



MEMORANDUM

DATE	April 10, 2026
TO	California Board of Behavioral Sciences
FROM	Rosanne Helms, Legislative Manager
SUBJECT	Proposed Amendments to AB 1598

Background

The Board is sponsoring AB 1598 this year. This proposal represents the first step in restructuring and modernizing the Board’s licensing process. Significant amendments are as follows:

- Removes the requirement for associates to attempt the California Law and Ethics Exam each year in order to renew their registration.
- Requires the California Law and Ethics Exam to be passed no more than seven years prior to application for an initial license.
- Increases the amount of time supervised experience hours remain valid from six to seven years.
- Increases the maximum number of associate registration renewals from five to six, allowing a total of seven years of registration before a new number is required.
- Allows associates with a subsequent registration number to request a one-time, two-year hardship extension to work in one private practice setting with their subsequent registration number.
- Modernizes the exemption language for faith-based counseling by clarifying the criteria for when faith-based counseling is exempt from licensure.

The Board approved these proposed amendments at its August 22, 2025 meeting.

Amendments Needed

Amendments are needed to BPC §§4980.01 (LMFTs), 4996.13 (LCSWs), and 4999.22 (LPCCs) based on stakeholder concerns raised by representatives of the medical and psychology professions. Their concerns relate to an unintended consequence created by the proposed language in these sections.

These statutes outline practice exemptions for other license types, including pastoral counseling exemptions. The pastoral counseling exemptions needed to be separated out from the other practice exemptions in order to further clarify them, which was the goal of the amendment. Because each section has historically been structured somewhat differently, staff attempted to use this amendment opportunity to improve clarity and create more consistency across the Board's licensure acts. The LCSW statute served as the template, and in the process, language restricting the use of the term "psychosocial" by other professions was expanded to also restrict the use of the term "psychotherapy."

However, the Medical Board and the Board of Psychology correctly noted that both physicians and psychologists are authorized under their scopes of practice to perform psychotherapy and related activities. As a result, the terms "psychosocial" and "psychotherapy" must be removed from the prohibitions in order to avoid unintentionally restricting practices that these professions are lawfully permitted to perform.

Additionally, the LMFT practice act is structured differently from the LCSW and LPCC statutes. Some of the LMFT exemptions for other professions appear in [§4980](#) rather than §4980.01, making a direct alignment with LCSW law impractical without a major restructuring that is not necessary at this time. LPCC law is more closely aligned with the LCSW act but still contains some structural differences. Therefore, staff reverted the LMFT exemption language to more closely reflect its original format, and made minor adjustments to the LPCC provisions to ensure important allowances were preserved.

Attachment A shows the proposed amendments in red text.

Recommendation

Conduct an open discussion on the proposed amendments shown in red text in **Attachment A**. Direct staff to make any discussed changes, and any nonsubstantive changes, and bring to the Board for approval as an amendment to AB 1598.

Attachment

Attachment A: Proposed AB 1598 Amendments

AMENDED IN ASSEMBLY APRIL 15, 2026
AMENDED IN ASSEMBLY MARCH 18, 2026
california legislature—2025–26 regular session

ASSEMBLY BILL

No. 1598

Introduced by Assembly Member Quirk-Silva

January 16, 2026

An act to amend Sections 4980.01, 4980.397, 4980.399, 4980.40, 4980.41, 4980.43, 4980.50, 4984.01, 4984.7, 4984.72, 4989.20, 4989.68, 4992.05, 4992.09, 4992.1, 4996.1, 4996.3, 4996.4, 4996.13, 4996.23, 4996.28, 4999.22, 4999.46, 4999.50, 4999.52, 4999.53, 4999.55, 4999.64, 4999.100, and 4999.120 of, and to repeal Sections 4980.398, 4992.07, and 4999.46.1 of, the Business and Professions Code, relating to healing arts.

legislative counsel's digest

AB 1598, as amended, Quirk-Silva. Behavioral sciences.

Existing law establishes the Board of Behavioral Sciences within the Department of Consumer Affairs and requires the board to regulate licensees and registrants under the Licensed Marriage and Family Therapist Act (LMFTA), the Educational Psychologist Practice Act (EPPA), the Clinical Social Worker Practice Act (CSWPA), and the Licensed Professional Clinical Counselor Act (LPCCA). Existing law makes a violation of those acts a crime.

The LMFTA, the CSWPA, and the LPCCA each contain varying provisions limiting their application to the practice of certain medical and other behavioral science professionals, attorneys, and certain religious personnel, including priests, rabbis, and ministers of the gospel of any religious denomination.

This bill would revise and recast those provisions ~~to make them consistent across those 3 acts. Specifically, the bill would provide that LMFTA, the CSWPA, and the LPCCA do not prevent qualified members of other professional groups, including those referenced above, from doing work of a psychosocial nature consistent with the standards, ethics, and scope of practice of their respective professions. The bill would prohibit those other professionals from stating or implying that they are licensed or registered under the LMFTA, the CSWPA, or the LPCCA, as specified. The bill would~~ *to, among other things*, exempt a religious official of any denomination, including those specified above and imams, when providing faith-based counseling services as part of their regular professional duties for an established and legally recognizable faith-based entity if certain criteria are met. *The bill would also exempt attorneys and physicians who provide counseling services as part of their professional practice from the LMFTA and the LPCCA.*

Existing law establishes examination and experiential requirements under the LMFTA, the EPPA, the CSWPA, and the LPCCA to qualify for licensure or registration under those ~~acts~~, *acts* and requires an applicant for licensure or registration to have passed certain examinations or obtain specified experience within a certain timeline for it to be accepted by the board. In this regard, existing law generally requires the applicant to gain the required experience no more than 6 years before the board receives the application. For licensed educational psychologists, the EPPA authorizes the board to accept a passing score on a written examination administered by the board for a period of ~~6~~ 7 years from the date the examination was taken. Under the LMFTA, the CSWPA, and the LPCCA, registrants and applicants for licensure, registration, or a subsequent registration number are required to pass a California law and ethics examination. The LMFTA, the CSWPA, and the LPCCA require an applicant for licensure to pass a clinical examination within 7 years from the initial attempt, unless the applicant obtains a passing score on the current version of the California law and ethics examination.

This bill, instead, would require applicants for licensure under the LMFTA, the EPPA, the CSWPA, and the LPCCA, to obtain the relevant experience and to pass the relevant examination within 7 years preceding the date on which the board receives the application. The bill would require those applicants and registrants under the LMFTA, the CSWPA, and the LPCCA who submit applications to the board on and after January 1, 2030, to have passed the California law and ethics

examining) A maximum of 750 hours before the applicant is the application, as specified.

Existing law authorizes an associate marriage and family therapist registration, an associate clinical social worker registration, or an associate professional clinical counselor registration to be renewed a maximum of 5 times and prohibits a registration from being renewed beyond 6 years from the last day of the month of issuance. Existing law authorizes an applicant to apply for a subsequent registration number when no renewals are possible if certain requirements are met. Existing law prohibits an applicant who is issued a subsequent associate registration number from being employed or volunteering in a private practice.

This bill would increase the maximum number of renewals for those registrations to 6 and would extend the renewal deadline to 7 years from the last day of the month of issuance. The bill would authorize an applicant applying for or holding a subsequent associate registration number to request a 2-year hardship extension of the subsequent associate registration number to allow them to be employed or volunteer at one private practice or professional corporation employer, subject to specified conditions and requirements, including signing an application under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program.

Existing law establishes a \$20 fee for rescoring a written examination under the LMFTA, the EPPA, the CSWPA, and the LPCCA.

This bill would delete that fee.

This bill would delete obsolete provisions and make other technical and nonsubstantive changes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4980.01 of the Business and Professions
- 2 Code is amended to read:

1 ~~4980.01. (a) Nothing in this chapter shall prevent qualified~~
 2 ~~members of other professional groups from doing work of a~~
 3 ~~psychosocial nature consistent with the standards, ethics, and scope~~
 4 ~~of practice of their respective professions. However, these qualified~~
 5 ~~members shall not hold themselves out to the public by any title~~
 6 ~~or description of services incorporating the words “psychosocial,”~~
 7 ~~“psychotherapy,” or “marriage and family therapist,” and shall not~~
 8 ~~state or imply that they are licensed or registered to practice~~
 9 ~~marriage and family therapy. These qualified members of other~~
 10 ~~professional groups include, but are not limited to, the following:~~

- 11 ~~(1) A physician and surgeon certified pursuant to Chapter 5~~
 12 ~~(commencing with Section 2000).~~
- 13 ~~(2) A registered nurse licensed pursuant to Chapter 6~~
 14 ~~(commencing with Section 2700).~~
- 15 ~~(3) A psychologist licensed pursuant to Chapter 6.6~~
 16 ~~(commencing with Section 2900).~~
- 17 ~~(4) Members of the State Bar.~~
- 18 ~~(5) Educational psychologists licensed pursuant to Chapter 13.5~~
 19 ~~(commencing with Section 4989.10).~~
- 20 ~~(6) Clinical social workers licensed pursuant to Chapter 14~~
 21 ~~(commencing with Section 4991).~~
- 22 ~~(7) Licensed professional clinical counselors pursuant to Chapter~~
 23 ~~16 (commencing with Section 4999.10).~~

24 ~~(b)~~
 25 ~~4980.01. (a) This chapter shall not be construed to constrict,~~
 26 ~~limit, or withdraw the Medical Practice Act (Chapter 5~~
 27 ~~(commencing with Section 2000)), the Clinical Social Worker~~
 28 ~~Practice Act (Chapter 14 (commencing with Section 4991)), the~~
 29 ~~Nursing Practice Act (Chapter 6 (commencing with Section 2700)),~~
 30 ~~the Licensed Professional Clinical Counselor Act (Chapter 16~~
 31 ~~(commencing with Section 4999.10)), or the Psychology Licensing~~
 32 ~~Law (Chapter 6.6 (commencing with Section 2900)).~~

33 ~~(b) This chapter shall not apply to any person who is admitted~~
 34 ~~to practice law in the state, or a physician and surgeon who~~
 35 ~~provides counseling services as part of their professional practice.~~

36 ~~(c) This chapter shall not apply to any priest, rabbi, imam, or~~
 37 ~~minister of the gospel, or other religious official of any~~
 38 ~~denomination when providing faith-based counseling services as~~
 39 ~~part of their regular professional duties for an established and~~
 40 ~~legally recognizable faith-based entity, such as a church,~~

1 synagogue, mosque, or other recognized religious organization,
2 provided that all of the following criteria are ~~met~~ met:

3 (1) The services are performed solely under the direct auspices
4 of that faith-based entity.

5 (2) A separate fee, beyond their customary compensation from
6 that faith-based entity, is not charged or received.

7 (3) They do not hold themselves out to the public by any title
8 or description of services incorporating the words “psychosocial,”
9 “psychotherapy,” or “marriage and family therapist,” and shall not
10 state or imply that they are licensed or registered to practice
11 marriage and family therapy.

12 (4) The services provided are limited to counseling services
13 provided in a religious or spiritual context and do not involve the
14 diagnosis or treatment of mental health disorders.

15 (d) This chapter shall not apply to an unlicensed or unregistered
16 employee or volunteer working in a governmental entity, a school,
17 a college, a university, or an institution that is both nonprofit and
18 charitable if both of the following apply:

19 (1) The work of the employee or volunteer is performed under
20 the oversight and direction of the entity.

21 (2) (A) On and after July 1, 2020, the employee or volunteer
22 provides a client, prior to initiating psychotherapy services or as
23 soon as practicably possible thereafter, a notice written in at least
24 12-point type that is in substantially the following form:

25

26 NOTICE TO CLIENTS

27 The (name of office or unit) of the (name of agency) receives
28 and responds to complaints regarding the practice of psychotherapy
29 by any unlicensed or unregistered practitioner providing services
30 at (name of agency). To file a complaint, contact (telephone
31 number, email address, internet website, or mailing address of
32 agency).

33 The Board of Behavioral Sciences receives and responds to
34 complaints regarding services provided by individuals licensed
35 and registered by the board. If you have a complaint and are unsure
36 if your practitioner is licensed or registered, please contact the
37 Board of Behavioral Sciences at 916-574-7830 for assistance or
38 utilize the board’s online license verification feature by visiting
39 www.bbs.ca.gov.

40

1 (B) The delivery of the notice described in subparagraph (A)
2 to the client shall be documented.

3 (e) A marriage and family therapist licensed under this chapter
4 is a licentiate for purposes of paragraph (2) of subdivision (a) of
5 Section 805, and thus is a health care provider subject to the
6 provisions of Section 2290.5 pursuant to subdivision (b) of that
7 section.

8 (f) Notwithstanding subdivisions (c) and (d), all persons
9 registered as associates or licensed under this chapter shall not be
10 exempt from this chapter or the jurisdiction of the board.

11 SEC. 2. Section 4980.397 of the Business and Professions
12 Code is amended to read:

13 4980.397. (a) A registrant or an applicant for licensure as a
14 marriage and family therapist shall pass the following two
15 examinations as prescribed by the board:

- 16 (1) A California law and ethics examination.
- 17 (2) A clinical examination administered by the board or by a
18 public or private organization, as specified by the board in
19 regulations.

20 (b) The board shall grant eligibility to take the California law
21 and ethics examination upon approval of an application for
22 registration or an application for licensure, and submission of the
23 required application and fee.

24 (c) The board may grant an applicant for licensure eligibility to
25 take the clinical examination only upon meeting all of the following
26 requirements:

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

30 SEC. 3. Section 4980.398 of the Business and Professions
31 Code is repealed.

32 SEC. 4. Section 4980.399 of the Business and Professions
33 Code is amended to read:

34 4980.399. (a) Each applicant and registrant shall obtain a
35 passing score on a board-administered California law and ethics
36 examination in order to qualify for licensure. The California law
37 and ethics examination shall be passed no more than seven years
38 prior to the board's receipt of the application for initial license
39 issuance.

1 (b) If an applicant fails the California law and ethics
2 examination, they may retake the examination after any waiting
3 period specified in regulation, upon payment of the required fees
4 and submission of a reexamination application.

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

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

15 (e) A registrant shall complete a minimum of three hours of
16 continuing education on the subject of California law and ethics
17 during each renewal period to be eligible to renew their registration.
18 The coursework shall be obtained from a board-accepted provider
19 of continuing education, as specified in Section 4980.54.

20 SEC. 5. Section 4980.40 of the Business and Professions Code
21 is amended to read:

22 4980.40. An applicant for licensure shall satisfy all of the
23 following qualifications:

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

26 (b) Be at least 18 years of age.

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

29 (d) Successfully pass a California law and ethics examination
30 and a clinical examination, as specified in Section 4980.397. Each
31 examination shall be passed no more than seven years prior to the
32 board's receipt of the application for initial license issuance.

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

1 SEC. 6. Section 4980.41 of the Business and Professions Code
2 is amended to read:

3 4980.41. (a) An applicant for licensure whose education
4 qualifies them under Section 4980.37 shall complete the following
5 coursework or training in order to be eligible to sit for the clinical
6 examination as specified in Section 4980.397:

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

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

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

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

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

22 (E) A recognition and exploration of the relationship between
23 a practitioner's sense of self and human values and their
24 professional behavior and ethics.

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

27 (2) A minimum of seven contact hours of training or coursework
28 in child abuse assessment and reporting as specified in Section 28
29 and any regulations promulgated thereunder.

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

36 (4) For persons who began graduate study on or after January
37 1, 1986, a master's or doctor's degree qualifying for licensure shall
38 include specific instruction in alcoholism and other chemical
39 substance dependency as specified by regulation. When coursework
40 in a master's or doctor's degree program is acquired to satisfy this

1 requirement, it shall be considered as part of the 48 semester or
2 72 quarter unit requirement contained in Section 4980.37.
3 Coursework required under this paragraph may be satisfactory if
4 taken either in fulfillment of other educational requirements for
5 licensure or in a separate course. The applicant may satisfy this
6 requirement by successfully completing this coursework from a
7 master's or doctoral degree program at an accredited or approved
8 institution, as described in subdivision (b) of Section 4980.37, or
9 from a board-accepted provider of continuing education, as
10 described in Section 4980.54.

11 (5) For persons who began graduate study during the period
12 commencing on January 1, 1995, and ending on December 31,
13 2003, a master's or doctor's degree qualifying for licensure shall
14 include coursework in spousal or partner abuse assessment,
15 detection, and intervention. For persons who began graduate study
16 on or after January 1, 2004, a master's or doctor's degree qualifying
17 for licensure shall include a minimum of 15 contact hours of
18 coursework in spousal or partner abuse assessment, detection, and
19 intervention strategies, including knowledge of community
20 resources, cultural factors, and same gender abuse dynamics.
21 Coursework required under this paragraph may be satisfactory if
22 taken either in fulfillment of other educational requirements for
23 licensure or in a separate course. The applicant may satisfy this
24 requirement by successfully completing this coursework from a
25 master's or doctoral degree program at an accredited or approved
26 institution, as described in subdivision (b) of Section 4980.37, or
27 from a board-accepted provider of continuing education, as
28 described in Section 4980.54.

29 (6) For persons who began graduate study on or after January
30 1, 2001, an applicant shall complete a minimum of a two semester
31 or three quarter unit survey course in psychological testing. When
32 coursework in a master's or doctor's degree program is acquired
33 to satisfy this requirement, it may be considered as part of the 48
34 semester or 72 quarter unit requirement of Section 4980.37.

35 (7) For persons who began graduate study on or after January
36 1, 2001, an applicant shall complete a minimum of a two semester
37 or three quarter unit survey course in psychopharmacology. When
38 coursework in a master's or doctor's degree program is acquired
39 to satisfy this requirement, it may be considered as part of the 48
40 semester or 72 quarter unit requirement of Section 4980.37.

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

7 SEC. 7. Section 4980.43 of the Business and Professions Code
8 is amended to read:

9 4980.43. (a) Except as provided in subdivision (b), all
10 applicants shall have an active associate registration with the board
11 in order to gain postdegree hours of supervised experience.

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

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

18 (B) For applicants completing graduate study on or after January
19 1, 2020, the experience is obtained at a workplace that, prior to
20 the registration applicant gaining supervised experience hours,
21 requires completed Live Scan fingerprinting. The applicant shall
22 provide the board with a copy of that completed State of California
23 “Request for Live Scan Service” form with the application for
24 licensure.

25 (C) The board subsequently grants the associate registration.

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

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

32 (1) A minimum of 3,000 hours completed during a period of at
33 least 104 weeks.

34 (2) A maximum of 40 hours in any seven consecutive days.

35 (3) A minimum of 1,700 hours obtained after the qualifying
36 master’s or doctoral degree was awarded.

37 (4) A maximum of 1,300 hours obtained prior to the award date
38 of the qualifying master’s or doctoral degree.

1 (5) A maximum of 750 hours of counseling and direct supervisor
2 contact prior to the award date of the qualifying master's or
3 doctoral degree.

4 (6) Hours of experience shall not be gained prior to completing
5 either 12 semester units or 18 quarter units of graduate instruction.

6 (7) Hours of experience shall not have been gained more than
7 seven years prior to the date the application for licensure was
8 received by the board, except that up to 500 hours of clinical
9 experience gained in the supervised practicum required by
10 subdivision (c) of Section 4980.37 and subparagraph (B) of
11 paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt
12 from this seven-year requirement.

13 (8) A minimum of 1,750 hours of direct clinical counseling with
14 individuals, groups, couples, or families, that includes not less than
15 500 total hours of experience in diagnosing and treating couples,
16 families, and children.

17 (9) A maximum of 1,200 hours gained under the supervision
18 of a licensed educational psychologist providing educationally
19 related mental health services that are consistent with the scope
20 of practice of an educational psychologist, as specified in Section
21 4989.14.

22 (10) A maximum of 1,250 hours of nonclinical practice,
23 consisting of direct supervisor contact, administering and
24 evaluating psychological tests, writing clinical reports, writing
25 progress or process notes, client-centered advocacy, and
26 workshops, seminars, training sessions, or conferences directly
27 related to marriage and family therapy that have been approved
28 by the applicant's supervisor.

29 (11) It is anticipated and encouraged that hours of experience
30 will include working with elders and dependent adults who have
31 physical or mental limitations that restrict their ability to carry out
32 normal activities or protect their rights.

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

35 SEC. 8. Section 4980.50 of the Business and Professions Code
36 is amended to read:

37 4980.50. (a) Every applicant who meets the educational and
38 experience requirements and applies for a license as a marriage
39 and family therapist shall be examined by the board. The
40 examinations shall be as set forth in Section 4980.397 and as

1 specified in regulation. The examinations shall be given at least
2 twice a year at a time and place and under supervision as the board
3 may determine. The board shall examine the candidate with regard
4 to the candidate's knowledge and professional skills and judgment
5 in the utilization of appropriate techniques and methods.

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

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

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

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

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

1 (g) The clinical examination shall be passed no more than seven
2 years prior to the board's receipt of the application for initial
3 license issuance.

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

7 SEC. 9. Section 4984.01 of the Business and Professions Code
8 is amended to read:

9 4984.01. (a) The associate marriage and family therapist
10 registration shall expire one year from the last day of the month
11 in which it was issued.

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

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

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

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

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

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

28 (d) The registration may be renewed a maximum of six times.
29 No registration shall be renewed or reinstated beyond seven years
30 from the last day of the month during which it was issued,
31 regardless of whether it has been revoked. When no further
32 renewals are possible, an applicant may apply for and obtain a
33 subsequent associate registration number if the applicant meets
34 the educational requirements for a subsequent associate registration
35 number and has passed the California law and ethics examination
36 no more than seven years prior to the board's receipt of the
37 application for the subsequent associate registration number.

38 (e) An applicant who is issued a subsequent associate
39 registration number pursuant to subdivision (d) shall not be
40 employed or volunteer in a private practice.

1 (f) Notwithstanding subdivision (e), an applicant applying for
2 or who currently holds a subsequent associate registration number
3 may request that the board grant them a one-time,
4 two-consecutive-year hardship extension to allow them to be
5 employed or volunteer at one private practice or professional
6 corporation employer with their subsequent associate registration
7 number in accordance with the following:

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

9 (2) The extension is only valid for the one private practice or
10 professional corporation employer for which it is requested.

11 (3) Work for the employer shall not commence or continue until
12 the extension is approved by the board.

13 (4) The application shall be jointly signed under penalty of
14 perjury and dated by the associate, the supervisor, and, if the
15 supervisor is not employed by the supervisee’s employer or is a
16 volunteer, a representative of the employer.

17 (5) The board shall grant the extension provided that the
18 application is signed, all information required is provided, and
19 good cause is demonstrated. The application shall contain all of
20 the following:

21 (A) The date the extension is needed to commence or continue
22 work for the employer.

23 (B) The name of the employer where the associate will be
24 gaining hours.

25 (C) An attestation that the employer is a private practice or a
26 professional corporation.

27 (D) The name, license type, and license number of the current
28 supervisor.

29 (E) A showing of good cause for the applicant being unable to
30 complete the licensure process within seven years. Good cause
31 may include, but is not limited to, extended medical leave, family
32 caregiving responsibilities, difficulties finding employment, or
33 circumstances beyond the applicant’s control.

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

36 SEC. 10. Section 4984.7 of the Business and Professions Code
37 is amended to read:

38 4984.7. The board shall assess the following fees relating to
39 the licensure of marriage and family therapists:

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

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

9 (c) The fee for the application for licensure shall be two hundred
10 fifty dollars (\$250). The board may adopt regulations to set the
11 fee at a higher amount, up to a maximum of five hundred dollars
12 (\$500).

13 (d) (1) (A) The fee for the board-administered clinical
14 examination, if the board chooses to adopt this examination in
15 regulations, shall be two hundred fifty dollars (\$250). The board
16 may adopt regulations to set the fee at a higher amount, up to a
17 maximum of five hundred dollars (\$500). If the board chooses to
18 adopt an examination administered by a public or private
19 organization, as specified by the board in regulations, then the
20 examination fee shall be determined by, and paid directly to, that
21 organization.

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

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

29 (3) The amount of the examination fees shall be based on the
30 actual cost to the board of developing, purchasing, and grading
31 each examination and the actual cost to the board of administering
32 each examination. The examination fees shall be adjusted
33 periodically by regulation to reflect the actual costs incurred by
34 the board.

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

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

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

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

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

11 (j) The fee for issuance of a retired license shall be forty dollars
 12 (\$40).

13 SEC. 11. Section 4984.72 of the Business and Professions
 14 Code is amended to read:

15 4984.72. An applicant who fails the clinical examination may,
 16 within one year from the notification date of that failure, retake
 17 the examination as regularly scheduled without further application
 18 upon payment of the fee for the examination. Thereafter, the
 19 applicant shall not be eligible for further examination until they
 20 file a new application, meet all requirements in effect on the date
 21 of application, and pay all required fees.

22 SEC. 12. Section 4989.20 of the Business and Professions
 23 Code is amended to read:

24 4989.20. (a) The board may issue a license as an educational
 25 psychologist if the applicant satisfies, with proof satisfactory to
 26 the board, the following requirements:

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

32 (2) Attainment of 18 years of age.

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

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

36 (5) Two school terms of full-time, or the equivalent to full-time,
 37 experience as a licensed or credentialed school psychologist in the
 38 public schools or in another school setting as specified in
 39 regulations. The experience shall be gained over a period of at
 40 least two school terms. The applicant shall not be credited with

1 experience obtained more than seven years immediately preceding
2 the date on which the application for licensure was received by
3 the board.

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

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

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

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

21 (A) A minimum of 1,200 hours of supervised professional
22 experience gained in California in an accredited school psychology
23 program, gained no more than seven years immediately preceding
24 the date on which the application for licensure was received by
25 the board.

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

35 (8) Passage of the licensed educational psychologist written
36 examination administered by the board. This examination shall be
37 passed no more than seven years prior to the board's receipt of the
38 application for initial license issuance.

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

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

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

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

18 SEC. 13. Section 4989.68 of the Business and Professions
19 Code is amended to read:

20 4989.68. The board shall assess the following fees relating to
21 the licensure of educational psychologists:

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

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

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

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

35 (e) The written examination fee shall be two hundred fifty
36 dollars (\$250). The board may adopt regulations to set the fee at
37 a higher amount, up to a maximum of five hundred dollars (\$500).

38 An applicant who fails to appear for an examination, once having
39 been scheduled, shall forfeit any examination fees they paid.

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

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

5 (h) The fee for issuance of a retired license shall be forty dollars
6 (\$40).

7 SEC. 14. Section 4992.05 of the Business and Professions
8 Code is amended to read:

9 4992.05. (a) A registrant or an applicant for licensure as a
10 clinical social worker shall pass the following two examinations
11 as prescribed by the board:

12 (1) A California law and ethics examination.

13 (2) A clinical examination.

14 (b) The board shall grant eligibility to take the California law
15 and ethics examination upon approval of an application for
16 registration or an application for licensure, and submission of the
17 required application and fee.

18 (c) The board may grant an applicant for licensure eligibility to
19 take the clinical examination only upon meeting all of the following
20 requirements:

21 (1) Completion of all education requirements.

22 (2) Passage of the California law and ethics examination.

23 (3) Completion of all required supervised work experience.

24 SEC. 15. Section 4992.07 of the Business and Professions
25 Code is repealed.

26 SEC. 16. Section 4992.09 of the Business and Professions
27 Code is amended to read:

28 4992.09. (a) Each applicant and registrant shall obtain a
29 passing score on a board-administered California law and ethics
30 examination in order to qualify for licensure. The California law
31 and ethics examination shall be passed no more than seven years
32 prior to the board's receipt of the application for initial license
33 issuance.

34 (b) If an applicant fails the California law and ethics
35 examination, they may retake the examination after any waiting
36 period as specified in regulation, upon payment of the required
37 fees and submission of a reexamination application.

38 (c) The board shall not issue a subsequent associate registration
39 number unless the applicant has passed the California law and
40 ethics examination no more than seven years prior to the board's

1 receipt of the application for the subsequent associate registration
2 number.

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

8 (e) A registrant shall complete a minimum of three hours of
9 continuing education on the subject of California law and ethics
10 during each renewal period to be eligible to renew their registration.
11 The coursework shall be obtained from a board-accepted provider
12 of continuing education, as specified in Section 4996.22.

13 SEC. 17. Section 4992.1 of the Business and Professions Code
14 is amended to read:

15 4992.1. (a) Only individuals who have the qualifications
16 prescribed by the board under this chapter are eligible to take an
17 examination under this chapter.

18 (b) Every applicant who is issued a clinical social worker license
19 shall be examined by the board.

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

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

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

36 (f) Notwithstanding Section 135, the board may deny any
37 applicant who has previously failed either the California law and
38 ethics examination or the clinical examination permission to retake
39 either examination pending completion of the investigation of any
40 complaint against the applicant. Nothing in this section shall

1 prohibit the board from denying an applicant admission to any
2 ~~examination~~, *examination* or refusing to issue a license to any
3 applicant when an accusation or statement of issues has been filed
4 against the applicant pursuant to Section 11503 or 11504 of the
5 Government Code, or the applicant has been denied in accordance
6 with subdivision (b) of Section 485.

7 (g) The clinical examination shall be passed no more than seven
8 years prior to the board's receipt of the application for initial
9 license issuance.

10 SEC. 18. Section 4996.1 of the Business and Professions Code
11 is amended to read:

12 4996.1. The board shall issue a clinical social worker license
13 to each applicant who qualifies pursuant to this article and who
14 successfully passes a California law and ethics examination and
15 a clinical examination. Each examination shall be passed no more
16 than seven years prior to the board's receipt of the application for
17 initial license issuance.

18 SEC. 19. Section 4996.3 of the Business and Professions Code
19 is amended to read:

20 4996.3. The board shall assess the following fees relating to
21 the licensure of clinical social workers:

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

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

30 (c) The fee for application for licensure shall be two hundred
31 fifty dollars (\$250). The board may adopt regulations to set the
32 fee at a higher amount, up to a maximum of five hundred dollars
33 (\$500).

34 (d) (1) (A) The fee for the board-administered clinical
35 examination, if the board chooses to adopt this examination in
36 regulations, shall be two hundred fifty dollars (\$250). The board
37 may adopt regulations to set the fee at a higher amount, up to a
38 maximum of five hundred dollars (\$500).

39 (B) The fee for the California law and ethics examination shall
40 be one hundred fifty dollars (\$150). The board may adopt

1 regulations to set the fee at a higher amount, up to a maximum of
2 three hundred dollars (\$300).

3 (2) An applicant who fails to appear for an examination, after
4 having been scheduled to take the examination, shall forfeit the
5 examination fees.

6 (3) The amount of the examination fees shall be based on the
7 actual cost to the board of developing, purchasing, and grading
8 each examination and the actual cost to the board of administering
9 each examination. The written examination fees shall be adjusted
10 periodically by regulation to reflect the actual costs incurred by
11 the board.

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

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

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

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

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

25 (j) The fee for issuance of a retired license shall be forty dollars
26 (\$40).

27 SEC. 20. Section 4996.4 of the Business and Professions Code
28 is amended to read:

29 4996.4. An applicant who fails the clinical examination may,
30 within one year from the notification date of failure, retake that
31 examination as regularly scheduled, without further application,
32 upon payment of the required examination fees. Thereafter, the
33 applicant shall not be eligible for further examination until they
34 file a new application, meet all current requirements, and pay all
35 required fees.

36 SEC. 21. Section 4996.13 of the Business and Professions
37 Code is amended to read:

38 4996.13. (a) Nothing in this article shall prevent qualified
39 members of other professional groups from doing work of a
40 psychosocial nature consistent with the standards, ethics, and scope

1 of practice of their respective professions. However, these qualified
2 members shall not hold themselves out to the public by any title
3 or description of services incorporating the words “psychosocial,”
4 “psychotherapy,” or “clinical social worker,” and shall not state
5 or imply that they are licensed or registered to practice clinical
6 social work. These qualified members of other professional groups
7 include, but are not limited to, the following:

8 (1) A physician and surgeon certified pursuant to Chapter 5
9 (commencing with Section 2000).

10 (2) A registered nurse licensed pursuant to Chapter 6
11 (commencing with Section 2700).

12 (3) A psychologist licensed pursuant to Chapter 6.6
13 (commencing with Section 2900).

14 (4) Members of the State Bar.

15 (5) Marriage and family therapists licensed pursuant to Chapter
16 13 (commencing with Section 4980).

17 (6) Educational psychologists licensed pursuant to Chapter 13.5
18 (commencing with Section 4989.10).

19 (7) Licensed professional clinical counselors pursuant to Chapter
20 16 (commencing with Section 4999.10).

21 (b) This article shall not apply to any priest, rabbi, imam,
22 minister of the gospel, or other religious official of any
23 denomination when providing faith-based counseling services as
24 part of their regular professional duties for an established and
25 legally recognizable faith-based entity, such as a church,
26 synagogue, mosque, or other recognized religious organization,
27 provided that all of the following criteria are met:

28 (1) The services are performed solely under the direct auspices
29 of that faith-based entity.

30 (2) A separate fee, beyond their customary compensation from
31 that faith-based entity, is not charged or received.

32 (3) They do not hold themselves out to the public by any title
33 or description of services incorporating the words “psychosocial,”
34 “psychotherapy,” or “clinical social worker,” and shall not state
35 or imply that they are licensed or registered to practice clinical
36 social work.

37 (4) The services provided are limited to counseling services
38 provided in a religious or spiritual context and do not involve the
39 diagnosis or treatment of mental health disorders.

1 SEC. 22. Section 4996.23 of the Business and Professions
2 Code is amended to read:

3 4996.23. (a) To qualify for licensure, each applicant shall
4 complete 3,000 hours of post-master's degree supervised
5 experience related to the practice of clinical social work. Except
6 as provided in subdivision (b), experience shall not be gained until
7 the applicant is registered as an associate clinical social worker.

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

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

14 (2) For applicants completing graduate study on or after January
15 1, 2020, the experience is obtained at a workplace that, prior to
16 the registration applicant gaining supervised experience hours,
17 requires completed Live Scan fingerprinting. The applicant shall
18 provide the board with a copy of that completed "State of
19 California Request for Live Scan Service" form with the
20 application for licensure.

21 (3) The board subsequently grants the associate registration.

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

25 (d) The experience shall be as follows:

26 (1) (A) At least 1,700 hours shall be gained under the
27 supervision of a licensed clinical social worker. The remaining
28 required supervised experience may be gained under the
29 supervision of a physician and surgeon who is certified in
30 psychiatry by the American Board of Psychiatry and Neurology,
31 licensed professional clinical counselor, licensed marriage and
32 family therapist, psychologist licensed pursuant to Chapter 6.6
33 (commencing with Section 2900), licensed educational
34 psychologist, or licensed clinical social worker.

35 (B) A maximum of 1,200 hours gained under the supervision
36 of a licensed educational psychologist providing educationally
37 related mental health services that are consistent with the scope
38 of practice of an educational psychologist, as specified in Section
39 4989.14.

1 (2) A minimum of 2,000 hours in clinical psychosocial
2 diagnosis, assessment, and treatment, including psychotherapy or
3 counseling; however, at least 750 hours shall be face-to-face
4 individual or group psychotherapy provided in the context of
5 clinical social work services.

6 (3) A maximum of 1,000 hours in client-centered advocacy,
7 consultation, evaluation, research, direct supervisor contact, and
8 workshops, seminars, training sessions, or conferences directly
9 related to clinical social work that have been approved by the
10 applicant's supervisor.

11 (4) A minimum of two years of supervised experience is required
12 to be obtained over a period of not less than 104 weeks and shall
13 have been gained within the seven years immediately preceding
14 the date on which the application for licensure was received by
15 the board.

16 (5) No more than 40 hours of experience may be credited in
17 any seven consecutive days.

18 (6) For hours gained on or after January 1, 2010, no more than
19 six hours of supervision, whether individual, triadic, or group
20 supervision, shall be credited during any single week.

21 SEC. 23. Section 4996.28 of the Business and Professions
22 Code is amended to read:

23 4996.28. (a) Registration as an associate clinical social worker
24 shall expire one year from the last day of the month during which
25 it was issued. To renew a registration, subject to the additional
26 limitations imposed by subdivision (c), the registrant shall, on or
27 before the expiration date of the registration, complete all of the
28 following actions:

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

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

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

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

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

1 (c) A registration as an associate clinical social worker may be
2 renewed a maximum of six times. No registration shall be renewed
3 or reinstated beyond seven years from the last day of the month
4 during which the registration was issued, regardless of whether
5 the registration has been revoked. When no further renewals are
6 possible, an applicant may apply for and obtain a subsequent
7 associate clinical social worker registration number if the applicant
8 meets all requirements for registration in effect at the time of their
9 application for a subsequent associate clinical social worker
10 registration number and has passed the California law and ethics
11 examination pursuant to Section 4992.09 no more than seven years
12 prior to the board's receipt of the application for the subsequent
13 associate registration number.

14 (d) An applicant issued a subsequent associate registration
15 number pursuant to subdivision (c) shall not be employed or
16 volunteer in a private practice.

17 (e) Notwithstanding subdivision (d), an applicant applying for
18 or who currently holds a subsequent associate registration number
19 may request that the board grant them a one-time,
20 two-consecutive-year hardship extension to allow them to be
21 employed or volunteer at one private practice or professional
22 corporation employer with their subsequent associate registration
23 number in accordance with the following:

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

25 (2) The extension is only valid for the one private practice or
26 professional corporation employer for which it is requested.

27 (3) Work for the employer shall not commence or continue until
28 the extension is approved by the board.

29 (4) The application shall be jointly signed under penalty of
30 perjury and dated by the associate, the supervisor, and, if the
31 supervisor is not employed by the supervisee's employer or is a
32 volunteer, a representative of the employer.

33 (5) The board shall grant the extension provided that the
34 application is signed, all information required is provided, and
35 good cause is demonstrated. The application shall contain all of
36 the following:

37 (A) The date the extension is needed to commence or continue
38 work for the employer.

39 (B) The name of the employer where the associate will be
40 gaining hours.

1 (C) An attestation that the employer is a private practice or a
2 professional corporation.

3 (D) The name, license type, and license number of the current
4 supervisor.

5 (E) A showing of good cause for the applicant being unable to
6 complete the licensure process within seven years. Good cause
7 may include, but is not limited to, extended medical leave, family
8 caregiving responsibilities, difficulties finding employment, or
9 circumstances beyond the applicant’s control.

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

12 SEC. 24. Section 4999.22 of the Business and Professions
13 Code is amended to read:

14 4999.22. (a) Nothing in this chapter shall prevent qualified
15 members of the other professional groups from doing work of a
16 psychosocial nature consistent with the standards, ethics, and scope
17 of practice of their respective professions. However, these qualified
18 members shall not hold themselves out to the public by any title
19 or description of services incorporating the words “psychosocial,”
20 “psychotherapy,” or “professional clinical counselor” and shall
21 not state that they are licensed or registered to practice professional
22 clinical counseling. These qualified members of other professional
23 groups include, but are not limited to, the following:

24 (1) A physician and surgeon certified pursuant to Chapter 5
25 (commencing with Section 2000).

26 (2) A registered nurse licensed pursuant to Chapter 6
27 (commencing with Section 2700).

28 (3) A psychologist licensed pursuant to Chapter 6.6
29 (commencing with Section 2900).

30 (4) Members of the State Bar.

31 (5) Marriage and family therapists licensed pursuant to Chapter
32 13 (commencing with Section 4980).

33 (6) Educational psychologists licensed pursuant to Chapter 13.5
34 (commencing with Section 4989.10).

35 (7) Clinical social workers licensed pursuant to Chapter 14
36 (commencing with Section 4991).

37 (b) This chapter shall not be construed to constrict, limit, or
38 withdraw the Medical Practice Act (Chapter 5 (commencing with
39 Section 2000)), the Clinical Social Worker Practice Act (Chapter
40 14 (commencing with Section 4991)), the Nursing Practice Act

1 (Chapter 6 (commencing with Section 2700)), the Psychology
 2 Licensing Law (Chapter 6.6 (commencing with Section 2900)),
 3 or the Licensed Marriage and Family Therapist Act (Chapter 13
 4 (commencing with Section 4980)).

5 *(c) This chapter shall not apply to any person who is admitted*
 6 *to practice law in this state, or who is licensed to practice medicine,*
 7 *who provides counseling services as part of their professional*
 8 *practice.*

9 ~~(e)~~

10 *(d) This chapter shall not apply to any priest, rabbi, imam,*
 11 *minister of the gospel, or other religious official of any*
 12 *denomination when providing faith-based counseling services as*
 13 *part of their regular professional duties for an established and*
 14 *legally recognizable faith-based entity, such as a church,*
 15 *synagogue, mosque, or other recognized religious organization,*
 16 *provided that all of the following criteria are met:*

17 (1) The services are performed solely under the direct auspices
 18 of that faith-based entity.

19 (2) A separate fee, beyond their customary compensation from
 20 that faith-based entity, is not charged or received.

21 (3) They do not hold themselves out to the public by any title
 22 or description of services incorporating the words “psychosocial,”
 23 “psychotherapy,” or “professional clinical counselor,” and shall
 24 not state or imply that they are licensed or registered to practice
 25 professional clinical counseling.

26 (4) The services provided are limited to counseling services
 27 provided in a religious or spiritual context and do not involve the
 28 diagnosis or treatment of mental health disorders.

29 ~~(e)~~

30 *(e) This chapter shall not apply to an unlicensed or unregistered*
 31 *employee or volunteer working in a governmental entity, a school,*
 32 *a college, a university, or an institution that is both nonprofit and*
 33 *charitable, if both of the following apply:*

34 (1) The work of the employee or volunteer is performed under
 35 the oversight and direction of the entity.

36 (2) (A) On and after July 1, 2020, the employee or volunteer
 37 provides a client, prior to initiating psychotherapy services or as
 38 soon as practicably possible thereafter, a notice written in at least
 39 12-point type that is in substantially the following form:

40

1 NOTICE TO CLIENTS

2 The (Name of office or unit) of the (Name of agency) receives
3 and responds to complaints regarding the practice of psychotherapy
4 by any unlicensed or unregistered practitioner providing services
5 at (Name of agency). To file a complaint, contact (Telephone
6 number, email address, internet website, or mailing address of
7 agency).

8 The Board of Behavioral Sciences receives and responds to
9 complaints regarding services provided by individuals licensed
10 and registered by the board. If you have a complaint and are unsure
11 if your practitioner is licensed or registered, please contact the
12 Board of Behavioral Sciences at 916-574-7830 for assistance or
13 utilize the board's online license verification feature by visiting
14 www.bbs.ca.gov.

15
16 (B) The delivery of the notice described in subparagraph (A)
17 to the client shall be documented.

18 ~~(e)~~

19 *(f)* Notwithstanding subdivisions ~~(e) and (d)~~, *(d) and (e)*, all
20 persons registered as associates or licensed under this chapter shall
21 not be exempt from this chapter or the jurisdiction of the board.

22 SEC. 25. Section 4999.46 of the Business and Professions
23 Code is amended to read:

24 4999.46. (a) Except as provided in subdivision (b), all
25 applicants shall have an active associate registration with the board
26 in order to gain postdegree hours of supervised experience. An
27 associate or applicant for licensure shall be under the supervision
28 of a supervisor at all times. An associate shall inform each client,
29 before performing any professional services, that the associate is
30 unlicensed and under supervision.

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

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

37 (B) For applicants completing graduate study on or after January
38 1, 2020, the experience is obtained at a workplace that, prior to
39 the registration applicant gaining supervised experience hours,
40 requires completed Live Scan fingerprinting. The applicant shall

1 provide the board with a copy of that completed State of California
2 “Request for Live Scan Service” form with their application for
3 licensure.

4 (C) The board subsequently grants the associate registration.

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

8 (c) Supervised experience that is obtained for the purposes of
9 qualifying for licensure shall be related to the practice of
10 professional clinical counseling and comply with the following:

11 (1) A minimum of 3,000 postdegree hours performed over a
12 period of not less than two years (104 weeks).

13 (2) Not more than 40 hours in any seven consecutive days.

14 (3) Not less than 1,750 hours of direct clinical counseling with
15 individuals, groups, couples, or families using a variety of
16 psychotherapeutic techniques and recognized counseling
17 interventions.

18 (4) A maximum of 1,250 hours of nonclinical practice,
19 consisting of direct supervisor contact, administering and
20 evaluating psychological tests, writing clinical reports, writing
21 progress or process notes, client-centered advocacy, and
22 workshops, seminars, training sessions, or conferences directly
23 related to professional clinical counseling that have been approved
24 by the applicant’s supervisor.

25 (5) A maximum of 1,200 hours gained under the supervision
26 of a licensed educational psychologist providing educationally
27 related mental health services that are consistent with the scope
28 of practice of an educational psychologist, as specified in Section
29 4989.14.

30 (d) Experience hours shall not have been gained more than seven
31 years prior to the date the application for licensure was received
32 by the board.

33 SEC. 26. Section 4999.46.1 of the Business and Professions
34 Code is repealed.

35 SEC. 27. Section 4999.50 of the Business and Professions
36 Code is amended to read:

37 4999.50. (a) The board may issue a professional clinical
38 counselor license to any person who meets all of the following
39 requirements:

1 (1) They have received a master's or doctoral degree described
2 in Section 4999.32 or 4999.33, as applicable.

3 (2) They have completed at least 3,000 hours of supervised
4 experience in the practice of professional clinical counseling.

5 (3) They provide evidence of a passing score, as determined by
6 the board, on the examinations designated in Section 4999.53.
7 Each examination shall be passed no more than seven years prior
8 to the board's receipt of the application for initial license issuance.

9 (b) An applicant for licensure who has satisfied the requirements
10 of this chapter shall be issued a license as a professional clinical
11 counselor.

12 SEC. 28. Section 4999.52 of the Business and Professions
13 Code is amended to read:

14 4999.52. (a) Every applicant for a license as a professional
15 clinical counselor shall take one or more examinations, as
16 determined by the board, to ascertain their knowledge, professional
17 skills, and judgment in the utilization of appropriate techniques
18 and methods of professional clinical counseling.

19 (b) The examinations shall be given at least twice a year at a
20 time and place and under supervision as the board may determine.

21 (c) The board shall not deny any applicant admission to an
22 examination who has submitted a complete application for
23 examination admission if the applicant meets the educational and
24 experience requirements of this chapter and has not committed
25 any acts or engaged in any conduct that would constitute grounds
26 to deny licensure.

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

33 (e) If an applicant for the examination specified by paragraph
34 (2) of subdivision (a) of Section 4999.53, who has passed the
35 California law and ethics examination, is the subject of a complaint
36 or is under board investigation for acts or conduct that, if proven
37 to be true, would constitute grounds for the board to deny licensure,
38 the board shall permit the applicant to take this examination, but
39 may notify the applicant that licensure will not be granted pending
40 completion of the investigation.

1 (f) Notwithstanding Section 135, the board may deny any
2 applicant who has previously failed either the California law and
3 ethics examination, or the examination specified by paragraph (2)
4 of subdivision (a) of Section 4999.53, permission to retake either
5 examination pending completion of the investigation of any
6 complaints against the applicant.

7 (g) Nothing in this section shall prohibit the board from denying
8 an applicant admission to any examination or refusing to issue a
9 license to any applicant when an accusation or statement of issues
10 has been filed against the applicant pursuant to Section 11503 or
11 11504 of the Government Code, respectively, or the application
12 has been denied in accordance with subdivision (b) of Section 485.

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

16 (i) The clinical examination shall be passed no more than seven
17 years prior to the board's receipt of the application for initial
18 license issuance.

19 SEC. 29. Section 4999.53 of the Business and Professions
20 Code is amended to read:

21 4999.53. (a) A registrant or an applicant for licensure as a
22 professional clinical counselor shall pass the following
23 examinations as prescribed by the board:

24 (1) A California law and ethics examination.

25 (2) A clinical examination administered by the board, or the
26 National Clinical Mental Health Counselor Examination if the
27 board finds that this examination meets the prevailing standards
28 for validation and use of the licensing and certification tests in
29 California.

30 (b) The board shall grant eligibility to take the California law
31 and ethics examination upon approval of an application for
32 registration or an application for licensure and submission of the
33 required application and fee.

34 (c) The board may grant an applicant for licensure eligibility to
35 take the clinical examination or the National Clinical Mental Health
36 Counselor Examination, as established by the board through
37 regulation, only upon meeting all of the following requirements:

38 (1) Completion of all required supervised work experience.

39 (2) Completion of all education requirements.

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

1 SEC. 30. Section 4999.55 of the Business and Professions
2 Code is amended to read:

3 4999.55. (a) Each applicant and registrant shall obtain a
4 passing score on a board-administered California law and ethics
5 examination in order to qualify for licensure. The California law
6 and ethics examination shall be passed no more than seven years
7 prior to the board's receipt of the application for initial license
8 issuance.

9 (b) If an applicant fails the California law and ethics
10 examination, they may retake the examination after any waiting
11 period as specified in regulation upon payment of the required fees
12 and submission of a reexamination application.

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

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

23 (e) A registrant shall complete a minimum of three hours of
24 continuing education on the subject of California law and ethics
25 during each renewal period in order to be eligible to renew their
26 registration. The coursework shall be obtained from a
27 board-accepted provider of continuing education, as specified in
28 Section 4999.76.

29 SEC. 31. Section 4999.64 of the Business and Professions
30 Code is amended to read:

31 4999.64. An applicant who fails the examination specified in
32 paragraph (2) of subdivision (a) of Section 4999.53 may, within
33 one year from the notification date of that failure, retake the
34 examination as regularly scheduled without further application
35 upon payment of the fee for the examination. Thereafter, the
36 applicant shall not be eligible for further examination until they
37 file a new application, meet all requirements in effect on the date
38 of application, and pay all required fees.

39 SEC. 32. Section 4999.100 of the Business and Professions
40 Code is amended to read:

1 4999.100. (a) An associate registration shall expire one year
2 from the last day of the month in which it was issued.

3 (b) To renew a registration subject to the additional limitations
4 imposed by subdivision (d), the registrant, on or before the
5 expiration date of the registration, shall do the following:

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

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

8 (3) Notify the board whether they have been convicted, as
9 defined in Section 490, of a misdemeanor or felony, or whether
10 any disciplinary action has been taken by any regulatory or
11 licensing board in this or any other state, subsequent to the
12 registrant's last renewal.

13 (4) Certify under penalty of perjury their compliance with the
14 continuing education requirements set forth in Section 4999.76.

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

18 (d) The associate registration may be renewed a maximum of
19 six times. Registration shall not be renewed or reinstated beyond
20 seven years from the last day of the month during which it was
21 issued, regardless of whether it has been revoked. When no further
22 renewals are possible, an applicant may apply for and obtain a
23 subsequent associate registration number if the applicant meets
24 the educational requirements for a subsequent associate registration
25 number and has passed the California law and ethics examination
26 described in Section 4999.53 no more than seven years prior to
27 the board's receipt of the application for the subsequent registration
28 number.

29 (e) An applicant who is issued a subsequent associate
30 registration number pursuant to subdivision (d) shall not be
31 employed or volunteer in a private practice.

32 (f) Notwithstanding subdivision (e), an applicant applying for
33 or who currently holds a subsequent associate registration number
34 may request that the board grant them a one-time,
35 two-consecutive-year hardship extension to allow them to be
36 employed or volunteer at one private practice or professional
37 corporation employer with their subsequent associate registration
38 number in accordance with the following:

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

1 (2) The extension is only valid for the one private practice or
2 professional corporation employer for which it is requested.

3 (3) Work for the employer shall not commence or continue until
4 the extension is approved by the board.

5 (4) The application shall be jointly signed under penalty of
6 perjury and dated by the associate, the supervisor, and, if the
7 supervisor is not employed by the supervisee's employer or is a
8 volunteer, a representative of the employer.

9 (5) The board shall grant the extension provided that the
10 application is signed, all information required is provided, and
11 good cause is demonstrated. The application shall contain all of
12 the following:

13 (A) The date the extension is needed to commence or continue
14 work for the employer.

15 (B) The name of the employer where the associate will be
16 gaining hours.

17 (C) An attestation that the employer is a private practice or a
18 professional corporation.

19 (D) The name, license type, and license number of the current
20 supervisor.

21 (E) A showing of good cause for the applicant being unable to
22 complete the licensure process within seven years. Good cause
23 may include, but is not limited to, extended medical leave, family
24 caregiving responsibilities, difficulties finding employment, or
25 circumstances beyond the applicant's control.

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

28 SEC. 33. Section 4999.120 of the Business and Professions
29 Code is amended to read:

30 4999.120. The board shall assess the following fees relating
31 to the licensure of professional clinical counselors:

32 (a) The fee for the application for licensure shall be two hundred
33 fifty dollars (\$250). The board may adopt regulations to set the
34 fee at a higher amount, up to a maximum of five hundred dollars
35 (\$500).

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

1 (c) (1) (A) The fee for the board-administered clinical
2 examination, if the board chooses to adopt this examination in
3 regulations, shall be two hundred fifty dollars (\$250). The board
4 may adopt regulations to set the fee at a higher amount, up to a
5 maximum of five hundred dollars (\$500).

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

10 (2) An applicant who fails to appear for an examination, after
11 having been scheduled to take the examination, shall forfeit the
12 examination fees.

13 (3) The amount of the examination fees shall be based on the
14 actual cost to the board of developing, purchasing, and grading
15 each examination and the actual cost to the board of administering
16 each examination. The written examination fees shall be adjusted
17 periodically by regulation to reflect the actual costs incurred by
18 the board.

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

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

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

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

32 (h) The fee for issuance of a retired license shall be forty dollars
33 (\$40).

34 (i) The fee for issuance of a replacement license or registration
35 shall be twenty dollars (\$20).

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

38 SEC. 34. No reimbursement is required by this act pursuant to
39 Section 6 of Article XIII B of the California Constitution because
40 the only costs that may be incurred by a local agency or school

1 district will be incurred because this act creates a new crime or
2 infraction, eliminates a crime or infraction, or changes the penalty
3 for a crime or infraction, within the meaning of Section 17556 of
4 the Government Code, or changes the definition of a crime within
5 the meaning of Section 6 of Article XIII B of the California
6 Constitution.

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