

## MEMORANDUM

<b>DATE</b>	April 27, 2026
<b>TO</b>	California Board of Behavioral Sciences
<b>FROM</b>	Christy Berger, Regulatory Manager
<b>SUBJECT</b>	Discussion and Consideration of: <ol style="list-style-type: none"> <li>a. Comments Received on Modified Text During the 15-Day Public Comment Period and Proposed Responses Thereto for the Board’s Rulemaking to Amend 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 (Continuing Education; Exams; Renewals Regulations)</li> <li>b. Adoption of Amendments to 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 (Continuing Education; Exams; Renewals Regulations)</li> </ol>

### 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 which were considered by the Board at its meeting in February 2026.

Changes to the text were recommended by the Board, were noticed to the public on March 12, 2026, and the 15-day modified text public comment period ended on March 27, 2026. The Board received four comments as summarized below, and which are provided in their entirety in **Attachments C - F**. Staff’s recommended responses to the comments are also provided below. The Board-approved language that was noticed on March 12, 2026 is provided in **Attachment B** for reference. Board Staff and Regulations Counsel recommend the Board approve the following proposed responses to the comments below.

### a. Comments Received During the 15-Day Modified Text Public Comment Period and Proposed Responses Thereto.

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 C)

In an email to the Board received on March 27, 2026, titled “CAMFT Written Comments to Modified Proposed CE; Exams; Renewals Regulations”, CAMFT provided the comment

summarized below:

Comment: The commenter indicates that they greatly appreciate the modifications made to the proposed regulations, including defining “limited one or more major life activities,” clarifying that “California Law and Ethics” encompasses all laws applicable to California practitioners, including federal laws, limiting CE credit for attendance at BBS meetings to Board meetings only, and reducing the number of CE credits that may be earned through supervision to six. The commenter also provided the following adverse comment.

“We offer one additional comment to the modified text for consideration in the Final Rulemaking, specifically regarding the added language clarifying that CE hours earned via supervision shall not be used to satisfy supervision training or coursework requirements for supervisors. As drafted, the modified text does not address whether CE credit earned through supervision may overlap with the existing six-hour law and ethics requirement. We respectfully request clarification as to whether the Board intends to allow the six hours of CE credit earned through supervision to count toward the law and ethics requirement. For example, if a supervisor provides supervision that substantively addresses a pre-licensure’s legal obligations, such as mandated reporting of child abuse, could those hours qualify toward satisfying the law and ethics CE requirement?”

If this is not the Board’s intent, we recommend that the language be further clarified to explicitly state that CE hours earned via supervision may not be used to satisfy the law and ethics requirement. We are concerned that, absent clarification similar to the language adopted for CE hours earned through attendance at BBS Board meetings, supervisors could reasonably interpret the regulation to allow those six CE hours earned through supervision to count towards the law and ethics requirement.”

Recommended Response: The Board acknowledges the favorable feedback on the modified text and accepts the adverse comment regarding clarifying whether the Board intends to allow the six hours of CE credit earned through supervision to count toward the law and ethics CE requirement. Law and ethics requirements exist to ensure every licensee receives consistent, structured and current instruction on legal obligations. Supervision varies by supervisor, setting, and cases and therefore would not be suitable to count towards satisfaction of the law and ethics CE requirements. While the provision of supervision involves deliberate and systematic planning to design, organize, and facilitate learning experiences that support a supervisee’s professional growth, skill development, and competency attainment, including in the area of law and ethics, requiring all licensees to take six hours of actual coursework in law and ethics helps to ensure they have an understanding of new legal requirements and ethical considerations and how to apply them in practice. As a result, the Board proposes the following highlighted changes to subsection (o) of section 1887.3, which is also shown in **Attachment A**:

However, credits gained for supervision pursuant to this subsection shall not be used to satisfy *the law and ethics portion of the continuing education requirements for licensees*

specified in subsection (e) or 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.

**Anna Palid (Attachment D)**

In an email to the Board received on March 12, 2026, titled “Fwd: Modified Text of Proposed Regulatory Change – Continuing Education, Exams and Renewals”, Anna Palid provided the comment summarized below:

Comment: “I could not find how to comment on pending regulations being reviewed, pertaining to CE, Exams and renewals. See attached. I think when people give birth, they should qualify for waivers and should be included in section below (note highlighted language):

**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 life activities 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 new baby, 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.”

Recommended Response: The Board rejects the comment and declines to make any changes due to this comment as the comment did not pertain to the modified text. However, the Board would like to clarify that existing language authorizes a licensee to qualify for a waiver if a licensee has a physical or mental disability that limits one or

major life activities or the licensee is the primary caregiver for a “new baby” who has a total physical or mental disability” as noted above and in CCR section 1887.2. Further, the Board acknowledges receipt of the concerns about the commenter’s difficulty determining how to comment on the Board’s pending regulations but declines to make any further changes. The Board’s Notice of Proposed Regulatory Action was posted, mailed and emailed to individuals required to receive notice in compliance with Government Code sections 11346.4 and 11340.85 and provides instructions on how to submit a public comment.

**Rachel Michaelsen (Attachment E)**

In an email to the Board received on March 13, 2026, titled “Public comment CE Changes”, Rachel Michaelsen provided the comment summarized below:

Comment: “After reading about the proposed changes to continuing ed requirements I wanted to share two thoughts:

1). What is the purpose of continuing and for licensed professionals? In my mind, it is to keep people up-to-date and learning new skills to provide high-quality service to the people that we serve. What you have proposed does not actually help with that.

2) I don’t think you’re going to get more supervisors by offering reduced CEs. And, in fact, I’m concerned about the quality of supervision you’re going to get as supervisors will be getting less continuing education. I suggest you consider another way of incentivizing licensed professionals to supervise. For example, paying a certain amount of money towards continuing ed courses. We’re finding other funds to pay them to provide supervision. I imagine you’ll say that there isn’t money for this, but I encourage you to think outside the box.

Furthermore, I suggest you find another way of incentivizing licensees to attend your meetings or provide you with feedback as again I don’t think attending meetings meets the goal of the continuing educational requirements.

On a final note, I just want to encourage you to think about the purpose of continuing ed versus the other goals that you’re trying to reach. They’re not in alignment and it’s actually pretty disturbing to me that you would encourage people to get less training to meet other needs of the profession I’m someone who teaches lots of continuing education classes, particularly in the Title IV-E realm and I know people need more continuing Ed and high-quality continuing ed. I know this from the types of questions I’m getting and from the not always excellent responses to vignettes and other questions I provide.”

Recommended Response: The Board rejects these comments, which appear to generally recommend not granting continuing education credit for supervision or meeting attendance based upon the commenter’s belief that credit for such activity would not “keep people up-to-date and learning new skills”, that the quality of supervision would be adversely affected since supervisors “will be getting less continuing education”, that the proposal would encourage people to get less training to

meet other needs of the profession, and in their experience people need more CE and “high-quality continuing ed.”

The Board declines to make any changes due to these comments. At its meeting in February 2026, the Board responded to several similar comments expressing concern that the number of allowable hours for non-CE course activities, including the provision of supervision and meeting attendance, may have a negative impact on a licensee’s ability to learn about important updates in the profession if maintained at the originally proposed 18-hour allowable credit for supervision and the proposed 6-hour credit requirement for Board meeting and committee meeting attendance. At that meeting the Board recognized the learning opportunities provided via supervision and meeting attendance and decided to keep those provisions, but eliminated credit for Committee meeting attendance and reduced the number of CE hours that could be earned for providing supervision from 18 hours to 6 hours due to concerns expressed by commenters.

Upon review, the Board still believes based on its experience that the deliberate and systematic planning a supervisor undertakes to design, organize, and facilitate learning experiences that support a supervisee’s professional growth, skill development, and competency attainment should be recognized as continuing education and credited as such. Similarly, Board meeting attendance supports a licensee’s learning about current issues in the profession, new research, and perspectives beyond their current expertise and should be recognized as an educational opportunity. With these proposed modifications, the Board has balanced the regulated communities’ concerns about professionals staying current using traditional learning methods with its goal of recognizing diverse learning opportunities by limiting these activities to 6 hours of CE credit.

The commenter also recommended that the Board consider another way of incentivizing licensed professionals to supervise. For example, paying a certain amount of money towards continuing ed courses or finding other funds to pay licensees to provide supervision. The Board is not authorized by law to “incentivize” licensees to provide supervision as recommended by this commenter. As a result, the Board rejects this comment and has declined to make any changes in response to these comments.

**(K’Ailsa) Kaye-Ailsa Rowan, M.A., LMFT (Attachment F)**

In an email to the Board received on March 13, 2026, titled “Comments on Proposed CE Disability Waiver Form DCA BBS 37A-636”, K’Ailsa Rowan provided the comment summarized below:

**Comment:** “I am writing to comment on the proposed CE Disability Waiver form ([https://www.bbs.ca.gov/pdf/forms/ce\\_exemption\\_med\\_pt.pdf](https://www.bbs.ca.gov/pdf/forms/ce_exemption_med_pt.pdf)). I am glad to see the regulation and form updated to clarify which licensed medical professionals are accepted. When someone needs a waiver due to caring for a family member, it is possible that the family member is incapacitated and cannot, themselves, sign to waive their medical privacy. I did not see any reference to this situation in the proposed regulation or on the proposed form. There should be clear instructions on how an

authorized representative can sign the form on behalf of the family member when the family member is incapacitated.”

Recommended Response: The Board acknowledges the favorable feedback on the modified text and rejects the adverse comment regarding amending the waiver form and declines to make any changes due to this comment. The comment did not pertain to the modified text. However, the Board would like to clarify that in such a situation, the licensee would be directed to consult with the incapacitated family members’ healthcare provider regarding who could sign on their behalf to authorize the requested information (e.g., agent holding a durable power of attorney).

**Staff Recommendation for Part “a.” of this Agenda Item (Response to Comments):**

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

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 (or reject) the following comments and make the following edits to the text:

**Staff Recommendation for Part “b.” of this Agenda Item (Adoption of Amendments to CCR Sections 1822.51, 1829.2, 1877.2, 1887, 1887.1, 1887.2, 1887.3, 1887.4.2, 1887.4.3, and 1887.12 ):**

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. Please 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 second modified regulation text as set forth in **Attachment A**, and direct staff to take all steps necessary to complete the rulemaking process, including preparing second 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 second modified regulatory text 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 second 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** with the changes made at this meeting.

### **Attachments**

**Attachment A:** Board-Approved Regulatory Language with Second Modified Text for 15-day Notice

**Attachment B:** Board-Approved Regulatory Language Previously Noticed for 15-Day Notice

**Attachment C:** Comment from the California Association of Marriage and Family Therapists

**Attachment D:** Comment from Anna Palid

**Attachment E:** Comment from Rachel Michaelsen

**Attachment F:** Comment from K'Ailsa Rowan

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## Attachment A

### TITLE 16. BOARD OF BEHAVIORAL SCIENCES DEPARTMENT OF CONSUMER AFFAIRS

#### SECOND 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.

Second modifications to the proposed regulatory language are shown in *italicized double underline* for new text and ~~*italicized double strikethrough*~~ for deleted text.

**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:

(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 4999.55(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 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.~~

~~(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 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<sub>1</sub>) 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<sub>2</sub>) 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)~~ 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.

- (~~ede~~) 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.
- (~~def~~) 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.
- (~~efg~~) 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.
- (~~feh~~) 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.
- (~~ghi~~) 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.
- (~~hij~~) 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.
- (~~ikl~~) 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.

~~(jkl)~~ 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.

~~(lm)~~ Documentation of completion for the activities specified in subsections ~~(hi)~~ through ~~(kl)~~ ("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.

~~(mn)~~ 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.

~~(no)~~ 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 ~~48~~ 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 *the law and ethics portion of the continuing education requirements for licensees specified in subsection (e) or* 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.

~~(kop)~~ 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.

~~(/pq)~~ 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**  
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Telephone: (916) 574-7830  
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## **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](mailto: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](mailto:dca@dca.ca.gov).


**Board of Behavioral Sciences**

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## 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><b>REASON FOR WAIVER REQUEST:</b> (Mark one box only)</p> <p><input type="checkbox"/> <b>Health – Self</b> <i>(Complete Part 2)</i></p> <p><input type="checkbox"/> <b>Health - Primary Caregiver of Immediate Family Member</b> <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)?

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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
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**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**

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**Board of Behavioral Sciences**  
 1625 North Market Blvd., Suite S200, Sacramento, CA 95834  
 Telephone: (916) 574-7830  
[www.bbs.ca.gov](http://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><b>REASON FOR WAIVER REQUEST:</b> (Mark one box only)</p> <p><input type="checkbox"/> <b>Health – Self:</b> <i>(Complete Part 2)</i></p> <p><input type="checkbox"/> <b>Health - Primary Caregiver of Immediate Family Member:</b> <i>(Complete Part 3)</i></p> <p style="text-align: center;"><b>Name of Immediate Family Member:</b> _____</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](mailto: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](mailto:dca@dca.ca.gov).

## ATTACHMENT B

### TITLE 16. BOARD OF BEHAVIORAL SCIENCES DEPARTMENT OF CONSUMER AFFAIRS

#### BOARD-APPROVED 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**  
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## **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](mailto: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](mailto:dca@dca.ca.gov).



**Board of Behavioral Sciences**  
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# 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: <div style="text-align: center; margin-top: 5px;">                     _____ / _____ / _____                 </div>			
<p><b>REASON FOR WAIVER REQUEST:</b> (Mark one box only)</p> <p><input type="checkbox"/> <b>Health – Self</b> <i>(Complete Part 2)</i></p> <p><input type="checkbox"/> <b>Health - Primary Caregiver of Immediate Family Member</b> <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)?

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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
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**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**



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 Telephone: (916) 574-7830  
[www.bbs.ca.gov](http://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: <del>Number and Street</del>	<u>DATE OF BIRTH</u>	City	State	Zip Code
LICENSE NUMBER:	CURRENT LICENSE EXPIRATION DATE:  _____ / _____ / _____			
<p><b>REASON FOR WAIVER REQUEST:</b> (Mark one box only)</p> <p><input type="checkbox"/> <b>Health – Self:</b> <i>(Complete Part 2)</i></p> <p><input type="checkbox"/> <b>Health - Primary Caregiver of Immediate Family Member:</b> <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 2 – Health – Self**

**To be Completed by Attending Physician/Psychologist/Healthcare Provider ("Healthcare Provider" means an individual 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.)**

1. What was the individual's diagnosed physical or mental disability or medical condition(s)?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Did the condition(s) ~~substantially~~ limit the individual's ability to perform one or more major life activities (for definitions of "limits" and "major life activities", please review Government Code section 12926)?     Yes     No

3. Approximate date disability/medical condition(s) began: \_\_\_\_\_

4. Approximate date disability/medical condition(s) resolved, if applicable: \_\_\_\_\_

<u>Attending Physician's/Psychologist's/Healthcare Provider's Name</u>	<u>License Type and Number</u>	<u>Business Telephone</u>	
<u>Attending Physician's/Psychologist's/Healthcare Provider's Address</u>	City	State	Zip Code

***I declare under penalty of perjury under the laws of the State of California that all the information I have submitted on this form and on any accompanying attachments is true and correct.***

_____ <b>Date</b>	_____ <b>Signature of <u>Physician/Psychologist/Healthcare Provider</u></b>
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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)

APPLICANT NAME: Last	First	Middle
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**7. The Family Member has provided written authorization below for the release of their protected health information (PHI) for the limited purpose of verification for the Licensee Request for CE Waiver.**

I \_\_\_\_\_ (insert name of licensee’s family member) voluntarily consent to authorize my healthcare provider to complete this form to disclose my health information during the term of this authorization to the Board of Behavioral Sciences for the specific, limited purpose of verification of my disability or medical condition related to the Licensee Request for CE Waiver.

I authorize the release of my health information that my healthcare provider deems necessary to verify my condition. I also authorize my healthcare provider to release any additional information about my condition, if requested by the Board of Behavioral Sciences, for verification, related to the Licensee Request for CE Waiver.

I understand this authorization will remain in effect until the Board of Behavioral Sciences reviews and either grants or denies the Licensee Request for CE Waiver.

I also understand that my healthcare provider and the Board of Behavioral Sciences cannot guarantee that my health information will not be redisclosed to a third party. The third party may not have to follow the restrictions of this authorization or abide by applicable federal and state law governing the use and disclosure of my health information.

\_\_\_\_\_  
Signature of Licensee’s Immediate Family Member

\_\_\_\_\_  
Date

<u>Attending Physician’s/Psychologist’s/Healthcare Provider’s Name</u>	<u>License Type and Number</u>	<u>Business Telephone</u>	
<u>Attending Physician’s/Psychologist’s/Healthcare Provider’s Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>

***I declare under penalty of perjury under the laws of the State of California that all the information I have submitted on this form and on any accompanying attachments is true and correct.***

_____ <b>Date</b>	_____ <b>Signature of <u>Physician/Psychologist/Healthcare Provider</u></b>
----------------------	--

## 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](mailto: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](mailto:dca@dca.ca.gov).

**Blank Page**

**From:** [Shanti Ezrine](#)  
**To:** [Rulemaking, BBS@DCA](#)  
**Cc:** [Berger, Christy@DCA](#)  
**Subject:** CAMFT Written Comments to BBS Modified CE; Exams; Renewals Regulations  
**Date:** Friday, March 27, 2026 11:59:54 AM  
**Attachments:** [CAMFT Written Comments to Modified Proposed CE; Exams; Renewals Regulations \(03.27.2026\).pdf](#)

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Good morning,

Thank you for the opportunity to comment on BBS's modified text to its continuing education; exams; and renewals regulations. Attached is the California Association of Marriage and Family Therapists (CAMFT) written comments on the pending rulemaking.

Thank you!

-Shanti

**Shanti Ezrine, MPA (he/him)**

State Government Affairs Associate

California Association of Marriage and Family Therapists

[www.camft.org](http://www.camft.org)

[sezrine@camft.org](mailto:sezrine@camft.org) | 858.429.7524 Ext. 0324



March 27, 2026

VIA EMAIL to [BBS.Rulemaking@dca.ca.gov](mailto:BBS.Rulemaking@dca.ca.gov)

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

**RE: Modifications to 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 modifications to the Continuing Education (CE); Exams; Renewals regulations as noticed on March 6, 2026.

We greatly appreciate the modifications made to the proposed regulations, including defining “limited one or more major life activities,” clarifying that “California Law and Ethics” encompasses all laws applicable to California practitioners, including federal laws, limiting CE credit for attendance at BBS meetings to Board meetings only, and reducing the number of CE credits that may be earned through supervision to six.

We also appreciate the added language clarifying that CE hours earned by attending BBS Board meetings shall not be used to satisfy the law and ethics portion of CE requirements for licensees or registrants, nor any supervision training or coursework requirements for supervisors. We offer one additional comment to the modified text for consideration in the Final Rulemaking, specifically regarding the added language clarifying that CE hours earned via supervision shall not be used to satisfy supervision training or coursework requirements for supervisors.

As drafted, the modified text does not address whether CE credit earned through supervision may overlap with the existing six-hour law and ethics requirement. We respectfully request clarification as to whether the Board intends to allow the six hours of CE credit earned through supervision to count toward the law and ethics requirement. For example, if a supervisor provides supervision that substantively addresses a pre-licensee’s legal obligations, such as mandated reporting of child abuse, could those hours qualify toward satisfying the law and ethics CE requirement?

If this is not the Board's intent, we recommend that the language be further clarified to explicitly state that CE hours earned via supervision may not be used to satisfy the law and ethics requirement. We are concerned that, absent clarification similar to the language adopted for CE hours earned through attendance at BBS Board meetings, supervisors could reasonably interpret the regulation to allow those six CE hours earned through supervision to count towards the law and ethics requirement.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'SE', with a long horizontal flourish extending to the right.

Shanti Ezrine, MPA  
State Government Affairs Associate

A handwritten signature in black ink, appearing to be 'CA', with a long horizontal flourish extending to the right.

Cathy Atkins, JD  
Deputy Executive Director

**From:** [DCA, BBS LCSW@DCA](mailto:DCA_BBS_LCSW@DCA)  
**To:** [Berger, Christy@DCA](mailto:Berger_Christy@DCA)  
**Cc:** [Helms, Rosanne@DCA](mailto:Helms_Rosanne@DCA)  
**Subject:** Fw: Modified Text of Proposed Regulatory Change – Continuing Education, Exams and Renewals  
**Date:** Friday, March 13, 2026 7:27:04 AM  
**Attachments:** [REQUEST FOR TEMPORARY CONTINUING EDUCATION \(CE\) WAIVER - ce exemption pt.pdf](#)

---

Thank you,  
BBS LCSW Team  
1625 N. Market Blvd Suite S-200  
Sacramento, CA 95834  
Main phone - 916-574-7830  
Website - <https://www.bbs.ca.gov/>  
FB - <https://www.facebook.com/BehavioralSciencesBoardCA>  
LC

**SUPERVISORS PLEASE READ:** The Board of Behavioral Sciences is excited to announce a new **Listserv Subscriber list for supervisors!** By joining, supervisors will receive updates, resources, and important information on all things related to supervision. Stay connected and informed—subscribe today at <https://www.bbs.ca.gov/webapplications/apps/subscribe/index.html>.

---

**From:** Anna Palid <[alp.bhconsulting@gmail.com](mailto:alp.bhconsulting@gmail.com)>  
**Sent:** Thursday, March 12, 2026 3:54 PM  
**To:** DCA, BBS LCSW@DCA <[BBS.LCSW@dca.ca.gov](mailto:BBS.LCSW@dca.ca.gov)>  
**Subject:** Fwd: Modified Text of Proposed Regulatory Change – Continuing Education, Exams and Renewals

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I could not find how to comment on pending regulations being reviewed, pertaining to CE, Exams and renewals. See attached. I think when people give birth, they should qualify for waivers and should be included in section below (note highlighted language):

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 life activities 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 new baby, 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.

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From: **Board of Behavioral Sciences** <[00000007d5011a3f-dmarc-request@subscribe.dcalists.ca.gov](mailto:00000007d5011a3f-dmarc-request@subscribe.dcalists.ca.gov)>

Date: Thu, Mar 12, 2026 at 11:25 AM

Subject: Modified Text of Proposed Regulatory Change – Continuing Education, Exams and Renewals

To: <[BBS-GENERAL@subscribe.dcalists.ca.gov](mailto:BBS-GENERAL@subscribe.dcalists.ca.gov)>

Greetings,

The Board of Behavioral Sciences is proposing additional amendments to its regulation proposal pertaining to Continuing Education, Exams and Renewals. The originally proposed text was initially noticed to the public on December 5, 2025 and the comment period closed on January 20, 2026.

The public comment period for the modified text ends on March 27, 2026

Information about the modified text, as well as information about how to submit a written comment, can be found at [https://www.bbs.ca.gov/about/law\\_reg.html](https://www.bbs.ca.gov/about/law_reg.html) --select the “Regulations” drop down, then select “Pending Regulations”.

Thanks,

Board of Behavioral Sciences

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[https://www.bbs.ca.gov/about/contact\\_us.html](https://www.bbs.ca.gov/about/contact_us.html)

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**Board of Behavioral Sciences**  
1625 North Market Blvd., Suite S200, Sacramento, CA 95834  
Telephone: (916) 574-7830  
[www.bbs.ca.gov](http://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 life activities 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 [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.

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](mailto: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](mailto: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](http://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)*

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

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)?

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2. Did your condition(s) substantially limit your ability to perform one or more life activities for at least one year during your current renewal cycle?     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
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**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**

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**From:** [DCA, BBS Info@DCA](mailto:DCA_BBS_Info@DCA)  
**To:** [Rachel Michaelsen](#)  
**Subject:** Re: Public comment CE changes  
**Date:** Saturday, March 14, 2026 7:40:52 AM

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Thank you... Your email has been forwarded.

Thanks,

BBS Information Team  
1625 N. Market Blvd, Ste S-200  
Sacramento, CA 95834  
LC

**SUPERVISORS PLEASE READ:** The Board of Behavioral Sciences is excited to announce a new **Listserv Subscriber list for supervisors!** By joining, supervisors will receive updates, resources, and important information on all things related to supervision. Stay connected and informed—subscribe today at <https://www.bbs.ca.gov/webapplications/apps/subscribe/index.html>.

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**From:** Rachel Michaelsen <rbmlcsw@sbcglobal.net>  
**Sent:** Friday, March 13, 2026 5:19 PM  
**To:** DCA, BBS Info@DCA <BBS.Info@dca.ca.gov>  
**Subject:** Public comment CE changes

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After reading about the proposed changes to continuing ed requirements I wanted to share two thoughts:

1). What is the purpose of continuing and for licensed professionals? In my mind, it is to keep people up-to-date and learning new skills to provide high-quality service to the people that we serve. What you have proposed does not actually help with that.

2)

I don't think you're going to get more supervisors by offering reduced CEs. And, in fact, I'm concerned about the quality of supervision you're going to get as supervisors will be getting less continuing education. I suggest you consider another way of incentivizing licensed professionals to supervise. For example, paying a certain amount of money towards continuing ed courses. We're finding other funds to pay them to provide supervision. I imagine you'll say that there isn't money for this, but I encourage you to think outside the box. Furthermore, I suggest you find another way of incentivizing licensees to attend your meetings or provide you with feedback as again I don't think attending meetings meets the goal of the continuing educational

requirements. I also must say that your website links are so ineffective that people probably give up on sending you feedback. I had to do a Google search to get the address of where to send a request about how I write to you with feedback and to the BBS to say I can't actually figure out the link to give feedback about this law. And the reason I was able to do that is that I'm actually out of the country on a humanitarian project and have more time in my life than usually when I'm at home working full-time.

On a final note, I just want to encourage you to think about the purpose of continuing ed versus the other goals that you're trying to reach. They're not in alignment and it's actually pretty disturbing to me that you would encourage people to get less training to meet other needs of the profession. I'm someone who teaches lots of continuing education classes, particularly in the Title IV-E realm and I know people need more continuing Ed and high-quality continuing ed. I know this from the types of questions I'm getting and from the not always excellent responses to vignettes and other questions I provide.

Thank you for all the work you're doing.

Rachel Michaelsen

**From:** [Kaye-Ailsa Rowan, LMFT](#)  
**To:** [Rulemaking, BBS@DCA](#)  
**Subject:** comments on proposed CE Disability Waiver Form DCA BBS 37A-636  
**Date:** Friday, March 13, 2026 11:43:51 AM

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Dear Christy Berger:

I am writing to comment on the proposed CE Disability Waiver form ([https://www.bbs.ca.gov/pdf/forms/ce\\_exemption\\_med\\_pt.pdf](https://www.bbs.ca.gov/pdf/forms/ce_exemption_med_pt.pdf)). I am glad to see the regulation and form updated to clarify which licensed medical professionals are accepted.

When someone needs a waiver due to caring for a family member, it is possible that the family member is incapacitated and cannot, themselves, sign to waive their medical privacy. I did not see any reference to this situation in the proposed regulation or on the proposed form. There should be clear instructions on how an authorized representative can sign the form on behalf of the family member when the family member is incapacitated.

Thank you for considering my comment.

Warmly,  
K'Ailsa Rowan

-----  
(K'Ailsa) Kaye-Ailsa Rowan, M.A.

pronouns: she/her/hers

Licensed Marriage and Family Therapist (CA Lic. 47779)

AAMFT Approved Supervisor

CAMFT Certified Supervisor

ISSTD Advanced Certification in Complex Trauma and Dissociation

Counseling for Action: aligned conscious thinking

Diversity-friendly psychotherapy

Telehealth throughout California

In-person in San Jose

Areas of focus: Chronic illness, complex trauma, mood disorders, relational concerns

Consultation, Clinical Supervision, and Supervisor Mentoring

Contact Info:

[krowan@counselingforaction.com](mailto:krowan@counselingforaction.com)

408-390-3680

[www.counselingforaction.com](http://www.counselingforaction.com)

1671 The Alameda, Ste 309, San Jose, CA 95126

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