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**To:** Policy and Advocacy Committee Members **Date:** July 10, 2025

**From:** Rosanne Helms  
Legislative Manager

**Subject:** License Path Restructuring Proposal – Phase I

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## **Background**

At previous meetings, the Workforce Development Committee considered several potential modifications to the licensure process aimed at reducing barriers to entry.

The Board's licensing and examination statutes are complex, and any amendments must be carefully evaluated to prevent unintended consequences and ensure effective implementation. Staff recommends a phased approach to implementing changes to the licensure and examination process.

- **Phase I** would involve amendments to the licensing and examination framework.
- **Phase II** would implement the transition to the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) national exam as the clinical exam for Licensed Marriage and Family Therapists (LMFTs).
- **Phase III** would adjust the timing of the Board's clinical examinations to allow candidates to take those exams earlier in the licensure process.

A summary of the proposed phases is provided in **Attachments B, C, and D**:

**Attachment B** shows a visual summary and description each phase.

**Attachment C** summarizes the estimated timeline of each phase.

**Attachment D** summarizes the end result of all three phases.

The focus of today's discussion will be the Phase I changes (shown in **Attachments A-1 through A-4**), with a goal of having those approved by the Board to run as a legislative proposal in the next legislative cycle, which begins in January 2026.

## **Phase I: General Licensing Process Changes: LMFT, LCSW and LPCC**

The following changes are proposed to take place in Phase I and have been drafted into the LMFT, LCSW, and LPCC practice acts (shown in **Attachment A-1, A-2, and A-3**, respectively).

- a. **Timing of the California Law and Ethics Exam:** This proposal would allow associates to choose when they take the California law and ethics exam.

Currently, associates must attempt the California law and ethics exam every year as a condition of their registration renewal, until the exam is passed. Additionally, this exam must be passed before a subsequent number (or licensure) is obtained. Under this proposal, associates would take the exam when they are ready. It would not be required to be attempted every year in order to renew the registration. (However, it still must be passed before a subsequent registration number is issued, and also before eligibility to take the clinical exam is granted.) Making this change would prevent delays with registration renewal if the associate forgot or was unable to take the exam before renewal that year.

Given the relatively new requirement that associates must now complete 3 hours of continuing education covering California law and ethics each year (which became effective in 2023), staff believes public protection is maintained.

- b. **Age Limit for the California Law and Ethics Exam:** This proposal places an age limit of 7 years on a passing score for the California Law and Ethics Exam.

Currently there is no limit on the age of the California law and ethics exam score the Board will accept, although there is a 7-year age limit on the clinical exam passing score. Not having an age limit on the California law and ethics exam score will have public protection implications the longer the California law and ethics exam has been offered (it has been offered since 2016), as the Board currently must accept all scores regardless of age. Placing a limit on the age of the California law and ethics exam score has the following implications:

- To obtain a subsequent registration number, the applicant will need to have passed the California law and ethics exam no more than seven years prior to the Board's receipt of the application for the subsequent registration number. This would include second (or third, etc.) subsequent registration numbers, meaning the exam must be passed again for each subsequent registration if the score at the time of application is more than 7 years old.
- In addition, when applying for initial license issuance, the California law and ethics exam score will need to have been passed no more than seven years prior to the Board's receipt of that application.

Recognizing the potential adverse impact on individuals who submit their applications shortly after this age limit takes effect, this proposal includes a three-year grace period from the anticipated effective date of the bill. During this grace period, the seven-year age limit for the California Law and Ethics Examination will not apply to any application for initial license issuance or application for a subsequent associate registration number received by the Board on or before January 1, 2030.

**c. Change in Registration Number Length and Time Supervised Experience**

**Hours Valid:** This proposal extends the allowable length of time a registration number is valid from 6 years to 7 years. It also extends the amount of time supervised experience hours are valid from 6 years to 7 years.

Extending these timeframes allows applicants an additional year if they need to take a break while gaining experience hours due to life events or circumstances, which is commonly brought up by those who experience hardship during the licensure process. It will also align the allowable age of experience hours with the allowable clinical and law and ethics exam score ages (both 7 years), providing a simpler process when the Board eventually transitions to allowing the clinical exam to be taken early (Under that eventual scenario, instead of “locking hours” upon clinical exam eligibility, all experience hours and exam scores would need to be no more than 7 years old when applying for initial license issuance.)

**d. Add an Exception to the Prohibition on Working in a Private Practice with a Subsequent Registration Number:**

The proposal makes a change to the law that prohibits an associate from working for a private practice or professional corporation employer with a subsequent registration number. Under the proposal, the law would continue to prohibit associates with a subsequent associate registration number from working with these employers generally. However, it would permit an associate with a subsequent registration number to request a one-time, two-consecutive-year hardship extension. With this extension, they may finish gaining their experience hours working for one private practice or professional corporation, if the supervisor or employer and the associate submit a request to the board providing specified information and showing good cause.

The Board has discussed the prohibition on private practice with a subsequent registration numerous times, most recently in August 2022. It is an often-requested discussion topic because it can cause hardship to individuals who, due to unforeseen circumstances, need a subsequent registration number to finish gaining their experience hours and who already have a job in a private practice. At the August 2022 meeting, the possibility of removing the prohibition on private practice with a subsequent registration number was discussed. However, due to concerns about potential exploitation of associates, there was not support from the Board or stakeholders for its removal. Today’s proposal offers a more limited approach that would apply for a limited time in instances of hardship.

**e. Technical Clean-Up Changes:** These changes entail making minor, technical clean-up changes, including the following:

- Deleting BPC §§4980.398 and 4992.07 (transition scenarios from the 2016 exam restructure) as those sections are no longer needed.)
- Deleting the exam rescoring fee for each license type. Exams are now scored electronically, not manually, and therefore this fee is obsolete.
- Deleting the requirement that if an applicant is unable to pass the clinical exam within 7 years of their initial attempt, they must then go back and pass the California law and ethics exam again before continuing to attempt the clinical exam. Staff believes placing an age limit on the California law and ethics exam score renders this requirement obsolete.
- Amendments to clarify that the Board may accept a passing clinical exam score obtained early from another state. While the Board cannot grant clinical exam eligibility before all educational requirements, the California law and ethics exam, and all experience hours are completed, some other states allow applicants to take the clinical exam earlier (e.g., upon graduation). If an applicant subsequently applies to the Board with a passing clinical exam score from another state, the current statute is unclear about whether that score can be accepted. The proposed amendments will clarify that such a score is indeed acceptable.
- Deleting repetitive language in BPC §4999.46.1. The remaining sentences in that section have been moved to §4999.46(a).
- Clarifying when the Board shall grant eligibility to take the California law and ethics exam (upon approval of an application for registration or an application for licensure, and submission of the required application and fee). (BPC §§4980.397(b), 4992.05(b), 4999.53(b))

**Phase I for LEPs**

The licensure process for Licensed Educational Psychologists (LEPs) (shown in **Attachment A-4**) differs significantly from that of LMFTs, Licensed Clinical Social Workers (LCSWs), and Licensed Professional Clinical Counselors (LPCCs). LEPs take a single licensing examination that incorporates both clinical content and law and ethics, rather than a separate law and ethics exam. Additionally, LEPs are not required to register with the Board as an associate to accrue supervised experience hours prior to licensure.

As a result, most of the proposed changes under consideration for the LMFT, LCSW, and LPCC practice acts are not applicable to the LEP license. However, one proposed change does apply: like the other license types, LEPs are currently subject to a six-year

time limit on qualifying experience hours. Staff recommends extending this period to seven years, consistent with the proposed changes for the other license types.

Staff also recommends one minor technical amendment: the deletion of the outdated exam rescoring fee.

*(Note: The language shown in **Attachment A-4** assumes that amendments to BPC §4989.20 that are currently running in SB 775 become law on January 1, 2025.)*

### **Need for Regulations**

If the proposed statutory amendments are successfully adopted, corresponding regulatory changes will be required to ensure consistency with the statute.

### **Workforce Development Committee Discussion**

At its April 4, 2025 meeting, the Workforce Development Committee reviewed the draft LMFT practice act language and directed staff to make revisions based on its discussion. The Committee also requested draft language for the LCSW and LPCC practice acts, and more limited amendments for the LEP practice act, to be presented at the next Policy and Advocacy Committee meeting.

### **Recommendation**

Conduct an open discussion about the proposed language for Phase I for each license type shown in **Attachments A-1** through **A-4**. Direct staff to make any discussed changes and any nonsubstantive changes to the language, and to bring to the Board for consideration as a legislative proposal.

### **Attachments**

**Attachment A-1:** Licensure Pathway Restructuring Proposal - Phase I – LMFT

**Attachment A-2:** Licensure Pathway Restructuring Proposal - Phase I – LCSW

**Attachment A-3:** Licensure Pathway Restructuring Proposal - Phase I – LPCC

**Attachment A-4:** Licensure Pathway Restructuring Proposal - Phase I – LEP

**Attachment B:** Licensing Process Restructuring: Summary of Phases

**Attachment C:** Licensing Process Restructuring: Timeline

**Attachment D:** Licensing Process Restructuring: End Result (Phases I, II, and III)

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**ATTACHMENT A-1**  
**Licensure Pathway Restructuring Proposal - Phase 1**  
**LMFT**

**LICENSED MARRIAGE AND FAMILY THERAPISTS (LMFTs)**

**Business and Professions Code (BPC) §4980.397. REQUIRED EXAMINATIONS**

(a) A registrant or an applicant for licensure as a marriage and family therapist shall pass the following two examinations as prescribed by the board:

- (1) A California law and ethics examination.
- (2) A clinical examination.

~~(b) Upon registration with the board, an associate marriage and family therapist shall, within the first year of registration, take an examination on California law and ethics. The board shall grant eligibility to take the California law and ethics examination upon approval of an application for registration or an application for licensure, and submission of the required application and fee.~~

~~(c) The board may grant A-registrant or~~ an applicant for licensure ~~may take eligibility to take~~ the clinical examination only upon meeting all of the following requirements:

- (1) Completion of all required supervised work experience.
- (2) Completion of all education requirements.
- (3) Passage of the California law and ethics examination.

**~~BPC §4980.398. EXAMINATION RESTRUCTURE TRANSITION SCENARIOS~~**

~~(a) Each applicant who had previously taken and passed the standard written examination but had not passed the clinical vignette examination shall also obtain a passing score on the clinical examination in order to be eligible for licensure.~~

~~(b) An applicant who had previously failed to obtain a passing score on the standard written examination shall obtain a passing score on the California law and ethics examination and the clinical examination.~~

~~(c) An applicant who had obtained eligibility for the standard written examination shall take the California law and ethics examination and the clinical examination.~~

~~(d) This section shall become operative on January 1, 2016.~~

## **BPC §4980.399. CALIFORNIA LAW AND ETHICS: EXAMINATION AND CONTINUING EDUCATION**

(a) ~~Except as provided in subdivision (a) of Section 4980.398, each~~ Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure. The California law and ethics examination shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.

~~(b) A registrant shall participate in a board-administered California law and ethics examination before their registration renewal.~~

~~(eb)~~ If an applicant fails the California law and ethics examination, they may retake the examination after any waiting period as specified in regulation, upon payment of the required fees, ~~without further application. and submission of a re-examination application.~~

~~(dc)~~ The board shall not issue a subsequent associate registration number unless the applicant has passed the California law and ethics examination no more than seven years prior to the board's receipt of the application for the subsequent associate registration number.

(d) Notwithstanding any other provision of law, the seven year age limit on the California law and ethics examination shall not apply to any application for initial license issuance or subsequent associate registration number received by the Board on or before January 1, 2030.

(e) A registrant shall complete a minimum of three hours of continuing education on the subject of California law and ethics during each renewal period to be eligible to renew their registration, ~~regardless of whether they have passed the California law and ethics examination.~~ The coursework shall be obtained from a board-accepted provider of continuing education, as specified in Section 4980.54.

## **BPC §4980.40. QUALIFICATIONS**

An applicant for licensure shall satisfy all of the following qualifications:

(a) Meet the educational requirements of Section 4980.36 or both Sections 4980.37 and 4980.41, as applicable.

(b) Be at least 18 years of age.



(c) Have at least two years of supervised experience as specified in this chapter and its corresponding regulations.

(d) Successfully pass a California law and ethics examination and a clinical examination. ~~An applicant who has successfully passed a previously administered written examination may be subsequently required to take and pass another written examination.~~ Each exam shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.

(e) Not be subject to denial of licensure under Section 480. The board shall not issue a registration or license to any person who has been convicted of a crime in this or another state or in a territory of the United States that involves sexual abuse of children or who is required to register pursuant to Section 290 of the Penal Code or the equivalent in another state or territory, in accordance with Section 480.

#### **BPC §4980.41. ELIGIBILITY TO SIT FOR LICENSING EXAMINATIONS; COURSEWORK OR TRAINING**

(a) An applicant for licensure whose education qualifies ~~him or her~~them under Section 4980.37 shall complete the following coursework or training in order to be eligible to sit for the ~~licensing examinations~~ clinical examination as specified in subdivision (d) of Section 4980.40:

(1) A two semester or three quarter unit course in California law and professional ethics for marriage and family therapists, which shall include, but not be limited to, the following areas of study:

(A) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the profession's scope of practice.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including family law.

(C) The current legal patterns and trends in the mental health profession.

(D) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(E) A recognition and exploration of the relationship between a practitioner's sense of self and human values and ~~his or her~~their professional behavior and ethics.

This course may be considered as part of the 48 semester or 72 quarter unit requirements contained in Section 4980.37.

(2) 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.

(3) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37.

(4) For persons who began graduate study on or after January 1, 1986, a master's or doctor's degree qualifying for licensure shall include specific instruction in alcoholism and other chemical substance dependency as specified by regulation. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution, as described in subdivision (b) of Section 4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

(5) For persons who began graduate study during the period commencing on January 1, 1995, and ending on December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment, detection, and intervention. For persons who began graduate study on or after January 1, 2004, a master's or doctor's degree qualifying for licensure shall include a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution, as described in subdivision (b) of Section 4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

(6) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in

psychological testing. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(7) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychopharmacology. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(b) The requirements added by paragraphs (6) and (7) of subdivision (a) are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice and are not intended in any way to expand or restrict the scope of practice for licensed marriage and family therapists.

#### **BPC §4980.43. SUPERVISED EXPERIENCE; ASSOCIATES OR TRAINEES**

(a) Except as provided in subdivision (b), all applicants shall have an active associate registration with the board in order to gain postdegree hours of supervised experience.

(b) (1) Postdegree hours of experience gained before the issuance of an associate registration shall be credited toward licensure if all of the following apply:

(A) The registration applicant applies for the associate registration and the board receives the application within 90 days of the granting of the qualifying master's degree or doctoral degree.

(B) For applicants completing graduate study on or after January 1, 2020, the experience is obtained at a workplace that, prior to the registration applicant gaining supervised experience hours, requires completed Live Scan fingerprinting. The applicant shall provide the board with a copy of that completed State of California "Request for Live Scan Service" form with the application for licensure.

(C) The board subsequently grants the associate registration.

(2) The applicant shall not be employed or volunteer in a private practice or a professional corporation until the applicant has been issued an associate registration by the board.

(c) Supervised experience that is obtained for purposes of qualifying for licensure shall be related to the practice of marriage and family therapy and comply with the following:

- (1) A minimum of 3,000 hours completed during a period of at least 104 weeks.
- (2) A maximum of 40 hours in any seven consecutive days.
- (3) A minimum of 1,700 hours obtained after the qualifying master's or doctoral degree was awarded.
- (4) A maximum of 1,300 hours obtained prior to the award date of the qualifying master's or doctoral degree.
- (5) A maximum of 750 hours of counseling and direct supervisor contact prior to the award date of the qualifying master's or doctoral degree.
- (6) Hours of experience shall not be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction.
- (7) Hours of experience shall not have been gained more than sixseven years prior to the date the application for licensure was received by the board, except that up to 500 hours of clinical experience gained in the supervised practicum required by subdivision (c) of Section 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt from this sixseven-year requirement.
- (8) A minimum of 1,750 hours of direct clinical counseling with individuals, groups, couples, or families, that includes not less than 500 total hours of experience in diagnosing and treating couples, families, and children.
- (9) A maximum of 1,200 hours gained under the supervision of a licensed educational psychologist providing educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.
- (10) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client-centered advocacy, and workshops, seminars, training sessions, or conferences directly related to marriage and family therapy that have been approved by the applicant's supervisor.
- (11) It is anticipated and encouraged that hours of experience will include working with elders and dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities or protect their rights.

This subdivision shall only apply to hours gained on and after January 1, 2010.

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

**BPC §4980.50. EXAMINATION; ISSUANCE OF LICENSE; EXAMINATION RECORD RETENTION; SEVEN YEAR LIMITATION ON CLINICAL EXAMINATION**

(a) Every applicant who meets the educational and experience requirements and applies for a license as a marriage and family therapist shall be examined by the board. The examinations shall be as set forth in subdivision (d) of Section 4980.40 and as specified in regulation. The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine. The board shall examine the candidate with regard to the candidate's knowledge and professional skills and judgment in the utilization of appropriate techniques and methods.

(b) The board shall not deny any applicant who has submitted a complete application for examination, admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.

(c) The board shall not deny any applicant, whose application for licensure is complete, admission to the clinical examination, nor shall the board postpone or delay any applicant's clinical examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.

(d) If an applicant for examination who has passed the California law and ethics examination is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the clinical examination for licensure, but may notify the applicant that licensure will not be granted pending completion of the investigation.

(e) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the California law and ethics examination or the clinical examination permission to retake either examination pending completion of the investigation of any complaints against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Sections 11503 and 11504 of the Government Code, respectively, or the applicant has been denied in accordance with subdivision (b) of Section 485.

(f) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.

~~(g) An applicant for licensure shall not be eligible to participate in the clinical examination if the applicant fails to obtain a passing score on the clinical examination within seven years from their initial attempt, unless the applicant takes and obtains a passing score on the current version of the California law and ethics examination.~~

~~(hg) A passing score on the clinical examination shall be accepted by the board for a period of seven years from the date the examination was taken. The clinical examination shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.~~

(~~h~~) An applicant for licensure who has qualified pursuant to this chapter shall be issued a license as a marriage and family therapist in the form that the board deems appropriate.

### **BPC §4984.01. ASSOCIATE REGISTRATION; DURATION; RENEWAL**

(a) The associate marriage and family therapist registration shall expire one year from the last day of the month in which it was issued.

(b) To renew the registration, ~~subject to the additional limitations imposed by subdivision (d)~~, the registrant shall, on or before the expiration date of the registration, complete all of the following actions:

(1) Apply for renewal on a form prescribed by the board.

(2) Pay a renewal fee prescribed by the board.

~~(3) Participate in the California law and ethics examination pursuant to Section 4980.399 each year until successful completion of this examination.~~

(~~4~~3) Notify the board whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken against them by a regulatory or licensing board in this or any other state subsequent to the last renewal of the registration.

(~~5~~4) Certify under penalty of perjury their compliance with the continuing education requirements set forth in Section 4980.54.

(c) An expired registration may be renewed by completing all of the actions described in paragraphs (1) to (~~5~~4), inclusive, of subdivision (b).

(d) The registration may be renewed a maximum of ~~five~~six times. No registration shall be renewed or reinstated beyond ~~six~~seven years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a subsequent associate registration number if the applicant meets the educational requirements for a subsequent associate registration number and has passed the California law and ethics

examination no more than seven years prior to the board's receipt of the application for the subsequent associate registration number. An applicant who is issued a subsequent associate registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.

(e) Notwithstanding subdivision (d), an applicant applying for or who currently holds a subsequent associate registration number may request that the board grant them a two-consecutive-year hardship extension to allow them to be employed or volunteer at one private practice or professional corporation employer with their subsequent associate registration number.

- 1) An associate shall not be issued more than one extension.
- 2) The extension is only valid for the one private practice or professional corporation employer for which it is requested.
- 3) Work for the employer shall not commence until the extension is approved by the board.
- 4) The application shall be jointly signed under penalty of perjury and dated by the associate, the supervisor, and if the supervisor is not employed by the supervisee's employer or is a volunteer, a representative of the employer.
- 5) The board shall grant the extension provided that the application is signed, all information required is provided, and good cause is demonstrated. The application must contain all of the following:
  - A. The date the extension is needed;
  - B. The name of the employer where the associate will be gaining hours;
  - C. An attestation that the employer is a private practice or a professional corporation;
  - D. The name, license type, and license number of the current supervisor;
  - E. A showing of good cause for the applicant being unable to complete the licensure process within seven years. Good cause may include, but is not limited to, extended medical leave, family caregiving responsibilities, difficulties finding employment, or circumstances beyond the applicant's control; and

F. A description of the plan for the associate to gain the needed hours toward licensure during the two-year extension period.

**BPC §4984.7. FEE SCHEDULE**

(a) The board shall assess the following fees relating to the licensure of marriage and family therapists:

(1) The application fee for an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(2) The annual renewal fee for an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(3) The fee for the application for licensure shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

(4) (A) (i) The fee for the clinical examination shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

(ii) The fee for the California law and ethics examination shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(B) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fee.

(C) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.

~~(5) The fee for rescoring an examination shall be twenty dollars (\$20).~~

~~(65)~~ The fee for the issuance of an initial license shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).



(~~76~~) The fee for the two-year license renewal shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(~~87~~) The renewal delinquency fee shall be one-half of the fee for license renewal. A person who permits their license to expire is subject to the delinquency fee.

(~~98~~) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

(~~109~~) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(~~110~~) The fee for issuance of a retired license shall be forty dollars (\$40).

~~(b) This section shall become operative on January 1, 2021.~~

#### **BPC §4984.72. FAILED CLINICAL EXAMINATION; REEXAMINATION; NEW APPLICATION REQUIREMENT**

~~(a) Effective January 1, 2016, an~~An applicant who fails the clinical examination may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until ~~he or she files~~they file a new application, meets all requirements in effect on the date of application, and pays all required fees.

~~(b) This section shall become operative on January 1, 2016.~~

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**ATTACHMENT A-2**  
**Licensure Pathway Restructuring Proposal - Phase 1**  
**LCSW**

**LICENSED CLINICAL SOCIAL WORKERS (LCSWs)**

**Business and Professions Code (BPC)**

**§ 4992.05. REQUIRED EXAMINATIONS**

- (a) A registrant or an applicant for licensure as a clinical social worker shall pass the following two examinations as prescribed by the board:
  - (1) A California law and ethics examination.
  - (2) A clinical examination.
- (b) ~~Upon registration with the board, an associate clinical social worker registrant, within the first year of registration, shall take an examination on California law and ethics. The board shall grant eligibility to take the California law and ethics examination upon approval of an application for registration or an application for licensure, and submission of the required application and fee.~~
- (c) ~~The board may grant A registrant or~~ an applicant for licensure ~~may take eligibility to take~~ the clinical examination only upon meeting all of the following requirements:
  - (1) Completion of all education requirements.
  - (2) Passage of the California law and ethics examination.
  - (3) Completion of all required supervised work experience.

**~~§ 4992.07. EXAMINATION RESTRUCTURE TRANSITION SCENARIOS~~**

- ~~(a) An applicant who had previously taken and passed the standard written examination but had not passed the clinical vignette examination shall also obtain a passing score on the clinical examination in order to be eligible for licensure.~~
- ~~(b) An applicant who had previously failed to obtain a passing score on the standard written examination shall obtain a passing score on the California law and ethics examination and the clinical examination.~~
- ~~(c) An applicant who had obtained eligibility for the standard written examination shall take the California law and ethics examination and the clinical examination.~~
- ~~(d) This section shall become operative on January 1, 2016.~~

## **§ 4992.09. CALIFORNIA LAW AND ETHICS: EXAMINATION AND CONTINUING EDUCATION**

- (a) ~~Except as provided in subdivision (a) of Section 4992.07, an~~ Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure. The California law and ethics examination shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.
- ~~(b) A registrant shall participate in a board-administered California law and ethics examination before their registration renewal.~~
- ~~(e)~~ If an applicant fails the California law and ethics examination, they may retake the examination after any waiting period as specified in regulation, upon payment of the required fees, ~~without further application and submission of a re-examination application.~~
- ~~(d)~~ The board shall not issue a subsequent associate registration number unless the applicant has passed the California law and ethics examination no more than seven years prior to the board's receipt of the application for the subsequent associate registration number.
- ~~(d)~~ Notwithstanding any other provision of law, the seven year age limit on the California law and ethics examination shall not apply to any application for initial license issuance or subsequent associate registration number received by the Board on or before January 1, 2030.
- (e) A registrant shall complete a minimum of three hours of continuing education ~~in~~on the subject of California law and ethics during each renewal period to be eligible to renew their registration, ~~regardless of whether they have passed the California law and ethics examination.~~ The coursework shall be obtained from a board-accepted provider of continuing education, as specified in Section 4996.22.

## **§ 4992.1. ELIGIBILITY FOR EXAMINATION; EXAMINATION RECORD RETENTION; SEVEN YEAR LIMITATION ON CLINICAL EXAMINATION**

- (a) Only individuals who have the qualifications prescribed by the board under this chapter are eligible to take an examination under this chapter.
- (b) Every applicant who is issued a clinical social worker license shall be examined by the board.
- (c) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.

- (d) The board shall not deny any applicant, whose application for licensure is complete, admission to the clinical examination, nor shall the board postpone or delay any applicant's clinical examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.
- (e) If an applicant for examination who has passed the California law and ethics examination is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the clinical examination for licensure, but may notify the applicant that licensure will not be granted pending completion of the investigation.
- (f) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the California law and ethics examination or the clinical examination permission to retake either examination pending completion of the investigation of any complaint against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, or the applicant has been denied in accordance with subdivision (b) of Section 485.
- ~~(g) An applicant shall not be eligible to participate in the clinical examination if the applicant fails to obtain a passing score on the clinical examination within seven years from their initial attempt, unless the applicant takes and obtains a passing score on the current version of the California law and ethics examination.~~
- ~~(hg) A passing score on the clinical examination shall be accepted by the board for a period of seven years from the date the examination was taken. The clinical examination shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.~~

#### **§ 4996.1. ISSUANCE OF LICENSE**

- ~~(a) Effective January 1, 2016, the The board shall issue a clinical social worker license to each applicant who qualifies pursuant to this article and who successfully passes a California law and ethics examination and a clinical examination. An applicant who has successfully passed a previously administered written examination may be subsequently required to take and pass another written examination. Each exam shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.~~
- ~~(b) This section shall become operative on January 1, 2016.~~

### § 4996.3. FEE SCHEDULE

(a) The board shall assess the following fees relating to the licensure of clinical social workers:

- (1) The application fee for registration as an associate clinical social worker shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).
- (2) The fee for annual renewal of an associate clinical social worker registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).
- (3) The fee for application for licensure shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).
- (4) (A) (i) The fee for the board-administered clinical examination, if the board chooses to adopt this examination in regulations, shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).  
  
(ii) The fee for the California law and ethics examination shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).
- (B) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fees.
- (C) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The written examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.
- ~~(5) The fee for rescoring an examination shall be twenty dollars (\$20).~~
- (65) The fee for issuance of an initial license shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).
- (76) The fee for the two-year license renewal shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).
- (87) The renewal delinquency fee shall be one-half of the fee for license renewal. A person who permits their license to expire shall be subject to the delinquency fee.
- (98) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

(~~409~~) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(~~41~~10) The fee for issuance of a retired license shall be forty dollars (\$40).

~~(b) This section shall become operative on January 1, 2021.~~

#### **§ 4996.4. FEE FOR REEXAMINATION**

~~(a) Effective January 1, 2016, an~~ An applicant who fails the clinical examination may, within one year from the notification date of failure, retake that examination as regularly scheduled, without further application, upon payment of the required examination fees. Thereafter, the applicant shall not be eligible for further examination until ~~he or she files~~ they file a new application, meets all current requirements, and pays all required fees.

~~(b) This section shall become operative on January 1, 2016.~~

#### **§ 4996.23. SUPERVISED POST-MASTER'S EXPERIENCE**

(a) To qualify for licensure, each applicant shall complete 3,000 hours of post-master's degree supervised experience related to the practice of clinical social work. Except as provided in subdivision (b), experience shall not be gained until the applicant is registered as an associate clinical social worker.

(b) Postdegree hours of experience gained before the issuance of an associate registration shall be credited toward licensure if all of the following apply:

(1) The registration applicant applies for the associate registration and the board receives the application within 90 days of the granting of the qualifying master's or doctoral degree.

(2) For applicants completing graduate study on or after January 1, 2020, the experience is obtained at a workplace that, prior to the registration applicant gaining supervised experience hours, requires completed Live Scan fingerprinting. The applicant shall provide the board with a copy of that completed "State of California Request for Live Scan Service" form with the application for licensure.

(3) The board subsequently grants the associate registration.

(c) The applicant shall not be employed or volunteer in a private practice or a professional corporation until the applicant has been issued an associate registration by the board.

(d) The experience shall be as follows:

- (1) (A) At least 1,700 hours shall be gained under the supervision of a licensed clinical social worker. The remaining required supervised experience may be gained under the supervision of a physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology, licensed professional clinical counselor, licensed marriage and family therapist, psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900), licensed educational psychologist, or licensed clinical social worker.
- (B) A maximum of 1,200 hours gained under the supervision of a licensed educational psychologist providing educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.
- (2) A minimum of 2,000 hours in clinical psychosocial diagnosis, assessment, and treatment, including psychotherapy or counseling; however, at least 750 hours shall be face-to-face individual or group psychotherapy provided in the context of clinical social work services.
- (3) A maximum of 1,000 hours in client-centered advocacy, consultation, evaluation, research, direct supervisor contact, and workshops, seminars, training sessions, or conferences directly related to clinical social work that have been approved by the applicant's supervisor.
- (4) A minimum of two years of supervised experience is required to be obtained over a period of not less than 104 weeks and shall have been gained within the ~~six~~ seven years immediately preceding the date on which the application for licensure was received by the board.
- (5) No more than 40 hours of experience may be credited in any seven consecutive days.
- (6) For hours gained on or after January 1, 2010, no more than six hours of supervision, whether individual, triadic, or group supervision, shall be credited during any single week.

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

#### **§ 4996.28. ASSOCIATE CLINICAL SOCIAL WORKER; REGISTRATION EXPIRATION; RENEWAL**

- (a) Registration as an associate clinical social worker shall expire one year from the last day of the month during which it was issued. To renew a registration subject to the additional limitations imposed by subdivision (c), the registrant shall, on or before the expiration date of the registration, complete all of the following actions:



- (1) Apply for renewal on a form prescribed by the board.
- (2) Pay a renewal fee prescribed by the board.
- (3) Notify the board whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken by a regulatory or licensing board in this or any other state, subsequent to the last renewal of the registration.

~~(4) Participate in the California law and ethics examination pursuant to Section 4992.09 each year until successful completion of this examination.~~

(~~5~~4) Certify under penalty of perjury their compliance with the continuing education requirements set forth in Section 4996.22.

(b) An expired registration may be renewed by completing all of the actions described in paragraphs (1) to (~~5~~4), inclusive, of subdivision (a).

(c) A registration as an associate clinical social worker may be renewed a maximum of ~~fivesix~~ times. No registration shall be renewed or reinstated beyond ~~sixseven~~ years from the last day of the month during which the registration was issued, regardless of whether the registration has been revoked. When no further renewals are possible, an applicant may apply for and obtain a subsequent associate clinical social worker registration number if the applicant meets all requirements for registration in effect at the time of their application for a subsequent associate clinical social worker registration number and has passed the California law and ethics examination pursuant to Section 4992.09 no more than seven years prior to the board's receipt of the application for the subsequent associate registration number. An applicant issued a subsequent associate registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.

(d) Notwithstanding subdivision (c), an applicant applying for or who currently holds a subsequent associate registration number may request that the board grant them a two-consecutive-year hardship extension to allow them to be employed or volunteer at one private practice or professional corporation employer with their subsequent associate registration number.

- 1) An associate shall not be issued more than one extension.
- 2) The extension is only valid for the one private practice or professional corporation employer for which it is requested.
- 3) Work for the employer shall not commence until the extension is approved by the board.

- 4) The application shall be jointly signed under penalty of perjury and dated by the associate, the supervisor, and if the supervisor is not employed by the supervisee's employer or is a volunteer, a representative of the employer.
- 5) The board shall grant the extension provided that the application is signed, all information required is provided, and good cause is demonstrated. The application must contain all of the following:
  - A. The date the extension is needed;
  - B. The name of the employer where the associate will be gaining hours;
  - C. An attestation that the employer is a private practice or a professional corporation;
  - D. The name, license type, and license number of the current supervisor;
  - E. A showing of good cause for the applicant being unable to complete the licensure process within seven years. Good cause may include, but is not limited to, extended medical leave, family caregiving responsibilities, difficulties finding employment, or circumstances beyond the applicant's control; and
  - F. A description of the plan for the associate to gain the needed hours toward licensure during the two-year extension period.

**ATTACHMENT A-3**  
**Licensure Pathway Restructuring Proposal - Phase 1**  
**LPCC**

**LICENSED PROFESSIONAL CLINICAL COUNSELORS (LPCCs)**

**Business and Professions Code (BPC) §4999.46. SUPERVISED POST-MASTER'S EXPERIENCE**

- (a) Except as provided in subdivision (b), all applicants shall have an active associate registration with the board in order to gain postdegree hours of supervised experience. An associate or applicant for licensure shall be under the supervision of a supervisor at all times. An associate shall inform each client, before performing any professional services, that the associate is unlicensed and under supervision.
- (b) (1) Postdegree hours of experience gained before the issuance of an associate registration shall be credited toward licensure if all of the following apply:
  - (A) The registration applicant applies for the associate registration and the board receives the application within 90 days of the granting of the qualifying master's degree or doctoral degree.
  - (B) For applicants completing graduate study on or after January 1, 2020, the experience is obtained at a workplace that, prior to the registration applicant gaining supervised experience hours, requires completed Live Scan fingerprinting. The applicant shall provide the board with a copy of that completed State of California "Request for Live Scan Service" form with their application for licensure.
  - (C) The board subsequently grants the associate registration.
- (2) The applicant shall not be employed or volunteer in a private practice or a professional corporation until they have been issued an associate registration by the board.
- (c) Supervised experience that is obtained for the purposes of qualifying for licensure shall be related to the practice of professional clinical counseling and comply with the following:
  - (1) A minimum of 3,000 postdegree hours performed over a period of not less than two years (104 weeks).
  - (2) Not more than 40 hours in any seven consecutive days.
  - (3) Not less than 1,750 hours of direct clinical counseling with individuals, groups, couples, or families using a variety of psychotherapeutic techniques and recognized counseling interventions.

- (4) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client-centered advocacy, and workshops, seminars, training sessions, or conferences directly related to professional clinical counseling that have been approved by the applicant's supervisor.
- (5) A maximum of 1,200 hours gained under the supervision of a licensed educational psychologist providing educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.

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

~~(ed)~~ Experience hours shall not have been gained more than six-seven years prior to the date the application for licensure was received by the board.

#### **~~BPC §4999.46.1. RESPONSIBILITIES OF ASSOCIATES~~**

~~(a) An associate or applicant for licensure shall be under the supervision of a supervisor at all times.~~

~~(b) An associate shall do both of the following:~~

~~(1) Inform each client, before performing any professional services, that the associate is unlicensed and under supervision.~~

~~(2) Renew the registration a maximum of five times. A registration shall not be renewed or reinstated beyond six years from the last day of the month during which it was issued, regardless of whether it has been revoked.~~

~~(c) When no further renewals are possible, an applicant may apply for and obtain a subsequent associate registration number if the applicant meets the educational requirements for a subsequent associate registration number and has passed the California law and ethics examination. An applicant issued a subsequent associate registration number shall not be employed or volunteer in a private practice.~~

#### **§ 4999.50. ISSUANCE OF LICENSE; REQUIREMENTS**

(a) The board may issue a professional clinical counselor license to any person who meets all of the following requirements:

- (1) ~~He or she has~~ They have received a master's or doctoral degree described in Section 4999.32 or 4999.33, as applicable.

- (2) ~~He or she has~~ They have completed at least 3,000 hours of supervised experience in the practice of professional clinical counseling.
  - (3) ~~He or she provides~~ They provide evidence of a passing score, as determined by the board, on the examinations designated in Section 4999.53. Each exam shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.
- (b) An applicant for licensure who has satisfied the requirements of this chapter shall be issued a license as a professional clinical counselor.

#### **§ 4999.52. EXAMINATION; BOARD DETERMINATION; EXAMINATION ADMISSION DENIAL**

- (a) Every applicant for a license as a professional clinical counselor shall take one or more examinations, as determined by the board, to ascertain their knowledge, professional skills, and judgment in the utilization of appropriate techniques and methods of professional clinical counseling.
- (b) The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine.
- (c) The board shall not deny any applicant admission to an examination who has submitted a complete application for examination admission if the applicant meets the educational and experience requirements of this chapter and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.
- (d) The board shall not deny any applicant, whose application for licensure is complete, admission to the clinical examination, nor shall the board postpone or delay any applicant's clinical examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.
- (e) If an applicant for the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, who has passed the California law and ethics examination, is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take this examination, but may notify the applicant that licensure will not be granted pending completion of the investigation.
- (f) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the California law and ethics examination, or the examination specified by paragraph (2) of subdivision (a) of Section 4999.53, permission to retake either examination pending completion of the investigation of any complaints against the applicant.

- (g) Nothing in this section shall prohibit the board from denying an applicant admission to any examination or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, respectively, or the application has been denied in accordance with subdivision (b) of Section 485.
- (h) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.
- ~~(i) If the examination specified by paragraph (2) of subdivision (a) of Section 4999.53 is not passed within seven years of an applicant for licensure's initial attempt, the applicant shall obtain a passing score on the current version of the California law and ethics examination in order to be eligible to retake this examination.~~
- ~~(j) A passing score on the clinical examination shall be accepted by the board for a period of seven years from the date the examination was taken.~~
- (i) The clinical exam shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.

#### **§ 4999.53. REQUIRED EXAMINATIONS**

- (a) ~~Effective January 1, 2016, a~~ A registrant or an applicant for licensure as a professional clinical counselor shall pass the following examinations as prescribed by the board:
  - (1) A California law and ethics examination.
  - (2) A clinical examination administered by the board, or the National Clinical Mental Health Counselor Examination if the board finds that this examination meets the prevailing standards for validation and use of the licensing and certification tests in California.
- ~~(b) Upon registration with the board, an associate professional clinical counselor shall, within the first year of registration, take an examination on California law and ethics. The board shall grant eligibility to take the California law and ethics examination upon approval of an application for registration or an application for licensure, and submission of the required application and fee.~~
- (c) ~~The board may grant~~ A registrant or an applicant for licensure ~~may~~ eligibility to take the clinical examination or the National Clinical Mental Health Counselor Examination, as established by the board through regulation, only upon meeting all of the following requirements:
  - (1) Completion of all required supervised work experience.
  - (2) Completion of all education requirements.

(3) Passage of the California law and ethics examination.

~~(d) This section shall become operative on January 1, 2016.~~

#### **§ 4999.55. CALIFORNIA LAW AND ETHICS: EXAMINATION AND CONTINUING EDUCATION**

(a) Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure. The California law and ethics examination shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.

~~(b) A registrant shall take a board-administered California law and ethics examination before their registration renewal.~~

~~(c)~~ If an applicant fails the California law and ethics examination, they may retake the examination after any waiting period as specified in regulation, upon payment of the required fees, ~~without further application. and submission of a re-examination application.~~

~~(d)~~ The board shall not issue a subsequent associate registration number unless the applicant has passed the California law and ethics examination no more than seven years prior to the board's receipt of the application for the subsequent associate registration number.

(d) Notwithstanding any other provision of law, the seven year age limit on the California law and ethics examination shall not apply to any application for initial license issuance or subsequent associate registration number received by the Board on or before January 1, 2030.

(e) A registrant shall complete a minimum of three hours of continuing education ~~in on~~ the subject of California law and ethics during each renewal period in order to be eligible to renew their registration, ~~regardless of whether or not they have passed the California law and ethics examination.~~ The coursework shall be obtained from a board-accepted provider of continuing education, as specified in Section 4999.76.

#### **§ 4999.64. REEXAMINATION**

~~(a) Effective January 1, 2016, an~~ An applicant who fails the examination specified in paragraph (2) of subdivision (a) of Section 4999.53 may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until ~~he or she files~~ they file a new application, meets s all requirements in effect on the date of application, and pays all required fees.

~~(b) This section shall become operative on January 1, 2016.~~

## **§ 4999.100. EXPIRATION OF ASSOCIATE REGISTRATION; RENEWAL**

- (a) An associate registration shall expire one year from the last day of the month in which it was issued.
- (b) To renew a registration subject to the additional limitations imposed by subdivision (d), the registrant, on or before the expiration date of the registration, shall do the following:
  - (1) Apply for a renewal on a form prescribed by the board.
  - (2) Pay a renewal fee prescribed by the board.
  - (3) Notify the board whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the registrant's last renewal.
  - ~~(4) Participate in the California law and ethics examination pursuant to Section 4999.53 each year until successful completion of this examination.~~
  - (54) Certify under penalty of perjury their compliance with the continuing education requirements set forth in Section 4999.76.
- (c) An expired registration may be renewed by completing all of the actions described in paragraphs (1) to ~~(5)~~(4), inclusive, of subdivision (b).
- (d) The associate registration may be renewed a maximum of ~~five~~six times. Registration shall not be renewed or reinstated beyond ~~six~~seven years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a subsequent associate registration number if the applicant meets the educational requirements ~~for registration in effect at the time of the application~~ for a subsequent associate registration number and has passed the California law and ethics examination described in Section 4999.53 no more than seven years prior to the board's receipt of the application for the subsequent registration number. An applicant who is issued a subsequent associate registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.
- (e) Notwithstanding subdivision (d), an applicant applying for or who currently holds a subsequent associate registration number may request that the board grant them a two-consecutive-year hardship extension to allow them to be employed or volunteer at one private practice or professional corporation employer with their subsequent associate registration number.

- 1) An associate shall not be issued more than one extension.



- 2) The extension is only valid for the one private practice or professional corporation employer for which it is requested.
- 3) Work for the employer shall not commence until the extension is approved by the board.
- 4) The application shall be jointly signed under penalty of perjury and dated by the associate, the supervisor, and if the supervisor is not employed by the supervisee's employer or is a volunteer, a representative of the employer.
- 5) The board shall grant the extension provided that the application is signed, all information required is provided, and good cause is demonstrated. The application must contain all of the following:
  - A. The date the extension is needed;
  - B. The name of the employer where the associate will be gaining hours;
  - C. An attestation that the employer is a private practice or a professional corporation;
  - D. The name, license type, and license number of the current supervisor;
  - E. A showing of good cause for the applicant being unable to complete the licensure process within seven years. Good cause may include, but is not limited to, extended medical leave, family caregiving responsibilities, difficulties finding employment, or circumstances beyond the applicant's control; and
  - F. A description of the plan for the associate to gain the needed hours toward licensure during the two-year extension period.

#### **§ 4999.120. FEE SCHEDULE**

- (a) The board shall assess the following fees relating to the licensure of professional clinical counselors:
  - (1) The fee for the application for licensure shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

- (2) The fee for the application for associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).
- (3) (A) (i) The fee for the board-administered clinical examination, if the board chooses to adopt this examination in regulations, shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).
- (ii) The fee for the California law and ethics examination shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).
- (B) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fees.
- (C) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The written examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.
- (4) The fee for the issuance of a license shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).
- (5) The fee for the annual renewal of an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).
- (6) The fee for the two-year license renewal shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).
- (7) The renewal delinquency fee shall be one-half of the fee for license renewal. A person who permits their license to expire shall be subject to the delinquency fee.
- (8) The fee for issuance of a retired license shall be forty dollars (\$40).
- ~~(9) The fee for rescoring an examination shall be twenty dollars (\$20).~~
- ~~(10)~~ (10) The fee for issuance of a replacement license or registration shall be twenty dollars (\$20).
- ~~(11)~~ (11) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).
- ~~(b) This section shall become operative on January 1, 2021.~~

**ATTACHMENT A-4**  
**Licensure Pathway Restructuring Proposal - Phase 1**  
**LEP**

**LICENSED EDUCATIONAL PSYCHOLOGISTS (LEPs)**

**Business and Professions Code (BPC) §4989.20 LICENSURE REQUIREMENTS**

(a) The board may issue a license as an educational psychologist if the applicant satisfies, with proof satisfactory to the board, the following requirements:

(1) Possession of, at minimum, a master's degree in psychology, educational psychology, school psychology, counseling and guidance, or a degree deemed equivalent by the board. This degree shall be obtained from an educational institution approved by the board according to the regulations adopted under this chapter.

(2) Attainment of 18 years of age.

(3) Is not subject to denial of licensure pursuant to Section 480.

(4) Successful completion of 60 semester units or 90 quarter units of postgraduate study in pupil personnel services.

(5) Two school terms of full-time, or the equivalent to full-time, experience as a licensed or credentialed school psychologist in the public schools or in another school setting as specified in regulations. The experience shall be gained over a period of at least two school terms. The applicant shall not be credited with experience obtained more than sixseven years immediately preceding the date on which the application for licensure was received by the board.

(6) If the experience required by paragraph (5) was completed while holding a California credential in a school located in California, completion of one of the following:

(A) A minimum of 1,200 hours of supervised professional experience in an accredited school psychology program.

(B) One school term of full-time, or the equivalent to full-time, experience as a California credentialed school psychologist in the California public schools, or in another school setting as specified in regulations, obtained under the direction of a California-licensed educational psychologist. The experience shall be gained over a period of at least one school term. The applicant shall not be credited with experience obtained more than sixseven years immediately preceding the date on which the application for licensure was received by the board.

(7) If the experience required by paragraph (5) was not completed while holding a California credential in a school located in California, completion of one of the following:

(A) A minimum of 1,200 hours of supervised professional experience gained in California in an accredited school psychology program, gained no

more than sixseven years immediately preceding the date on which the application for licensure was received by the board.

(B) One school term of full-time, or the equivalent to full-time, experience as a California credentialed school psychologist in the California public schools, or in another school setting as specified in regulations, obtained under the direction of a California licensed educational psychologist. The experience shall be gained over a period of at least one school term. The applicant shall not be credited with experience obtained more than sixseven years immediately preceding the date on which the application for licensure was received by the board.

(8) Passage of the licensed educational psychologist written examination administered by the board. ~~A passing score on this examination shall be accepted by the board for a period of seven years from the date the examination was taken. This exam shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.~~

(b) For purposes of this section, the following definitions apply:

(1) "Full time" means the days or hours of creditable service the employer requires to be performed by the employee in a school term under their collective bargaining agreement or employment agreement. It shall consist of a minimum of 175 days, or 1,050 hours, per school term.

(2) "Equivalent to full time" means the days or hours of creditable service that a person who is employed on a part-time basis would be required to perform in a school term if they were employed full time in that part-time position.

(3) "School term" means a minimum period of 35 weeks beginning the first day and ending the last day creditable service is required to be performed by a member employed on a full-time basis, excluding any period that has been excluded pursuant to a publicly available written contractual agreement. The school term shall also be the same for an individual who is not employed on a full-time basis who is performing the same duties as a member employed on a full-time basis.

## **BPC §4989.68 FEE SCHEDULE**

(a) The board shall assess the following fees relating to the licensure of educational psychologists:

(1) The application fee for licensure shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

(2) The fee for issuance of the initial license shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(3) The fee for the two-year license renewal shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(4) The delinquency fee shall be one-half of the fee for license renewal. A person who permits their license to expire shall be subject to the delinquency fee.

(5) The written examination fee shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500). An applicant who fails to appear for an examination, once having been scheduled, shall forfeit any examination fees they paid.

~~(6) The fee for rescoring a written examination shall be twenty dollars (\$20).~~

~~(76)~~ The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

~~(87)~~ The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

~~(98)~~ The fee for issuance of a retired license shall be forty dollars (\$40).

~~(b) This section shall become operative on January 1, 2021.~~

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## ATTACHMENT B

### Licensing Process Restructuring Summary of Phases

#### PHASE I

- Adjust timing of CA Law & Ethics Exam
- Set age limit for CA Law & Ethics Exam
- Change registration number length and time supervised experience hours valid (from 6 to 7 years)
- Add exception to prohibition on working in a private practice with a subsequent registration number
- Technical clean-up changes

*(Outside variables: Subject to legislative process)*

Estimated Timeframe:

Run legislation: January 2026

Estimated effective: Jan. 1, 2027

#### PHASE II

- Adoption of AMFTRB National Exam as the LMFT Clinical Exam

*(Outside variables: Staff to negotiate with AMFTRB on implementation; subject to legislative and regulation process)*

Estimated Timeframe:

Run legislation: January 2025

Legislation effective: Jan. 1, 2026

Run regulations: October 2025

Est, regulations effective: Jan. 1, 2027

#### PHASE III

- Early Eligibility for National Clinical Exams (at 850 clinical counseling experience hours)

*Outside variables:*

*-Must negotiate with each national exam entity and obtain approval.*

*-Change to abandonment criteria, which will necessitate a grandparenting process for existing exam eligible applicants.*

*-Subject to legislative process.*

Estimated Timeframe:

Run legislation: January 2027

Estimated effective: Jan. 1, 2028

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**Attachment C**  
**Licensing Process Restructuring**  
**Timeline**

	2025 Jan-Mar	2025 Apr-June	2025 July-Sept	2025 Oct-Dec	2026 Jan-Mar	2026 Apr-June	2026 July-Sept	2026 Oct-Dec	2027 Jan-Mar	2027 Apr-June	2027 July-Sept	2027 Oct-Dec	2028 Jan-Mar
<b>PHASE I</b>					<b>LEGISLATION</b>				<b>EFFECTIVE</b>				
<b>PHASE II</b>	<b>LEGISLATION</b>				<b>Leg. Effective</b>								
					<b>REGULATION</b>				<b>EFFECTIVE</b>				
<b>PHASE III</b>									<b>LEGISLATION</b>				<b>EFFECTIVE</b>

**Phase 1:** Adjust timing of CA Law & Ethics Exam  
Set age limit for CA Law & Ethics Exam  
Change registration number length and time supervised experience hours are valid  
Add exception to prohibition on working in private practice with a subsequent registration number  
Technical Cleanup

**Phase 2:** Adoption of the AMFTRB National Exam as the LMFT Clinical Exam

**Phase 3:** Early eligibility for National Clinical Exams (at 850 clinical counseling experience hours)

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**ATTACHMENT D**  
**Licensing Process Restructuring – End Result**  
**Phases I, II and III**

