



Board of Behavioral Sciences

Memo

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To: Board Members

Date: April 4, 2025

From: Rosanne Helms
Legislative Manager

Subject: Legislative Update

BOARD-SPONSORED LEGISLATION

The Board is pursuing of the following legislative proposals this year. The Senate Business, Professions, and Economic Development Committee plans to amend these proposals into SB 775 (Ashby), which will also serve as the bill to extend the Board's sunset date.

1. Technical and/or Nonsubstantive Amendments

The Board identified several technical or nonsubstantive amendments needed to clarify or clean up its current practice acts. They are as follows:

- Amendments related to the enforcement statute of limitations in the LMFT Practice Act.
- Amendments to clarify the required supervision ratio for associate clinical social workers.
- Amendments to make the definition of "advertising" consistent across the practice acts.
- Amendments to clarify supervision requirements for professional clinical counselor trainees.
- Amendments clarifying W-2 form requirements for applicants.
- Amendments to make the unprofessional conduct provision for telehealth consistent across the practice acts.
- Amendments to clarify degree program certification requirements for LMFT applicants.

The Board approved these proposed amendments at its September 20, 2024 and November 15, 2024 meetings.

2. Statutory Amendments to Potentially Allow Adoption of the Association of Marital and Family Therapy Regulatory Boards' (AMFTRB) Marital and Family Therapy National Examination as the Clinical Examination via Regulations

This proposal would give the Board the option to designate the AMFTRB Marital and Family Therapy National Exam as the clinical exam approved for LMFT licensure through regulations.

The Board approved these amendments at its September 20, 2024 meeting.

3. Sunsetting Statutory Provisions

This proposal would delete or extend the sunset dates for two provisions of the Board's practice acts that sunset on January 1, 2026:

- Allowance of supervision via videoconferencing in all settings.
- Temporary practice allowance.

The Board approved this proposal at its September 20, 2024 meeting.

4. Licensing Requirements for Licensed Educational Psychologists

This proposal makes amendments to BPC §4989.20, which is the section of the LEP Practice Act that specifies the requirements for LEP licensure. The proposed amendments fall into three categories:

- Specifying experience requirements in greater detail.
- Clarifying experience requirements for in-state versus out-of-state school psychologists.
- Adding an age limit to a passing score on the LEP exam.

The Board approved this proposal at its September 20, 2024 and November 15, 2024 meetings.

5. Amendments to Retired License Statute

This proposal includes the following amendments to the Board's retired license statute:

- Instead of requiring one's license either be current and active or inactive to retire it, the proposal instead requires a license to be current and active, inactive, or expired within the past 3 years (this timeframe was chosen because an expired license is renewable for 3 years, after which it is cancelled). Permitting a license that has been expired for up to 3 years to be retired removes the barrier of requiring someone who had let their license expire from having to pay to reactivate it (to either active or inactive status) simply to then retire it.
- Clarifies the meaning of "subject to disciplinary action." A licensee retiring their license must not be subject to disciplinary action, but that term is undefined.
- Specifies what information needs to be provided to the Board in the application to retire a license and in the application to restore a retired license to active status.
- Specifies the professional title that a retired licensee is permitted to use.
- Restricts a retired licensee to reactivating their license only once.
- Corrects a reference to fingerprint submission requirements.
- Specifies that the continuing education required to restore a retired license must have been taken within the past 2 years and must include at least 6 hours in the subject of California law and ethics.
- Clarifies that a license that has been retired for 3 or more years cannot be restored, and that a new license must be applied for to resume practice.

The Board approved this proposal at its February 28, 2025 meeting.