



Board of Behavioral Sciences

Memo

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To: Board Members **Date:** February 13, 2026

From: Christy Berger
Regulatory Manager

Subject: Discussion and Consideration of:

- a. **Comments Received During the 45-Day Public Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16 of the California Code of Regulations (CCR) Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12, Continuing Education, Exams and Renewal Regulations**
- b. **Adoption of Amendments to CCR, Title 16, Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12**

Background

At its February 2025 meeting, the Board approved regulatory changes pertaining to its Continuing Education, Exams and Renewal regulations. The proposed regulatory action was noticed to the public on December 5, 2025, and the 45-day public comment period ended on January 20, 2026. The Board received six written comments as summarized below, and which are provided in their entirety in **Attachments B - G**. Staff's recommended responses to the comments are also provided below. The original Board-approved language showing recommended changes as the result of the comments and staff recommendations is provided in **Attachment A** for the Board's consideration.

Board Staff and Regulations Counsel recommend the Board approve the following proposed responses to the comments below.

- a. **Comments Received During the 45-Day Public Comment Period and at the Regulation Hearing and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16 of the California Code of Regulations (CCR), Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 (Continuing Education Regulations)**

Shanti Ezrine, MPA, State Government Affairs Associate and Cathy Atkins, JD, Deputy Executive Director on behalf of the California Association of Marriage and Family Therapists (CAMFT) (Attachment B)

In an email to the Board received on January 20, 2026, titled “CAMFT Written Comments to BBS Continuing Education, Exams and Renewals Pending Regulations”, CAMFT provides five comments in regard to the proposed regulatory action, each of which serve as a separate comment. They are as follows:

COMMENT 1: “Defining “Substantially limited one or more life activities”: California Code of Regulations (CCR) Section 1887.2 defines “totally physical or mental disability” for an immediate family member but does not define “substantially limited one or more life activities” for the licensee. In contrast, the Americans with Disabilities Act (ADA), at 28 Code of Federal Regulations (CFR) Section 35.108, defines “substantially limits one or more life activities” broadly to encompass a wide range of physical and mental limitations that impact major activities of daily living. A lack of a clear definition risks a narrow interpretation in determining whether a licensee’s condition meets this standard. CAMFT requests the BBS to consider defining what constitutes “substantially limited one or more life activities” in regulations or via a FAQ document to ensure clear understanding and fair application for licensees.”

Recommended Response: The Board accepts this comment for the following reasons and made modifications to the proposed regulatory language. 28 CFR section 35.108(a)(1)(i) of the ADA defines a disability as “a physical or mental impairment that substantially limits one or more of the **major** life activities of such individual ...” (emphasis added.) California law at Government Code section 12926 under the California Fair Employment and Housing Act has been amended to remove the requirement that the limitation be “substantial” to qualify as a disability or protected medical condition and instead only requires an individual to be “limited” in performing a major life activity.

Under FEHA, a mental or physical disability or health condition limits a major life activity if it makes achieving a major life activity “difficult” and defines a “major life activity” to broadly include physical, mental, and social activities and working. (Gov. Code, §§ 12926 (i), (j), and (m). The Board’s regulation should be amended to reflect these changes to California law since the Americans with Disabilities Act (ADA) contains a “savings clause” (specifically 42 U.S.C. § 12201(b)) that explicitly allows state and local laws to provide greater protection for individuals with disabilities and so California law should prevail with regards to interpretation of the terminology used in the Board’s regulations. Recommended edits would include changes to the regulatory text at CCR section 1887.2 and related forms to make clarifying edits including:

“(c) The board shall grant a temporary waiver of continuing education if the licensee can provide evidence, as specified in subsections (d) and (e) below, that one of the following occurred:

- (1) For at least one year during the licensee's current license renewal period, the licensee had a physical or mental disability or medical condition as defined in Section 12926 of the Government Code that did both of the following:
 - (A) ~~Substantially-I~~ limited one or more major life activities as defined in Section 12926 of the Government Code and verified by the documentation required in subsection (d) . . . “

COMMENT 2: “Timing Barriers for Temporary CE Waiver in Cases of Sudden Disability or Illness: CCR Section 1887.2 requires that requests for a temporary waiver of CE requirements be submitted at least 60 days prior to the license expiration date. CAMFT hears and is aware of situations from members who experience sudden and significant physical or mental health conditions that prevent them from completing the required CE hours before their license expiration date. In these cases, licensees may be unable to meet the 60-day advance submission requirement due to the unexpected nature of the medical condition. CAMFT requests the BBS to consider allowing exceptions for licensees who fall under these circumstances.”

Recommended Response: The Board declines to make any changes due to this comment for the following reasons. In the Board's experience, this existing 60-day timeframe is necessary to allow staff to adequately review and investigate these waiver submissions and for the applicants to address deficiencies prior to their licenses expiring. Further, this comment is not directed to the proposed changes noticed for this current rulemaking proposal or to the processes or procedures the Board used in adopting this proposed regulation.

COMMENT 3: “Does Specifying “California Law and Ethics” Exclude Federal Content: The proposed amendments would add “California” before “law and ethics” to clarify that coursework must address standards specific to California. CAMFT seeks clarification on the BBS's intent regarding this specification. Is the specification intended to exclude coursework on federal laws that may be relevant to a California-licensed therapist's practice/profession, such as HIPAA and Medicare regulations? If the intent is not to exclude relevant federal laws, but rather to ensure the required six hours focus on laws and ethics applicable to California practice, CAMFT requests that the language be clarified accordingly. For example: *“Any person renewing a license shall complete a minimum of six (6) hours of continuing education in the subject of California law and ethics, which may include federal laws that are applicable to California licensees, for each renewal period.”*

Recommended Response: The Board accepts this comment and made changes to regulatory language as follows. “California Law and Ethics” includes all laws applicable to California practitioners, including federal laws as explained in the out-of-state licensee (reciprocity) coursework requirements in BPC sections 4980.72, 4980.78, 4980.81, 4996.17.1, 4996.17.2, 4999.60 and 4999.62. In the interest of avoiding confusion for licensees and registrants, the Board proposes the following adoption of new subsection (a) of section 1887.3, which is also shown in Attachment A:

(a) For the purposes of this section, “California law and ethics” includes training in any of the law and professional ethics coursework subjects specified in Sections 4980.72, 4980.78, 4980.81, 4996.17.1, 4996.17.2, 4999.60 and 4999.62 of the Code, as applicable.

The Board believes these amendments fulfill CAMFT’s request to ensure the language provides clearer guidance to practitioners as the above-referenced statutes include a comprehensive list of what the Board considers California law and professional ethics coursework, including the following:

California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, **state and federal laws** relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, the application of legal and ethical standards in different types of work settings, and licensing law and the licensing process. (Emphasis added.) (BPC sections 4980.72(d), 4980.78(b)(2), 4996.17.1(d)(1), 4996.17.2(d)(2)(F), 4999.60(a)(4)(A) and 4999.62(b)(D)(ii).)

AND

- (A) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the scope of practice of marriage and family therapy.
- (B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including, but not limited to, family law.
- (C) The current legal patterns and trends in the mental health professions.
- (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 their professional behavior and ethics.
- (F) The application of legal and ethical standards in different types of work settings.
- (G) Licensing law and licensing process. (BPC section 4980.81(b)(8).)

COMMENT 4: “Concern Regarding CE Credit for Attendance at BBS Meetings:

The proposed amendments would permit licensees to earn up to six hours of CE credit through attendance at BBS Board or committee meetings. While we acknowledge that this change may increase stakeholder participation in BBS meetings, we have concerns about whether all meeting content would consistently provide the quality of educational content that meets CE standards as outlined in CCR Section 1887.4.0. Not all BBS Board and committee content address subject matter related to direct or indirect client care. For example, agenda items in the newly established Outreach & Education Committee typically include social media outreach strategies or newsletter development. This differs significantly from agenda items in the Policy & Advocacy Committee, which regularly addresses laws, regulations, and policy issues that directly impact clinical practice. Additionally, clarification is needed regarding how the Board would monitor and verify meaningful engagement and participation by attendees who participate virtually. CAMFT requests the BBS to consider these factors before implementing this new CE-eligible activity to ensure that quality CE content standards are maintained.

Recommended Response: The Board accepts the comment, in part, relating to concerns that committee meeting attendance may not consistently provide the quality of educational content that meets CE standards as outlined in CCR section 1887.4.0 and has made conforming changes to the regulatory language. While CCR section 1887.4.0 applies to CE courses only and thus does not apply to allowable non-CE course activities, the Board agrees that some committee meetings may not provide learning opportunities relevant to licensee practice and therefore may not fulfill the intended purpose of continuing education. To ensure relevant learning opportunities, the Board proposes to limit such hours to be earned via Board meeting attendance only and not allow committee meetings to count toward CE. While the Policy and Advocacy Committee does discuss laws and policy that affect licensee practice, Board meetings provide greater consistency in this type of content, resulting in greater and more consistent learning opportunities.

The Board declines to make any changes regarding the commenter's concern about the Board's ability to ensure meaningful engagement and participation by attendees. Staff considered various options and determined that the proposed method would adequately ensure the licensee was present at the meeting, including maintaining a record indicating time of arrival and departure.

COMMENT 5: “Concerns Regarding CE Credit for Supervisory Experience: The proposed amendments would permit licensees who provide direct supervision to a trainee or associate to earn up to 18 hours of CE credit. We recognize that supervisors play a critical role in training and guiding the next generation of therapists and, accordingly, believe supervisors should be held to a high professional standard. It is imperative that supervisors remain current on applicable laws, ethics, and developments in the profession. Although providing supervision does offer some inherent educational value through professional engagement with associates and trainees, it does not replace the structural learning and content review provided through formal CE coursework. While we support allowing CE credit for supervisory activities, CAMFT requests the BBS to consider reducing the maximum allowable hours from 18 to six. A limit of six hours for this activity would also be consistent with other Board-provided activities that may be counted toward CEs. Additionally, CAMFT seeks clarification that CE credit earned through supervisory experience would not overlap with the existing requirements for six hours of law and ethics and that supervisors complete six hours of supervision-specific CE during each renewal cycle.”

Recommended Response: The Board accepts this comment. While the Board also recognizes the learning opportunities inherent in providing supervision, the number of hours allowed could have a negative impact on a licensee’s ability to learn about important updates in the profession. Thus, the Board proposes to amend subsection (o) of section 1887.3 to limit the number of hours that may be earned via supervision to six (6) hours overall. The Board also proposes to add language clarifying that CE credit earned through supervisory experience will not count toward the six hours of law and ethics required of licensees each renewal cycle as specified in subsection (e) of 1887.3, nor the six hours of supervision-specific CE required of supervisors each renewal cycle as specified in sections 1821.3, 1834 or 1871 of the Board’s regulations. While the Board recognizes the learning opportunities inherent in providing supervision, the intent of requiring supervision-specific CE training or coursework is to ensure that licensees learn about important updates regarding the legal and ethical requirements, as well as updates regarding the provision of supervision.

Robin Andersen, LMFT (Attachment C)

In an email to the Board received on January 20, 2026, titled “Comments Regarding Proposed changes”, the commenter expressed the following opposition to proposed changes to subsection (n) of section 1887.3, which would allow 18 hours of CE credit for a licensee providing supervision of experience toward licensure, as follows:

“I am vehemently opposed to providing continuing education credit for this type of activity for two following reasons:

The BBS would only be requiring proof that a supervision meeting occurred (section (n)(2) of the proposed language), and not that the clinical supervisor learned anything or performed any meaningful work in the course of providing supervision. There would not be any accountability or oversight, nor a post-supervision meeting evaluation, reflection paper, or test of any kind, to ensure that "a form of systematic learning" took place (e.g., by a continuing education provider or BBS representative) as defined in § 1887.

The BBS would be allowing half of the required continuing education credits (18 out of 36) for the clinical supervisor's renewal cycle to be gained simply by performing their work duties. While clinical supervisors undoubtedly learn a lot in the course of being clinical supervisors, this means that hypothetically, a clinical supervisor could perform 18 hours of supervision, attend a 6-hour CE course on supervision, and attend a 6-hour CE course of laws and ethics, thus only requiring 6 remaining hours of continuing education on other topics. I do not believe it is in the profession's best interest to encourage narrowing the scope of learning experiences that a licensee would be exposed to over the course of a 2-year period."

Recommended Response: The Board accepts the comment, in part, regarding expressing concern that the number of hours proposed to be allowed for providing supervision may narrow the scope of learning experiences that a licensee would be exposed to since half their CE could be earned via providing supervision instead of actual courses. While the Board recognizes the learning opportunities inherent in providing supervision, the number of hours allowed could have a negative impact on a licensee's ability to learn about important updates in the profession. Thus, the Board proposes to amend subsection (g) of section 1887.3 to limit the number of hours that may be earned via supervision, to six (6) hours.

The Board declines to make any changes in response to the comment expressing concern regarding accepting supervision as an allowable activity without ensuring that a form of systematic learning took place as defined in section 1887 and essentially recommending that no credit be given for this activity at all. Subsection (a) of section 1887 defines a continuing education "course" as a form of systematic learning and does not pertain to non-CE course activities. The intended learning experience is through a supervisor's preparation for providing their supervisee with learning experiences. Requiring an evaluation, reflection paper or test would hold these licensees to a higher standard than what is required by the Board for any other acceptable CE activity, including courses.

Kent Campbell, LMFT (Attachment D)

In an email to the Board received on December 23, 2025, titled "Public Comment on Proposed Section 1887.3 (Continuing Education Credit for Specified Activities)", the

commenter expressed the following concerns regarding proposed changes to subsections (m) and (n) of CCR section 1887.3:

“Regarding Subdivision (n) – CE Credit for Providing Supervision

As a licensee who supervises associate therapists in a group practice setting, I recognize the professional growth that occurs through the supervisory relationship. Engaging with supervisees' clinical questions and reviewing their cases does sharpen one's thinking. However, I have significant reservations about allowing up to 18 hours of supervision to count toward continuing education requirements. My concern is this: supervision draws primarily upon existing knowledge and clinical frameworks. Continuing education, by contrast, should challenge licensees to engage with new research, unfamiliar treatment modalities, and perspectives beyond their current expertise. The educational value of these two activities is fundamentally different. This provision may inadvertently reduce supervisors' incentive to pursue formal continuing education that introduces genuinely new material. Supervisees benefit most from supervisors who are continually expanding their clinical knowledge—not from supervisors who have found an administratively convenient path to fulfilling CE requirements through work they are already performing.

Regarding Subdivision (m) – CE Credit for Attending Board Meetings

The Board's intention to increase licensee engagement in its processes is commendable. However, attendance at a meeting—even one covering important regulatory matters—does not constitute the kind of structured educational experience that continuing education is designed to provide. There is no formal curriculum, no assessment of learning, and no requirement to integrate the material into clinical practice. The explicit exclusion of recorded meetings from eligibility raises a telling question: if the educational content of these meetings warrants CE credit, why should the format of attendance matter? This exclusion suggests the provision is designed to incentivize physical or virtual presence rather than to promote genuine learning.

Cumulative Impact

Taken together, these provisions would permit a licensee to satisfy up to 24 hours—two-thirds of the total CE requirement—through activities that do not involve engagement with new clinical research or treatment approaches. This represents a significant departure from the fundamental purpose of continuing education: ensuring that licensees remain current in their knowledge and skills in order to protect the public. I respectfully urge the Board to reconsider these provisions or, at minimum, to substantially reduce the number of hours that may be earned through these activities.”

Recommended Response: The Board accepts the comment, in part, regarding expressing concern that the number of allowable hours for non-CE course activities, including the provision of supervision and meeting attendance, may impact a licensee’s learning about new research, unfamiliar treatment modalities, and

perspectives beyond their current expertise since most of their CE could be earned via these activities instead of actual courses. While the Board recognizes the learning opportunities provided via supervision and meeting attendance, the number of hours allowed could have a negative impact on a licensee's ability to learn about important updates in the profession. Thus, the Board proposes to amend subsection (o) of section 1887.3 to limit the number of hours that may be earned via supervision and meeting attendance, to six (6) hours each. The Board rejects the portion of the comment that implies that no credit be given for this activity at all for this type of activity for the reasons set forth above in the response to comments provided to Robin Andersen, LMFT.

The Board accepts the portion of the comment with regard to attendance at committee meetings for the same reasons provided in response to Comment No. 4 for Shanti Ezrine's comments on the same issue and has made modified text changes to address some of these concerns. The Board declines to make any further changes in response to the comment expressing concern regarding accepting meeting attendance as an allowable activity in general without ensuring that learning takes place. The intended learning opportunity at full board meetings relates to how the Board functions, keeping abreast of changes in the profession, and increasing general engagement with the Board. In the Board's experience meeting attendance would allow multiple opportunities throughout the meeting for engagement and learning through opportunities for public comment and participation.

The Board declines to make any changes in response to the commenter's question about the implications of excluding recorded meetings, the Board believes requiring a licensee to attend the live meeting increases the potential for active, synchronous-type learning and engagement.

Berenice D. Rosillo, LMFT (Attachment E)

In an email to the Board received on January 9, 2026, titled "Comments concerning the proposed rulemaking action", the commenter expressed the following concerns regarding proposed addition of subsection (n) of section 1887.3:

"As a clinical supervisor, I find the proposed change concerning. Licensed Marriage and Family Therapists have an ethical obligation to remain current in their knowledge and competencies, an obligation that is often fulfilled through continuing education requirements. I am concerned that decreasing these requirements may lead some supervisors to discontinue pursuing additional education, become professionally stagnant, and ultimately provide a lower quality of supervision to trainees and associates. In the current political and social climate, ongoing education—particularly for those who serve as mentors and supervisors in our field—is paramount. In my view, reducing educational requirements runs counter to our ethical mandates and may result in supervisors becoming disconnected from advances in our field.

With respect to the statement that the proposed change “may increase the number of licensees willing to provide supervision,” I believe that reducing administrative burdens would be a more effective strategy. For example, eliminating or streamlining the multiple forms currently required of supervisors could meaningfully decrease barriers to providing supervision.

Additionally, the recent permanent allowance of supervision via teleconference represents a significant and positive step toward increasing the availability of supervisors.

If I may humbly offer an additional thought, I would recommend that the BBS create a centralized section to post announcements for practicum sites in need of supervisors, particularly in rural or underserved areas. I would be open to expanding my supervision services to other regions if I were more aware of where such needs exist.

My final comment pertains to the statement that supervision is “considered an ongoing learning opportunity for the supervisor.” While I agree that learning is bidirectional, supervision is fundamentally a learning experience for the supervisee. As such, I do not believe this characterization accurately reflects the primary purpose or responsibility inherent in the supervisory role.

Recommended Response: The Board accepts the comments, in part, expressing concern that allowing 18 hours of supervision to count toward CE each renewal cycle may result in limiting a licensee’s learning about advances in the field (resulting in professional stagnation and lower quality supervision) since fewer hours of coursework would be required for those who claim these hours, and, supervision is fundamentally a learning experience for the supervisee (therefore this proposal mischaracterizes the supervisory role). The Board accepts in part and rejects in part these comments for the reasons provided in Comment No. 5 above for Shanti Ezrine. Nevertheless, while the Board recognizes that supervision inherently provides learning opportunities for the supervisor, the number of hours overall proposed to be allowed could have a negative impact on a licensee’s ability to learn about important updates in the profession. Thus, the Board proposes to amend subsection (o) of section 1887.3 to limit the number of hours that may be earned via supervision to six (6) hours.

While the Board appreciates the commenter’s suggestions regarding reducing administrative burdens for supervisors by eliminating or streamlining the multiple forms currently required of supervisors or creating a centralized section to post announcements for practicum sites in need of supervisors, the Board declines to make any changes in response to those suggestions as they are not directed to the proposed changes noticed for this current rulemaking proposal or to the processes or procedures the Board used in adopting this proposed regulation.

Curt Widhalm, LMFT (Attachment F)

In an email to the Board received on December 12, 2025, titled “Comment on Proposed BBS Regulations on Continuing Education and Exams”, which included an attachment containing identical content as the email, the commenter expressed the following concerns regarding proposed amendments to section 1822.51 and the addition of subsections (m) and (n) of section 1887.3:

Concerns Regarding Proposed Section 1822.51 (Examination Administration)

I have a minor technical concern regarding the proposed amendment to **Section 1822.51**, which inserts the vendor name “Pearson Vue” into the regulation regarding the examination administrator. It is unusual for a state regulation to explicitly encode a specific vendor's name. A more flexible and standard approach would be to use a broader term such as "the examination administrator" or "the examination vendor."

Encoding a specific company into the regulation could have several unintended consequences, primarily by creating a procedural and legislative barrier should the Board need to change vendors in the future due to contractual, performance, or financial reasons. Amending a regulation to change a vendor name is an unnecessary administrative hurdle that could delay operational transitions. I respectfully request the Board to consider revising this language to ensure regulatory flexibility for future administrative decisions.

Recommended Response: The Board declines to make any changes due to this comment as the name of the vendor is necessary to provide exam candidates with appropriate notice of the actual vendor contracted by the Board for exam administration and to comply with the California Administrative Procedure Act’s “clarity” standard, which requires regulations to be written or displayed so that the meaning of the regulations will be easily understood by those persons directly affected by them (Gov. Code, 11349(c)). According to rules adopted by the Office of Administrative Law (OAL), a regulation is presumed to not comply with this “clarity” standard if “the regulation can, on its face, be reasonably and logically interpreted to have more than one meaning...” (Cal.Code.Reg., tit. 1, § 16(a)(1).)

This proposal resolves ambiguity regarding who the Board’s vendor is and their specific requirements for administering the Board’s examination. Further, this is consistent with regulatory changes made by other agencies and approved by OAL as meeting the “clarity” standard (see e.g., regulations for the Dental Board of California at California Code of Regulations, title 16, section 1006 identifying PSI as their vendor). While a change in exam vendors could delay operational transitions due to necessary regulation changes pertaining to the vendor, the Board would account for the length of time necessary for a regulatory change to move through the process when planning for the transition. Should the need to change exam vendors occur in

an emergency situation, the Board would pursue the emergency rulemaking process which has a much faster time frame.

Concerns Regarding Proposed Section 1887.3 (Continuing Education Credit for Specified Activities)

I have several concerns regarding the proposed changes to CCR Section 1887.3, which outlines continuing education (CE) course requirements and credits for specified activities.

1. Proposed Subdivision (m) – Attending Board Meetings

I appreciate the Board's intention with proposed subdivision (m), which would allow licensees to earn CE credit for attending Board meetings. This is a commendable effort to encourage professional engagement and stakeholder involvement in the Board's processes and relevant law.

However, I believe the rigor of this activity does not align with the standard expectation for patient-care focused CE that directs providers toward new and emerging treatments. If the content discussed in the meetings is deemed critical for professional competency, I encourage the Board to explore mechanisms for licensees to earn credit for watching recorded meetings. This modification would greatly enhance access for many stakeholders who are unable to take time off work to attend meetings in real-time, aligning the Board's educational goals with the practical realities of working professionals.

2. Proposed Subdivision (n) – Providing Supervision

My greatest concern lies with the proposed subdivision (n), which permits licensees to earn up to 18 hours of general CE credit for providing clinical supervision. While I support the goal of encouraging more licensees to become supervisors and recognize the learning that occurs in a supervisory role, granting full CE credit for this activity does not meet the same rigorous educational standards as acting as an instructor in a formally approved CE course or a university setting. Furthermore, there is a risk that this proposal may have an unintended, counter-productive effect. Preliminary feedback from colleagues suggests that licensees who are already supervisors may simply utilize these hours instead of pursuing outside, client-centered continuing education. This substitution could inadvertently reduce the supervisor's exposure to new research, innovative treatment modalities, and emerging best practices, thereby slowing the professional development of both the supervisor and their supervisees. I urge the Board to reconsider granting CE credits for providing supervision as the benefits granted by this proposal do not seem great enough to encourage people to become supervisors in the first place, and they do not outweigh the potential negative unintended consequences of further education by those that are already supervising.

Finally, if the Board does decide to proceed with the proposed regulation, I would like to point out that it is unclear on whether these CE credits for supervision would count toward the licensee's mandatory supervision-specific CE hours. The Board's Notice of Proposed Regulatory Action implies a potential overlap by stating, "...current regulations require supervisors to fulfill 15 hours of training or coursework, as specified." To maintain the integrity of the supervision-specific requirements, I urge the Board to clarify if these hours satisfy the supervision-specific CE mandate or if they are intended solely for general CE.

3. Cumulative Impact

Coupled together, the allowance for attending Board meetings (up to 6 hours) and providing supervision (up to 18 hours), along with other activities, could allow a licensee to acquire up to 36 hours of their required CE entirely through activities that are not directly focused on client-centered treatment or emerging best practices. This could compromise the core mission of Continuing Education to ensure that licensees stay current with the latest developments in patient care to protect the public. In conclusion, I respectfully request the Board to reconsider the language in proposed Section 1822.51 and to further review the implications of the CE credits granted in proposed subdivisions (m) and (n) of Section 1887.3, focusing on educational rigor and client-care outcomes."

Recommended Response: The Board accepts, in part, the comment expressing concern that the number of allowable hours for non-CE course activities, including the provision of supervision and meeting attendance, may hinder licensees in their professional development, including staying current with new research, innovative treatment modalities and emerging best practices since most of their CE could be earned via these activities instead of actual courses. While the Board recognizes the learning opportunities inherent in providing supervision and meeting attendance, the number of hours allowed could have a negative impact on a licensee's ability to learn about important updates in the profession. Thus, the Board proposes to amend subsection (o) of section 1887.3 to limit the number of hours that may be earned via supervision and meeting attendance to six (6) hours each.

In response to the commenter's request to clarify whether CE credits for supervision would count toward the licensee's mandatory supervision-specific CE hours, the Board proposes to add language clarifying that CE credit earned through supervisory experience would not count toward the training or coursework required of supervisors specified in sections 1821.3, 1834 or 1871 of the Board's regulations. While the Board recognizes the learning opportunities inherent in providing supervision, the intent of requiring supervision-specific CE training or coursework is to ensure that licensees learn about important updates regarding the provision of supervision.

The Board declines to make any changes in response to the comment expressing concern about excluding viewing of recorded meetings from counting toward CE. The

Board believes requiring a licensee to attend live meetings for CE credit increases the potential for learning and engagement.

Kathleen Hawks, LMFT (Attachment F)

In an email received on December 9, 2025 titled “RE: Question”, the commenter asked whether the proposed language in subsection (a)(4)(D) of section 1887.1, which defines “conviction” for the purposes of required disclosure at license renewal, should include traffic citations or infractions for which a fine of \$500 or more was imposed as opposed to the current language which specifies “\$500 or less”. The commenter is concerned that the Board may be inundated with fix-it tickets and the like instead of more severe concerns.

Recommended Response: The Board rejects this comment and declines to make any changes due to this comment. This comment appears to be a misunderstanding, as the last sentence of subsection (a)(4) states, “For the purposes of this paragraph “conviction” does **not** include any of the following:” (*emphasis added*). Subsection (a)(4)(D) then states “Traffic citations or infractions for which a fine of \$500 or less was imposed”. This means that only traffic citations or infractions for which a fine of \$500 or more was imposed are considered a “conviction” for the purposes of this section.

b. Adoption of Amendments to CCR, Title 16, Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12

In addition to the amendments discussed in Part a. of this memo, staff proposes to add an additional amendment to section 1887.1 that would add in required timeframes for renewal for delinquent licensees and registrants and required delinquency fee payments for licensees renewing after their licenses expire, which were inadvertently left out in the initial proposal.

Please note that registrants are not required to pay delinquency fees to renew active after their eligible registrations expire and are prohibited by law at BPC sections 4984.01, 4996.28, 4999.100 from renewing beyond six years from the last day of the month during which the registration was issued. The text would be modified as follows:

Add delinquent renewal requirements for licensees

- (a) ~~Except as provided in section 1887.2, a licensee shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed thirty-six (36) hours of continuing education credit as set forth in sections 4980.54, 4989.34,~~

~~4996.22, and 4999.76 of the Code.~~ As a condition of renewal, on or before the expiration date of their license or within three years after its expiration date (“delinquent”), a licensee shall submit a completed renewal application as prescribed by this subsection, ~~and~~ the renewal fee required by section 1816, and if delinquent, a delinquency fee that is one-half of the renewal fee required by section 1816 . . .

AND

Add delinquent renewal requirements for registrants

(b) As a condition of renewal, on or before the expiration date of their registration or within five years from their initial expiration date in compliance with sections 4984.01, 4996.28 or 4999.100 of the Code, (as applicable), . . .

Staff Recommendation for Part a of this Agenda Item (Response to Comments):

Staff recommends the Board consider the comments and approve the recommended responses.

Proposed Motion Language – Response to Comments:

Option No. 1 (If the members **agree** with the staff recommended responses):

Direct staff to proceed as recommended as specified and provide the responses to the comments as indicated in the staff recommended responses.

Option No. 2: (If the members have any **edits** to the recommended responses or **disagree** with staff and wish to accept the comments or make any other changes to the responses):

Direct staff to accept the following comments and make the following edits to the text:
[identify comment(s) to accept or reject and text to change here and explain why].

Staff Recommendation for Part b of this Agenda Item (Adoption of Amendments to CCR, Title 16, Section):

Staff recommends that the Board review the proposed regulatory text shown in **Attachment A** and consider whether to approve it as written, or to suggest changes to the proposed modified text. After review and discussion, consider one of the following motions:

Motion A: (To be used if the Board has **no** suggested changes for the proposed modified regulatory text):

Approve the proposed modified regulation text for CCR sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 as set forth in

Attachment A, and direct staff to take all steps necessary to complete the rulemaking process, including preparing modified text for notice of a 15-day public comment period. If after that 15-day comment period, the Board does not receive any objections or adverse recommendations specifically directed at the modified text, the notice, or to the procedures followed by the Board in proposing or adopting this action, authorize the Executive Officer to make any non-substantive changes to the proposed regulations and rulemaking file, and adopt amendments to Title 16, CCR, sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 as set forth in **Attachment A**.

Motion B: (To be used if the Board **does** have suggested changes for the proposed modified regulatory text)

Approve the proposed modified regulatory text for CCR sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 as set forth in **Attachment A** with the following changes: *[specify the proposed changes to the proposed text]* and direct staff to take all steps necessary to complete the rulemaking process, including preparing modified text for notice of a 15-day public comment period. If after that 15-day comment period, the Board does not receive any objections or adverse recommendations specifically directed at the modified text, the notice, or to the procedures followed by the Board in proposing or adopting this action, authorize the Executive Officer to make any non-substantive changes to the proposed regulations and rulemaking file, and adopt amendments to Title 16, CCR, sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 as set forth in **Attachment A**.

Attachments

- Attachment A:** Board-Approved Regulatory Language with Proposed Modified Text for 15-day Notice
- Attachment B:** Comments from the California Association of Marriage and Family Therapists
- Attachment C:** Comment from Robin Andersen, LMFT
- Attachment D:** Comment from Kent Campbell, LMFT
- Attachment E:** Comment from Berenice D. Rosillo, LMFT
- Attachment F:** Comment from Curt Widhalm, LMFT
- Attachment G:** Comment from Kathleen Hawks, MS, Program Manager, School of Behavioral Sciences, California Southern University

ATTACHMENT A

TITLE 16. BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

MODIFIED TEXT

Title 16, Division 18, California Code of Regulations
Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3,
and 1887.12.

Originally proposed amendments to the regulatory language are shown in single underline for text to be added and ~~single strikethrough~~ for text to be deleted.

Modifications to the proposed regulatory language are shown in double underline for new text and ~~double strikethrough~~ for newly proposed deletions.

AMEND SECTIONS 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 IN TITLE 16 OF DIVISION 18 OF THE CALIFORNIA CODE OF REGULATIONS TO READ AS FOLLOWS:

§ 1822.51. Eligibility for Law and Ethics Examination: Eligibility, Notice of Eligibility, and Proof of Participation or Successful Completion.

(a) Notwithstanding any other provision of law, eligibility to take the California law and ethics examination requires an applicant to, at minimum, meet one of the following:

(a~~1~~) The applicant holds a current, delinquent or cancelled associate registration, submits a request and pays the fee to take the examination.

~~(1) When a registrant who holds a current or delinquent registration takes the examination and does not pass during his or her one-year renewal cycle, the registrant shall complete a 12-hour course on California law and ethics as specified in section 4999.55(e) of the Code, in order to be eligible to take the examination during the next renewal cycle.~~

(b~~2~~) The applicant currently has an approved application for licensure.

(b)(1) Upon receiving a request in compliance with paragraph (1) of subsection (a), or in conjunction with the board's approval of an application specified in paragraph (2) of subsection (a), the board shall transmit a written and dated notice of eligibility to

take the law and ethics examination to the applicant and the examination administrator Pearson Vue (“Pearson Vue”) that specifies the time frames for which the applicant is required to take the examination per section 1822.52. The notice to the applicant shall also contain the website address, email address, and telephone number for the applicant to contact Pearson Vue to schedule the examination. The notice to the applicant shall be transmitted electronically if the applicant has provided their email address to the board as part of their request or application, or by mail if an email has not been provided by the applicant.

(2) Upon receipt of written notice of eligibility from the board, an applicant is responsible for contacting Pearson Vue to schedule a test date and examination site location and taking the examination within the time frames specified in section 1822.52. Applicants shall also execute any authorizations required by Pearson Vue to consent to the disclosure of their personal information and examination results to the board.

(3) To determine qualifications for licensure or renewal of registration in accordance with section 4999.53 of the Code and section 1887.1, the board shall receive directly from Pearson Vue written notice of either proof of participation or of successful completion of the California law and ethics examination specified in section 1822.50 for each eligible applicant. “Proof of participation or successful completion” shall mean a copy of the applicant’s result letter or score report issued by Pearson Vue that lists the applicant’s name and pass or fail status.

NOTE: Authority cited: Section 4990.20(a), Business and Professions Code. Reference: Sections 4999.52, ~~4999.53~~, 4999.53 and 4999.55 and 4999.100, Business and Professions Code.

§ 1829.2. Eligibility for Law and Ethics Examination: Eligibility, Notice of Eligibility, and Proof of Participation or Successful Completion.

(a) Notwithstanding any other provision of law, eligibility to take the California law and ethics examination requires an applicant to, at minimum, meet one of the following:

(a1) The applicant holds a current, delinquent or cancelled associate registration, submits a request and pays the fee to take the examination.

~~(1) When a registrant who holds a current or delinquent registration takes the examination and does not pass during his or her one-year renewal cycle, the registrant shall complete a 12-hour course on California law and ethics as~~

~~specified in section 4980.399(e) of the Code, in order to be eligible to take the examination during the next renewal cycle.~~

(b2) The applicant currently has an approved application for licensure.

(b)(1) Upon receiving a request in compliance with paragraph (1) of subsection (a), or in conjunction with the board's approval of an application specified in paragraph (2) of subsection (a), the board shall transmit a written and dated notice of eligibility to take the law and ethics examination to the applicant and the examination administrator Pearson Vue ("Pearson Vue") that specifies the time frames for which the applicant is required to take the examination per section 1829.3. The notice to the applicant shall also contain the website address, email address, and telephone number for the applicant to contact Pearson Vue to schedule the examination. The notice to the applicant shall be transmitted electronically if the applicant has provided their email address to the board as part of their request or application, or by mail if an email has not been provided by the applicant.

(2) Upon receipt of written notice of eligibility from the board, an applicant is responsible for contacting Pearson Vue to schedule a test date and examination site location and taking the examination within the time frames specified in section 1829.3. Applicants shall also execute any authorizations required by Pearson Vue to consent to the disclosure of their personal information and examination results to the board.

(3) To determine qualifications for licensure or renewal of registration in accordance with section 4980.399 of the Code and section 1887.1, the board shall receive directly from Pearson Vue written notice of either proof of participation or of successful completion of the California law and ethics examination specified in section 1829.1 for each eligible applicant. "Proof of participation or successful completion" shall mean a copy of the applicant's result letter or score report issued by Pearson Vue that lists the applicant's name and pass or fail status.

NOTE: Authority cited: Sections 4980.60 and 4990.20(a), Business and Professions Code. Reference: Sections 4980.397, ~~4980.398~~, ~~4980.399~~, 4980.399 and 4980.50 and 4984.01, Business and Professions Code.

§ 1877.2. Eligibility for Law and Ethics Examination: Eligibility, Notice of Eligibility, and Proof of Participation or Successful Completion.

(a) Notwithstanding any other provision of law, eligibility to take the California law and ethics examination requires an applicant to, at minimum, meet one of the following:

(a~~1~~) The applicant holds a current, delinquent or cancelled associate registration, submits a request and pays the fee to take the examination.

~~(1) When a registrant who holds a current or delinquent registration takes the examination and does not pass during his or her one-year renewal cycle, the registrant shall complete a 12-hour course on California law and ethics as specified in section 4992.09(e) of the Code, in order to be eligible to take the examination during the next renewal cycle.~~

(b~~2~~) The applicant currently has an approved application for licensure.

(b)(1) Upon receiving a request in compliance with paragraph (1) of subsection (a), or in conjunction with the board's approval of an application specified in paragraph (2) of subsection (a), the board shall transmit a written and dated notice of eligibility to take the law and ethics examination to the applicant and the examination administrator Pearson Vue ("Pearson Vue") that specifies the time frames for which the applicant is required to take the examination per section 1877.3. The notice to the applicant shall also contain the website address, email address, and telephone number for the applicant to contact Pearson Vue to schedule the examination. The notice to the applicant shall be transmitted electronically if the applicant has provided their email address to the board as part of their request or application, or by mail if an email has not been provided by the applicant.

(2) Upon receipt of written notice of eligibility from the board, an applicant is responsible for contacting Pearson Vue to schedule a test date and examination site location and taking the examination within the time frames specified in section 1877.3. Applicants shall also execute any authorizations required by Pearson Vue to consent to the disclosure of their personal information and examination results to the board.

(3) To determine qualifications for licensure or renewal of registration in accordance with section 4992.09 of the Code and section 1887.1, the board shall receive directly from Pearson Vue written notice of either proof of participation or of successful completion of the California law and ethics examination specified in section 1877.1 for each eligible applicant. "Proof of participation or successful completion" shall mean a copy of the applicant's result letter or score report issued by Pearson Vue that lists the applicant's name and pass or fail status.

NOTE: Authority cited: Section 4990.20(a), Business and Professions Code. Reference: Sections 4992.05, ~~4992.07, 4992.09, 4992.09~~ and 4992.1 and 4996.28, Business and Professions Code.

§ 1887. Definitions.

As used in this article:

- (a) A continuing education “course” means a form of systematic learning at least one hour in length. This may include, but is not limited to, academic studies, extension studies, lectures, conferences, seminars, workshops, written, audio, or visual instruction or activities, including interactive video instruction and activities electronically transmitted from another location, that have been verified and approved by the continuing education provider.
- (b) A “provider” means an organization, institution, association, university, or other person or entity assuming full responsibility for the course offered.
- (c) A “renewal period” means one of the following, as applicable:
 - (1) Licensees: The two-year period that spans from the first day after the license's issue date or prior expiration date to the current license expiration date.
 - (2) Registrants: The one-year period that spans from the first day after the registration's issue date or prior expiration date to the current registration expiration date.
- (d) An “approval agency” means an organization recognized by the board that evaluates and approves providers of continuing education, ensures courses offered by its providers meet the board's continuing education requirements, and monitors the quality of each approved continuing education course.

NOTE: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code.
Reference: Sections 4980.54, 4980.399, 4989.34, 4992.09, 4996.22, 4999.55 and 4999.76, Business and Professions Code.

§ 1887.1. Continuing Education Requirements and License or Registration Renewal Requirements.

- (a) ~~Except as provided in section 1887.2, a licensee shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed thirty-six (36) hours of continuing education credit as set forth in sections 4980.54, 4989.34, 4996.22, and 4999.76 of the Code.~~ As a condition of renewal, on or before the expiration date of their license or within three years after its expiration date (“delinquent”), a licensee shall submit a completed renewal application as prescribed by this subsection, and the renewal fee required by section 1816, and if delinquent, a delinquency fee that is one-half of the renewal fee required by section 1816. “Submit” shall mean delivery

by mail or in person at the board's current physical address listed on its website or through the board's online portal accessible through the board's website. A "completed renewal application" shall include all of the following:

- (1) The legal name of the licensee. An individual must apply using their full legal name: (Last Name) (First Name) (Middle Name) and/or (Suffix).
- (2) License Type ("LMFT" for Licensed Marriage and Family Therapist, "LCSW" for Licensed Clinical Social Worker, "LEP" for Licensed Educational Psychologist or "LPCC" for Licensed Professional Clinical Counselor), license number and expiration date.
- (3) For licensees renewing online through the board's website, the licensee shall provide their individual National Provider Identifier, if they have one.
- (4) A statement indicating whether the licensee, since their last renewal, has been convicted of, pled guilty to, or pled nolo contendere to a misdemeanor or felony in the United States and its territories or a foreign country. For the purposes of this paragraph, convictions expunged or dismissed under sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code (or equivalent non-California law) must be disclosed. For the purposes of this paragraph "conviction" does not include any of the following:
 - (A) Offenses that were adjudicated in the juvenile court.
 - (B) Charges dismissed under section 1000.3 of the Penal Code.
 - (C) Convictions under California Health and Safety Code section 11357, or section 11360(b) which are two years old or older.
 - (D) Traffic citations or infractions for which a fine of \$500 or less was imposed.
- (5) A statement indicating whether the licensee, since their last renewal, has had any disciplinary action against any license, registration, certificate, permit or other means to engage in any practice issued to the licensee by any government agency. "Government agency" means any regulatory or licensing board in this State (excluding this board) or any other state, any United States territory, federal agency or another country. "Disciplinary action" means an adverse licensure action that resulted in a restriction or penalty being placed on the license, such as revocation, suspension, probation, voluntary surrender or public reprimand or reproof.
- (6) A statement indicating whether the licensee has completed thirty-six (36) hours of continuing education credit as set forth in sections 4980.54, 4989.34, 4996.22,

and 4999.76 of the Code, as applicable, and section 1887.3, as applicable, or, whether they are exempt from or have received a waiver from continuing education requirements from the board in accordance with section 1887.2.

(7) A statement acknowledging the applicant has read the following notice: “The address of record you provide the board will appear on public license searches on the board’s website in accordance with Business and Professions Code (BPC) section 27. Licensees are also required to maintain a current email address with the board if they have one. Email addresses are not subject to public disclosure per BPC section 4990.07.”

(8) A statement signed and dated by the licensee under penalty of perjury under the laws of the State of California that all statements made in the application are true and correct.

(b) As a condition of renewal, on or before the expiration date of their registration or within five years from their initial expiration date in compliance with sections 4984.01, 4996.28 or 4999.100 of the Code (as applicable), a registrant shall submit a completed renewal application as prescribed by this subsection and the renewal fee required by section 1816. “Submit” shall mean delivery by mail or in person at the board’s current physical address listed on its website or through the board’s online portal accessible through the board’s website. A “completed renewal application” shall include all of the following:

(1) The legal name of the registrant. An individual must apply using their full legal name: (Last Name) (First Name) (Middle Name) and/or (Suffix).

(2) Registration type (“AMFT” for Associate Marriage and Family Therapist, “ASW” for Associate Clinical Social Worker, or “APCC” for Associate Professional Clinical Counselor), registration number and expiration date.

(3) For registrants renewing online through the board’s website, the registrant shall provide their individual National Provider Identifier, if they have one.

(4) Proof of participation or successful completion of the California law and ethics examination as specified in sections 1822.51, 1829.2 or 1877.2, as applicable.

(5) A statement indicating whether the registrant, since their last renewal, has been convicted of, pled guilty to, or pled nolo contendere to a misdemeanor or felony in the United States and its territories or a foreign country. For the purposes of this paragraph, convictions expunged or dismissed under sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code (or equivalent non-

California law) must be disclosed. For the purposes of this paragraph “conviction” does not include any of the following:

(A) Offenses that were adjudicated in the juvenile court.

(B) Charges dismissed under section 1000.3 of the Penal Code.

(C) Convictions under California Health and Safety Code section 11357, or section 11360(b) which are two years old or older.

(D) Traffic citations or infractions for which a fine of \$500 or less was imposed.

(6) A statement indicating whether the registrant, since their last renewal, has had any disciplinary action against any license, registration, certificate, permit or other means to engage in any practice issued to the registrant by any government agency. “Government agency” means any regulatory or licensing board in this State (excluding this board) or any other state, any United States territory, federal agency or another country. “Disciplinary action” means an adverse licensure action that resulted in a restriction or penalty being placed on the license, such as revocation, suspension, probation, voluntary surrender or public reprimand or reproof.

(7) A statement indicating whether the registrant has completed three (3) hours of continuing education in California Law and Ethics as specified in sections 4980.399, 4992.09, and 4999.55 of the Code, as applicable.

(8) A statement acknowledging the applicant has read the following notice: “The address of record you provide the board will appear on public license searches on the board’s website in accordance with Business and Professions Code (BPC) section 27. Registrants are also required to maintain a current email address with the board if they have one. Email addresses are not subject to public disclosure per BPC section 4990.07.”

(9) A statement signed and dated by the registrant under penalty of perjury under the laws of the State of California that all statements made in the application are true and correct.

(bc) A licensee or registrant who falsifies or makes a material misrepresentation of fact when applying for license or registration renewal or who cannot verify completion of continuing education by producing a record of course completion, upon request by the board, is subject to disciplinary action under sections 4982(b), 4989.54 (b), 4992.3(b), and 4999.90(b) of the Code.

(ed) Individuals who hold dual licensure or registration with the board may apply the same continuing education course to both licenses or registrations if the subject matter of the course relates to each ~~license's~~ license or registration type's scope of practice.

NOTE: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 141, 4980.54, 4980.399, 4984, 4984.01, 4984.1, 4984.7, 4980.399, 4982, 4989.32, 4989.34, 4989.36, 4989.54, 4989.68, 4992.09, 4992.3, 4996.6, 4996.22, 4996.28, 4999.55, 4999.76, and 4999.90, 4999.100, and 4999.102, 4999.104 and 4999.120, Business and Professions Code.

§ 1887.2. Temporary Waivers of and Exemptions from Continuing Education Requirements.

- (a) A licensee is exempt from the continuing education requirement if their license is inactive pursuant to sections 4984.8, 4989.44, 4997, or 4999.112 of the Code, or retired pursuant to section 4984.41, 4989.45, 4997.1, or 4999.113 of the Code.
- (b) A licensee may submit a written request for a temporary waiver from the continuing education requirement for the licensee's current renewal period, for any of the reasons listed in subsection (c) below. The request shall be on a form entitled "Request for Temporary Continuing Education (CE) Waiver -- Licensee Application," Form No. DCA BBS 37A-635 (Revised 08/22[OAL to insert new revision date]), hereby incorporated by reference. The request must be submitted to the board in writing at least sixty (60) days prior to the license expiration date.
- (c) The board shall grant a temporary waiver of continuing education if the licensee can provide evidence, as specified in subsections (d) and (e) below, that one of the following occurred:
- (1) For at least one year during the licensee's current license renewal period, the licensee had a physical or mental disability or medical condition as defined in Section 12926 of the Government Code that did both of the following:
 - (A) ~~Substantially limited~~ one or more major life activities as defined in Section 12926 of the Government Code and verified by the documentation required in subsection (d), and
 - (B) Caused the licensee's earned income, whether earned as an employee, independent contractor, or while self-employed, to drop below the substantial gainful activity amount for non-blind individuals during that year, as set forth

by the Social Security Administration per section 404.1574(b)(2) of the Social Security Act.

- (2) For at least one year during the licensee's current license renewal period, the licensee was the primary caregiver for an immediate family member, including a domestic partner, who had a total physical or mental disability. A "total physical or mental disability" means that the family member is both unable to work and unable to perform activities of daily living without substantial assistance, such as eating, bathing, dressing, housework, shopping, or meal preparation.
- (d) The licensee's or immediate family member's physical or mental disability or medical condition must be verified by a ~~licensed physician or psychologist with expertise in the area of the physical or mental disability or medical condition~~ healthcare provider who holds a current and active license as a physician, physician assistant, nurse practitioner, psychologist, marriage and family therapist, clinical social worker or professional clinical counselor. Verification of the physical or mental disability or medical condition must be submitted by the licensee on a form entitled "Request for Temporary Continuing Education (CE) Waiver -- Verification of Disability or Medical Condition," Form No. DCA BBS 37A-636 (Revised 08/22 [OAL to insert new revision date]), hereby incorporated by reference. Form No. DCA BBS 37A-636 must include an attached copy of the family member's written authorization for release of their protected health information for the limited purpose of the licensee's request for a temporary waiver of continuing education when the licensee is the family member's primary caregiver.
- (e) A licensee shall provide proof of all income earned from work activity during the one-year period of the licensee's disability. If the licensee did not earn any work income, the licensee shall provide proof of receiving disability payments, or provide other evidence demonstrating that the licensee did not earn any income from work activity.
- (f) The board will notify the licensee whether or not the waiver is granted within thirty (30) days after the request is received. If the request for waiver is denied, the licensee is responsible for completing the full amount of continuing education required for license renewal, if renewing in an active status. If the request for waiver is approved, it shall be valid for the current renewal period only.
- (g) Licensees granted a temporary waiver shall not be exempt from completing the six (6) hours of continuing education in California law and ethics required by section 1887.3.

NOTE: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code.
Reference: Sections 4980.54, 4984.8, 4984.41, 4989.34, 4989.44, 4989.45, 4996.22,

4997, 4997.1, 4999.76, 4999.112 and 4999.113, Business and Professions Code; and Sections 12926 and 12944, Government Code.

§ 1887.3. Continuing Education Course Requirements and Credit for Specified Activities.

(a) For the purposes of this section, “California law and ethics” includes training in any of the law and professional ethics coursework subjects specified in sections 4980.72, 4980.78, 4980.81, 4996.17.1, 4996.17.2, 4999.60 and 4999.62 of the Code, as applicable.

(b) During each two-year license renewal period, a licensee shall accrue at least thirty-six (36) hours of continuing education coursework as defined in section 1887.4.0.

~~(b)~~ (c) During each one-year registration renewal period, a registrant shall accrue at least three (3) hours of continuing education coursework in the subject of California law and ethics as specified in sections 4980.399, 4992.09, or 4999.55 of the Code, as applicable, and from any board-approved provider specified in section 1887.4.3.

~~(b)~~ (d) A marriage and family therapist, clinical social worker, and professional clinical counselor licensee shall take a continuing education course in the characteristics and methods of assessment and treatment of people living with human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) during their first renewal period after the effective date of these regulations. The course shall be at least seven (7) hours in length and its content shall comply with the requirements of section 32 of the Code. This is a one-time requirement for all licensees. Equivalent HIV and AIDS courses taken prior to the effective date of these regulations, or proof of equivalent teaching or practice experience, may be submitted to the board for approval in lieu of this requirement; however, this coursework or experience shall not be credited as hours towards the continuing education requirements.

~~(c)~~ (e) Any person renewing a license shall complete a minimum of six (6) hours of continuing education in the subject of California law and ethics for each renewal period. The six (6) hours shall be considered part of the thirty-six (36) hour continuing education requirement. A course on law and ethics completed by a supervisor in order to fulfill the supervisor training requirement pursuant to Article 3, 4 or 6 shall not be accepted toward meeting the minimum six (6) hours of law and ethics training but shall count toward the 36-hour continuing education requirement.

~~(d)~~ (f) A licensee may not claim the same course more than once per license type during a single renewal period for hours of continuing education credit.

- (~~e~~~~f~~~~g~~) If a licensee teaches a course provided by a board-accepted provider, the licensee may claim credit for the course, receiving the same amount of hours of continuing education credit as a licensee who attended the course. The licensee may only claim the course one time during a single renewal period. A maximum of 18 hours of continuing education may be met by teaching courses during a single renewal period.
- (~~f~~~~e~~~~h~~) A licensee or registrant who takes a course as a condition of probation resulting from disciplinary action by the board may not apply the course as credit towards the continuing education requirement.
- (~~g~~~~h~~~~i~~) A licensee who attends a California Board of Behavioral Sciences enforcement case review training shall be credited with up to six (6) hours of continuing education in the renewal cycle during which the case review training was attended. The continuing education hours earned by attending a board enforcement case review training may only be used to satisfy the law and ethics portion of the continuing education requirement.
- (~~h~~~~i~~~~j~~) A licensee who acts as a California Board of Behavioral Sciences subject matter expert (SME) for an enforcement case review shall be credited with six (6) hours of continuing education in the renewal cycle during which the enforcement case review was performed. The continuing education hours earned by acting as a board enforcement case SME may only be used to satisfy the law and ethics portion of the continuing education requirement.
- (~~i~~~~j~~~~k~~) A licensee who participates in a California Board of Behavioral Sciences examination development workshop shall be credited with six (6) hours of continuing education in the renewal cycle during which the examination development workshop was attended. The continuing education hours earned by participating in a board examination development workshop may only be used to satisfy the law and ethics portion of the continuing education requirement.
- (~~j~~~~k~~~~l~~) A licensee who completes a California Board of Behavioral Sciences occupational analysis survey in full shall be credited with six (6) hours of continuing education for the renewal cycle during which the survey was completed.
- (~~i~~~~m~~) Documentation of completion for the activities specified in subsections (~~h~~~~i~~) through (~~k~~) ("qualifying activity") shall consist of a letter or certificate issued by the board or its designee upon completion of the qualifying activity to the licensee indicating the name of the licensee, the type of qualifying activity, the hours of qualifying credit earned, and the date(s) of completion.

~~(#n)~~ A licensee may earn up to six (6) hours of continuing education credit through attendance at open sessions of California Board of Behavioral Sciences board meetings, virtually or in person, for the renewal cycle during which the meeting(s) occurred. ~~Committee meetings shall not qualify for this activity.~~

(1) Continuing education credit shall be credited on an hour-for-hour basis with one hour credited for each full hour spent in attendance at a meeting.

(2) To receive credit, the licensee shall maintain a record of attendance including date of ~~the Board meeting; name of meeting;~~ and number of full hours attended. In addition, the licensee shall do the following:

(A) For a meeting attended in person, the licensee shall sign in and out on the provided attendance sheet, providing their full name and license number as on record with the board, and indicating the time of arrival and time of departure.

(B) For a meeting held through a virtual, internet-based application (Webex or similar online meeting or videoconferencing platform), the licensee shall sign into the meeting using their full name and email address as on record with the Board.

(3) Watching a recording of a past board ~~or committee~~ meeting shall not count toward continuing education.

(4) A petitioner seeking the reinstatement of a revoked license or early termination of probation may not earn any continuing education credit for attending a board meeting on the same day in which said petitioner's hearing is conducted.

(5) ~~The continuing education hours earned by attending opens sessions of a California Board of Behavioral Sciences board meeting shall not be used to satisfy the law and ethics portion of the continuing education requirements for licensees or registrants specified in subsections (c) or (e), as applicable, or used to satisfy any supervision training or coursework requirements for supervisors specified in sections 1821.3, 1834, or 1871, but shall count toward the 36-hour continuing education requirement.~~

~~(#o)~~ A licensee who provides direct supervision of a marriage and family therapist trainee or associate marriage and family therapist who is gaining experience under section 4980.43 of the Code, an associate clinical social worker who is gaining experience under section 4996.2 of the Code, or an associate professional clinical counselor who is gaining experience under section 4999.46 of the Code, shall be credited with up to ~~18~~ 6 hours of continuing education for the renewal cycle during which the supervision was provided in accordance with this subsection. ~~However,~~

credits gained for supervision pursuant to this subsection shall not be used to satisfy any supervision training or coursework requirements for supervisors specified in sections 1821.3, 1834, or 1871, but shall count toward the 36-hour continuing education requirement.

(1) For the purposes of calculating hours earned, one hour of continuing education will be credited for each full hour of supervision, up to a maximum of ~~48~~ 6 hours credited per renewal cycle.

(2) Licensees shall maintain a written record of this activity that includes all of the following: the dates of supervision, number of hours of supervision provided, and a copy of the supervisee's signed supervision agreement with the licensee pursuant to section 1820(c), 1833(c) or 1869(c), as applicable.

~~(k)~~ ep A licensee who participates in a mental health professional organization's law and ethics review committee shall be credited with up to six (6) hours of continuing education in the renewal cycle during which the participation occurred. The continuing education earned by participating in a professional organization's law and ethics review committee may only be used to satisfy the law and ethics portion of the continuing education requirement. Documentation of completion shall consist of a letter or certificate from the professional organization that lists the name of the licensee, the date(s) and number of hours attended, and the name of the mental health professional organization's law and ethics review committee.

~~(l)~~ eq ~~Documentation of completion for the activities specified in subsections (g) through (j) shall consist of a letter or certificate issued by the board. For subsection (k), documentation of completion shall consist of a letter or certificate from the professional organization. Licensees and registrants shall maintain records of completed activities for a minimum of two years from the date of license or registration renewal for which the activity was completed and shall make these records available to the board for auditing purposes upon request.~~

NOTE: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 29, 32, 4980.54, 4980.399, 4989.34, 4992.09, 4996.22, 4999.55 and 4999.76, Business and Professions Code.

§ 1887.4.2. Approval Agency Responsibilities.

Each board-recognized approval agency shall:

(a) Evaluate each continuing education provider seeking approval in accordance with the requirements of section 1887.4.3.

- (b) Maintain a list of the names and addresses of persons responsible for the provider's continuing education program. The approval agency shall require that any change in the responsible person shall be reported to the approval agency within 15 days of the effective date of the change.
- (c) Provide the board with the name, address and responsible party of each provider upon request.
- (d) Respond to complaints from the board, providers, ~~or licensees~~, or registrants concerning activities of any of its approved providers or their courses.
- (e) Conduct periodic reviews of courses offered by providers approved by the agency to determine compliance with the agency's requirements and requirements of the board and, upon request, report the findings of such reviews to the board.
- (f) Ensure that the continuing education coursework offered by its providers meets the continuing education requirements of the board.
- (g) Establish a procedure for reconsideration of its decision that a provider or a provider's course does not meet statutory or regulatory criteria.

NOTE: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code.
Reference: Sections 4980.54, ~~4980.399~~, 4989.34, ~~4992.09~~, 4996.22, ~~4999.55~~ and 4999.76, Business and Professions Code.

§ 1887.4.3. Acceptable Continuing Education Providers and Responsibilities.

- (a) A continuing education provider shall be one of the following:
 - (1) An accredited or approved postsecondary institution that meets the requirements set forth in sections 4980.54(f)(1), 4989.34, 4996.22(d)(1), or 4999.76(d) of the Code;
 - (2) A board-recognized approval agency or a continuing education provider that has been approved or registered by a board-recognized approval agency for continuing education; or
 - (3) A professional association that is recognized by the board as a continuing education provider. The following professional associations are recognized by the board as continuing education providers:
 - (A) American Association for Marriage and Family Therapy (AAMFT)
 - (B) American Counseling Association (ACA)

- (C) California Association for Licensed Professional Clinical Counselors (CALPCC)
 - (D) California Association of Marriage and Family Therapists (CAMFT)
 - (E) California Association of School Psychologists (CASP)
 - (F) California Counseling Association (CCA)
 - (G) California Psychological Association (CPA)
 - (H) California Society for Clinical Social Work (CSCSW)
 - (I) National Association of Social Workers-California Chapter (NASW-CA)
- (b) Each provider shall ensure that each continuing education course complies with the requirements of section 1887.4.0.
- (c) Each provider shall furnish each licensee and registrant a record of course completion as defined in section 1887.11.0.
- (d) Each provider shall maintain records of completion of their continuing education courses for four (4) years as defined in section 1887.12(b). Credit hours awarded shall be in compliance with section 1887.5.
- (e) Each provider shall have a methodology for determining the credit hours awarded for the completion of continuing education courses.
- (f) No provider shall discriminate against any individual or group with respect to any service, program or activity on the basis of gender, race, creed, national origin, sexual orientation, religion, or age, or other prohibited basis.
- (g) No provider shall promote or advocate for a single modality of treatment that is discriminatory or likely to harm clients based upon current accepted standards of practice.
- (h) Each provider must be able to demonstrate that their programs train licensees or registrants to treat any client in an ethical and clinically sound manner consistent with the code of ethics of their accrediting agency, approval agency, or professional association.
- (i) Each provider must have written policies and procedures for grievance resolution and must respond to grievances from course attendees, regulatory boards, or their governing accreditation agency in a timely manner.

- (j) When a provider works with another party on the development, distribution, and/or presentation of a continuing education course (joint sponsorship), there shall be procedures to identify and document the functions of each participating party.
- (k) Each provider is responsible for meeting all applicable local, state and federal standards, including the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12101-12213 (2008).
- (l) Each provider shall submit all documents related to an audit of course material to the approval agency or the board upon written request.

NOTE: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.54, 4980.399, 4989.34, 4992.09, 4996.22, 4999.55 and 4999.76, Business and Professions Code.

§ 1887.12. Licensee and Provider Course Records Record Requirements for Providers, Licensees and Registrants.

- (a) A licensee or registrant shall maintain records of course completion for a period of at least two (2) years from the date of license or registration renewal for which the course was completed.
- (b) A provider shall maintain records related to continuing education courses for a period of at least four (4) years. Records shall include:
 - (1) sSyllabi for all courses;
 - (2) tThe time and location of all courses;
 - (3) eCourse advertisements;
 - (4) eCourse instructors' vitae or resumes;
 - (5) aAttendance rosters with the names and license or registration numbers of licensees who attended the courses;
 - (6) sSign-in sheets; and
 - (7) rRecords of course completion issued to licensees and registrants who attended the courses.
- (c) The board may audit the course records of a provider to ensure compliance with the board's continuing education requirements.

NOTE: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4980.399, 4989.34, 4992.09, 4996.22, 4999.55 and 4999.76, Business and Professions Code.



Board of Behavioral Sciences
1625 North Market Blvd., Suite S200, Sacramento, CA 95834
Telephone: (916) 574-7830
www.bbs.ca.gov



REQUEST FOR TEMPORARY CONTINUING EDUCATION (CE) WAIVER: INSTRUCTIONS AND INFORMATION

IMPORTANT:

- **Registrants are ineligible to apply for a good cause waiver. This form should be used only for licensees seeking a temporary waiver of their CE requirements in accordance with Title 16, California Code of Regulations section 1887.2.**
- **The board must receive your request for CE waiver and verification of disability at least sixty (60) days PRIOR to the expiration date of your license in order for the waiver to be considered. Otherwise, your request will be denied. Allow 30 days for processing.**
- **The 6-hour Law and Ethics CE course required for each renewal CANNOT BE WAIVED. You must complete this course before renewing.**

Who Qualifies for a Temporary CE Waiver?

You may qualify for a temporary CE waiver if, for at least one year during your current license renewal period, you had one of the following:

- A physical or mental disability or medical condition that ~~substantially~~ limited one or more major life activities as described in Section 12926 of the Government Code and caused your earned income to drop below the substantial gainful activity amount for non-blind individuals during that year, as defined by the Social Security Administration (see <https://www.ssa.gov/oact/cola/sga.html>); OR
- You were the primary caregiver for an immediate family member, including a domestic partner, who had a total physical or mental disability. A “total physical or mental disability” means that the family member is both unable to work and unable to perform activities of daily living without substantial assistance, such as eating, bathing, dressing, housework, shopping, or meal preparation.

How to Request a Temporary Waiver of CE

To request a temporary waiver, submit the following:

- **Waiver Request form.** Complete the form titled, “Request for Temporary Continuing Education Waiver – Licensee Application” Form No. DCA BBS 37A-635 (Revised 08/22[OAL to insert new revision date]).
- **Verification of Disability.** If your waiver request is based on your own disability or medical condition, complete Part 2 of Form No. DCA BBS 37A-635, sign and date the declaration at the

end of this form, and submit a completed “Request for Temporary Continuing Education Waiver – Verification of Disability or Medical Condition” Form No. DCA BBS 37A-636 (Revised 08/22[OAL to insert new revision date]) and proof of income during the period of disability.

Form No. DCA BBS 37A-636 must be completed by the attending ~~physician or psychologist~~healthcare provider who holds a current and active license as a physician, physician assistant, nurse practitioner, psychologist, marriage and family therapist, clinical social worker or professional clinical counselor. The Board will accept a written statement from the ~~physician or psychologist~~healthcare provider in lieu of completing the form, provided that the statement provides all of the information requested on the form, and includes all of the following: the name, title, address, telephone number, professional license number, and original signature of the ~~physician or psychologist~~healthcare provider providing the verification.

- **Verification of Disability of Immediate Family Member for Whom You were the Primary Caregiver.** If your waiver request is based on you being the primary caregiver of an immediate family member with a disability or medical condition, complete Part 3 of Form No. DCA BBS 37A-635, sign and date the declaration at the end of this form, and submit a completed “Request for Temporary Continuing Education Waiver – Verification of Disability or Medical Condition” Form No. DCA BBS 37A-636 (Revised 08/22[OAL to insert new revision date]). This form must be completed by the attending ~~physician or psychologist~~healthcare provider.

The Board will accept a written statement from the ~~physician or psychologist~~healthcare provider in lieu of completing the form, provided that the statement provides all of the information requested on the form, and includes all of the following: the name, title, address, telephone number, professional license number, and original signature of the ~~physician or psychologist~~healthcare provider providing the verification.

Any ~~physician or psychologist~~healthcare provider verification of a Family Member’s disability or medical condition must include a copy of the Family Member’s written authorization to release protected health information (PHI) to the board for the limited purpose of verification for the licensee’s CE waiver request.

- **Proof of Income.** If your request is due to your own disability or medical condition, you must submit proof of all income earned from work activity during the (minimum) one-year period of disability. If you did not earn any income, provide proof of receiving disability payments, or provide other evidence demonstrating that you did not earn any income from work activity.

You will be notified whether or not your request was granted within thirty (30) days from the date the board receives your request and all supporting documentation.

Waivers Cannot be Granted Before the Fact

The board can only grant a waiver for your current renewal period. The board cannot grant a waiver for a future renewal period, nor can it grant a waiver for a situation that you anticipate. You may request a waiver after the qualifying situation has occurred, or during the qualifying situation, as long as you meet the minimum criteria.

Send Your Waiver Request BEFORE Submitting Your Renewal Application

Do not submit your renewal application until after the board has responded to your waiver request. Courtesy renewal applications are mailed out 90 days prior to your license expiration date. It takes 30 days to process an application for waiver.

If Your Waiver Request is Denied

If your request for waiver is denied, you will be required to complete all CE hours, including any mandatory coursework, prior to renewing your license in an active status. If you are unable to complete your CE hours prior to your expiration date, consider renewing your license as inactive. This will help you avoid a delinquency fee. You may reactivate your license once you have completed the required CE. It is against the law to practice with an inactive or delinquent license.

If Your Waiver Request is Approved

You must complete the 6-hour course in Law and Ethics prior to renewing your license with an active status.

For More Information

See Title 16, California Code of Regulations section 1887.2.

Notice of Collection of Personal Information:

The Board of Behavioral Sciences (board) of the Department of Consumer Affairs collects the personal information requested on this form as authorized by Business and Professions Code sections 4980.54, 4989.34, 4996.22 and 4999.76, and Title 16 California Code of Regulations (CCR) section 1887.2 for the purpose of determining eligibility for a “good cause” waiver of the board’s continuing education requirements for the specified renewal period.

Submission of the licensee’s personal information such as name, license number, medical history, and income is mandatory because the board cannot process the request for the CE waiver without this information. If the licensee requests a CE waiver because they were the primary caregiver for their immediate family member, submission of the family member’s personal information, such as name, medical history, name of health care provider, and family member’s authorization to release medical information is mandatory because the board cannot process the request for the CE waiver without this information. The personal information provided is for the limited purpose of evaluating and processing the licensee’s request for the CE waiver.

The board makes every effort to protect the personal information provided in this form. However, the information may be disclosed in the following circumstances:

- In response to a Public Records Act request (Government Code Section ~~6250~~7920.000 and following), as allowed by the Information Practices Act (Civil Code Section 1798 and following);
- To another government agency as required by state or federal law; or

- In response to a court or administrative order, a subpoena, or a search warrant.

You, and any family member who have provided information on this form, have a right of access to records containing personal information about you maintained by the board, as permitted by the Information Practices Act. For questions about this notice or access to your records, contact the board at (916) 574-7830 or by email at BBS.info@dca.ca.gov. For questions about the Department of Consumer Affairs' privacy policy or the Information Practices Act, contact the Department of Consumer Affairs, 1625 North Market Blvd., Sacramento, CA 95834 or (800) 952-5210 or email dca@dca.ca.gov.


Board of Behavioral Sciences

1625 North Market Blvd., Suite S200, Sacramento, CA 95834

Telephone: (916) 574-7830

www.bbs.ca.gov

REQUEST FOR TEMPORARY CONTINUING EDUCATION (CE) WAIVER LICENSEE APPLICATION

Reason for Request – Health

(Self or Primary Caregiver for Immediate Family Member)

The board must receive this form with the “Verification of Disability or Medical Condition” at least **SIXTY (60) DAYS PRIOR TO** your license expiration date. Allow 30 days for processing.

READ INSTRUCTIONS BEFORE COMPLETING THIS FORM.

Any unanswered item will cause this request to be incomplete. Incomplete requests will not be processed.

NOTE: The 6-hour Law and Ethics course CANNOT be waived

(Please type or print clearly in ink.) Please see CCR, title 16, section 1887.2 for further information.

Part 1 - To be <u>C</u> ompleted by <u>L</u> icensee				
NAME:	Last	First	Middle	
TELEPHONE:		EMAIL ADDRESS (OPTIONAL):		
ADDRESS OF RECORD: Number and Street		DATE OF BIRTH	City	State Zip
LICENSE NUMBER:		CURRENT LICENSE EXPIRATION DATE: ____ / ____ / ____		
<p>REASON FOR WAIVER REQUEST: (Mark one box only)</p> <p><input type="checkbox"/> Health – Self <i>(Complete Part 2)</i></p> <p><input type="checkbox"/> Health - Primary Caregiver of Immediate Family Member <i>(Complete Part 3)</i></p>				

APPLICANT NAME:	Last	First	Middle
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Part 2 - To be Completed by Licensee Regarding Own Medical Condition or Disability

1. What is your diagnosed physical or mental disability or medical condition(s)?

2. Did your condition(s) ~~substantially~~ limit your ability to perform one or more major life activities for at least one year during your current renewal cycle (for definitions of “limits” and “major life activities”, please review Government Code section 12926)? Yes No

3. Did your condition(s) cause your earned income to drop below the “substantial gainful activity” amount for the non-blind during that year, as set by the Social Security Administration?
 Yes No

4. Attach both of the following:

- Completed (by ~~physician or psychologist~~ healthcare provider who holds a current and active license as a physician, physician assistant, nurse practitioner, psychologist, marriage and family therapist, clinical social worker or professional clinical counselor) “Request for Temporary Continuing Education Waiver – Verification of Disability or Medical Condition” Form No. DCA BBS 37A-636 (Revised 08/2022[OAL to insert new revision date]); and,
- Proof of all income earned from work activity during the (minimum) one-year period of disability. If you did not earn any income, provide proof of receiving disability payments, or provide other evidence demonstrating that you did not earn any income from work activity.

After completing Part 2 of this form, please read the declaration at the bottom of page 3 and sign and date it to complete your application before submitting it to the Board.

APPLICANT NAME:	Last	First	Middle
-----------------	------	-------	--------

PART 3 – To be Completed by Licensee Regarding Immediate Family Member’s Disability

1. What is your immediate family member’s name? _____
2. What is your relationship to your family member? _____
3. What is your immediate family member’s diagnosed physical or mental disability or medical condition(s)?

4. Was your immediate family member both unable to work and unable to perform activities of daily living without substantial assistance (such as eating, bathing, dressing, housework, shopping, or meal preparation) for at least one year during your current renewal cycle?
 Yes No
5. Were you the primary caregiver for your immediate family member for at least one year during your current renewal cycle? Yes No
6. Attach completed (by ~~physician or psychologist~~ a healthcare provider who holds a current and active license as a physician, physician assistant, nurse practitioner, psychologist, marriage and family therapist, clinical social worker or professional clinical counselor) “Request for Temporary Continuing Education Waiver – Verification of Disability or Medical Condition” Form No. DCA BBS 37A-636 (Revised 08/2022 [OAL to insert new revision date]) that includes a copy of the Family Member’s written authorization to release protected health information (PHI) for the limited purpose of the licensee’s CE waiver application.

I declare under penalty of perjury under the laws of the State of California that all information submitted on this form and on any accompanying attachments is true and correct. I hereby certify that for at least one year during my previous license renewal period I was unable to complete the continuing education requirements due to one of the reasons listed in Title 16, California Code of Regulations section 1887.2. I understand that providing false information or omitting required information are grounds for disciplinary action.

_____ _____

Date **Signature of Licensee**



Board of Behavioral Sciences
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830
www.bbs.ca.gov



REQUEST FOR TEMPORARY CONTINUING EDUCATION (CE) WAIVER

VERIFICATION OF DISABILITY OR MEDICAL CONDITION

The board must receive this form with the “Request for Temporary Continuing Education (CE) Waiver – Licensee Application” at least SIXTY (60) DAYS PRIOR TO your license expiration date.

Allow 30 days for processing.

READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

Any unanswered item will cause this request to be incomplete.
 Incomplete requests will not be processed.

Please type or print clearly in ink. [Please see CCR, title 16, section 1887.2 for further information.](#)

Part 1 - To be Completed by Licensee				
NAME:	Last	First	Middle	
TELEPHONE:		EMAIL ADDRESS (OPTIONAL):		
ADDRESS OF RECORD: Number and Street		DATE OF BIRTH	City	State Zip Code
LICENSE NUMBER:		CURRENT LICENSE EXPIRATION DATE: <div style="text-align: center;">_____/_____/_____</div>		
<p>REASON FOR WAIVER REQUEST: (Mark one box only)</p> <p><input type="checkbox"/> Health – Self: <i>(Complete Part 2)</i></p> <p><input type="checkbox"/> Health - Primary Caregiver of Immediate Family Member: <i>(Complete Part 3)</i></p> <p style="text-align: center;">Name of Immediate Family Member: _____</p>				

APPLICANT NAME:	Last	First	Middle
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Part 3 – Health – Licensee’s Immediate Family Member

Items #1 - 6 to be Completed by ~~Attending Physician/Psychologist~~ of the Family Member’s Healthcare Provider

Item #7 to be Completed by the Family Member of the Licensee

1. Immediate Family Member’s Name: _____

2. What was the family member’s diagnosed physical or mental disability or medical condition(s)?

3. Was the family member unable to work for at least one year as a result of the disability or medical condition(s)? Yes No

4. Was the family member unable to perform activities of daily living without substantial assistance for at least one year as a result of the disability or medical condition(s)? Yes No

5. Approximate date disability/medical condition(s) began: _____

6. Approximate date disability/medical condition(s) resolved, if applicable: _____

(continued on next page)

Notice of Collection of Personal Information

The Board of Behavioral Sciences of the Department of Consumer Affairs collects the personal information requested on this form as authorized by Business and Professions Code sections 4980.54, 4989.34, 4996.22 and 4999.76, and Title 16 California Code of Regulations (CCR) section 1887.2, for the purpose of determining eligibility for a “good cause” waiver of the board’s continuing education requirements for the specified renewal period.

Submission of the licensee’s personal information, such as name, license number, medical history, and income is mandatory because the Board cannot process the request for the CE waiver without this information. If the licensee requests a CE waiver because they were the primary caregiver for their immediate family member, submission of the family member’s personal information, such as name, medical history, name of health care provider, and family member’s authorization to release medical information is mandatory because the Board cannot process the request for the CE waiver without this information. The personal information provided is for the limited purpose of evaluating and processing the licensee’s request for the CE waiver.

The board makes every effort to protect the personal information provided in this form. However, the information may be disclosed in the following circumstances:

- In response to a Public Records Act request (Government Code Section 62507920.000 and following), as allowed by the Information Practices Act (Civil Code Section 1798 and following);
- To another government agency as required by state or federal law; or
- In response to a court or administrative order, a subpoena, or a search warrant. to another government agency as required by state or federal law; in response to a Public Records

You, and any family member who have provided information on this form, have a right of access to records containing personal information about you maintained by the board, as permitted by the Information Practices Act. For questions about this notice or access to your records, contact the Board at (916) 574-7830 or by email at BBS.info@dca.ca.gov. For questions about the Department of Consumer Affairs’ privacy policy or the Information Practices Act, contact the Department of Consumer Affairs, 1625 North Market Blvd., Sacramento, CA 95834 or (800) 952-5210 or email dca@dca.ca.gov.

ATTACHMENT B

From: [Shanti Ezrine](#)
To: [Rulemaking, BBS@DCA](mailto:Rulemaking_BBS@DCA)
Subject: CAMFT Written Comments to BBS Continuing Education, Exams and Renewals Pending Regulations
Date: Tuesday, January 20, 2026 9:04:08 AM
Attachments: [CAMFT Written Comments to Proposed CE; Exams; Renewals Regulations \(01.20.2026\).pdf](#)

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Good morning,

Thank you for the opportunity to comment on BBS's proposed regulatory action concerning continuing education, exams and renewals. Attached is the California Association of Marriage and Family Therapists (CAMFT) written comments on the pending regulations. We welcome any opportunity to discuss or answer any additional questions.

Thank you!

-Shanti

Shanti Ezrine, MPA (he/him)

State Government Affairs Associate

California Association of Marriage and Family Therapists

www.camft.org

sezrine@camft.org | 858.429.7524 Ext. 0324



**CONNECT
ENRICH
ACHIEVE**

California Association of Marriage and Family Therapists
3298 Governor Dr. #22627, San Diego, CA 92192
Phone: (858) 292-2638 | Fax: (858) 292-2666 | www.camft.org

January 20, 2026

VIA EMAIL to BBS.Rulemaking@dca.ca.gov

Attn: Christy Berger
Board of Behavioral Sciences
1625 North Market Blvd., Suite S-200
Sacramento, CA 95834

RE: Proposed Regulatory Language on Continuing Education; Exams; Renewals: Title 16, Division 18, California Code of Regulations Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12.

Dear Ms. Berger:

On behalf of our more than 39,000 members, the California Association of Marriage and Family Therapists (CAMFT) would like to comment on the proposed revisions to the Continuing Education (CE); Exams; Renewals regulations as noticed on November 25, 2025, for public comment.

CAMFT appreciates that the Board of Behavioral Sciences (BBS) is proposing language to conform its regulations with law, update its eligibility and notice requirements for the California law and ethics exam, clarify requirements for renewal, update its current waiver and verification of disability or medical condition forms, make standards applicable to registrants, and add new activities that may be counted for CE credit.

We respectfully submit the following questions and concerns for consideration in the Final Rulemaking:

- **Defining “Substantially limited one or more life activities”:** California Code of Regulations (CCR) Section 1887.2 defines “totally physical or mental disability” for an immediate family member but does not define “substantially limited one or more life activities” for the licensee. In contrast, the Americans with Disabilities Act (ADA), at 28 Code of Federal Regulations (CFR) Section 35.108, defines “substantially limits one or more life activities” broadly to encompass a wide range of physical and mental limitations that impact major activities of daily living. A lack of a clear definition risks a narrow interpretation in determining whether a licensee’s condition meets this standard. CAMFT requests the BBS to consider defining what constitutes “substantially

limited one or more life activities” in regulations or via a FAQ document to ensure clear understanding and fair application for licensees.

- **Timing Barriers for Temporary CE Waiver in Cases of Sudden Disability or Illness:** CCR Section 1887.2 requires that requests for a temporary waiver of CE requirements be submitted at least 60 days prior to the license expiration date. CAMFT hears and is aware of situations from members who experience sudden and significant physical or mental health conditions that prevent them from completing the required CE hours before their license expiration date. In these cases, licensees may be unable to meet the 60-day advance submission requirement due to the unexpected nature of the medical condition. CAMFT requests the BBS to consider allowing exceptions for licensees who fall under these circumstances.
- **Does Specifying “California Law and Ethics” Exclude Federal Content:** The proposed amendments would add “California” before “law and ethics” to clarify that coursework must address standards specific to California. CAMFT seeks clarification on the BBS’s intent regarding this specification. Is the specification intended to exclude coursework on federal laws that may be relevant to a California-licensed therapist’s practice/profession, such as HIPAA and Medicare regulations? If the intent is not to exclude relevant federal laws, but rather to ensure the required six hours focus on laws and ethics applicable to California practice, CAMFT requests that the language be clarified accordingly. For example: *“Any person renewing a license shall complete a minimum of six (6) hours of continuing education in the subject of California law and ethics, which may include federal laws that are applicable to California licensees, for each renewal period.”*
- **Concern Regarding CE Credit for Attendance at BBS Meetings:** The proposed amendments would permit licensees to earn up to six hours of CE credit through attendance at BBS Board or committee meetings. While we acknowledge that this change may increase stakeholder participation in BBS meetings, we have concerns about whether all meeting content would consistently provide the quality of educational content that meets CE standards as outlined in CCR Section 1887.4.0. Not all BBS Board and committee content address subject matter related to direct or indirect client care. For example, agenda items in the newly established Outreach & Education Committee typically include social media outreach strategies or newsletter development. This differs significantly from agenda items in the Policy & Advocacy Committee, which regularly addresses laws, regulations, and policy issues that directly impact clinical practice. Additionally, clarification is needed regarding how the Board would monitor and verify meaningful engagement and participation by attendees who participate virtually. CAMFT requests the BBS to consider these factors before implementing this new CE-eligible activity to ensure that quality CE content standards are maintained.

- **Concerns Regarding CE Credit for Supervisory Experience:** The proposed amendments would permit licensees who provide direct supervision to a trainee or associate to earn up to 18 hours of CE credit. We recognize that supervisors play a critical role in training and guiding the next generation of therapists and, accordingly, believe supervisors should be held to a high professional standard. It is imperative that supervisors remain current on applicable laws, ethics, and developments in the profession. Although providing supervision does offer some inherent educational value through professional engagement with associates and trainees, it does not replace the structural learning and content review provided through formal CE coursework. While we support allowing CE credit for supervisory activities, CAMFT requests the BBS to consider reducing the maximum allowable hours from 18 to six. A limit of six hours for this activity would also be consistent with other Board-provided activities that may be counted toward CEs. Additionally, CAMFT seeks clarification that CE credit earned through supervisory experience would not overlap with the existing requirements for six hours of law and ethics and that supervisors complete six hours of supervision-specific CE during each renewal cycle.

Thank you for considering our comments. We look forward to continuing the discussion regarding our concerns.

Sincerely,



Shanti Ezrine, MPA
State Government Affairs Associate



Cathy Atkins, JD
Deputy Executive Director

ATTACHMENT C

From: [Robin Andersen](#)
To: [Rulemaking, BBS@DCA](#)
Cc: [Helms, Rosanne@DCA](#)
Subject: Comments Regarding Proposed Changes
Date: Tuesday, January 20, 2026 2:07:52 PM

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Good afternoon,

My name is Robin Andersen, and I am a Licensed Marriage and Family Therapist (LMFT 100070) in California. I serve as a Clinical Supervisor for a non-profit organization in San Diego County and recently learned about the BBS' [proposed amendments](#) to § 1887.3. Continuing Education Course Requirements and Credit for Specified Activities. I am submitting comments about the proposed language for section (n), which reads as follows:

"A licensee who provides direct supervision of a marriage and family therapist trainee or associate marriage and family therapist who is gaining experience under section 4980.43 of the Code, an associate clinical social worker who is gaining experience under section 4996.2 of the Code, or an associate professional clinical counselor who is gaining experience under section 4999.46 of the Code, shall be credited with up to 18 hours of continuing education for the renewal cycle during which the supervision was provided in accordance with this subsection."

I am vehemently opposed to providing continuing education credit for this type of activity for two following reasons:

- The BBS would only be requiring proof that a supervision meeting occurred (section (n) (2) of the proposed language), and not that the clinical supervisor learned anything or performed any meaningful work in the course of providing supervision. There would not be any accountability or oversight, nor a post-supervision meeting evaluation, reflection paper, or test of any kind, to ensure that "a form of systematic learning" took place (e.g., by a continuing education provider or BBS representative) as defined in § 1887.
- The BBS would be allowing half of the required continuing education credits (18 out of 36) for the clinical supervisor's renewal cycle to be gained simply by performing their work duties. While clinical supervisors undoubtedly learn a lot in the course of being clinical supervisors, this means that hypothetically, a clinical supervisor could perform 18 hours of supervision, attend a 6-hour CE course on supervision, and attend a 6-hour CE course of laws and ethics, thus only requiring 6 remaining hours of continuing education on other topics. I do not believe it is in the profession's best interest to encourage narrowing the scope of learning experiences that a licensee would be exposed to over the course of a 2-year period.

Thank you in advance for your consideration of the points raised above.

Take care,

Robin Andersen, LMFT (she/her)

Therapist | [Resolve Therapy](#)

Clinical Supervisor | [CRF](#)

Founder | [Prelicensed](#)

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ATTACHMENT D

From: [Kent Campbell](#)
To: [Rulemaking, BBS@DCA](#)
Subject: Public Comment on Proposed Section 1887.3 (Continuing Education Credit for Specified Activities)
Date: Tuesday, December 23, 2025 2:19:04 PM

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To the Board of Behavioral Sciences:

Re: Public Comment on Proposed Section 1887.3 (Continuing Education Credit for Specified Activities)

I am writing to express concerns regarding two aspects of the proposed changes to continuing education requirements, specifically subdivisions (m) and (n) of Section 1887.3.

Regarding Subdivision (n) – CE Credit for Providing Supervision

As a licensee who supervises associate therapists in a group practice setting, I recognize the professional growth that occurs through the supervisory relationship. Engaging with supervisees' clinical questions and reviewing their cases does sharpen one's thinking. However, I have significant reservations about allowing up to 18 hours of supervision to count toward continuing education requirements.

My concern is this: supervision draws primarily upon existing knowledge and clinical frameworks. Continuing education, by contrast, should challenge licensees to engage with new research, unfamiliar treatment modalities, and perspectives beyond their current expertise. The educational value of these two activities is fundamentally different.

This provision may inadvertently reduce supervisors' incentive to pursue formal continuing education that introduces genuinely new material. Supervisees benefit most from supervisors who are continually expanding their clinical knowledge—not from supervisors who have found an administratively convenient path to fulfilling CE requirements through work they are already performing.

Regarding Subdivision (m) – CE Credit for Attending Board Meetings

The Board's intention to increase licensee engagement in its processes is commendable. However, attendance at a meeting—even one covering important regulatory matters—does not constitute the kind of structured educational experience that continuing education is designed to provide. There is no formal curriculum, no assessment of learning, and no requirement to integrate the material into clinical practice.

The explicit exclusion of recorded meetings from eligibility raises a telling question: if the educational content of these meetings warrants CE credit, why should the format of attendance matter? This exclusion suggests the provision is designed to incentivize physical or virtual presence rather than to promote genuine learning.

Cumulative Impact

Taken together, these provisions would permit a licensee to satisfy up to 24 hours—two-thirds of the total CE requirement—through activities that do not involve engagement with new clinical research or treatment approaches. This represents a significant departure from the fundamental purpose of continuing education: ensuring that licensees remain current in their knowledge and skills in order to protect the public.

I respectfully urge the Board to reconsider these provisions or, at minimum, to substantially reduce the number of hours that may be earned through these activities.

Thank you for your consideration of these concerns.

Respectfully submitted,

Kent Campbell, LMFT #43704 San Jose, California

--

Kent Campbell, MFT (He/Him)
Family Matters Counseling Services
1210 South Bascom Avenue
Suite #114
San Jose, CA 95128
(408)757-7323
KentCampbell@FamilyMatters.Expert
www.FamilyMatters.Expert



ATTACHMENT E

From: [Berenice D. Rosillo, LMFT](#)
To: [Rulemaking, BBS@DCA](#)
Subject: Comments concerning the proposed rulemaking action
Date: Friday, January 9, 2026 5:44:45 PM
Attachments: [Picture6.png](#)
[BBS Comments on Proposed Changes to Regulations - Berenice Rosillo.pdf](#)

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Hello Ms. Berger,

Please find my attached comments regarding the proposed rulemaking actions for your review and consideration.

Thank you for the opportunity to provide input on this matter.

In gratitude,



Berenice D. Rosillo, M.S. LMFT
Individual, Couple, and Family Therapist
Licenses: CA LMFT88225 - AZ LMFT15669
The Art of Being Psychotherapy Group Inc.
(she/her/ella)

(818) 268-8920 | 24/7 Crisis Hotline Call 988

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berenice@hipaamail.net

21241 Ventura Blvd. Ste. 182, [Woodland Hills, CA](#) 91364

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Please note: I have written this email at a time that suits my working schedule. Please do not feel obliged to respond at a time outside the needs of your schedule.



Psychotherapy Services, Evaluations, and Consultations

January 9, 2026

Attn: Christy Berger

Board of Behavioral Sciences
1625 North Market Blvd, Suite S200
Sacramento CA 95834

RE: Comments on Proposed Rulemaking Actions

Dear Members of the Board and Regulation Unit team,

Thank you for your ongoing work and for your support of our profession. My name is Berenice D. Rosillo, and I am a Licensed Marriage and Family Therapist. I serve as adjunct faculty at the University of California, Los Angeles (UCLA), Pepperdine University, and California State University, Northridge (CSUN), and I am also a member of the CAMFT Ethics Committee. I respectfully submit the following comments regarding the proposed rulemaking actions.

1. 16 CCR section 1887.3:

(2) Allow a licensee to earn up to eighteen (18) hours of CE for providing direct supervision of an individual gaining experience toward licensure as a trainee or associate for the renewal cycle during which supervision was provided under specified conditions.

Comments:

As a clinical supervisor, I find the proposed change concerning Licensed Marriage and Family Therapists have an ethical obligation to remain current in their knowledge and competencies, an obligation that is often fulfilled through continuing education requirements. I am concerned that decreasing these requirements may lead some supervisors to discontinue pursuing additional education, become professionally stagnant, and ultimately provide a lower quality of supervision to trainees and associates. In the current political and social climate, ongoing education—particularly for those who serve as mentors and supervisors in our field—is paramount. In my view, reducing educational requirements runs counter to our ethical mandates and may result in supervisors becoming disconnected from advances in our field.

With respect to the statement that the proposed change “may increase the number of licensees willing to provide supervision,” I believe that reducing administrative burdens would be a more effective strategy. For example, eliminating or streamlining the multiple forms currently required of supervisors could meaningfully decrease barriers to providing supervision.

Additionally, the recent permanent allowance of supervision via teleconference represents a significant and positive step toward increasing the availability of supervisors.

If I may humbly offer an additional thought, I would recommend that the BBS create a centralized section to post announcements for practicum sites in need of supervisors, particularly in rural or underserved areas. I would be open to expanding my supervision services to other regions if I were more aware of where such needs exist.

My final comment pertains to the statement that supervision is “considered an ongoing learning opportunity for the supervisor.” While I agree that learning is bidirectional, supervision is fundamentally a learning experience for the supervisee. As such, I do not believe this characterization accurately reflects the primary purpose or responsibility inherent in the supervisory role.

Thank you for your time and consideration of the comments shared above. I appreciate your efforts to protect the integrity of our profession.

In gratitude,

Berenice Rosillo, LMFT

Berenice D. Rosillo, LMFT
Individual, Couple, and Family Therapist
Licenses: CA LMFT88225 - AZ LMFT15669
(she/her/ella)

The Art of Being Psychotherapy Group, Inc.
16055 Ventura Blvd., Ste. 605,
Encino, CA 91436
(818) 268-8920

ATTACHMENT F

From: [Curt Widhalm, LMFT](#)
To: [Rulemaking, BBS@DCA](mailto:Rulemaking_BBS@DCA)
Subject: Comment on Proposed BBS Regulations on Continuing Education and Exams
Date: Friday, December 12, 2025 2:02:10 PM
Attachments: [Public Comment on Proposed BBS Regulation.pdf](#)

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Dear Board Members and Regulations Unit Staff:

Please accept these comments regarding the proposed amendments to Division 18, Chapter 3 of the California Code of Regulations, specifically those affecting sections 1822.51 and 1887.3. I offer these comments from the perspective of a dedicated licensee and supervisor in the field who values the Board's commitment to consumer protection and professional standards.

Concerns Regarding Proposed Section 1822.51 (Examination Administration)

I have a minor technical concern regarding the proposed amendment to **Section 1822.51**, which inserts the vendor name "Pearson Vue" into the regulation regarding the examination administrator.

It is unusual for a state regulation to explicitly encode a specific vendor's name. A more flexible and standard approach would be to use a broader term such as "the examination administrator" or "the examination vendor."

Encoding a specific company into the regulation could have several unintended consequences, primarily by creating a procedural and legislative barrier should the Board need to change vendors in the future due to contractual, performance, or financial reasons. Amending a regulation to change a vendor name is an unnecessary administrative hurdle that could delay operational transitions. I respectfully request the Board to consider revising this language to ensure regulatory flexibility for future administrative decisions.

Concerns Regarding Proposed Section 1887.3 (Continuing Education Credit for Specified Activities)

I have several concerns regarding the proposed changes to Section 1887.3, which outlines continuing education (CE) course requirements and credits for specified activities.

1. Proposed Subdivision (m) – Attending Board Meetings

I appreciate the Board's intention with proposed subdivision (m), which would allow licensees to earn CE credit for attending Board meetings. This is a commendable effort to encourage professional engagement and stakeholder involvement in the Board's processes and relevant law.

However, I believe the rigor of this activity does not align with the standard expectation for patient-care focused CE that directs providers toward new and emerging treatments. If the content discussed in the meetings is deemed critical for professional competency, I encourage the Board to explore mechanisms for licensees to earn credit for watching recorded meetings. This modification would greatly enhance access for many stakeholders who are unable to take time off work to attend meetings in real-time, aligning the Board's educational goals with the practical realities of working professionals.

2. Proposed Subdivision (n) – Providing Supervision

My greatest concern lies with the proposed subdivision (n), which permits licensees to earn up to 18 hours of general CE credit for providing clinical supervision.

While I support the goal of encouraging more licensees to become supervisors and recognize the learning that occurs in a supervisory role, granting full CE credit for this activity does not meet the same rigorous educational standards as acting as an instructor in a formally approved CE course or a university setting.

Furthermore, there is a risk that this proposal may have an unintended, counter-productive effect. Preliminary feedback from colleagues suggests that licensees who are already supervisors may simply utilize these hours instead of pursuing outside, client-centered continuing education. This substitution could inadvertently reduce the supervisor's exposure to new research, innovative treatment modalities, and emerging best practices, thereby slowing the professional development of both the supervisor and their supervisees. I urge the Board to reconsider granting CE credits for providing supervision as the benefits granted by this proposal do not seem great enough to encourage people to become supervisors in the first place, and they do not outweigh the potential negative unintended consequences of further education by those that are already supervising.

Finally, if the Board does decide to proceed with the proposed regulation, I would like to point out that it is unclear on whether these CE credits for supervision would count toward the licensee's mandatory supervision-specific CE hours. The Board's Notice of Proposed Regulatory Action implies a potential overlap by stating, "...current regulations require supervisors to fulfill 15 hours of training or coursework, as specified." To maintain the integrity of the supervision-specific requirements, I urge the Board to clarify if these hours satisfy the supervision-specific CE mandate or if they are intended solely for general CE.

3. Cumulative Impact

Coupled together, the allowance for attending Board meetings (up to 6 hours) and providing supervision (up to 18 hours), along with other activities, could allow a licensee to acquire up to 36 hours of their required CE entirely through activities that are not directly focused on client-centered treatment or emerging best practices. This could compromise the core mission of Continuing Education to ensure that licensees stay current with the latest developments in patient care to protect the public.

In conclusion, I respectfully request the Board to reconsider the language in proposed Section

1822.51 and to further review the implications of the CE credits granted in proposed subdivisions (m) and (n) of Section 1887.3, focusing on educational rigor and client-care outcomes.

Thank you for your time and dedication to our profession. I look forward to your consideration of these serious matters.

Sincerely,

Curt Widhalm

LMFT #47333

Curt Widhalm, MA, MS, LMFT
Marriage & Family Therapist #47333

West Los Angeles Office:
12304 Santa Monica Blvd, Suite 327
Los Angeles, CA 90025
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Curt Widhalm, LMFT

16055 Ventura Blvd, Suite 605

Encino, CA 91436

December 12, 2025

California Board of Behavioral Sciences (BBS) Attn: Regulations Unit

1625 N Market Blvd, Suite S-200 Sacramento, CA 95834

Subject: Comments on Proposed Regulatory Action Concerning Sections 1822.51 and 1887.3 of the California Code of Regulations

Dear Board Members and Regulations Unit Staff:

Please accept these comments regarding the proposed amendments to Division 18, Chapter 3 of the California Code of Regulations, specifically those affecting sections 1822.51 and 1887.3. I offer these comments from the perspective of a dedicated licensee and supervisor in the field who values the Board's commitment to consumer protection and professional standards.

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However, I believe the rigor of this activity does not align with the standard expectation for patient-care focused CE that directs providers toward new and emerging treatments. If the content discussed in the meetings is deemed critical for professional competency, I encourage the Board to explore mechanisms for licensees to earn credit for watching recorded meetings. This modification would greatly enhance access for many stakeholders who are unable to take time off work to attend meetings in real-time, aligning the Board's educational goals with the practical realities of working professionals.

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Furthermore, there is a risk that this proposal may have an unintended, counter-productive effect. Preliminary feedback from colleagues suggests that licensees who are already supervisors may simply utilize these hours instead of pursuing outside, client-centered continuing education. This substitution could inadvertently reduce the supervisor's exposure to new research, innovative treatment modalities, and emerging best practices, thereby slowing the professional development of both the supervisor and their supervisees. I urge the Board to reconsider granting CE credits for providing supervision as the benefits granted by this proposal do not seem great enough to encourage people to become supervisors in the first place, and they do not outweigh the potential negative unintended consequences of further education by those that are already supervising.

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3. Cumulative Impact

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In conclusion, I respectfully request the Board to reconsider the language in proposed Section 1822.51 and to further review the implications of the CE credits granted in proposed subdivisions (m) and (n) of Section 1887.3, focusing on educational rigor and client-care outcomes.

Thank you for your time and dedication to our profession. I look forward to your consideration of these serious matters.

Sincerely,

Curt Widhalm

LMFT #47333

ATTACHMENT G

From: [Kathleen Hawks](#)
To: [Helms, Rosanne@DCA](#)
Cc: [Melissa Noya](#); [Berger, Christy@DCA](#)
Subject: RE: Question
Date: Tuesday, December 9, 2025 11:36:32 AM
Attachments: [image002.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)

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You're welcome, Rosanne. Thank you both (hi Christy too!).

Best,



Kathleen Hawks, MS
Programs Manager
School of Behavioral Sciences
Co-Chair, MFT Consortium of Orange County
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From: Helms, Rosanne@DCA <Rosanne.Helms@dca.ca.gov>
Sent: Tuesday, December 9, 2025 11:34 AM
To: Kathleen Hawks <khawks@calsouthern.edu>
Cc: Melissa Noya <MNoya@calsouthern.edu>; Berger, Christy@DCA <Christy.Berger@dca.ca.gov>
Subject: RE: Question

Hi Kathleen,

I see what you are saying. Good catch and thank you for bringing it to our attention. I'm copying Christy here as a public comment for consideration, because she is working on that proposal and it is currently in the public comment period.

Sincerely,
Rosanne

From: Kathleen Hawks <khawks@calsouthern.edu>
Sent: Tuesday, December 9, 2025 11:28 AM

To: Helms, Rosanne@DCA <Rosanne.Helms@dca.ca.gov>

Cc: Melissa Noya <MNoya@calsouthern.edu>

Subject: RE: Question

Hello Rosanne,

In the proposed regulation [Proposed Language Continuing Education: Law and Ethics Exam: Renewal](#), it indicates:

(4) A statement indicating whether the licensee, since their last renewal, has been convicted of, pled guilty to, or pled nolo contendere to a misdemeanor or felony in the United States and its territories or a foreign country. For the purposes of this paragraph, convictions expunged or dismissed under sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code (or equivalent non-California law) must be disclosed. For the purposes of this paragraph "conviction" does not include any of the following:

(A) Offenses that were adjudicated in the juvenile court.

(B) Charges dismissed under section 1000.3 of the Penal Code.

(C) Convictions under California Health and Safety Code section 11357, or section 11360(b) which are two years old or older.

(D) Traffic citations or infractions for which a fine of \$500 or less was imposed.

Should this be \$500 or more? Otherwise, the Board may be inundated with fix-it tickets and the like instead of the more severe concerns it is looking for. Just a thought.

Best,



Kathleen Hawks, MS
Programs Manager
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Co-Chair, MFT Consortium of Orange County
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From: Helms, Rosanne@DCA <Rosanne.Helms@dca.ca.gov>

Sent: Tuesday, December 9, 2025 11:19 AM

To: Kathleen Hawks <khawks@calsouthern.edu>

Subject: Question

Hi Kathleen,
I hope you are doing well! Can you please send me where you are seeing that proposed law?
Thanks very much,
Rosanne

Rosanne Helms
Legislative Manager
Board of Behavioral Sciences
1625 N. Market Blvd. Ste. S-200
Sacramento, CA 95834
Phone: 916-574-7939



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