



Board of Behavioral Sciences

*Memo*

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**To:** Committee Members **Date:** July 30, 2024  
**From:** Syreeta Risso - Special Projects & Research Analyst  
Rosanne Helms - Legislative Manager  
**Subject:** Discussion of Sunsetting Statutory Provisions

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### **Background**

The Board's sunset date is January 1, 2026. This means that the Legislature, via its Business and Professions Committees, will conduct a sunset review of the Board in early 2025, and will run legislation to adjust the Board's sunset review date and make any statutory amendments it deems necessary.

The Board has two key provisions in statute that are also set to sunset on January 1, 2026. When developing these statutes, the Board chose to give each a sunset date that aligned with the Board's sunset date, so that any needed adjustments to those newer statutes could be done via the sunset bill if needed (for example, to address any unintended consequences that might arise, or make any needed clarifications).

The two sunsetting provisions of law are as follows:

1. Allowance of supervision via videoconferencing in all settings
2. Temporary Practice Allowance

#### **1. Allowance of Supervision via Videoconferencing in all Settings**

In 2022, the Board sponsored [AB 1758](#) (Aguiar-Curry, Chapter 204, Statutes of 2022) to allow supervision to take place via videoconferencing in all settings. This bill was run as an urgency measure and became effective in August 2022.

Previously, supervision had only been permitted via videoconferencing for supervisees in exempt settings. (An exempt setting is a government entity, school, college, university, or an institution that is both nonprofit and charitable.)

AB 1758 requires the supervisor to conduct an assessment of each supervisee within 60 days in order to determine the appropriateness of the supervisee for supervision via videoconferencing. Supervision via videoconferencing must not be utilized if the supervisor determines it is not appropriate.

The law change in AB 1758 was prompted by the COVID-19 State of Emergency. During that time, law waivers were provided so that supervisees and supervisors in all settings could maintain social distancing. However, as time went on, many supervisees and supervisors found that supervision via videoconferencing provided many unexpected benefits. Some of these benefits included increased access to supervision for pre-licensurees in rural or underserved areas, the ability to maintain a supervisor-supervisee relationship if one party moves a further distance away, and the ability for supervisors and supervisees with disabilities or health concerns to continue their work more easily.

However, there were also concerns that videoconferencing could affect the quality of supervision. The COVID-19 State of Emergency caused many to begin to utilize supervision via videoconferencing quickly, and there was limited research at the time regarding its effectiveness. For that reason, the Board chose to place a sunset date on the allowance of supervision via videoconferencing, so that it could be reassessed when more information was available.

Staff was able to find some more recent publicly available research articles on the topic, as follows:

- Robertson, H. C., & Lowell, R. (2021). Counselor Educator, Supervisor, and Practitioner Perspectives on Distance Counseling and Telemental Health Training and Practice. *Journal of Counselor Preparation and Supervision*, 14(3). Retrieved from <https://digitalcommons.sacredheart.edu/jcps/vol14/iss3/3/>
- Grames, H., Sims, P., Holden, C., Rollins, P., Jeanfreau, M. & Fitzgerald, M. (2022) The changing face of telesupervision and digital training in response to COVID- 19. *Journal of Family Therapy*, 00, 1–12. Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9538278/>
- Aviram, A., & Nadan, Y. (2022). Online clinical supervision in couple and family therapy: A scoping review. *Family Process*, 61, 1417–1436. <https://onlinelibrary.wiley.com/doi/full/10.1111/famp.12809>
- Shearer, E.M., Jordan, S.E., Eliason, K.D. *et al.* Perspectives of Psychology Supervisors and Trainees: Implications for Supervision and Telesupervision. *J. technol. behav. sci.* (2024). <https://doi.org/10.1007/s41347-024-00387-w> <https://link.springer.com/content/pdf/10.1007/s41347-024-00387-w.pdf>

In review of the above publications, staff noted themes of acknowledging both benefits as well as challenges with telesupervision. The publications also tended to note the need for more research, better quality and consistent training, and for ethical guidance on telesupervision.

## Previous Committee Discussion

The Committee began discussing whether the sunset date for the allowance of supervision via videoconferencing in all settings should be extended or deleted at its April 12, 2024 meeting. It directed staff to do the following:

- a. **Review Enforcement Complaints on the Topic:** Information obtained from staff in the Consumer Complaint and Investigations Unit indicate no complaints have been received from complainants alleging issues with supervision via videoconferencing.
- b. **Discuss Psychology Board Findings:** The California Board of Psychology had a similar statute change in 2022, when [AB 2754](#) (Chapter 163, Statutes of 2022) amended its law to state that supervision may be provided in “real time,” which is defined as in person or synchronous audiovisual means.

The Committee asked staff to research whether the Psychology Board’s statute has a sunset date, and if they have had any feedback on or discussions regarding continuing the allowance.

The law established for Psychology Board in AB 2754 does not have a sunset date. Psychology Board indicates that they have had no feedback or concerns at this time, and plan to continue with allowing supervision via audiovisual means.

- c. **Seek Feedback from Supervisors and Supervisees via the Board’s Facebook Page:** The Board’s Facebook page currently has 32,000 followers. The Committee asked staff to utilize the page to seek feedback from supervisors and supervisees regarding the effectiveness of supervision via videoconferencing.

On July 25, 2024, staff posted two questions to the Board’s Facebook page seeking feedback from supervisors and supervisees. The two Facebook questions were as follows:

- “The Board of Behavioral Sciences is seeking feedback from supervisors on their experience in providing supervision via videoconferencing. Based on your experience, how effective do you find supervision conducted via videoconferencing?”
- “The Board of Behavioral Sciences is seeking feedback from associates, trainees, and interns about their experiences with receiving supervision via videoconferencing. Based on your experience, how effective do you find supervision conducted via videoconferencing?”

A scale from 1 to 5 was presented with both Facebook questions, with 1 being “Extremely Ineffective” and 5 being “Extremely Effective”. Participants

were asked to rate the effectiveness of videoconferencing in the comments section of the posts. On July 30, 2024, there were a total of 597 responses to the two Facebook posts, with 469 responses from supervisees and 128 responses from supervisors. The responses as of July 30<sup>th</sup> show approximately 437 supervisees reported videoconferencing to be extremely effective, while approximately 95 supervisors reported videoconferencing to be extremely effective.

- d. **Review Recent Board Survey Data:** In March 2024, the Board's Workforce Development Committee conducted a "Pathway to Licensure" survey to seek information from Board registrants and licensees about barriers they faced during their pathway to licensure.

Two of the questions asked in that survey related to supervision via videoconferencing. Therefore, the Committee asked staff to review the results of those two questions for this discussion. The questions were as follows:

- "How effective would you consider the types of supervision?"
- "What percentage of your supervision was the following?"

In person and videoconferencing were the types of supervision presented with both survey questions. Each survey question yielded 3,170 answers from participants. Notable responses to the survey questions reveal:

43.02% (1,341) of participants reported in person supervision to be effective, while 43.70% (1,362) of participants reported in person supervision to be extremely effective.

47.09% (1,358) of participants reported supervision via videoconferencing to be effective, while 24.58% (709) of participants reported videoconferencing to be extremely effective.

56.48% (1,735) of survey participants reported 75% to 100% of their supervision was in person.

20.57% (590) of survey participants reported under 25% of their supervision was via videoconferencing, while 20.43% (586) of survey participants reported 75% to 100% of their supervision was via videoconferencing.

29.04% (833) of survey participants reported supervision via videoconferencing was not applicable.

Survey participants were also encouraged to provide additional comments with their responses. Regarding the effectiveness of supervision, most survey participants mentioned the supervision depends on the supervisor's qualities,

such as their experience and knowledge, rather than the supervision type or medium provided. Other common trends noted in the comments are survey participants stating they did not have supervision via videoconferencing, with some mentioning videoconferencing was either not an option or a method for providing supervision at the time of their training. Most survey participants mentioned the onset of the COVID-19 pandemic as the reason for beginning supervision via video conferencing.

Staff Recommendation: Due to a lack of evidence of negative outcomes regarding supervision via videoconferencing, and due to evidence that it increases access to supervision, staff recommends deleting the sunset date for allowing supervision via videoconferencing in all settings.

## **2. Temporary Practice Allowance**

In 2023, the Board sponsored [AB 232](#) (Aguiar-Curry, Chapter 640, Statutes of 2023). The bill provides a 30-day temporary practice allowance to qualifying therapists licensed in another U.S. jurisdiction to continue treating existing clients who are visiting California or relocating to California.

Because this was a brand new allowance, the Board decided to include a sunset date of January 1, 2026 so that the allowance could be reevaluated as part of the Board's sunset review process.

The program has only been in effect since January 1, 2024. Since that date, the Board has issued approximately 9 temporary practice allowances per week, for a total of 263 between January 1<sup>st</sup> and mid-July.

Staff Recommendation: Currently, the data available points to this new law being a success. Staff proposes extending the termination date of this legislation by four years, until January 1, 2030. This extension will enable the Board to gather data over an extended timeframe and then reassess the law. Such a review may prove necessary given the evolving landscape of telehealth practices and interstate license portability laws.

### **Recommendation**

Conduct an open discussion on extending or eliminating the sunset dates for both the authorization of supervision via videoconferencing across all settings and the temporary practice allowance. Direct staff to bring the Committee's recommendations to the Board for consideration as a legislative proposal.

### **Attachments and References**

**Attachment A:** Statutes: Allowance of Supervision via Videoconferencing in all Settings

**Attachment B:** Statutes: Temporary Practice Allowance

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**ATTACHMENT A**  
**ALLOWANCE OF SUPERVISION VIA VIDEOCONFERENCING IN ALL SETTINGS**  
**SUNSETTING JANUARY 1, 2026**  
*(Established via AB 1758 (Aguiar-Curry, Chapter 204, Statutes of 2022))*

**LMFT**

**Business and Professions Code (BPC) §4980.43.2. (Inoperative January 1, 2026)**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one supervisee.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each supervisee.

(2) For purposes of this subdivision, “face-to-face contact” means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor’s discretion.

(h) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

### **BPC §4980.43.2. (Operative January 1, 2026)**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.



(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one supervisee.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each supervisee.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(e) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4980.01 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(f) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor's discretion.

(g) This section shall become operative on January 1, 2026.

## LCSW

### **BPC §4996.23.1. (Inoperative January 1, 2026)**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one supervisee.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each supervisee.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(g) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(h) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(i) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor's discretion.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

#### **BPC §4996.23.1. (Operative January 1, 2026)**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one supervisee.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each supervisee.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(e) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4996.14 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with state and federal laws relating to confidentiality of patient health information.

(h) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor's discretion.

(i) This section shall become operative on January 1, 2026.

## LPCC

### **BPC §4999.46.2. (Inoperative January 1, 2026)**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one supervisee.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each supervisee.

(2) For purposes of this subdivision, “face-to-face contact” means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited

to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor's discretion.

(h) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

#### **BPC §4999.46.2. (Operative January 1, 2026)**

(a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one supervisee.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each supervisee.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(e) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4999.22 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(f) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor’s discretion.

(g) This section shall become operative on January 1, 2026.

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**ATTACHMENT B**  
**TEMPORARY PRACTICE ALLOWANCE**  
**SUNSETTING JANUARY 1, 2026**  
*(Established via AB 232 (Aguiar-Curry, Chapter 640, Statutes of 2023))*

**LMFT**

**Business and Professions Code (BPC) §4980.11. (Inoperative January 1, 2026)**

(a) Notwithstanding Section 4980, a person who holds a license in another jurisdiction of the United States as a marriage and family therapist may provide marriage and family therapy services in this state for a period not to exceed 30 consecutive days in any calendar year, if all of the following conditions are met:

- (1) The license from another jurisdiction is at the highest level for independent clinical practice in the jurisdiction in which the license was granted.
- (2) The license from another jurisdiction is current, active, and unrestricted.
- (3) The client is located in California during the time the person seeks to provide care in California.
- (4) The client is a current client of the person and has an established, ongoing client-provider relationship with the person at the time the client became located in California.
- (5) The person informs the client of the limited timeframe of the services and that the person is not licensed in California.
- (6) The person provides the client with the Board of Behavioral Sciences' internet website address.
- (7) The person informs the client of the jurisdiction in which the person is licensed and the type of license held and provides the client with the person's license number.

(b) A person who intends to provide marriage and family therapy services pursuant to this section shall provide the board with all of the following information before providing services:

- (1) The name under which the person is licensed in another jurisdiction, the person's mailing address, the person's phone number, the person's social security number or individual taxpayer identification number, and the person's electronic mailing address, if the person has an electronic mailing address.
- (2) The jurisdiction in which the person is licensed, the type of license held, and the license number.

(3) The date on which the person will begin providing marriage and family therapy services to the person's client in California.

(c) A person who provides services pursuant to this section is deemed to have agreed to practicing under the jurisdiction of the board and to be bound by the laws of this state.

(d) This section does not apply to any person licensed by the board whose license has been suspended or revoked.

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

## **LCSW**

### **BPC §4996.16.1. (Inoperative January 1, 2026)**

(a) Notwithstanding Section 4996, a person who holds a license in another jurisdiction of the United States as a clinical social worker may provide clinical social work services in this state for a period not to exceed 30 consecutive days in any calendar year, if all of the following conditions are met:

(1) The license from another jurisdiction is at the highest level for independent clinical practice in the jurisdiction in which the license was granted.

(2) The license from another jurisdiction is current, active, and unrestricted.

(3) The client is located in California during the time the person seeks to provide care in California.

(4) The client is a current client of the person and has an established, ongoing client-provider relationship with the person at the time the client became located in California.

(5) The person informs the client of the limited timeframe of the services and that the person is not licensed in California.

(6) The person provides the client with the Board of Behavioral Sciences' internet website address.

(7) The person informs the client of the jurisdiction in which the person is licensed and the type of license held and provides the client with the person's license number.

(b) A person who intends to provide clinical social work services pursuant to this section shall provide the board with all of the following information before providing services:

(1) The name under which the person is licensed in another jurisdiction, the person's mailing address, the person's phone number, the person's social security number or individual taxpayer identification number, and the person's electronic mailing address, if the person has an electronic mailing address.

- (2) The jurisdiction in which the person is licensed, the type of license held, and the license number.
- (3) The date on which the person will begin providing clinical social work services to the person's client in California.
- (c) A person who provides services pursuant to this section is deemed to have agreed to practicing under the jurisdiction of the board and to be bound by the laws of this state.
- (d) This section does not apply to any person licensed by the board whose license has been suspended or revoked.
- (e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

## **LPCC**

### **BPC §4999.23. (Inoperative January 1, 2026)**

- (a) Notwithstanding Section 4999.30, a person who holds a license in another jurisdiction of the United States as a professional clinical counselor may provide professional clinical counseling services in this state for a period not to exceed 30 consecutive days in any calendar year, if all of the following conditions are met:
  - (1) The license from another jurisdiction is at the highest level for independent clinical practice in the jurisdiction in which the license was granted.
  - (2) The license from another jurisdiction is current, active, and unrestricted.
  - (3) The client is located in California during the time the person seeks to provide care in California.
  - (4) The client is a current client of the person and has an established, ongoing client-provider relationship with the person at the time the client became located in California.
  - (5) The person informs the client of the limited timeframe of the services and that the person is not licensed in California.
  - (6) The person provides the client with the Board of Behavioral Sciences' internet website address.
  - (7) The person informs the client of the jurisdiction in which the person is licensed and the type of license held and provides the client with the person's license number.
- (b) A person who intends to provide professional clinical counseling services pursuant to this section shall provide the board with all of the following information before providing services:

(1) The name under which the person is licensed in another jurisdiction, the person's mailing address, the person's phone number, the person's social security number or individual taxpayer identification number, and the person's electronic mailing address, if the person has an electronic mailing address.

(2) The jurisdiction in which the person is licensed, the type of license held, and the license number.

(3) The date on which the person will begin providing professional clinical counseling services to the person's client in California.

(c) A person who provides services pursuant to this section is deemed to have agreed to practicing under the jurisdiction of the board and to be bound by the laws of this state.

(d) This section does not apply to any person licensed by the board whose license has been suspended or revoked.

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.