



BOARD MEETING MINUTES

Open sessions of this Board Meeting were webcasted. Records of the webcasts are available on the following links:

May 4: https://www.youtube.com/watch?v=g_ig1fG0gsY

May 5 (Part 1 of 2): <https://www.youtube.com/watch?v=ZS6QdRUnZkU>

May 5 (Part 2 of 2): https://www.youtube.com/watch?v=kMNn_myCaUA

DATE

May 4, 2023

LOCATION

Embassy Suites by Hilton Anaheim Orange
400 N. State College Blvd.
Orange, CA 92868

TIME

9:00 a.m.

ATTENDEES

Members Present:

Max Disposti, Chair, Public Member
Christopher Jones, Vice Chair, LEP Member
Ross Erlich, Public Member
Susan Friedman, Public Member
Justin Huft, LMFT Member
Abigail Ortega, LCSW Member
Kelly Ranasinghe, Public Member
John Sovec, LMFT Member
Wendy Strack, Public Member
Eleanor Uribe, LCSW Member
Dr. Annette Walker, Public Member
Yvette Casares Willis, Public Member

Members Absent:

Justin Huft, LMFT Member (*absent at 11:30 a.m.*)

Staff Present:

Steve Sodergren, Executive Officer
Marlon McManus, Assistant Executive Officer
Sabina Knight, Legal Counsel
Christina Kitamura, Administrative Analyst

Other Attendees: Abraham Levy, Administrative Law Judge
Alvaro Mejia, Deputy Attorney General
Leah French, Petitioner
Leah Edwards-Conrad, Petitioner
Jaron Haynes, Petitioner
Kellianne Martinez, Petitioner
Public participation (in-person only)

OPEN SESSION

1. Call to Order and Establishment of Quorum

Max Disposti, Chair of the Board of Behavioral Sciences (Board), called the meeting to order at 9:06 a.m. Roll was called, and a quorum was established.

2. Suggestions for Future Agenda Items

Walker: Requested training for future officers before annual elections for Chairperson and Vice Chairperson.

3. Public Comment for Items Not on the Agenda

Friedman: Requests future meetings in other locations, not southern California.

Administrative Law Judge Abraham Levy presided over the following petition hearings. Deputy Attorney General Alvaro Mejia presented the facts of each case on behalf of the People of the State of California.

Some petitions were heard out of agenda order.

4. Leah Lynne French (aka Miner), LMFT 96856, Petition for Early Termination of Probation

The record was opened at 9:20 a.m. Leah Lynne French (Miner) was represented by Kenneth Drake. Deputy Attorney General Alvaro Mejia presented the background of this case. French was sworn-in, and Drake gave an opening statement. French presented her request, was first questioned by Board members. She was examined by Drake and cross-examined by Mejia. provided closing remarks. The record was closed at 10:22 a.m.

5. Leah Sue Edwards-Conrad, LMFT 128019, Petition for Early Termination of Probation

The record was opened at 12:39 p.m. Leah Sue Edwards-Conrad represented herself. Deputy Attorney General Kevin Bell presented the background of this

case. Edwards-Conrad was sworn-in and presented her request for early termination of probation and information to support the request. She was cross-examined by Bell and Board. Heather Walker Janz, LMFT, testified as Mejia provided closing remarks. The record was closed at 1:22 p.m.

6. Jaron Daniel Haynes, LMFT 88574, Petition for Early Termination of Probation or Modification

The record was opened at 10:51 a.m. Jaron Daniel Haynes represented himself. Deputy Attorney General Mejia presented the background of this case. Haynes was sworn-in and presented his request for early termination of probation and information to support the request. Haynes was cross-examined by Mejia and Board members. The record was closed at 11:29 a.m.

7. Kellianne Janae Martinez, LMFT 105824, Petition for Early Termination of Probation

The record was opened at 1:25 p.m. Kellianne Janae Martinez represented herself. Deputy Attorney General Mejia presented the background of this case. Martinez was sworn-in and presented her request for early termination of probation and information to support the request. She was cross-examined by Mejia and Board members. Mejia gave a closing statement. The record was closed at 2:24 p.m.

CLOSED SESSION

The Board entered closed session at 2:27 p.m.

8. Pursuant to Section 11126(c)(3) of the Government Code, the Board will Meet in Closed Session for Discussion and to Take Action on Disciplinary Matters, Including the Above Petitions.

9. Recess Until 8:30 a.m., Friday, May 5, 2023

The Board recessed at 4:00 p.m.

DATE May 5, 2023

LOCATION Embassy Suites by Hilton Anaheim Orange
400 N. State College Blvd.
Orange, CA 92868

TIME 8:30 a.m.

ATTENDEES

Members Present: Max Disposti, Chair, Public Member
Christopher Jones, Vice Chair, LEP Member
Ross Erlich, Public Member
Susan Friedman, Public Member
Justin Huft, LMFT Member
Abigail Ortega, LCSW Member
Kelly Ranasinghe, Public Member
John Sovec, LMFT Member
Wendy Strack, Public Member
Eleanor Uribe, LCSW Member
Dr. Annette Walker, Public Member
Yvette Casares Willis, Public Member

Members Absent: *All members present*

Staff Present: Steve Sodergren, Executive Officer
Marlon McManus, Assistant Executive Officer
Rosanne Helms, Legislative Manager
Sabina Knight, Legal Counsel
Christina Kitamura, Administrative Analyst

Other Attendees: Melissa Gear, Department of Consumer Affairs
Public participation (in-person only)

OPEN SESSION

10. Call to Order and Establishment of Quorum

Max Disposti, Chair of the Board of Behavioral Sciences (Board), called the meeting to order at 8:35 a.m. Roll was called, and a quorum was established.

11. Introductions

Board members, staff and attendees introduced themselves.

12. Consent Calendar: Possible Approval of the February 2-3, 2023 Board Meeting Minutes

Motion: Approve the February 2-3, 2023 Board meeting minutes.

M/S: Ranasinghe/Strack

Public Comment: None

Vote: Yea 10; Nay 0; Abstain 2. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	abstain
Dr. Annette Walker	Y
Yvette Casares Willis	abstain

13. Board Chair Report

a. Board Member Attendance

Board member attendance report for fiscal year 2022-2023 was presented.

b. Future Board Meetings

2023 Board and Committee meeting dates were provided.

c. Staff Recognitions

The following staff were recognized for their service:

- Lea Lyles: 5 years of state service
- Racquel Pena: 15 years of state service
- Cynthi Burnett: 25 years of state service

14. Department of Consumer Affairs Update

Melissa Gear, Deputy Director of Board and Bureau Relations, Department of Consumer Affairs (DCA/department) presented the following updates:

- Senate confirmed members Friedman, Sovec, Uribe
- DCA’s first Diversity, Equity, and Inclusion Steering Committee to guide the department in its equity strategy initiatives and action plans
- Board Member mandatory trainings
- Travel Expense Claims
- Virtual meetings and the Bagley-Keene Open Meeting Act, SB 544
- Federal Portability Act allows for eligible military service members and their spouses who hold a professional license in another state to practice in California, effective January 2023
- 2021-22 Annual Report is on the DCA website.

15. Election of Board Chairperson and Vice Chairperson

Nominations for Chairperson

Motion: Nominate Christopher Jones as Chairperson.

M/S: Disposti/Huft

Nomination accepted.

Public Comment: None

Vote: Yea 12; Nay 0; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

Nominations for Vice Chairperson

Motion: Nominate Wendy Strack as Vice Chairperson.

M/S: Disposti/Huft

Nomination accepted.

Sovec nominated Dr. Annette Walker as Vice Chairperson. Walker declined the nomination.

Public Comment: None

Vote: Yea 12; Nay 0; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

16. Executive Officer Report

a. Budget Report

- The Board's budget for fiscal year (FY) 2022-23 is \$13,593,000.
- Expenditures to date are \$8,670,978.
- Fund Condition reflects a reserve of 14.2 months.

b. Personnel

The Board's staffing activity is as follows:

- 4 new hires
- 1 departure
- 6 vacancies

c. Licensing Report

3rd Quarter Statistics:

- 4,088 licenses/registrations issued
- Population of approximately 135,648 licensees/associates
- 1.5% gain in license/registration population since 2nd quarter

d. Exam Report

3rd Quarter Statistics:

- 4,448 exams were administered.
- 11 exam development workshops were conducted.

Steve Sodergren provided the following updates:

- Association of Social Work Boards (ASWB)
- National Board for Certified Counselors (NBCC)
- Association of Marriage and Family Therapy Regulatory Boards (AMFTRB) clinical exam
- Pearson Vue
- Law and Ethics exam
- Exam courtesy notifications

e. Enforcement Report

3rd Quarter Statistics:

- 467 consumer complaints received
- 294 criminal convictions
- 588 cases closed
- 39 cases referred to Attorney General's (AG) Office
- 93 cases pending at AG's Office
- Average time to complete formal discipline: 413 days

- Average time a case is at the AG's Office: 262 days
- Average time to complete board investigations: 49 days

f. Education and Outreach Report

3rd Quarter Statistics:

- Facebook followers increased to 26,308.
- Facebook page reach increased by 3.6%.
- Instagram page reach increased by 11.7%.
- Responded to BBS email accounts: 22,315

Steve Sodergren reported on telehealth best practices documents and fiscal year (FY) 22/23 outreach events.

g. Organizational Development Report

The following progress updates were provided:

- BreEZe system updates
- Process Improvement Project
- Digitizing BBS records
- Diversity, Equity, and Inclusion

h. Strategic Plan Update

Progress updates on Strategic Plan goals were provided.

Public Comment

Dr. Ben Caldwell: Referred to item 16d and the quarterly change in first time examinee pass rate for MFT law and ethics exam. Noted the 16-point drop for that population and the 17-point gain for counselors taking the NCMHCE exam. Stated that if the knowledge threshold for passing were consistent over time, changes would not be so dramatic over time.

Dr. Leah Brew: As of January 1st, NCMHCE changed its structure to a true multiple-choice format. The previous structure was extremely difficult prior to the change. The change may have had an effect on the scores.

Rebecca Gonzales, National Association of Social Workers - California Division (NASW-CA): NASW-CA is still very concerned about the ASWB exam, and its members want to see it go away.

17. Discussion and Possible Recommendation Regarding Amendments to the Board’s Temporary Practice Allowance Bill Proposal (AB 232, Aguiar-Curry): Add Business and Professions Code (BPC) §§4980.11, 4996.16.1, 4999.23, Amend BPC §§4980, 4980.30, 4991.2, and add Article 1 Under Chapter 14

At its November 2022 meeting, the Board approved statutory language and directed staff to pursue legislation to allow a 30-day temporary practice allowance to qualifying therapists licensed in another state whose client is visiting California or is in the process of moving to California.

The Legislative Counsel recommended some additional changes to the proposed language. The recommended changes were presented.

CAMFT requests additional clarification in 4980(d)(2), by adding a subparagraph to clarify that the use of certain letters associated with LMFT licensure cannot be used by a licensed clinical social worker or a licensed psychologist.

Motion: Direct staff to make any discussed changes and any non-substantive changes to the language and amend it into AB 232.

M/S: Strack/Sovec

Public Comment

Kristen Roscoe, California Association of Marriage and Family Therapists (CAMFT): Expressed appreciation.

Vote: Yea 12; Nay 0; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

18. **Telehealth Committee Update**

At its March 2023 meeting, the Telehealth Committee discussed the following:

- Survey draft to gather information about licensee and registrant experiences working for online-only therapy platform.
- Revisions to the Board's statutes that require physical display of a license or registration for telehealth practice
- Developing a telehealth best practice document

June 8th is the next scheduled meeting.

19. **Licensing Committee Update**

At its January 2023 meeting, the Licensing Committee discussed the following:

- Developing a workforce development action plan
- Pastoral counseling and life coaching
- Developing of a consumer outreach document that would explain the Board's regulated professions.

July 21st is the next scheduled meeting.

20. **Discussion and Possible Action Regarding AB 665 (Carrillo) Minors: Consent to Mental Health Services**

AB 665 amends Family Code (FC) §6924 to make requirements for a minor to consent to mental health treatment equal for both Medi-Cal recipients and non-Medi-Cal recipients.

Motion: Support AB 665 and recommend including all the Board's license types in the definition of mental health professionals who may determine consent and to correct reference to the Licensed Educational Psychologist Practice Act in FC §6924; and to direct staff to express the Board's concerns about navigating various law codes regarding the same law and the inclusion of foster children in this bill.

M/S: Disposti/Ranasinghe

Public Comment

NASW-CA and CAMFT voiced support for AB 665.

Vote: Yea 11; Nay 0; Abstain 1. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	abstain
Dr. Annette Walker	Y
Yvette Casares Willis	Y

21. Discussion and Possible Action Regarding AB 941 (Waldron) Controlled Substances: Psychedelic-Assisted Therapy for Combat Veterans

This item was cut.

22. Discussion and Possible Action Regarding AB 996 (Low) Department of Consumer Affairs: Continuing Education: Conflict-of-Interest Policy

This item was cut.

23. Discussion and Possible Action Regarding AB 1055 (Bains) Alcohol Drug Counselors

This item was cut.

24. Discussion and Possible Action Regarding AB 1451 (Jackson) Behavioral Health Crisis Treatment

AB 1451 requires a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024 that provides coverage for medically necessary treatment of mental health and substance use disorders to also cover treatment for urgent and emergent mental health and substance use disorders.

Public Comment

Gonzales, NASW-CA: NASW-CA supports AB 1451.

Motion: Support AB 1451.

M/S: Friedman/Walker

Public Comment: No further comments

Vote: Yea 11; Nay 0; Absent 1. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	absent
Dr. Annette Walker	Y
Yvette Casares Willis	Y

25. Discussion and Possible Action Regarding SB 11 (Menjivar) California State University: Mental Health Counseling

SB 11 would require the California State University (CSU) system to have a minimum of one full-time mental health counselor per 1,500 students at each of its campuses. The bill also requires the CSU system to create a pipeline to incentivize interested students to become mental health counselors in the state.

Board Comments

Huft: Supports the bill but language does not define mental health counselor, and the language should list the licensed mental health counselors.

Friedman: The bill does not address giving money to people to enter the mental health professions.

Jones: Supports SB 11. Clarified that the language states that the mental health counselor must be licensed in the state of California.

Motion: Support SB 11. M/S: Jones/Erlich

Sovec: Concerned about the lack of definition of a mental health counselor.

Strack: Is comfortable with the language as is.

Ortega: Wants to ensure that associates are included as mental health counselors.

Public Comment

Dr. Leah Brew: Urged the Board to take a support position with recommendations, not a “support if amended” position. Issues are 1) Within her institution, students are on an 8-week wait list to receive services. Some institutions (universities) have a model that requires “psych interns” and not allowing the trainees to do the work. The trainees in the CSU institutions are qualified to do this work. 2) With the growth of telehealth, there is no room for additional offices to do the work. 3) Not open to utilizing other professions. Depending on who the director is of the Counseling and Psychological Services group, will determine who is hired. For example, an institution may only hire psychologists with psychology interns. 4) Money for recruitment is useless. There are more applicants than available seats in the programs. Funding should go to growing the programs and ability to admit more students, hiring full time faculty to teach and provide offices for faculty. Suggested that the Board express these concerns with the author.

Gonzales, NASW-CA: NASW-CA supports SB 11. Commented that recruiting students is important for recruiting diverse professionals, the possible paid internship is important for social work; many students are struggling financially.

Motion: Support SB 11 with the following recommendations to the author: 1) specify the license types to define mental health professional, 2) include associates, trainees, and social work interns in the definition of the mental health professional, 3) funding should also include growing programs to admit more applicants into the programs.

M/S: Jones/Erlich

Public Comment: no further comment

Vote: Yea 11; Nay 0; Absent 1. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

26. Discussion and Possible Action Regarding SB 238 (Wiener) Health Care Coverage: Independent Medical Review

SB 238 seeks to reduce barriers to mental health care for children and young adults by making the independent medical review process automatic, rather than consumer-initiated, for mental health treatment and substance use disorder treatment denials for children and young adults up to age 26.

Motion: Support SB 238.

M/S: Friedman/Walker

Public Comment: None

Vote: Yea 12; Nay 0; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

27. Discussion and Possible Action Regarding SB 372 (Menjivar) Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes

SB 372 would require a licensing board under DCA to update its records, including any records contained in its online license verification system, to include a licensee or registrant's updated legal name or gender, and make the former name and gender confidential, when that licensee or registrant provides government-issued documentation that their legal name or gender has been changed.

Amendments are anticipated on SB 372.

Board Comments

Disposti: Expressed the importance of supporting SB 372 and protecting therapists. If an individual changes their vital records due to gender identity, the public has no access to those records, which is protected by law. This bill is good but the loophole needs to be closed. Supports SB 372.

Erlich: Concerned about not having ability to search online for prior disciplinary actions taken on a licensee. The public should have access to that information.

Disposti: Supports consumer protection as well as the safety of therapists.

Motion: Support SB 372.

M/S: Disposti/Sovec

Further Board Discussion

Ortega: Asked why the Board of Psychology opposed SB 372.

Rosanne Helms responded that the Board of Psychology opposed it based on consumer protection and ability to search for disciplinary action taken on a licensee. Added that Speech-Language Pathology and Audiology & Hearing Aid Dispensers Board opposed SB 372 unless amended to strike the dead name from disciplinary documents.

Sabina Knight: Another issue is that all DCA boards report disciplinary actions to the National Practitioner Database.

Uribe: 1) Concerned about the safety of therapists. 2) Agrees that consumers should have access to the disciplinary background of a licensee. 3) Important for consumers to be able to seek a therapist by gender, i.e., a female rape victim may request a female therapist.

Public Comment

Gonzales, NASW-CA: NASW-CA and other associations co-sponsored this bill. Pointed out that this process would be by request; this is not an automatic process for each person who changes their name. This bill would also protect victims of domestic violence who change their names.

Dr. Brew: Urged the Board to support SB 372.

Kristin Roscoe, CAMFT: CAMFT is a co-sponsor of SB 372 and urged the Board to support SB 372.

Board Comments

Ranasinghe: Supports SB 372.

Sovec: Implementation will be a struggle, but this is needed.

Vote: Yea 10; Nay 1; Abstain 1. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	abstain
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	N
Dr. Annette Walker	Y
Yvette Casares Willis	Y

28. Discussion and Possible Action Regarding SB 373 (Menjivar) Board of Behavioral Sciences, Board of Psychology, and Medical Board of California: Licensees' and Registrants' Addresses

SB 373 would prohibit the Board of Behavioral Sciences and the Board of Psychology from disclosing the full address of record of licensees and registrants on their internet web site. Instead, only the city, state, county, and zip code of a licensee or registrant must be disclosed by each board on the internet. This does not apply to secondary documents linked to a board's website that may contain an address of record. Each board must still provide a licensee or registrant's full address upon request in specified circumstances.

Board staff requested two minor technical amendments, which were presented.

Public Comment

Caldwell: Requested that disciplinary documents, moving forward, does not display addresses. Urged the Board to support.

Roscoe, CAMFT: CAMFT co-sponsored this bill and urged the Board to support.

Gonzales, NASW-CA: NASW-CA co-sponsored this bill and urged the Board to support.

Motion: Support SB 373 and continue to work with the authors regarding the minor technical matters.

M/S: Disposti/Uribe

Public Comment: No further comment

Vote: Yea 11; Nay 0; Abstain 1. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	abstain
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

29. Discussion and Possible Action Regarding SB 509 (Portantino) School Employee and Pupil Training: Youth Mental and Behavioral Health: Mental Health Education

SB 509 requires the Department of Education to make sure that at least 75 percent of its classified and certificated school employees at each school who have direct contact with pupils have received training in youth behavioral health. It also requires that all pupils in grades 1-12 receive evidence-based, age-appropriate mental health education from trained instructors at least once in elementary school, at least once in junior high/middle school, and at least once in high school.

Board Comment

Ortega: Concerned about the one-time training, which is not enough training.

Uribe: Language is vague and needs more clarification.

Motion: Support SB 509.

M/S: Huft/Erlich

Public Comment: None

Vote: Yea 10; Nay 1; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	N
Dr. Annette Walker	Y
Yvette Casares Willis	Y

30. Discussion and Possible Action Regarding SB 513 (Wiener) Incarcerated Persons: Mental Health

This bill seeks to provide regular mental health therapy to all incarcerated inmates in California, not just those who are classified as severely mentally ill, with a goal of rehabilitation and reduced recidivism.

Staff pointed out that SB 513 provides non-codified intent language that defines mental health therapy as 50-minute psychotherapy sessions offered a minimum of two times per month provided by a psychiatrist, psychologist, licensed social worker, or licensed therapist.

For this definition to have its intended effect, it should be included in the actual statute that the bill is adding. Additionally, specific license types, rather than “licensed therapist” should be referenced.

Motion: Support SB 513 and request clarification if the bill includes youth, and if so, recommend including LEPs; and recommend defining “licensed therapist” and include all of BBS license types within the definition.

M/S: Walker/Disposti

Board Comment

Uribe: California does not have the workforce for this, and much of the bill needs to be worked out.

Public Comment

Gonzales, NASW-CA: Read an email from Eric Hernandez, which states that all inmates currently have access to mental health services.

Vote: Yea 12; Nay 0; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

31. Discussion and Possible Action Regarding SB 525 (Durazo) Minimum Wage: Health Care Workers

SB 525 sets a statewide health care worker minimum wage of \$25 per hour for persons working in covered health care employment.

Motion: Support SB 525.

M/S: Disposti/Walker

Board Comments

Huft: There is no empirical evidence supporting an increase of wages significantly decreases jobs. There is empirical evidence supporting that increasing minimum wage will increase quality of life of the worker and the community.

Ranasinghe: Concerned that an increase in wages will result in workers leaving inland rural areas for agencies in other areas that can pay the higher wages.

Erlich: Supports the idea but is conflicted.

Sovec: Intent of the bill is good but feels that this is not the bill to implement this, however, will support.

Public Comment

Gonzales, NASW-CA: NASW-CA supports SB 525.

Caldwell: Urged the Board to take support unless amended. There are questions in what circumstances the bill will and will not apply. It seems odd to not apply this to private practice settings. As for non-profit entities that are paying less than \$25/hour, it would be suggested to include protection to ensure that the bill does not lead those entities to reclassify their employees as volunteers.

Vote: Yea 12; Nay 0; Abstain 1. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	abstain
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

32. Discussion and Possible Action Regarding SB 544 (Laird) Bagley-Keene Open Meeting Act: Teleconferencing

SB 544 would modernize the Bagley-Keene Open Meeting Act requirements for state bodies conducting a meeting by teleconferencing.

Public Comment

Brew: Urged the Board to support SB 544.
 Roscoe, CAMFT: Urge the Board to support.

Motion: Support SB 544.

M/S: Ranasinghe/Jones

Vote: Yea 12; Nay 0; Abstain 0. Motion carried.

Member	Vote
Max Disposti	Y
Ross Erlich	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Dr. Annette Walker	Y
Yvette Casares Willis	Y

33. Discussion and Possible Action Regarding SB 766 (Eggman) Social Workers

SB 766 would limit the use of the title “social worker” to only those who hold a degree from an accredited school of social work.

Staff Comment: SB 766 appears to give the Board the authority to enforce title protection for social workers, because it is written under a code that is within the Board’s jurisdiction. However, the language is permissive – it states that the Board may bring action for an injunction or other appropriate relief with the superior court. As written, the bill does not require any enforcement of the social work title by the Board.

Public Comment

Gonzales, NASW-CA: NASW-CA sponsored SB 766. Title protection for social workers has been a priority of NASW for many years. Many social workers who get their degrees, do not all get licensed; some work at macro levels. NASW-CA is concerned about the misuse of the tile social worker, especially used by those who do not have a social work degree. She presented the history/background of the social worker, education, and requirements. SB 766 will protect social workers and consumers.

Victor Manelo, Board President of NASW-CA: Urged the Board to support SB 766.

Roscoe, CAMFT: SB 766 would do the following: 1) result in job losses to psychotherapists; 2) decrease access to behavioral health care. CAMFT’s concerns: 1) the term “social worker” is a common term used throughout the state; 2) there is no consumer harm or public crisis being solved; 3) unclear enforcement and disciplinary action implementation. CAMFT took a position of

opposed unless amended to exclude marriage and family therapists or professional clinical counselors from the bill and urged the Board to take no position.

Brew: 1) Social work is unique in some ways but not always and outlined the qualifications that were similar or alike. 2) In regard to job title changes, some students were still not allowed to work in certain counties because changing the titles in the database is too costly or too labor intensive to change the title of a particular position. It is taking over 11 years and changes still have not been implemented.

Gonzales, NASW-CA: Stated that this is a title act, not practice act. If the bill passes, it doesn't mean that other professions cannot be hired for jobs. Stated that job specifications will not change.

Roscoe, CAMFT: This job title is not confined to county work alone; it is across the spectrum where mental health care takes place across the state. Cited one county agency that took 3 years to implement a title change.

Board Comments

Ranasinghe: Agrees with CAMFT and moved to oppose.

Huft: Conflicted about whether this is the purview of the Board to enforce this title protection act.

Motion: Oppose SB 766. Moved by Ranasinghe. No second. Motion died.

Uribe: Agrees with title protection. Does not agree with the fines and jail time. Moved to support SB 766 with amendments.

Motion: Support SB 766 if amended to extend timeline of implementation and reduce or eliminate fines. Moved by Uribe.

Ortega: Suggested including a grandfather clause or extending timeline of implementation, reducing fines.

Strack: Suggested waiting for all sides to work it out. The Policy & Advocacy Committee will have an opportunity to hear this matter and make a recommendation to the Board. There is time take a position later.

Uribe: Withdrew the motion.

No action taken.

34. Discussion and Possible Action Regarding SB 802 (Roth) Licensing Boards: Disqualification from Licensure: Criminal Conviction

This item was cut the agenda.

35. Update on Board-Sponsored Legislation

The Board is pursuing the following legislative proposals this year:

- AB 232 Temporary Practice Allowances
- SB 887 Board Omnibus Bill

36. Update on Board Rulemaking Proposal

Enforcement Process

Status: Under review by the Board's Policy and Advocacy Committee

37. Suggestions for Future Agenda Items

Huft: Using surplus funds to provide financial assistance to cover licensing fees.

Ranasinghe: Expand the Board's mandate to address platforms that are advertising therapeutic services.

Walker: Strategic objective 6.3 board engagement, to include more discussion about board member leadership training and procedures.

Uribe: Mentoring (new clinicians with older clinicians)

Caldwell: 1) For those gaining hours under the 90-day rule, the language is not clear on how much supervision that they need. Discussion on clarifying experience gained under the 90-day rule. 2) Look at the progression to licensure from a more holistic perspective and overall progression. What are the elements of difficulty along the way? What is keeping them from progressing through the pipeline successfully? Requests the Board to make more anonymized data sets available to the public.

38. Public Comment for Items not on the Agenda

Brew: Concerned that there has not been an LPCC representative appointed to the Board. LPCCs need representation. Urged the Governor's Office to appoint an LPCC member to the Board.

Disposti: Turned down a reappointment to the Board and will remain for the next meeting to oversee Jones transition as Chair.

Erich: Announced that this is his last Board meeting.

39. Adjournment

The Board adjourned at 3:53 p.m.