



Board of Behavioral Sciences

# Memo

1625 North Market Blvd., Suite S-200  
Sacramento, CA 95834  
(916) 574-7830, (916) 574-8625 Fax  
www.bbs.ca.gov

**To:** Committee Members

**Date:** October 13, 2025

**From:** Rosanne Helms  
Legislative Manager

**Subject: Proposed Legislation: Omnibus Bill 2026**

---

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

Staff has identified amendments that the Board may wish to consider including.

**1. Amend Business and Professions Code (BPC) §§4980.43.2, 4996.23.1, 4999.46.2: Supervisor Assessment for Supervision via Videoconferencing (Attachment A)**

Background: Current LMFT, LCSW, and LPCC law requires supervisors to assess the appropriateness of utilizing videoconferencing for supervision within 60 days of beginning supervision, regardless of whether videoconferencing is actually used. This requirement is unnecessary when supervision is conducted exclusively in-person.

Recommendation: Amend the law to clarify that the assessment of appropriateness is only required if supervision is conducted via two-way, real-time videoconferencing. This change preserves safeguards for remote supervision while eliminating unnecessary requirements when only in-person supervision is used.

**2. Amend BPC §§4990.26.1 and 4990.26.2: Training in Human Sexuality and Child, Elder and Dependent Adult Abuse Assessment and Reporting (Attachment B)**

Background: The Board requires applicants for licensure as marriage and family therapists, clinical social workers, and professional clinical counselors to complete specific training in human sexuality and abuse assessment/reporting. Existing statutes outline the scope, content, and sources of these trainings. However, some provisions are outdated or overly broad.

Recommendation: Amend BPC §4990.26.1, related to human sexuality training, to remove outdated and unnecessary language.

Amend BPC §4990.26.2 pertaining to child, elder and dependent adult abuse assessment and reporting training as follows:

- Clarify that the required 7-hour course in child abuse assessment and reporting must be California-specific. While the law currently references the Child Abuse and Neglect Reporting Act (CANRA), the California-specific nature of the content is often overlooked, leading to confusion.
- Remove the provision allowing the course to be taken from a professional association or a local, county, or state department of health or mental health. The Board does not accredit or approve these sources. For most other courses, the Board only accepts coursework from an accredited or approved educational institution or a Board-recognized continuing education provider, and this requirement should be applied consistently.
- Eliminate the exemption that allows applicants to opt out of this coursework by demonstrating it is not relevant to their current practice. Abuse can affect individuals across a wide range of settings, and a therapist's current practice may not reflect future practice needs. Ensuring all licensees receive this training supports public protection across all practice environments.

### **Recommendation**

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

### **Attachments**

**Attachment A:** Proposed Amendments: Supervisor Assessment for Supervision via Videoconferencing

**Attachment B:** Proposed Amendments: Training in Human Sexuality and Child, Elder and Dependent Adult Abuse Assessment and Reporting

**ATTACHMENT A**  
**Proposed Amendments**  
**Supervisor Assessment for Supervision via Videoconferencing**

**AMEND BUSINESS AND PROFESSIONS CODE (BPC) §4980.43.2.**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) ~~Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. If supervision is conducted via two-way, real-time videoconferencing, the supervisor shall, within 60 days of the commencement of that supervision, conduct a meeting with the supervisee to assess the appropriateness of using videoconferencing for supervision.~~ This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor's discretion.

#### **AMEND BPC §4996.23.1.**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of services pursuant to paragraph (2) of subdivision (d) of Section 4996.23 in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) ~~Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. If supervision is conducted via two-way, real-time videoconferencing, the supervisor shall, within 60 days of the commencement of that supervision, conduct a meeting with the supervisee to assess the appropriateness of using videoconferencing for supervision.~~ This assessment ~~of appropriateness~~ shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(g) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(h) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(i) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor's discretion.

#### **AMEND BPC §4999.46.2.**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) ~~Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. If supervision is conducted via two-way, real-time videoconferencing, the supervisor shall, within 60 days of the commencement of that supervision, conduct a meeting with the supervisee to assess the appropriateness of using videoconferencing for supervision.~~ This assessment of ~~appropriateness~~ shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor's discretion.

**Blank Page**

**ATTACHMENT B**  
**Proposed Amendments**  
**Training in Human Sexuality and Child, Elder and Dependent Adult Abuse**  
**Assessment and Reporting**

**AMEND BUSINESS AND PROFESSIONS CODE (BPC) §4990.26.1.**

(a) Any person applying for a license or registration as a marriage and family therapist, clinical social worker, or professional clinical counselor shall, in addition to any other requirements, show by evidence satisfactory to the board that they have completed training in human sexuality as a condition of licensure.

(b) "Human sexuality" as used in this section means the study of a human being as a sexual being and how a human being functions with respect thereto.

(c) The content and length of the training shall be determined by the board.

~~(d) If the board proposes to establish a training program in human sexuality, the board shall first consult with other licensing boards or agencies that have established or propose to establish a training program in human sexuality to ensure that the programs are compatible in scope and content.~~

**AMEND BPC §4990.26.2.**

(a) The Legislature finds that there is a need to ensure that professionals of the healing arts who have demonstrable contact with victims and potential victims of child, elder, and dependent adult abuse, and abusers and potential abusers of children, elders, and dependent adults are provided with adequate and appropriate training regarding the assessment and reporting of child, elder, and dependent adult abuse that will ameliorate, reduce, and eliminate the trauma of abuse and neglect and ensure the reporting of abuse in a timely manner to prevent additional occurrences.

(b) The board shall establish required training in the area of child abuse assessment and reporting for all persons applying for initial licensure and renewal of licensure as a clinical social worker, professional clinical counselor, or marriage and family therapist. This training shall be required one time only for all persons applying for initial licensure or for licensure renewal.

(c) All persons applying for initial licensure or renewal of a license as a clinical social worker, professional clinical counselor, or marriage and family therapist shall, in addition to all other requirements for licensure or renewal, have completed [California-specific](#) coursework or training in child abuse assessment and reporting that meets the

requirements of this section, including detailed knowledge of the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code). The training shall meet all of the following requirements:

(1) Be obtained from one of the following sources:

(A) An accredited or approved educational institution, as defined in Sections 4980.36, 4980.37, 4996.18, and 4999.12, including extension courses offered by those institutions.

(B) A continuing education provider, as specified by the board by regulation.

~~(C) A course sponsored or offered by a professional association or a local, county, or state department of health or mental health for continuing education and approved or accepted by the board.~~

(2) Have a minimum of seven contact hours.

(3) Include the study of the assessment and method of reporting of sexual assault, neglect, severe neglect, general neglect, willful cruelty or unjustifiable punishment, corporal punishment or injury, and abuse in out-of-home care. The training shall also include physical and behavioral indicators of abuse, crisis counseling techniques, community resources, rights and responsibilities of reporting, consequences of failure to report, caring for a child's needs after a report is made, sensitivity to previously abused children and adults, and implications and methods of treatment for children and adults.

(4) An applicant shall provide the board with documentation of completion of the required child abuse training.

~~(d) The board shall exempt an applicant who applies for an exemption from this section and who shows to the satisfaction of the board that there would be no need for the training in the applicant's practice because of the nature of that practice.~~

(ed) It is the intent of the Legislature that a person licensed as a clinical social worker, professional clinical counselor, or marriage and family therapist have minimal but appropriate training in the areas of child, elder, and dependent adult abuse assessment and reporting. It is not intended that, by solely complying with this section, a practitioner is fully trained in the subject of treatment of child, elder, and dependent adult abuse victims and abusers.

(fe) The board is encouraged to include coursework regarding the assessment and reporting of elder and dependent adult abuse in the required training on aging and long-term care issues prior to licensure or license renewal.