



Board of Behavioral Sciences

# Memo

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**To:** Board Members **Date:** February 8, 2022  
**From:** Christy Berger  
Regulatory Analyst **Telephone:** (916) 574-7897  
**Subject:** **Discussion and Consideration of Comments Received During 45-Day Public Comment Period on Proposed Revisions to Continuing Education Regulations**

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## **Background**

At its November 2019 meeting, the Board approved regulatory changes pertaining to both continuing education (CE) and “additional training” requirements. The Board approved additional changes to this proposal at its meeting in September 2021. The approved language is provided in **Attachment A**. Key provisions are as follows:

- Update content requirements, and update/streamline the list of acceptable course providers for the training courses required to be completed by applicants for LMFT, LCSW and LPCC licensure, as well as Licensed Educational Psychologists renewing for the first time.
- Repeal regulations that were necessary during the transition of the CE program away from Board approval of individual CE providers.
- Allow a licensee to earn CE for completing a Board occupational analysis survey.
- Limit hours that can be earned by teaching CE courses.
- Amend the requirements to qualify for a CE waiver.
- Clarify, update and make minor and technical changes to sections pertaining to CE and additional training.

## **Status of the Regulation Proposal**

The regulation proposal was noticed to the public on November 12, 2021, and the public comment period ended on January 3, 2022.

## **Summary of Comments Received During Public Comment Period and Proposed Responses**

Below is a summary of the public comments received and staff's recommended responses:

### **1. Comment from Linda England, LMFT (see Attachment B)**

**Summary:** The commenter stated, "There are programs that track CEUs. It's a benefit for us as well as the board to track what has been completed and what needs to be completed."

**Response:** Board staff have reviewed this comment and do not recommend any changes to the text based thereon. Board staff note that this comment is outside of the scope of the proposed regulatory changes.

### **2. Comment from Zvi Bellin, LPCC (see Attachment C)**

The commenter offered the input that "psychotherapists should be trusted to gauge the value of their own CE units. There is so much valuable learning that falls outside of BBS approval. CE has become another business that taxes psychotherapists who are already struggling to make ends meet in an already complicated economic market. BBS should regulate the number of hours and the documentation of hours, though should give liberty to counselors to choose what is of value to their own growth. I believe this shows trust in the ethical relationship between psychotherapists and the state."

**Response:** Board staff have reviewed this comment and do not recommend any changes to the text based thereon. Board staff note that this comment is outside of the scope of the proposed regulatory changes.

### **3. Comments from:**

California Association of Marriage and Family Therapists (**Attachment D**)  
National Association of Social Workers – California Chapter (**Attachment E**)  
Center for Nutritional Psychology (**Attachment F**)  
Triad (**Attachment G**)  
CEU Love (**Attachment H**)  
Niroga Institute (**Attachment I**)

The commenters above all requested that "self-study" be added to the definition of a CE "course" in section 1887 for clarity and to ensure self-study continues to be allowed as an option. The commenters feel that self-study is an important option for the mode of course delivery and is an effective format.

**Response:** Board staff have reviewed these comments and recommend changes to the text based thereon.

In 2015, the definition of “self-study” and the limitation on self-study hours was eliminated from the Board’s regulations. As explained in the Initial Statement of Reasons:

“The committee conducted extensive discussions regarding the definition and applicability of self-study versus online learning. It was decided that self-study limitations should be removed, as there are many effective self-study tools in existence. Often, they come in the form of online learning. Online learning is now a mainstream learning tool that is now often used in place of classroom learning and is considered effective in the education industry. In addition, the Board designated approval agencies of CE courses have extensive experience in education methods, and therefore the Board agreed that any self-study courses they allow will meet strict quality specifications. The amended language would now allow a licensee to gain their required CE credits through any course format.”

Board staff note that the intent under the newly proposed regulation changes is to continue allowing self-study (or any other course format) to be accepted when taken from an acceptable CE provider. However, staff agrees that a text change would help to clarify that self-study and other course formats are permitted, especially since one of the proposed changes would specify that a course must be provided “in person or online.” It could be argued that self-study may be neither.

Staff recommends simply striking “in person or online” and not adding the phrase “self-study” into the examples provided. This is because we anticipate the Office of Administrative Law may require a definition of self-study, and since we do not know what the future may hold in terms of course formats offered, a definition may be limiting. A more general/generic definition would allow for greater flexibility in course formats, especially for future formats that we may not be able to conceive of at this point. However, to help clarify that self-study types of activities are acceptable, staff proposes adding “document-based” instruction or activities to the examples provided under the course definition.

Based on the above, staff recommends amendments to section 1887(a) as shown on page 6 of Attachment A.

### **Additional Proposed Changes**

In addition to the above amendment, several nonsubstantive clarifying changes are proposed in several sections as shown in Attachment A.

## **Recommendation**

Approve the proposed responses to public comments received, and direct staff to make any Board-approved changes and any technical or nonsubstantive changes needed to complete the rulemaking process.

## **Attachments**

**Attachment A:** Board-Approved Regulatory Language (Modified text for 15-day notice)

**Attachment B:** Comment from Linda England, LMFT

**Attachment C:** Comment from Zvi Bellin, LPCC

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

**Attachment E:** Comment from the National Association of Social Workers – California Chapter

**Attachment F:** Comment from the Center for Nutritional Psychology

**Attachment G:** Comment from Triad

**Attachment H:** Comment from CEU Love

**Attachment I:** Comment from Niroga Institute

**Proposed Changes to Additional Training and  
Continuing Education Regulations**

**California Code of Regulations  
Title 16. Professional and Vocational Regulations  
Division 18. Board of Behavioral Sciences**

**LEGEND**

Originally proposed text additions are indicated with an underline.

Originally proposed text deletions is indicated by ~~striketrough~~.

Newly proposed text additions are indicated with a **yellow highlight**  
AND double underline.

Newly proposed text deletions are indicated by **yellow highlight**  
AND either striketrough and underline OR ~~double striketrough~~.

**AMEND § 1807. Human Sexuality Training.**

The human sexuality training required of marriage and family therapists, clinical social workers, and professional clinical counselors by ~~Sections~~ sections 25, 4980.41, 4980.81, 4996.2, 4996.17, 4996.17.2, and 4999.32 and 4999.62 of the Code shall do both of the following:

- (a) Consist of a minimum of ten (10) hours of training or coursework.
- (b) Include the study of ~~physiological-psychological~~ physiological, psychological and social-cultural variables associated with sexual behavior, sexual dysfunctions, sexual orientation, gender identity, ~~sexual behavior or sexual disorders~~ and gender dysphoria.
- (c) ~~Have been completed after January 1, 1970, and shall have been obtained from one of the educational institutions or entities specified herein:~~
  - (1) ~~An educational institution accredited by one or more of those entities specified in Section 1832 of these regulations, including extension courses offered by such institutions; or~~
  - (2) ~~An educational institution approved by the Bureau for Private Postsecondary Education pursuant to Sections 94802 and 94887 of the Education Code, including extension courses offered by such institutions; or~~
  - (3) ~~A continuing education provider approved by the board; or~~
  - (4) ~~A course sponsored by a professional association; or~~

~~(5) A course sponsored, offered, or approved by a state, county, or local department of health services or department of mental health.~~

*Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code.*

*Reference: Sections 25, 4980.41, 4980.81, 4980.54, 4996.2, 4996.17.2, 4996.22 and 4999.32, and 4999.62, Business and Professions Code.*

## **AMEND § 1807.2. Child Abuse Assessment and Reporting Training Requirements.**

~~In addition to all other requirements for licensure, all~~ All persons applying for a license as a marriage and family therapist, clinical social worker, or professional clinical ~~counselor~~ counselor, or applying for first-time renewal of a license as an educational ~~psychologist~~ psychologist, ~~shall shall,~~ in addition to all other requirements for licensure, have completed coursework or training in child abuse assessment and ~~reporting~~ reporting, and shall submit documentation to the board. The coursework or training ~~in child abuse assessment and reporting~~ shall consist of not less than ~~7~~ seven (7) ~~classroom~~ hours and shall include training in each of the subject areas described in ~~Section~~ section 28 of the Code. The coursework or training shall be:

~~(a) Obtained at an educational institution, or in an extension course offered by an institution which is accredited by the Western Association of Schools and Colleges, or approved by the Bureau for Private Postsecondary Education, pursuant to Sections 94802 and 94887 of the Education; or~~

~~(b) Obtained from a statewide professional association representing the professions of psychology, social work or marriage and family therapy; or~~

~~(c) Obtained from or sponsored by a local, county, state or federal governmental entity, or licensed health facility; or~~

~~(d) Obtained from a continuing education provider approved by the board.~~

~~(e) Completed after January 1, 1983~~ have been completed within the five (5) years prior to the date the board receives the individual's application for licensure or renewal.

~~(f) A licensed educational psychologist shall meet the requirements of this section prior to applying for his or her first license renewal on or after January 1, 2012.~~

*Note: Authority cited: Sections 28, 4980.60, 4989.34 and 4990.20, Business and Professions Code. Reference: Sections 28, 4980.36, 4980.41, 4980.54, 4980.72, 4980.78, 4980.81, 4989.34, 4996.2, 4996.17.1, 4996.17.2, 4996.22 and 4999.32 and 4999.33, Business and Professions Code; and Sections 11164, 11165 and 11166, Penal Code.*

**AMEND AND RENUMBER § 1807.3. Alcoholism and Other Chemical Substance Dependency Training.**

- (a) The instruction and training in alcoholism and other chemical substance dependency required by ~~Sections~~ sections 4980.41, 4980.80, 4980.90, 4996.2, ~~4996.17~~ 4996.17.2, and 4999.32 of the Code shall consist of not less than fifteen (15) hours of ~~classroom~~ training or coursework and shall include each of the following areas:
- (1) The definition of alcoholism, substance abuse, and other chemical dependency, and the evaluation of the ~~abuser~~ client.
  - (2) Medical aspects of alcoholism, substance abuse, and other chemical dependency.
  - (3) Current theories of the etiology of substance abuse.
  - (4) The role of persons and systems that support or compound the abuse.
  - (5) Major treatment approaches to alcoholism, substance abuse, and chemical dependency.
  - (6) Legal aspects of substance abuse.
  - (7) Knowledge of certain populations at risk with regard to substance abuse.
  - (8) Community resources offering assessment, treatment and follow-up for the ~~abuser~~ client and family.
  - (9) The process of referring affected persons.
  - (10) ~~Education concerning and prevention~~ Prevention of substance abuse.
- (b) ~~For persons subject to Section 4980.41(d) of the Code, the training or coursework shall be:~~
- ~~(1) Obtained from an educational institution or in an extension course offered by an institution that is either accredited by one or more of the entities specified in Section 1832 of these regulations or is approved by the Bureau for Private Postsecondary Education pursuant to Sections 94802 and 94887 of the Education Code;~~
- (c) ~~For all others, the training or coursework shall be:~~
- ~~(1) Obtained from the educational institutions identified in subsection (b) (1); or~~
  - ~~(2) Obtained from or sponsored by a local, county, state or federal governmental entity; or~~
  - ~~(3) Obtained from a licensed health facility; or~~
  - ~~(4) Obtained from a continuing education provider approved by the board.~~
- (b) ~~(d)~~ A licensed educational psychologist that ~~renews~~ applying for a first-time license renewal his or her license on or after January 1, 2012 shall receive ~~have received~~ not less than fifteen (15) hours of instruction and training in alcoholism and other chemical substance dependency as described in subsection (a). ~~that shall include classroom training or coursework in each of the following areas:~~

- (1) ~~The definition of alcoholism and other chemical dependency, and the evaluation of the abuser.~~
- (2) ~~Medical aspects of alcoholism and other chemical dependency.~~
- (3) ~~Current theories of the etiology of substance abuse.~~
- (4) ~~The role of persons and systems that support or compound the abuse.~~
- (5) ~~Major treatment approaches to alcoholism and chemical dependency.~~
- (6) ~~Legal aspects of substance abuse.~~
- (7) ~~Knowledge of certain populations at risk with regard to substance abuse.~~
- (8) ~~Community resources offering assessment, treatment and follow-up for the abuser and family.~~
- (9) ~~The process of referring affected persons.~~
- (10) ~~Education concerning and prevention of substance abuse.~~

~~(e) Training and coursework received pursuant to subsection (d) of this section shall be obtained as provided in subsection (c) of this section.~~

*Note: Authority cited: Sections 4980.60, 4989.34 and 4990.20, Business and Professions Code. Reference: Sections 4980.41, 4980.80, 4980.81, 4980.90, 4989.34, 4996.2, 4996.17, 4996.17.2 and 4999.32, Business and Professions Code.*

**~~REPEAL § 1810.1. California Law and Ethics Training; Acceptable Education Providers.~~**

~~The California law and ethics training required of professional clinical counselors and out-of-state marriage and family therapist applicants required by Sections 4980.80 and 4999.32 of the Code shall:~~

- ~~(a) Have been obtained from one of the educational institutions or entities specified herein:~~
- ~~(1) An educational institution accredited by the Western Association of Schools and Colleges or one or more of those entities specified in Section 1832 of these regulations, including extension courses offered by such institutions; or,~~
  - ~~(2) An educational institution approved by the Bureau for Private Postsecondary Education pursuant to Sections 94802 and 94887 of the Education Code, including extension courses offered by such institutions; or~~
  - ~~(3) A continuing education provider approved by the board; or~~
  - ~~(4) A course sponsored, offered, or approved by a state, county, or local department of health services or department of mental health.~~

*Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.80 and 4999.32, Business and Professions Code.*



**REPEAL § 1810.2. Crisis or Trauma Counseling Training.**

The crisis or trauma counseling training required by Sections 4999.32 of the Code shall:

- ~~(a) Have been obtained from one of the educational institutions or entities specified herein:~~
  - ~~(1) An educational institution accredited by the Western Association of Schools and Colleges or one or more of those entities specified in Section 1832 of these regulations, including extension courses offered by such institutions; or,~~
  - ~~(2) An educational institution approved by the Bureau for Private Postsecondary Education pursuant to Sections 94802 and 94887 of the Education Code, including extension courses offered by such institutions; or~~
  - ~~(3) A continuing education provider approved by the board; or~~
  - ~~(4) A course sponsored, offered, or approved by a state, county, or local department of health services or department of mental health.~~

~~Note: Authority cited: Section 4990.20, Business and Professions Code. Reference: Section 4999.32, Business and Professions Code.~~

**ADD § 1810.5. Acceptable Training Providers.**

(a) The training courses listed below shall have been obtained from one of the providers listed in subsection (b):

- (1) Human sexuality training required by section 1807.
- (2) Child abuse assessment and reporting training required by section 1807.2.
- (3) Alcoholism and other chemical substance dependency training required by section 1807.3.
- (4) California law and ethics training required of out-of-state marriage and family therapist, clinical social worker, and professional clinical counselor applicants required by sections 4980.72, 4980.78, 4980.81, 4996.17.1, 4996.17.2, 4999.60 and 4999.62 of the Code.
- (5) Crisis or trauma counseling training required by section 4999.32 of the Code.

(b) The above training courses shall have been obtained from any of the following providers:

- (1) An educational institution, including an extension program, accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education, including extension courses offered by such institutions.
- (2) An educational institution, including an extension program, approved by the Bureau for Private Postsecondary Education, including extension courses offered by such institutions.
- (3) A continuing education provider accepted by the board pursuant to section 1887.4.3.

Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 25, 28, 4980.36, 4980.41, 4980.72, 4980.78, 4980.81, 4989.34, 4996.2, 4996.17.1, 4996.17.2, 4999.32, 4999.33, 4999.60 and 4999.62, Business and Professions Code; and Sections 11165 and 11166, Penal Code.

## **AMEND § 1887. Definitions.**

As used in this article:

- (a) A continuing education "course" means a form of systematic learning at least one hour in length length, provided in person or online. This may include including, but is not limited to, academic studies, extension studies, lectures, conferences, seminars, workshops, document-based, audio, or visual instruction or activities viewing of videotapes or film instruction, or viewing or participating in other audiovisual activities including interactive video instruction and activities electronically transmitted from another ~~location~~ location, that ~~has~~ 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) An ~~"initial renewal period"~~ means the period from issuance of an initial license to the license's first expiration date.
- ~~(c)~~(d) A "renewal period" means the two-year period that spans from the ~~effective date of the license~~ first day after the license's prior expiration date to the current license expiration date.
- ~~(d)~~(e) 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 ~~of the board~~, and monitors the quality of each approved continuing education course.

*Note: Authority cited: Sections 4980.60, ~~4989.34~~, and ~~4999.76~~ 4990.20, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

## **AMEND § 1887.1. Continuing Education Requirements and License Renewal Requirements.**

- (a) Except as provided in ~~Section~~ 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~~ sections 4980.54, 4989.34, 4996.22,

and 4999.76 of the Code.

(b) A licensee who falsifies or makes a material misrepresentation of fact when applying for license 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 sections 4982(b), 4989.54 (b), 4992.3(b), and 4999.90(b) of the Code.

(c) Individuals who hold dual licensure with the Board may apply the same continuing education course to both licenses if the subject matter of the course relates to each license's scope of practice.

*Note: Authority cited: Sections 4980.60, 4989.34, and 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4982, 4989.34, 4989.54, 4992.3, 4996.22, 4999.76 and 4999.90, Business and Professions Code.*

### **AMEND § 1887.2. Exceptions from Temporary Waivers of and Exemptions from Continuing Education Requirements.**

~~(a) A licensee in his or her initial renewal period shall complete at least eighteen (18) hours of continuing education prior to his or her first license renewal.~~

~~(b)(a) A licensee is exempt from the continuing education requirement if his or her their license is inactive pursuant to Sections 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.~~

~~(c)(b) A licensee may submit a written request for exception a temporary waiver from, or reasonable accommodation for, the continuing education requirement, 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) Exception Waiver – Licensee Application," Form No. 1800 37A-635 (Rev 03/10 Revised [date to be determined by OAL upon approval of regulations]), hereby incorporated by reference reference, for any of the reasons listed below. The request must be submitted to the board in writing at least sixty (60) days prior to the license expiration date. The request must be submitted to the board at least sixty (60) days prior to the expiration date of the license. The board will notify the licensee, within thirty (30) working days after receipt of the request for exception or reasonable accommodation, whether the exception or accommodation was granted. If the request for exception or accommodation is denied, the licensee is responsible for completing the full amount of continuing education required for license renewal. If the request for exception or accommodation is approved, it shall be valid for one renewal period.~~

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

~~(A) For at least one year during the licensee's previous license renewal period the licensee was absent from California due to his or her military service; or~~

~~(B) For at least one year during the licensee's previous license renewal period the licensee resided in another country;~~

~~(1)(2) The board may grant a reasonable accommodation if, for~~ For at least one year during the licensee's ~~previous~~ current license renewal period, the licensee ~~or an immediate family member, including a domestic partner, where the licensee is the primary caregiver for that family member,~~ 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 life activities as 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. 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) Exception Waiver – Verification of Disability or Medical Condition," Form No. 4800 37A-636 (New 03/10 Revised [date to be determined by OAL upon approval of regulations]), hereby incorporated by reference. Form No. 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 law and ethics required by section 1887.3.

*Note: Authority cited: Sections 4980.54, 4980.60, 4989.34, and 4990.20(a), 4996.22 and 4999.76, Business and Professions Code; and Sections 12926 and 12944, Government Code. Reference: Sections 4980.54, 4984.8, 4984.41, 4989.34, 4989.44, 4989.45, 4996.22, 4997, 4997.1, and 4999.76, 4999.112 and 4999.113, Business and Professions Code; and Sections 12926 and 12944, Government Code.*

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

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

~~(b) Marriage and family therapists and clinical social workers who started graduate study prior to January 1, 1986, shall take a continuing education course in the detection and treatment of alcohol and other chemical substance dependency 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 29 of the Code. This is a one-time requirement for those licensees specified above. Equivalent alcohol and other chemical substance dependency 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.~~

~~(e)~~(b) 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~~ 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.

~~(d)~~(c) Any person renewing ~~his or her~~ a license shall complete a minimum of six (6) hours of continuing education in the subject of 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) 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) If a licensee teaches a course provided by a board-accepted provider, the licensee may claim credit for the course ~~only one time during a single renewal period~~, 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) A licensee may not claim the same course more than once during a single renewal period for hours of continuing education credit.~~

~~(g)~~(f) A licensee 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.

~~(h)~~(g) A licensee who attends ~~the board~~ a Board of Behavioral Sciences enforcement case review training ~~may~~ shall be awarded credited with up to six (6) hours of continuing education in the renewal cycle ~~in~~ 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)~~(h) A licensee who acts as a ~~board~~ Board of Behavioral Sciences subject matter expert (SME) for an enforcement case review ~~may~~ shall be ~~awarded~~ credited with six (6) hours of continuing education in the renewal cycle ~~in~~ 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)~~(i) A licensee who participates in a ~~board~~ Board of Behavioral Sciences examination development workshop ~~may~~ shall be ~~awarded~~ credited with six (6) hours of continuing education in the renewal cycle ~~in~~ 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) A licensee who completes a 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.
- (k) A licensee who participates in a mental health professional organization's law and ethics review committee ~~may~~ shall be ~~awarded~~ credited with up to six (6) hours of continuing education in the renewal cycle ~~in~~ 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.
- (l) 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 shall maintain records of completed activities for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

*Note: Authority cited: Sections 4980.60, ~~4989.34~~, and 4990.20 and ~~4999.76~~, Business and Professions Code. Reference: Sections 29, 32, 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**~~REPEAL § 1887.4. Continuing Education Course Content.~~**

~~This section shall be applicable only to continuing education providers who hold an active board-issued continuing education provider number.~~

- ~~(a) A provider shall ensure that the content of a course shall be relevant to the practice of~~



~~marriage and family therapy, educational psychology, professional clinical counselor, or clinical social work and meet the requirements set forth in Sections 4980.54, 4989.34, 4996.22, and 4999.76 of the Code. The content of a course shall also be related to direct or indirect patient/client care.~~

~~(1) Direct patient/client care courses cover specialty areas of therapy (e.g., theoretical frameworks for clinical practice; intervention techniques with individuals, couples, or groups).~~

~~(2) Indirect patient/client care courses cover pragmatic aspects of clinical practice (e.g., legal or ethical issues, consultation, recordkeeping, office management, insurance risks and benefits, managed care issues, research obligations, supervision training).~~

~~(b) A provider shall ensure that a course has specific objectives that are measurable.~~

~~(c) Upon completion of a course, a licensee shall evaluate the course through some type of evaluation mechanism.~~

~~Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.~~

#### **AMEND § 1887.4.0. Continuing Education Course Content.**

(a) Courses shall meet the requirements, ~~relevant to each practice, as set forth in Sections sections~~ 4980.54, 4989.34, 4996.22 and 4999.76 of the Code.

(b) The content of the course shall ~~be based upon a methodological, theoretical, research, or practice knowledge base, and; be:~~

(1) **Be R**relevant to the profession's scope of practice;

(2) **Be S**upported by evidence-based practice;

(3) **Be C**onsistent with the profession's current standards of care;

(4) **Be C**onsistent with the profession's ethical, legal, statutory and regulatory standards; and,

(5) Do one or both of the following:

(1)(A) ~~demonstrate~~ **Demonstrate** credibility through the involvement of the broader support from mental health practices, current educational standards, and science communities in studying or applying the findings, ~~procedures, practices or theoretical concepts~~ current research; or



~~(2)(B) be Be directly related to the profession's ethical, legal, statutory or regulatory policies, guidelines, and standards that impact each respective practice.~~

(c) Each continuing education course shall have both of the following:

- (1) A syllabus that contains a general outline of the main points for each topic, one or more written educational goals, and specific learning objectives that are measurable and serve as a basis for an evaluation of the effectiveness of the course; and,
- (2) an evaluation A mechanism that allows each participant to evaluate the continuing education course; course.
- ~~(3) a syllabus that provides a general outline of the course, which shall contain, at a minimum, the learning objectives for each course and a summary containing the main points for each topic; and~~
- ~~(4) a mechanism that allows all participants to assess their achievement in accordance with the program's learning objectives.~~

*Note: Authority cited: Sections ~~4980.60, 4989.34, 4990.20 and 4999.76~~ 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

#### **AMEND § 1887.4.1. Board-Recognized Approval Agencies.**

(a) The following are board-recognized approval agencies:

- ~~(1) National Association of Social Workers (NASW)~~
- ~~(2) Association of Social Work Boards (ASWB)~~
- ~~(3) National Board of Certified Counselors (NBCC)~~
- ~~(4) National Association of School Psychologists (NASP)~~
- ~~(5) American Psychological Association (APA)~~
- ~~(6) California Associate of Marriage and Family Therapists (CAMFT)~~
- ~~(7) California Psychological Association (CPA)~~
- (1) American Psychological Association (APA)
- (2) Association of Social Work Boards (ASWB)
- (3) California Association of Marriage and Family Therapists (CAMFT)
- (4) California Psychological Association (CPA)
- (5) National Association of School Psychologists (NASP)
- (6) National Association of Social Workers (NASW)
- (7) National Board of Certified Counselors (NBCC)

- (b) The board may recognize another entity as an approval agency if the entity can demonstrate in writing the following:
- (1) The entity is an organization that represents a licensed health care profession.
  - (2) The entity has a documented Code of Ethics.
  - (3) The entity has documented procedures for maintaining a continuing education approval program, including, but not limited to:
    - (A) Maintaining and managing records and data related to continuing education programs.
    - (B) Monitoring and approving continuing education providers and courses.
  - (4) The entity has policies to avoid a conflict of interest between any provider and approval functions.
  - (5) The entity has the capacity to evaluate courses to ensure compliance with ~~Section~~ section 1887.4.0.
- (c) Upon written confirmation from the board that the entity has been recognized, the entity may advertise that it has been recognized by the board.
- (d) Failure of the entity to substantially comply with the provisions as set forth in ~~Section~~ section 1887.4.2 shall constitute cause for revocation of recognition by the board.

*Note: Authority cited: Sections 4980.60, ~~4989.34~~, and 4990.20 ~~and~~ 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**AMEND § 1887.4.2. Approval Agency Responsibilities.**

~~(a)~~ Each board-recognized approval agency shall:

- ~~(1)~~(a) Evaluate each continuing education provider seeking approval in accordance with the requirements of ~~Section~~ section 1887.4.3.
- ~~(2)~~(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.
- ~~(3)~~(c) Provide the board with the name, address and responsible party of each provider upon request.

- (4)(d) Respond to complaints from the board, providers, or licensees concerning activities of any of its approved providers or their courses.
- (5)(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.
- (6)(f) Ensure that the continuing education coursework offered by its providers meets the continuing education requirements of the board.
- (7)(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, 4989.34, 4990.20 and 4999.76 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**AMEND § 1887.4.3. Acceptable Continuing Education Provider Providers and Responsibilities.**

(a) A continuing education provider shall be either one of the following:

- (1) ~~an~~ An accredited or approved postsecondary institution that meets the requirements set forth in ~~Sections~~ sections 4980.54(f)(1), 4989.34, 4996.22(d)(1), or 4999.76(d) of the Code;
- (2) ~~a~~ 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) ~~an organization, institution, A professional association, or other entity~~ that is recognized by the board as a continuing education provider. The following ~~organizations~~ professional associations are recognized by the board as continuing education providers:
  - (A) ~~American Association for Marriage and Family Therapy (AAMFT)~~
  - (B) ~~American Association for Marriage and Family Therapy California Division (AAMFT-CA)~~
  - (C) ~~California Association for Licensed Professional Clinical Counselors (CALPCC)~~
  - (D) ~~California Association of Marriage and Family Therapists (CAMFT)~~
  - (E) ~~National Association of Social Workers California Chapter (NASW-CA)~~
  - (F) ~~California Society for Clinical Social Work (CSCSW)~~
  - (G) ~~California Association of School Psychologists (CASP)~~
  - (H) ~~California Psychological Association (CPA)~~

~~(I) California Counseling Association (CCA)~~

~~(J) American Counseling Association (ACA)~~

(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~~ section 1887.4.0.
- (c) Each provider shall furnish each licensee a record of course completion as defined in ~~Section~~ 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~~ section 1887.12(b). Credit hours awarded shall be in compliance with ~~Section~~ 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 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, 4989.34, and 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**REPEAL § 1887.7. Board-Approved Providers.**

~~This section shall be applicable only to continuing education providers who hold an active board-issued continuing education provider number.~~

- ~~(a) A continuing education provider must meet the board's course content and instructor qualifications criteria, as provided under this article, to qualify to become a board-approved provider.~~
- ~~(b) A continuing education provider shall submit a completed Continuing Education Provider Application (Form no. 1800 37A 633, Rev. 1/11), hereby incorporated by reference, remit the appropriate fees, and obtain a continuing education provider number from the board to become a board-approved provider.~~
- ~~(c) A provider may not apply for a new provider approval number within one year of an existing approval's expiration unless the provider has undergone a change of ownership.~~
- ~~(d) A provider approval issued under this section shall expire on the last day of the twenty-fourth month after the approval issue date. To renew an unexpired provider approval, the provider shall, on or before the expiration date of the approval, pay the two-year renewal fee set forth in Section 1816 of these regulations.~~
- ~~(e) When a provider's approval is expired, the provider may not present a course for continuing education credits for licensees of the Board of Behavioral Sciences.~~
- ~~(f) Board-approved provider numbers are non-transferable.~~

~~(g) The Board shall send a renewal notice, at least thirty (30) days prior to the expiration, to any continuing education provider approved by the Board, to the address of record for such provider.~~

~~Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.~~

### **~~REPEAL § 1887.8. Revocation and Denial of Board-Approved Provider Status.~~**

~~This section shall be applicable only to continuing education providers who hold an active board-issued continuing education provider number.~~

~~(a) The board may revoke its approval of a provider or deny a provider application for good cause. Good cause includes, but is not limited to, the following:~~

~~(1) a provider is convicted of a felony or misdemeanor offense substantially related to the activities of a board-approved provider;~~

~~(2) a provider, who is a licensee of the board, fails to comply with any provisions of Chapters 13, 13.5, 14 and 16 of the Business and Professions Code or Title 16, Division 18 of the California Code of Regulations; or~~

~~(3) a provider makes a material misrepresentation of fact in information submitted to the board.~~

~~(b) After a thorough case review, should the board decide to revoke or deny its approval of a provider, it shall give the provider written notice setting forth its reasons for revocation or denial. The provider may appeal the revocation or denial in writing, within fifteen (15) days after receipt of the revocation or denial notice, and request a hearing with the board's designee. The revocation is stayed at this point. Should the board's designee decide to uphold the revocation or denial, the provider may appeal the decision of the board's designee in writing, within seven (7) days after receipt of the decision of the board's designee, and request a hearing with a continuing education appeals committee appointed by the board chairperson. The hearing will take place at the next regularly scheduled board meeting, provided the appeal is received before the meeting is noticed to the public. It is at the discretion of the board's designee whether to stay the revocation further.~~

~~The continuing education appeals committee shall contain three board members, one public member and two members representing two of the four license types regulated by the board. The decision of the continuing education appeals committee is final.~~

*Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**REPEAL § 1887.9. Course Advertisements.**

This section shall be applicable only to continuing education providers who hold an active board-issued continuing education provider number.

A provider shall ensure that information publicizing a continuing education course is accurate and includes the following:

- (a) the provider's name;
- (b) the provider number, if a board-approved provider;
- (c) the statement "Course meets the qualifications for \_\_\_\_\_ hours of continuing education credit for MFTs, LPCCs, LEPs and/or LCSWs as required by the California Board of Behavioral Sciences";
- (d) the provider's policy on refunds in cases of non-attendance by the registrant; and
- (e) a clear, concise description of the course content and objectives.

*Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**REPEAL § 1887.10. Course Instructor Qualifications.**

This section shall be applicable only to continuing education providers who hold an active board-issued continuing education provider number.

- (a) A provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:
  - (1) a license, registration, or certificate in an area related to the subject matter of the course. The license, registration, or certificate shall be current, valid, and free from restrictions due to disciplinary action by this board or any other health care regulatory agency;
  - (2) a master's or higher degree from an educational institution in an area related to the subject matter of the course;
  - (3) training, certification, or experience in teaching subject matter related to the subject

~~matter of the course; or~~

~~(4) at least two years' experience in an area related to the subject matter of the course.~~

~~(b) During the period of time that any instructor has a healing arts license that is restricted pursuant to a disciplinary action in California or in any other state or territory, that instructor shall notify all approved continuing education providers for whom he or she provides instruction of such discipline before instruction begins or immediately upon notice of the decision, whichever occurs first.~~

~~*Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4982.15, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*~~

### **REPEAL § 1887.11. Records of Course Completion.**

~~This section shall be applicable only to continuing education providers who hold an active board-issued continuing education provider number.~~

~~Upon completion of a course, a provider shall issue a record of course completion to a licensee (e.g., letters of verification of attendance, certificates, gradeslips, transcripts) containing the following information:~~

- ~~(a) name of licensee and license number or other identification number;~~
- ~~(b) course title;~~
- ~~(c) provider name and address;~~
- ~~(d) provider number, if a board-approved provider;~~
- ~~(e) date of course;~~
- ~~(f) number of hours of continuing education credit; and~~
- ~~(g) signature of course instructor, provider, or provider designee.~~

~~*Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*~~

### **AMEND § 1887.11.0. Records of Course Completion.**

Upon completion of a course, a provider shall issue a record of course completion to a licensee (e.g., letters of verification of letter verifying attendance, certificates certificate, gradeslips grade slip, transcripts transcript) containing the following information:



- (a) Name of licensee and license number or other identification number;
- (b) Course title;
- (c) Provider name and address;
- (d) Board-recognized approval agency name, or a statement that the provider is an entity recognized by the board to provide continuing education pursuant to ~~Section~~ section 1887.4.3;
- (e) Date of course;
- (f) Number of hours of continuing education credit; and
- (g) Signature of course instructor, provider, or provider designee.

*Note: Authority cited: Sections ~~4980.60, 4989.34, 4990.20 and 4999.76~~ 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*

**REPEAL § 1887.15. Transition Period for Continuing Education Program.**

- ~~(a) An entity wishing to become recognized by the board as an approval agency may submit documentation demonstrating compliance with Section 1887.4.1 to the board beginning January 1, 2015.~~
- ~~(b) Effective January 1, 2015, the board will cease accepting applications for board-approved continuing education providers.~~
- ~~(c) Effective July 1, 2015, all board-approved continuing education provider numbers will no longer be renewed.~~
- ~~(d) Notwithstanding any other provision of this Article, board-approved continuing education provider numbers with an expiration date of July 1, 2015, or later are not eligible for renewal.~~
- ~~(e) Notwithstanding any other provision of this Article, each board-approved continuing education provider may continue to provide continuing education coursework until the expiration of their continuing education provider number.~~
- ~~(f) Board licensees may be credited with continuing education credits from a board-approved continuing education provider if all of the following criteria are satisfied:~~

~~(1) The board-approved continuing education provider's board-issued provider~~

~~number was not expired at the time that the course was taken; and~~

- ~~(2) The continuing education course satisfied the course requirements set forth in Section 1887.4 and the instructor requirements set forth in Section 1887.10, as applicable to continuing education providers who hold an active board-issued continuing education provider number.~~

~~*Note: Authority cited: Sections 4980.60, 4989.34, 4990.20 and 4999.76, Business and Professions Code. Reference: Sections 4980.54, 4989.34, 4996.22 and 4999.76, Business and Professions Code.*~~

# ATTACHMENT B

**From:**  
**To:** [Rulemaking, BBS@DCA](mailto:Rulemaking,BBS@DCA)  
**Cc:**  
**Subject:** CEU Tracking  
**Date:** Sunday, January 2, 2022 11:18:16 AM

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.....

There are programs that track CEUs. It's a benefit for us as well as the board to track what has been completed and what needs to be completed.

Linda England, LMFT  
MFC 88228  
310.998.7205

Sent from my iPhone

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ATTACHMENT C

**From:**  
**To:** [Rulemaking, BBS@DCA](mailto:Rulemaking,BBS@DCA)  
**Subject:** Re: CE Regulations Comment Period Extension  
**Date:** Sunday, January 2, 2022 1:17:45 PM

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[EXTERNAL]:

**CAUTION:** THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

**DO NOT:** click links or open attachments unless you know the content is safe.

**NEVER:** provide credentials on websites via a clicked link in an Email.

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Hello Ms. Berger

In regards to CE Regulations, I would like to offer the input that psychotherapists should be trusted to gauge the value of their own CE units. There is so much valuable learning that falls outside of BBS approval. CE has become another business that taxes psychotherapists who are already struggling to make ends meet in an already complicated economic market. BBS should regulate the number of hours and the documentation of hours, though should give liberty to counselors to choose what is of value to their own growth. I believe this shows trust in the ethical relationship between psychotherapists and the state.

Thank you for receiving my comment.

Zvi Bellin  
LPCC, #37  
Oakland, CA 94609

On Tue, Dec 28, 2021 at 7:20 AM Board of Behavioral Sciences <[00000007d5011a3f-dmarc-request@subscribe.dcalists.ca.gov](mailto:00000007d5011a3f-dmarc-request@subscribe.dcalists.ca.gov)> wrote:

Hello,  
The public comment period for the proposal to amend the Board’s Continuing Education and Additional Training regulations has been extended to January 3, 2022. The notice extending the comment period can be found at the link below:

[https://bbs.ca.gov/pdf/regulation/pending/ce\\_add\\_coursework\\_comment\\_extension.pdf](https://bbs.ca.gov/pdf/regulation/pending/ce_add_coursework_comment_extension.pdf)

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Please do not reply to this email notice as it is not forwarded to an email account.

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For questions, please click the link below, and choose an option from the “Message the Board” menu.

<https://www.dca.ca.gov/webapps/bbs/contact.php>

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**Zvi Bellin, Ph.D., LPCC**

Licensed Professional Clinical Counselor (LPC#37)

Depression and Life Transitions Counseling for Adolescents and Adults

2915 Martin Luther King Jr. Way

Berkeley, CA 94703

VIRTUAL OFFICE LINK: <https://sessions.psychologytoday.com/dr-zvi-bellin>

WEBSITE: <https://meaningthroughbeing.com/>



**CONNECT  
ENRICH  
ACHIEVE**

California Association of Marriage and Family Therapists  
7901 Raytheon Road, San Diego, CA 92111-1606  
Phone: (858) 292-2638 | Fax: (858) 292-2666 | www.camft.org

December 30, 2021

VIA EMAIL

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

**RE: Proposed Revisions to Continuing Education Regulations: Division 18 of Title 16 of the California Code of Regulations: Add section 1810.5; Amend sections 1807, 1807.2, 1810, 1887, 1887.1, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3 and 1887.11.0; Repeal sections 1810.1, 1810.2, 1887.4, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11 and 1887.15**

Dear Ms. Berger:

On behalf of our more than 33,000 members, the California Association of Marriage and Family Therapists (CAMFT) would like to comment on the proposed revisions to the Continuing Education Regulations as published on November 2, 2021 for public comment.

**Section 1887. Definitions (a)**

Under current regulations, a continuing education course includes Self-Study, which allows an individual to read approved materials from an approved continuing education provider and complete questions for education units related to their scope of practice and any specialty population they serve.

This process is accepted by regulatory bodies across the country and allows for independent study relevant to the therapist's practice. In addition, Self-Study courses for continuing education units (CEUs), are appropriately developed and distributed by BBS designated approval agencies, including CAMFT, and their approved CEU providers.

There is no evidence to suggest that Self-Study CEUs are any less valid than in-person or online programs. What is consistent in the three modes of learning is a documented educational goal for specific learning objectives and a mechanism to assess the achievement of the learning objectives.

In 2015, CAMFT supported the BBS when the Board amended 16 CCR Section 1887 to remove the 18-hour Self-Study limitation. At that time, the BBS CE Committee conducted extensive discussions regarding the definition and applicability of Self-Study versus online learning. It was determined that Self-Study limitations should be removed, as there are many effective Self-Study tools in existence. Additionally, the BBS opined that Self-Study courses would meet strict quality specifications required by the designated approval agencies of CE courses.

While CAMFT supports the additional clarity in the drafted regulations to allow for online and in-person CEUs, we recommend an amendment to ensure Self-Study is still allowed. Self-Study CEU activities include materials developed for learners who seek flexibility in the location and scheduling of a course. In addition, Self-Study learners must demonstrate satisfactory completion of the learning experience by completing questions or an assignment. Self-Study is an educational experience designed to provide flexibility and enhance skills and knowledge in an area relevant to their practice.

The ongoing pandemic demonstrates why the flexibility for all three learning modes is critical. The Self-Study option should remain available for individuals with limited access to high-speed internet, restrictions on travel/inability to obtain CEUs in-person, or preference of learning via a Self-Study medium.

**CAMFT proposes revising section 1887 Definitions (a) to read:**

A continuing education “course” means a form of systematic learning at least one hour in ~~length~~ length, provided through in person, online, or Self-Study. This may include including, but is not limited to, academic studies, extension studies, lectures, conferences, seminars, workshops, viewing of videotapes ~~film~~ instruction, or viewing or participating in other audiovisual activities including interactive video instruction and activities electronically transmitted ~~from another location~~ location, that has have been verified and approved by the continuing education provider.

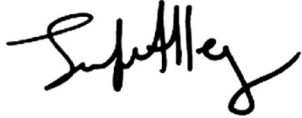
**Conclusion**

CAMFT’s primary concern is that the proposed change eliminating the effective Self-Study model will reduce options to complete CEUs. Not only are there many Self-Study courses that are effective for continuing education and meet strict quality specifications, providers in rural areas may have limited access to the high-speed internet required for online training platforms, and may incur higher costs associated with in-person courses due to lost work and travel costs.



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

Sincerely,

A handwritten signature in black ink, appearing to read "J. Alley".

Jennifer Alley  
State Government Affairs Specialist

A handwritten signature in black ink, appearing to read "Cathy Atkins".

Cathy Atkins  
Deputy Executive Director

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January 3, 2022

VIA EMAIL

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

**Re: Proposed Revisions to Continuing Education and Additional Coursework Sections**

Continuing Education and Additional Coursework Sections Affected: Add section 1810.5; Amend sections 1807, 1807.2, 1810, 1887, 1887.1, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3 and 1887.11.0; Repeal sections 1810.1, 1810.2, 1887.4, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11 and 1887.15 of Division 18 of Title 16 of the California Code of Regulations.

Dear Ms. Berger,

The National Association of Social Workers, California Chapter (NASW-CA) would like to comment on the proposed regulations on the revisions to the continuing education and additional coursework sections which were released on November 2, 2021. We appreciate the additional clarity the proposed regulations provide regarding these sections of law.

We do believe that a self-study option should be allowed for CE. NASW-CA does offer this option and we believe it is a valuable way to learn content that is essential for the practice of clinical social work. It is important to offer course content that caters to the different ways that people learn best. In addition to auditory, visual and kinetic learners, reading and writing learners will absorb content by looking at the written word. This has been a long-accepted way to learn content. In addition, the ongoing pandemic dictates that we should increase options for obtaining CE.

In order for this change to be made, we ask that Section 1887 (a) be amended to expressly include “self-study.” Please let us know if you have any questions.

*The National Association of Social Workers, California Chapter represents approximately 9,000 professional social workers in California who have degrees from accredited social work programs across the country. NASW-CA advocates, on behalf of our members and their clients, for the implementation and improvement of programs and policies designed to enhance human well-being and help meet the basic needs of all people.*

Sincerely,



Rebecca Gonzales, Director of Government Relations and Political Affairs

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ATTACHMENT F



**The Center for Nutritional Psychology**

December 28, 2021

Christy Berger, Regulatory Analyst  
California Board of Behavioral Studies  
1625 N. Market Blvd., Suite S-200  
Sacramento, CA 95834

Dear Ms. Berger,

Thank you for the opportunity to comment on the CE regulatory package. I am the cofounder of the Center for Nutritional Psychology. We are an approved sponsor of continuing education for licensed psychologists and licensed mental health counselors through the APA and California Association of Marriage and Family Therapists (CAMFT).

The World Health Organization declares depression as the leading cause of disability worldwide and a major contributor to the overall global burden of disease. The Center for Nutritional Psychology (CNP) is the developer of evidence-based self-taught [curriculum](#) that consolidates the world's research in the connection between Diet and mental health. CNP's online self-paced university-level curriculum offers an critical piece of the puzzle in addressing the immense economic, societal, and individual burden of mental illness.

**Our Self-Study Program has met all standards brought forth by the American Psychological Association to provide licensed professionals with self-study courses. Introduction to Nutritional Psychology Methods is one such course. It is important that mental health professionals are encouraged to learn about the role that diet is playing in the global mental health – as this curriculum is not yet taught in university.**

Under the change to the definition of a continuing education “course,” we are concerned that if Self-Study is no longer allowed as continuing education course option, we will no longer be able to serve the thousands of clients who have expressed an interest in this Self-Study curriculum. This coursework is not available anywhere else in the world and is backed by over 3,500 research studies supporting the development of the course content.

We respectfully request clarification that continuing education courses includes a self-study option prior to these regulations being finalized.

Sincerely,  
Ephi Lu  
CNP Executive Director

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## ATTACHMENT G

**From:** [Kristen Rollman](#)  
**To:** [Rulemaking, BBS@DCA](#)  
**Cc:** [Jyoti Jeerage](#)  
**Subject:** Proposed change to BBS CE Requirements  
**Date:** Monday, January 3, 2022 1:27:23 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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[EXTERNAL]: [kristen.rollman@triadhq.com](mailto:kristen.rollman@triadhq.com)

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Christy Berger, Regulatory Analyst  
California Board of Behavioral Studies  
1625 N. Market Blvd., Suite S-200  
Sacramento, CA 95834

Dear Ms. Berger,

Thank you for the opportunity to comment on the CE regulatory package. My name is Kristen Rollman and I am the Content and Continuing Education Manager for Triad, the leading provider of education, community, and career resources for behavioral and mental health professionals. Triad operates AATBS and Gerry Grossman Seminars, providing licensure exam prep and continuing education for Marriage and Family Therapists, Counselors, and Social Workers.

We are reaching out to express concern regarding the proposed changes to the definition of a continuing education course (AMEND § 1887), as it seems to exclude the self-study, reading-based format, which is a valuable option for the mental health professional community. Our self-study, reading-based courses are developed using recent, peer-reviewed research. Learners are required to read the provided text and demonstrate competency through completion of a post-test. Learners must score a 75% or higher on the course post-test to qualify for a certificate. Each post-test contains at least 10 questions directly testing comprehension of the course content. Courses that offer more than 1 CE credit provide content and additional post-test questions in proportion to the number of CE credits offered.

After completing the course content and the post-test, learners are required to complete a detailed evaluation form for the course. The evaluation forms require learners to report on their overall experience with the course and indicate that course objectives were met. The evaluation also provides our learners with an opportunity to provide any additional feedback on the course. Our team reviews this feedback on a regular basis and utilizes this information to make appropriate and relevant updates to the content, if necessary. Only after each of these requirements is met is the learner issued a CE certificate indicating they have completed the course.

All of our reading-based courses are developed and reviewed by licensed mental health professionals. Each course is then reviewed by an additional licensed mental health professional to confirm the accuracy and relevance of the course content.

In the last year, we delivered over 9000 reading-based courses across the AATBS and Gerry Grossman Seminars brands. This course format allows clinicians to complete their continuing education requirements at a pace that is convenient for them. Reading-based courses are also the

most cost-effective opportunity for professionals to complete their continuing education requirements.

Prior to these regulations being finalized, we respectfully request that the definition for a continuing education “course” be amended to include the self-study, reading-based course format.

Sincerely,

Kristen

**Kristen Rollman BCBA, LBA**  
**Content and Continuing Education Manager**

914-500-5532

<https://www.triadhq.com/>

Kristen.rollman@triadhq.com





## ATTACHMENT H

**From:** [Jacey Coy](#)  
**To:** [Rulemaking\\_BBS@DCA](mailto:Rulemaking_BBS@DCA)  
**Subject:** Comment: AMEND § 1887. Definitions  
**Date:** Monday, January 3, 2022 9:58:17 AM

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[EXTERNAL]: [jaceycoy@gmail.com](mailto:jaceycoy@gmail.com)

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Christy Berger, Regulatory Analyst  
California Board of Behavioral Studies  
1625 N. Market Blvd., Suite S-200  
Sacramento, CA 95834

Dear Ms. Berger,

Thank you for the opportunity to comment on the CE regulatory package. I am the founder of CEU Love. We are an affordable continuing education online platform for mental health professionals, many of whom are licensed in California. As an LMFT myself, I ensure that CEU Love offers high-quality, relevant CE courses to help mental health professionals improve their clinical skills. Professionals can complete courses on their own time and at their own pace. Through our accreditation via CAMFT, we offer courses for LMFTs, LCSWs, and LPCs.

**Under the change to the definition of a continuing education “course,” we are concerned that if Self-Study is no longer allowed as continuing education course option, we will no longer be able to serve the ~200 mental health professionals who use our website to earn CE credit every year.**

Self-Study is an incredibly effective and useful way to offer CE credit as it allows mental health professionals a convenient and affordable way to learn. During the COVID-19 pandemic, we saw an increase in professionals relying on our services as they were able to learn through our courses within the comfort of their own homes and at their own pace.

As part of running CEU Love, I regularly keep up with continuing education trends and news and have consistently seen online delivery platforms gaining in popularity and preference over the past two years. In fact, there is ample evidence that high-quality online education programs actually outperform traditional classroom education (sources include articles from [Forbes](#) and [Modern Campus](#)). Online courses offer learners greater control by allowing them to work at their own pace. This is particularly important for busy professionals who are unable to access quality continuing education in-person or synchronously due to career and life demands.

At CEU Love, our courses have been developed by licensed professionals who have specific expertise (education + experience) in the clinical domain that they are sharing through the course. Our courses meet rigorous criteria of being research-based, relevant, and engaging through the use of various multimedia. We ensure that every learner has mastered the course through assessing for competency after they have completed the course and we do not offer a certificate of completion until they have successfully passed the course examination.

On a personal note, I am also a licensed MFT in California but I reside in Arizona. I too have relied on self-study as a way to continue my educational requirements for licensing.

**We respectfully request clarification that a continuing education “course” includes a self-study option prior to these regulations being finalized.**

Thank you for your time,

Jacey Coy, PsyD, LMFT  
CEU Love

#### Sources

Busteed, B. (2021). Online Education: From Good To Better To Best? Forbes. Retrieved from <https://www.forbes.com/sites/brandonbusteed/2019/03/05/online-education-from-good-to-better-to-best/?sh=47d366ce6912>

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