers in the workers’ compensation system.

At its May 2022 meeting, the Board took a “support” position on the bill.

*Status: This bill is in the Assembly Appropriations Committee.*

**9. SB 1229 (McGuire) Mental Health Workforce Grant Program**

This bill creates a grant program under California’s Student Aid Commission to increase the number of mental health professionals serving children and youth. It proposes awarding grants of up to \$25,000 to post-graduate students enrolled in an accredited social work program, a program designed to lead to licensure as a marriage and family therapist, professional clinical counselor, or educational psychologist, or designed to provide a services credential with a specialization in pupil personnel services. The student must meet specified criteria, including agreeing to work in an eligible California-based nonprofit entity or a local education agency when gaining their required postgraduate supervised experience hours.

At its May 2022 meeting, the Board took a “support” position on the bill.

*Status: This bill is dead.*

## **10. SB 1238 (Eggman) Behavioral Health Services: Existing and Projected Needs**

This bill requires the Department of Health Care Services to conduct a review of and report on the current and projected behavioral health care infrastructure and service needs in each region of the state, beginning January 1, 2024, and every 5 years thereafter.

At its May 2022 meeting, the Board took a “support” position on this bill.

*Status: This bill is in the Assembly Appropriations Committee.*

### **BOARD-MONITORED LEGISLATION**

## **1. AB 29 (Cooper) State Bodies: Meetings**

This bill proposed a change to the Bagley-Keene Open Meeting Act to require that state bodies provide meeting writings or materials to the public on the same day they are provided to the state body’s members, or at least 72 hours before the meeting, whichever is earlier.

At its May 2021 meeting, the Board took an “oppose unless amended” position on this bill. The Board requested an amendment that would permit revision of board materials related to current legislation to reflect the most recent information available. In addition, the Board requested an amendment specifying that closed session materials would remain confidential.

*Status: This was a two-year bill. It is now dead.*

## **2. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction**

This bill requires DCA boards to establish a process for prospective applicants to request a preapplication determination regarding whether their criminal history could be cause for denial of licensure.

At its May 2022 meeting, the Board opted not to take a position on this bill.

*Status: This bill is in the Senate Appropriations Committee.*

## **3. SB 1237 (Newman) Licenses: Military Service**

This bill would clarify the meaning of the term “called to active duty” with respect to the requirement in law that licensing boards under DCA waive renewal fees and continuing education requirements of a licensee or registrant called to active duty as a member of the U.S. Armed forces or California National Guard.

At its May 2022 meeting, the Board opted not to take a position on this bill.

*Status: This bill is in the Assembly Appropriations Committee.*

#### **4. SB 1365 (Jones) Licensing Boards: Procedures**

This bill requires boards under DCA to publicly post a list of criteria used to evaluate applicants with criminal convictions on its website. It also requires DCA to take steps to establish procedures for evaluating and assisting applicants with criminal convictions.

At its May 2022 meeting, the Board opted not to take a position on this bill.

*Status: This bill is dead.*

*Updated: July 15, 2022*