



Board of Behavioral Sciences

Memo

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To: Board Members

Date: November 1, 2023

From: Rosanne Helms
Legislative Manager

Subject: Proposed Legislation: Omnibus Bill 2024

Each year, staff reviews the Board's statutes to determine if technical, minor or non-substantive amendments are needed. Typically, such amendments are placed in an omnibus bill that the Legislature runs each year.

Staff has identified an amendment that the Board may wish to consider for inclusion in the upcoming year's omnibus bill.

Amend BPC §4980.54(f): Acceptable Sources of Continuing Education for Licensed Marriage and Family Therapists (LMFTs) (Attachment A)

Background: BPC §4980.54 specifies continuing education (CE) requirements for LMFTs. It states that continuing education must be obtained from either a CE provider accepted by the Board as specified in regulations, or from an accredited school or state approved school that meets the requirements in BPC §§[4980.36](#) or [4980.37](#). (These sections contain the requirements for a degree to qualify for LMFT licensure.)

While BPC §§4980.36 and 4980.37 reference the accrediting and approval agencies that the Board accepts for degrees, which is likely the intent for CE courses here, referencing these sections in their entirety implies that any CE from a school, college, or university, must be from an institution that is not only accredited or approved, but that also offers a qualifying LMFT degree. This is not the intent; the intent is that the CE coursework be from a school that is accredited or approved by a specified entity.

BPC §[4980.03\(i\) and \(j\)](#) define "accredited" and "approved" schools, colleges and universities for purposes of the LMFT practice act. Referencing this section, rather than BPC §§4980.36 and 4980.37, clarifies the intent that CE courses must be from a school that is accredited or approved (but not necessarily from one that has a qualifying LMFT degree program, as the law currently implies).

This amendment makes the LMFT continuing education requirements more in line with what is already in law for LCSW CE ([§4996.22\(d\)](#)) and for LPCC CE ([§4999.76\(d\)](#) and [§4999.12\(b\) and \(c\)](#)).

Recommendation: Amend BPC §4980.54 to clarify that CE obtained from a school, college, or university must be obtained from an entity that is properly “accredited” or “approved”, not that the entity must have a qualifying LMFT degree program.

Policy and Advocacy Committee Discussion

At its October 27, 2023 meeting, the Policy and Advocacy Committee discussed the proposed amendments and recommended that the Board consider them as a legislative proposal.

Recommendation

Conduct an open discussion about the proposed amendments. Direct staff to make any discussed changes, and any non-substantive changes, and to pursue as a legislative proposal.

Attachments

Attachment A: Amend BPC §4980.54: Acceptable Sources of Continuing Education for LMFTs

ATTACHMENT A
Amend Business and Professions Code (BPC) §4980.54
Acceptable Sources of Continuing Education for LMFTs

AMEND BPC §4980.54.

(a) The Legislature recognizes that the education and experience requirements in this chapter constitute only minimal requirements to ensure that an applicant is prepared and qualified to take the licensure examinations as specified in subdivision (d) of Section 4980.40 and, if an applicant passes those examinations, to begin practice.

(b) In order to continuously improve the competence of licensed and registered marriage and family therapists and as a model for all psychotherapeutic professions, the Legislature encourages all licensees and registrants to regularly engage in continuing education related to the profession or scope of practice as defined in this chapter.

(c) (1) Except as provided in subdivision (e), the board shall not renew any license pursuant to this chapter unless the applicant certifies to the board, on a form prescribed by the board, that the applicant has completed not less than 36 hours of approved continuing education in or relevant to the field of marriage and family therapy in the preceding two years, as determined by the board.

(2) The board shall not renew any registration pursuant to this chapter unless the registrant certifies under penalty of perjury to the board, and on a form prescribed by the board, that they have completed not less than three hours of continuing education on the subject of California law and ethics during the preceding year.

(d) The board shall have the right to audit the records of any applicant to verify the completion of the continuing education requirement. Applicants shall maintain records of completion of required continuing education coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

(e) The board may establish exceptions from the continuing education requirements of this section for good cause, as defined by the board.

(f) The continuing education shall be obtained from one of the following sources:

(1) ~~An accredited school or state-approved school that meets the requirements set forth in Section 4980.36 or 4980.37. A school, college, or university that is accredited or approved, as defined in Section 4980.03.~~ Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, as specified by the board by regulation.

(g) The board shall establish, by regulation, a procedure for identifying acceptable providers of continuing education courses, and all providers of continuing education, as described in paragraphs (1) and (2) of subdivision (f), shall adhere to procedures

established by the board. The board may revoke or deny the right of a provider to offer continuing education coursework pursuant to this section for failure to comply with this section or any regulation adopted pursuant to this section.

(h) Training, education, and coursework by approved providers shall incorporate one or more of the following:

(1) Aspects of the discipline that are fundamental to the understanding or the practice of marriage and family therapy.

(2) Aspects of the discipline of marriage and family therapy in which significant recent developments have occurred.

(3) Aspects of other disciplines that enhance the understanding or the practice of marriage and family therapy.

(i) A system of continuing education for licensed marriage and family therapists shall include courses directly related to the diagnosis, assessment, and treatment of the client population being served.

(j) The continuing education requirements of this section shall comply fully with the guidelines for mandatory continuing education established by the Department of Consumer Affairs pursuant to Section 166.