



Board of Behavioral Sciences

# Memo

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Sacramento, CA 95834  
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[www.bbs.ca.gov](http://www.bbs.ca.gov)

**To:** Board Members

**Date:** May 1, 2025

**From:** Christy Berger  
Regulatory Manager

**Subject: Regulation Hearing Regarding a Proposal to Amend Title 16 of the California Code of Regulations (CCR) Section 1811 Regarding Advertising**

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At its September 2024 meeting, the Board approved regulatory changes pertaining to its Advertising regulations, as provided in the Attachment. The proposed regulatory action was noticed to the public on March 14, 2025, and the 45-day written public comment period ended on April 28, 2025.

During that comment period a hearing was requested. The Board has scheduled a hearing to begin at 9:00 a.m. on May 8, 2025; it is listed as "time certain" on the Board's agenda in accordance with the Administrative Procedure Act. Notice of the hearing was sent to interested parties and posted on the Board's website on April 25, 2025.

During the hearing, any interested person may present statements or arguments orally or in writing relevant to the regulatory action. If a remote participant has a written comment, they will be instructed to email their comment to [BBS.Rulemaking@dca.ca.gov](mailto:BBS.Rulemaking@dca.ca.gov) and type into the WebEx chat box "I have a written comment and my email address is (remote participant's email address)".

This hearing will end once testimony by all commenters in attendance is received. During the hearing, the Board may ask clarifying questions of the commenters but should not debate or respond to the comments in any other way.

Immediately after the hearing, the Board will have an opportunity to discuss the comments received and determine their response to the comments during a separate agenda item. Before the hearing begins, the Chair will provide guidance to all attendees on the hearing process and procedures.

## **Attachments**

**Attachment A:** Board-Approved Amendments to 16 CCR Section 1811

**Attachment B:** Regulation Notice

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**ATTACHMENT A**  
**TITLE 16. BOARD OF BEHAVIORAL SCIENCES**  
**DEPARTMENT OF CONSUMER AFFAIRS**

**PROPOSED LANGUAGE**  
**Title 16, Division 18, California Code of Regulations**  
**Section 1811**

Proposed amendments to the regulatory language are shown in <u>underline</u> for text to be added and <del>strike through</del> for text to be deleted.
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**AMEND § 1811. IN TITLE 16 OF DIVISION 18 OF THE CALIFORNIA CODE OF REGULATIONS TO READ AS FOLLOWS:**

**§ 1811. Advertising.**

(a) All persons ~~or referral services~~ regulated by the board who advertise their services shall include all of the following information in any advertisement.

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

(2) The complete title of the license or registration held or an acceptable abbreviation, as follows:

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

(B) Licensed Educational Psychologist or LEP.

(C) Licensed Clinical Social Worker or LCSW.

(D) Registered Associate Marriage and Family Therapist or Registered Associate MFT. The abbreviation "AMFT" shall not be used in an advertisement unless the title ~~"registered associate marriage and family therapist"~~ "Registered Associate Marriage and Family Therapist" appears in the advertisement.

(E) Registered Associate Clinical Social Worker ~~or Registered Associate CSW~~. The abbreviation "ASW" shall not be used in an advertisement unless the title ~~"registered associate clinical social worker"~~ "Registered Associate Clinical Social Worker" appears in the advertisement.

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

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

~~(H)~~(G) Registered Associate Professional Clinical Counselor or Registered Associate PCC. The abbreviation "APCC" shall not be used in an advertisement unless the title

~~“registered associate professional clinical counselor”~~ “Registered Associate Professional Clinical Counselor” appears in the advertisement.

(3) The license or registration number.

(b) Registrants must include both of the following in any advertising: 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.

(1) The name of their employer, or if not employed, the name of the entity for which they volunteer.

(2) That they are supervised by a licensed person.

(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.

(g) In addition to including the information required by subdivision (a), a licensee or registrant may use a nickname or former legal name to advertise services for which a license or registration is required. If a nickname is used, the nickname shall not be false, fraudulent, misleading, or deceptive as specified by section 651 of the Code.

Note: Authority cited: Sections 137, 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 125.9, 137, ~~650.4~~, 651, 4980.03, 4980.09, 4980.44, 4982, 4989.49, 4989.54, 4992.2, 4992.3, 4999.12, 4999.12.5 and 4999.90, Business and Professions Code.

## **ATTACHMENT B**

STATE OF CALIFORNIA  
Department of Consumer Affairs  
Board of Behavioral Sciences  
Title 16, Division 18, Professional and Vocational Regulations

### **NOTICE OF HEARING ON PROPOSED REGULATORY ACTION CONCERNING:**

#### ***Advertising***

**OAL Notice file No. Z-2025-0304-08**

The Board of Behavioral Sciences proposes to amend Section 1811 of Division 18 of Title 16 of the California Code of Regulations (CCR) after considering all comments, objections, and recommendations regarding the proposed rulemaking action.

### **PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Board of Behavioral Sciences (hereafter referenced as “Board”) will hold a public hearing on May 8, 2025 starting at 9:00 a.m. The hearing will end once testimony by all commenters in attendance is received. During the hearing, any interested person may present statements or arguments orally or in writing relevant to the proposed rulemaking action described in the Informative Digest contained in the original Regulation Notice, the proposed regulatory text, or any rulemaking procedures.

Participants will be given instructions on how to provide oral or written comments once they have accessed the hearing.

Attendees may participate via WebEx online meeting platform, which may also be accessed via telephone. Attendees may also participate in person.

### **FOR PARTICIPATION VIA WEBEX**

See the instructions below to participate in the hearing online or via telephone using WebEx. When signing into the WebEx platform, participants will be asked for their name and email address. Members of the public who wish to comment must provide their full name and/or organization’s name for the rulemaking file. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: [XXXXXX@mailinator.com](mailto:XXXXXX@mailinator.com).

[Click here to join the meeting](#) or go to <https://tinyurl.com/yc5bpzen>

If joining by using the link above

Webinar number: 2490 913 2735

Webinar password: BBS58

If joining by phone

+1-415-655-0001 US Toll  
Access code: 2490 913 2735  
Passcode: 22758

## **FOR PARTICIPATION IN PERSON**

For those who wish to attend the hearing in person, seating will be available at the Department of Consumer Affairs Hearing Room located at 1625 North Market Blvd, Suite S-102, Sacramento, CA 95834. For those who need reasonable accommodations, contact Christina Kitamura at [Christina.Kitamura@dca.ca.gov](mailto:Christina.Kitamura@dca.ca.gov) or (916) 574-7927 at least five business days prior to the hearing.

## **BOARD CONSIDERATION OF COMMENTS**

This hearing is being held in conjunction with a Board meeting. Immediately following the hearing, Board members will have the opportunity to discuss all comments received regarding this regulatory action and determine possible actions in response to comments received.

## **CONTACT PERSONS**

Inquiries concerning the proposed rulemaking action or the hearing may be addressed to:

Name: Christy Berger  
Address: Board of Behavioral Sciences  
1625 North Market Blvd, Suite S200  
Sacramento CA 95834  
Telephone: 916-574-7995  
Fax: 916-574-8625  
Email: [BBS.Rulemaking@dca.ca.gov](mailto:BBS.Rulemaking@dca.ca.gov)

The backup contact person is:

Name: Rosanne Helms  
Address: Board of Behavioral Sciences  
1625 North Market Blvd, Suite S200  
Sacramento CA 95834  
Telephone: 916-574-7939  
Fax: 916-574-8625  
Email: [Rosanne.Helms@dca.ca.gov](mailto:Rosanne.Helms@dca.ca.gov)

## **AVAILABILITY OF DOCUMENTS ON THE INTERNET**

All documents associated with this proposed regulatory action including copies of the Regulation Notice, Initial Statement of Reasons and the text of the regulations can be accessed through the Board's website at: [https://www.bbs.ca.gov/about/law\\_reg.html](https://www.bbs.ca.gov/about/law_reg.html). Select the "Regulations" drop down, then "Pending Regulations".