



Board of Behavioral Sciences

Memo

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To: Board Members

Date: August 28, 2024

From: Steve Sodergren-Executive Officer

Subject: **Sunset Review Report**

Attached for your review is the draft of the Board's 2025 Sunset Review report. The final report will be submitted to the Board for approval at its November meeting. After submission and review, the Legislature is expected to schedule public hearings, likely to occur in February or March 2025.

Within the report, Board staff have identified several new issues that require attention in the coming years. These key areas of concern identified are as follows:

- Issue #1: Technical, Clean-up Legislation: The Board needs to address technical corrections and updates to existing laws.
- Issue #2: LEP Education and Experience Requirements Amendments: Consideration of amendments to the education and experience requirements for Licensed Educational Psychologists (LEPs).
- Issue #3: Retired License Amendments: Potential amendments to the provisions for retired licenses.
- Issue #4: Expansion of LPCC Professional Representation: Should the Board consider increasing Licensed Professional Clinical Counselor (LPCC) representation?
- Issue #5: Supervision of Pre-Licensed Individuals: Does the Board need to amend statutes or regulations to strengthen the supervision of pre-licensed individuals?
- Issue #6: Processing Timelines: What changes can be made to the application process and staffing to improve processing timelines?
- Issue #7: Artificial Intelligence in Practice: Does current law need to be amended to ensure consumer protection when licensees utilize artificial intelligence in their practice?

- Issue #8: Outreach & Education: How can the Board enhance its engagement with applicants, licensees, educational institutions, and stakeholders?
- Issue #9: Interstate Compacts: Should California join the interstate compacts for Licensed Professional Clinical Counselors and Licensed Clinical Social Workers?
- Issue #10: AMFTRB National Exam: Should the Board adopt the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) National Exam for licensure in California?

Recommendation

Conduct an open discussion regarding the Sunset Report draft and direct staff to make any discussed changes and any non-substantive changes.

Attachments

Attachment A: Sunset Review Report Draft September 2024

The California Board of Behavioral Sciences
BACKGROUND INFORMATION AND OVERVIEW OF
THE CURRENT REGULATORY PROGRAM
As of November 15, 2024

Section 1 –

Background and Description of the Board and Regulated Profession

HISTORY AND FUNCTION OF THE BOARD

The Board of Behavioral Science (BBS or Board) is responsible for licensing and regulating marriage and family therapist, clinical social workers, educational psychologists, and clinical counselors in California.

Governor Earl Warren signed legislation on July 18, 1945, that created the Board of Social Work Examiners under the Department of Professional and Vocational Standards (renamed the Department of Consumer Affairs in 1970). California became the first state to register social workers. A 1962 California State Assembly investigation regarding the fraudulent practice of marriage counseling contributed to the 1963 creation of the *Marriage, Family, and Child Counselor Act*. Under this Act, the Board of Social Work Examiners received the responsibility of licensing and regulating marriage, family, and child counselors. Soon after the addition of marriage, family, and child counselors, the Board of Social Work Examiners was renamed the Social Worker and Marriage Counselor Qualifications Board.

After 1969, anyone who wanted to practice clinical social work was required to hold a license. The addition of Licensed Educational Psychologists in 1970 to the Board's regulatory responsibilities inspired a new name, the Board of Behavioral Sciences Examiners. In 1997, the Board of Behavioral Sciences Examiners was officially renamed the Board of Behavioral Sciences. In 2010, a fourth mental health profession, Licensed Professional Clinical Counselor, was added to the Board's regulatory responsibilities.

Today, the Board is responsible for the regulatory oversight for over 142,000 licensees and registrants. The Board licenses and regulates Licensed Clinical Social Workers (LCSWs), Licensed Marriage and Family Therapists (LMFTs), Licensed Educational Psychologists (LEPs), and Licensed Professional Clinical Counselors (LPCCs). Additionally, the Board registers Associate Social Workers (ASWs), Associate Marriage and Family Therapists (AMFTs), and Associate Professional Clinical Counselors (APCCs). These registrants are required to be under supervision of a licensed professional.

PRACTICE ACTS DEFINED

Statute defines the practice of marriage and family therapy as “the application of psychotherapeutic and family systems theories, principles, and methods in the delivery of services to individuals, couples, or groups in order to assess, evaluate, and treat relational issues, emotional disorders, behavioral problems, mental illness, alcohol and substance use, and to modify intrapersonal and interpersonal behaviors.”

Licensed Clinical Social Worker

Statute defines the practice of social work as “a service in which a special knowledge of social resources, human capabilities, and the part that unconscious motivation plays in determining behavior, is directed at helping people to achieve more adequate, satisfying, and productive social adjustments. The application of social work principles and methods includes, but is not restricted to, counseling and using applied psychotherapy of a nonmedical nature with individuals, families, or groups; providing information and referral services; providing or arranging for the provision of social services; explaining or interpreting the psychosocial aspects in the situations of individuals, families, or groups; helping communities to organize, to provide, or to improve social or health services; doing research related to social work; and the use, application, and integration of the coursework and experience required by Sections 4996.2 and 4996.23 ”

Licensed Marriage and Family Therapist

Statute defines the practice of marriage and family therapy as “the application of psychotherapeutic and family systems theories, principles, and methods in the delivery of services to individuals, couples, or groups in order to assess, evaluate, and treat relational issues, emotional disorders, behavioral problems, mental illness, alcohol and substance use, and to modify intrapersonal and interpersonal behaviors.”

Licensed Educational Psychologist

Statute defines the practice of education psychology as “performance of any of the following professional functions pertaining to academic learning processes or the educational system or both:

- Educational evaluation.
- Diagnosis of psychological disorders related to academic learning processes.
- Administration of diagnostic tests related to academic learning processes including tests of academic ability, learning patterns, achievement, motivation, and personality factors.
- Interpretation of diagnostic tests related to academic learning processes including tests of academic ability, learning patterns, achievement, motivation, and personality factors.
- Providing psychological counseling for individuals, groups, and families.
- Consultation with other educators and parents on issues of social development and behavioral and academic difficulties.
- Conducting psychoeducational assessments for the purposes of identifying special needs.
- Developing treatment programs and strategies to address problems of adjustment.
- Coordinating intervention strategies for management of individual crises.”

Licensed Professional Clinical Counselor

Statute defines the practice of clinical counseling as “the application of counseling interventions and psychotherapeutic techniques to identify and remediate cognitive, mental, and emotional issues, including personal growth, adjustment to disability, crisis intervention, and psychosocial and environmental problems, and the use, application, and integration of the coursework and training required by Sections 4999.32 and 4999.33.

“Professional clinical counseling” includes conducting assessments for the purpose of establishing counseling goals and objectives to empower individuals to deal adequately with life situations, reduce stress, experience growth, change behavior, and make well-informed, rational decisions.”

Practice Acts Exemption

All the Board's Acts exempt individuals from licensure any priest, rabbi, or minister of the gospel of any religious denomination when performing counseling services as part of their pastoral or professional duties, or to any person who is admitted to practice law in the state, or a physician and surgeon who provides counseling services as part of their professional practice. Additionally, the Act exempts unlicensed or unregistered employee or volunteer working in a governmental entity, a school, a college, a university, or an institution that is both nonprofit and charitable.

MISSION, VISION, BOARD ADMINISTRATION

To fulfill its mandates, the Board manages its resources to license individuals and help candidates, develops and administers licensure examinations and examination procedures consistent with prevailing standards for the validation and use of licensing and certification tests. It enforces laws aimed at protecting the public from incompetent, unethical, or unprofessional practitioners, while providing education to consumers to enhance their understanding and awareness of their rights as a client.

The Board's mission is to protect and serve Californians by setting, communicating, and enforcing standards for safe and competent mental health practices. The vision of the Board is that all Californians are able to access the highest quality mental health services.

The following goals frame the Board's efforts:

1. Establish licensing standards to protect consumers and allow reasonable and timely access to the profession.
2. Administer fair, valid, comprehensive, and relevant licensing examinations.
3. Protect the health and safety of consumers through the enforcement of laws.
4. Ensure the statutes, regulations, policies, and procedures strengthen the Board's mandates and mission.
5. Build an excellent organization through proper Board governance, effective leadership, and responsible management.
6. Engage stakeholders through continuous communication about the practice and regulation of the professions, and mental health care.

Current law provides for 13 Board members comprised of six licensees (2 licensed clinical social workers, 2 licensed marriage and family therapists, 1 licensed educational psychologist, 1 licensed professional clinical counselor) and seven public members. Each member of the Board is appointed for a term of four years. Eleven members are appointed by the governor and are subject to Senate confirmation. One public member is appointed by the Speaker of the Assembly, and one public member is appointed by the Senate Rules Committee. The Board has not had cancel any meetings due to a lack of quorum.

BOARD COMMITTEES

The Board has established the following committees:

Policy & Advocacy Committee

The Board has one standing committee, the Policy and Advocacy Committee that is comprised of four Board members. The work of the committee is focused:

- proposed legislation and regulations
- legislative and regulatory changes that respond to emerging trends or concerns in the mental health profession.
- legislation and regulatory changes or proposed legislation that may affect the Board's licensees and registrants.

Telehealth Committee

The Telehealth Committee was established in January of 2021 and was comprised of four Board members. The work of the Telehealth Committee was focused on:

- determining if any of the Board's statutes and regulations related to the practice of telehealth by its licensees and registrants need to be updated or clarified.
- expanding the use of telehealth and supervision via videoconferencing
- reviewing emerging telehealth platforms
- temporary practice allowances for out of state practitioners
- licensee and consumer education about telehealth.

Licensing Committee

The Licensing Committee was established in June of 2021 and was comprised of four Board members. This work of the Licensing Committee was focused on:

- topics related to the pathways towards licensure.
- Statutes and regulations concerning examination and renewal.
- Statutes and regulations concerning requirement for licensure.

Workforce Development Committee

The Workforce Development Committee was established in 2023 and took the place of the Licensing Committee is comprised of four Board members. The work of the Workplace Development Committee is focused on:

- Workforce needs and increasing the mental health workforce in California.
- Identifying any unnecessary barrier to the pathway towards licensure
- Proposing legislative or regulatory amendments that would reduce barriers while maintaining public protection.
- Legislative and regulatory changes that would enable licensing candidates to gain

early eligibility to licensure examinations.

Outreach & Education Committee

The Outreach & Education Committee was established in 2024 and is comprised of four Board members. The work of the Outreach and Education Committee will focus on;

- increase engagement with stakeholders.
- enhancing consumer education
- Extending the Board's outreach to more diverse population
- Increasing engagement with schools
- Increasing engagement at public events
- Increasing stakeholder participation at Board meetings.

This committee was formed to explore ways to increase engagement with stakeholders. The discussions of the committee will focus on enhancing consumer education, extending the Board's outreach to more diverse populations, increasing engagement with schools and at public events, and increase stakeholder participation at Board meeting.

Table 1a. Attendance			
CHRISTINA WONG (Appointed 5/10/2011)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	Y
Policy & Advocacy Committee	10/9/2020	Virtual	Y
Board	11/5-6/2020	Virtual	Y/Y
Telehealth Committee	1/22/2021	Virtual	Y
Board: Petition Hearings	1/29/2021	Virtual	Y
Policy & Advocacy Committee	2/5/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/Y
Telehealth Committee	3/26/2021	Virtual	Y
Licensing Committee	3/26/2021	Virtual	Y
Policy & Advocacy Committee	4/16/2021	Virtual	Y
Board	5/6-7/2021	Virtual	Y/Y
Telehealth Committee	6/25/2021	Virtual	Y
Licensing Committee	6/25/2021	Virtual	Y
Policy & Advocacy Committee	8/6/2021	Virtual	Y
Telehealth Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Telehealth Committee	9/9/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/Y

Telehealth Committee	10/1/2021	Virtual	Y
Board: Strategic Planning	10/4/2021	Virtual	N
Policy & Advocacy Committee	10/20/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y

DR. LEAH BREW-LPCC (Appointed 8/8/2012)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	N

DEBORAH BROWN-PUBLIC (Appointed 8/20/2012)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	N
Board: Petition Hearings	10/8/2020	Virtual	Y
Policy & Advocacy Committee	10/9/2020	Virtual	Y
Board	11/5-6/2020	Virtual	N/N
Board: Petition Hearings	1/29/2021	Virtual	Y
Policy & Advocacy Committee	2/5/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	N/N
Policy & Advocacy Committee	4/16/2021	Virtual	Y
Board	5/6-7/2021	Virtual	Y/Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	N
Board	9/9-10/2021	Virtual	Y/Y
Board: Strategic Planning	10/4/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y

JONATHAN MADDOX-LMFT (Appointed 9/14/2017)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/N
Board: Petition Hearings	9/11/2020	Virtual	N
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	Y/N
Board: Petition Hearings	1/29/2021	Virtual	N
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	N/N
Board	5/6-7/2021	Virtual	Y/N

Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22-23/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	N
Board	9/9-10/2021	Virtual	Y/N

MASSIMILIANO DISPOSTI-PUBLIC (Appointed 3/8/2016)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	Y
Policy & Advocacy Committee	10/9/2020	Virtual	Y
Board	11/5-6/2020	Virtual	Y/Y
Board: Petition Hearings	1/29/2021	Virtual	N
Policy & Advocacy Committee	2/5/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4/2021	Virtual	Y/Y
Policy & Advocacy Committee	4/16/2021	Virtual	Y
Board	5/6-7/2021	Virtual	Y/Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Policy & Advocacy Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/Y
Board: Strategic Planning	10/4/2021	Virtual	N
Policy & Advocacy Committee	10/20/2021	Virtual	N
Board	11/4/2021	Virtual	Y/Y
Policy & Advocacy Committee	1/21/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Policy & Advocacy Committee	4/20/2022	Sacramento	Y
Board	5/5-6/2022	Sacramento	Y/Y
Policy & Advocacy Committee	7/29/2022	Sacramento	Y
Board	8/11-12/2022	Sacramento	Y/Y
Policy & Advocacy Committee	10/14/2022	Virtual	Y
Board	11/3-4/2022	Sacramento	Y/Y
Policy & Advocacy Committee	1/13/2023	Virtual	Y
Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Policy & Advocacy Committee	7/21/2023	Sacramento	Y
Board	8/17-18/2023	Sacramento	Y/Y

CRYSTAL ANTHONY-LCSW (Appointed 10/17/2019)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y

Board	8/13-14/2020	Virtual	Y/N
Board: Petition Hearings	9/11/2020	Virtual	N
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	N/N
Telehealth Committee	1/22/2021	Virtual	N
Board: Petition Hearings	1/29/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/N
Board	5/6-7/2021	Virtual	N/N
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	N
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/N
Board: Strategic Planning	10/4/2021	Virtual	N
Board	11/4-5/2021	Virtual	Y/N
Board	2/10-11/2022	Virtual	Y/Y
Board	5/5-6/2022	Sacramento	N/N

JOHN SOVEC-LMFT (Appointed 12/11/2019)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	N
Board	11/5-6/2020	Virtual	Y/Y
Board: Petition Hearings	1/29/2021	Virtual	N
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	N/Y
Board	5/6-7/2021	Virtual	Y/Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Policy & Advocacy Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	N
Board	9/9-10/2021	Virtual	Y/N
Board: Strategic Planning	10/4/2021	Virtual	N
Policy & Advocacy Committee	10/20/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y
Policy & Advocacy Committee	1/21/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Policy & Advocacy Committee	4/20/2022	Sacramento	N
Board	5/5-6/2022	Sacramento	Y/Y
Policy & Advocacy Committee	7/29/2022	Sacramento	Y
Board	8/11-12/2022	Sacramento	Y/Y
Policy & Advocacy Committee	10/14/2022	Virtual	Y
Board	11/3-4/2022	Sacramento	Y/Y

Policy & Advocacy Committee	1/13/2023	Virtual	Y
Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Policy & Advocacy Committee	7/21/2023	Sacramento	Y
Board	8/17-18/2023	Sacramento	Y/Y
Policy & Advocacy Committee	10/27/2023	Virtual	Y
Board	11/16-17/2023	Sacramento	N/N
Policy & Advocacy Committee	1/19/2024	Hybrid/Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Policy & Advocacy Committee	4/12/2024	Hybrid/Sacramento	Y
Board	5/16-17/2024	Sacramento	Y/Y

WENDY STRACK-PUBLIC (Appointed 1/29/2020)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	Y/Y
Board: Petition Hearings	1/29/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/Y
Licensing Committee	3/26/2021	Virtual	Y
Board	5/6-7/2021	Virtual	Y/Y
Licensing Committee	6/25/2021	Virtual	Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Policy & Advocacy Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/Y
Board: Strategic Planning	10/4/2021	Virtual	Y
Policy & Advocacy Committee	10/20/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/N
Licensing Committee	11/19/2021	Virtual	Y
Policy & Advocacy Committee	1/21/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Policy & Advocacy Committee	4/20/2022	Sacramento	Y
Board	5/5-6/2022	Sacramento	Y/Y
Policy & Advocacy Committee	7/29/2022	Sacramento	Y
Board	8/11-12/2022	Sacramento	N/N
Policy & Advocacy Committee	10/14/2022	Virtual	Y
Board	11/3-4/2022	Sacramento	Y/Y
Policy & Advocacy Committee	1/13/2023	Virtual	Y
Licensing Committee	1/14/2023	Virtual	Y

Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Policy & Advocacy Committee	7/21/2023	Sacramento	Y
Board	8/17-18/2023	Sacramento	Y/Y
Policy & Advocacy Committee	10/27/2023	Virtual	Y
Licensing Committee	10/27/2023	Virtual	Y
Board	11/16-17/2023	Sacramento	N/N
Policy & Advocacy Committee	1/19/2024	Hybrid/Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Policy & Advocacy Committee	4/12/2024	Hybrid/Sacramento	Y
Board	5/16-17/2024	Sacramento	Y/Y

ROSS ERLICH-PUBLIC (Appointed 2/6/2020)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/N
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	Y/Y
Board: Petition Hearings	1/29/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/N
Board	5/6-7/2021	Virtual	N/N
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Policy & Advocacy Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	N/Y
Board: Strategic Planning	10/4/2021	Virtual	N
Policy & Advocacy Committee	10/20/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y
Policy & Advocacy Committee	1/21/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Policy & Advocacy Committee	4/20/2022	Sacramento	Y
Board	5/5-6/2022	Sacramento	Y/Y
Policy & Advocacy Committee	7/29/2022	Sacramento	Y
Board	8/11-12/2022	Sacramento	N/N
Policy & Advocacy Committee	10/14/2022	Virtual	Y
Board	11/3-4/2022	Sacramento	N/N
Policy & Advocacy Committee	1/13/2023	Virtual	Y
Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Policy & Advocacy Committee	7/21/2023	Sacramento	Y

Board	8/17-18/2023	Sacramento	Y/Y
Policy & Advocacy Committee	10/27/2023	Virtual	Y
Board	11/16-17/2023	Sacramento	N/N
Policy & Advocacy Committee	1/19/2024	Hybrid/Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Policy & Advocacy Committee	4/12/2024	Hybrid/Sacramento	Y
Board	5/16-17/2024	Sacramento	Y/Y

SUSAN FRIEDMAN-PUBLIC (Appointed 3/5/2020)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	Y/Y
Board: Petition Hearings	1/29/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/Y
Licensing Committee	3/26/2021	Virtual	Y
Board	5/6-7/2021	Virtual	Y/Y
Licensing Committee	6/25/2021	Virtual	Y
Telehealth Committee	6/25/2021	Virtual	Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Telehealth Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/Y
Board: Strategic Planning	10/4/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y
Licensing Committee	11/19/2021	Virtual	Y
Telehealth Committee	1/28/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Telehealth Committee	3/4/2022	Virtual	N
Board	5/5-6/2022	Sacramento	Y/Y
Telehealth Committee	6/3/2022	Sacramento	N
Board	8/11-12/2022	Sacramento	Y/Y
Board	11/3-4/2022	Sacramento	Y/Y
Telehealth Committee	12/8/2022	Virtual	Y
Licensing Committee	1/14/2023	Virtual	Y
Board	2/2-3/2023	Sacramento	Y/Y
Telehealth Committee	3/16/2023	Virtual	Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Telehealth Committee	6/8/2023	Virtual	Y
Board	8/17-18/2023	Sacramento	Y/Y
Licensing Committee	10/27/2023	Virtual	Y

Board	11/16-17/2023	Sacramento	Y/Y
Telehealth Committee	12/15/2023	Hybrid/Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Board	5/16-17/2024	Sacramento	Y/Y

CHRISTOPHER JONES-LEP (Appointed 9/29/2020)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	Y
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	N/Y
Board: Petition Hearings	1/29/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/Y
Board	5/6-7/2021	Virtual	Y/N
Telehealth Committee	6/25/2021	Virtual	N
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Policy & Advocacy Committee	8/6/2021	Virtual	Y
Telehealth Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/N
Board: Strategic Planning	10/4/2021	Virtual	Y
Policy & Advocacy Committee	10/20/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y
Policy & Advocacy Committee	1/21/2022	Virtual	Y
Telehealth Committee	1/28/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Telehealth Committee	3/4/2022	Virtual	N
Policy & Advocacy Committee	4/20/2022	Sacramento	Y
Board	5/5-6/2022	Sacramento	Y/Y
Telehealth Committee	6/3/2022	Sacramento	N
Policy & Advocacy Committee	7/29/2022	Sacramento	Y
Board	8/11-12/2022	Sacramento	Y/Y
Policy & Advocacy Committee	10/14/2022	Virtual	Y
Board	11/3-4/2022	Sacramento	Y/Y
Telehealth Committee	12/8/2022	Virtual	Y
Policy & Advocacy Committee	1/13/2023	Virtual	Y
Board	2/2-3/2023	Sacramento	Y/Y
Telehealth Committee	3/16/2023	Virtual	Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Telehealth Committee	6/8/2023	Virtual	Y
Policy & Advocacy Committee	7/21/2023	Sacramento	Y
Board	8/17-18/2023	Sacramento	Y/Y

Policy & Advocacy Committee	10/27/2023	Virtual	Y
Board	11/16-17/2023	Sacramento	Y/Y
Telehealth Committee	12/15/2023	Hybrid/Sacramento	Y
Policy & Advocacy Committee	1/19/2024	Hybrid/Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Policy & Advocacy Committee	4/12/2024	Hybrid/Sacramento	Y
Board	5/16-17/2024	Sacramento	Y/Y

KELLY RANASINGHE-PUBLIC (Appointed 6/29/2020)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	7/30/2020	Virtual	Y
Board	8/13-14/2020	Virtual	Y/Y
Board: Petition Hearings	9/11/2020	Virtual	N
Board: Petition Hearings	10/8/2020	Virtual	Y
Board	11/5-6/2020	Virtual	N/Y
Board: Petition Hearings	1/29/2021	Virtual	N
Board: Closed Session	2/19/2021	Virtual	N
Board	3/4-5/2021	Virtual	Y/Y
Board	5/6-7/2021	Virtual	Y/N
Telehealth Committee	6/25/2021	Virtual	N
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Telehealth Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/N
Board: Strategic Planning	10/4/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y
Telehealth Committee	1/28/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Telehealth Committee	3/4/2022	Virtual	N
Board	5/5-6/2022	Sacramento	N/N
Telehealth Committee	6/3/2022	Sacramento	N
Board	8/11-12/2022	Sacramento	Y/Y
Board	11/3-4/2022	Sacramento	Y/Y
Telehealth Committee	12/8/2022	Virtual	Y
Board	2/2-3/2023	Sacramento	Y/Y
Telehealth Committee	3/16/2023	Virtual	Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Telehealth Committee	6/8/2023	Virtual	Y
Board	8/17-18/2023	Sacramento	Y/Y
Licensing Committee	10/27/2023	Virtual	Y
Board	11/16-17/2023	Sacramento	Y/Y
Telehealth Committee	12/15/2023	Hybrid/Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Board	5/16-17/2024	Sacramento	Y/Y

DIANA HERWECK-LPCC (Appointed 10/22/2020)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board	11/5-6/2020	Virtual	Y/Y
Board: Petition Hearings	1/29/2021	Virtual	Y
Board: Closed Session	2/19/2021	Virtual	Y
Board	3/4-5/2021	Virtual	Y/Y
Licensing Committee	3/26/2021	Virtual	Y
Board	5/6-7/2021	Virtual	Y/Y
Licensing Committee	6/25/2021	Virtual	Y
Telehealth Committee	6/25/2021	Virtual	Y
Board: Petition Hearings	7/7/2021	Virtual	Y
Board	7/22/2021	Virtual	Y
Telehealth Committee	8/6/2021	Virtual	Y
Board: Petition Hearings	8/10/2021	Virtual	Y
Board	9/9-10/2021	Virtual	Y/Y
Board: Strategic Planning	10/4/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/Y
Licensing Committee	11/19/2021	Virtual	Y
Telehealth Committee	1/28/2022	Virtual	Y
Board	2/10-11/2022	Virtual	Y/Y
Telehealth Committee	3/4/2022	Virtual	Y
Board	5/5-6/2022	Sacramento	N/N

YVETTE CASARES WILLIS-PUBLIC (Appointed 1/21/2021)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Petition Hearings	1/29/2021	Virtual	N
Board: Closed Session	2/19/2021	Virtual	N
Board	3/4-5/2021	Virtual	Y/Y
Board	5/6-7/2021	Virtual	Y/N
Board: Petition Hearings	7/7/2021	Virtual	N
Board	7/22/2021	Virtual	N
Board: Petition Hearings	8/10/2021	Virtual	Y/N
Board	9/9-10/2021	Virtual	N
Board: Strategic Planning	10/4/2021	Virtual	Y
Board	11/4-5/2021	Virtual	Y/N
Board	2/10-11/2022	Virtual	N/N
Board	5/5-6/2022	Sacramento	Y/Y
Board	8/11-12/2022	Sacramento	Y/Y
Board	11/3-4/2022	Sacramento	N/N
Board	2/2-3/2023	Sacramento	N/N
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Virtual	Y
Board	8/17-18/2023	Sacramento	A

Board	11/16-17/2023	Sacramento	A
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JUSTIN HUFT-LMFT (Appointed 9/23/2021)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board: Strategic Planning	10/4/2021	Virtual	N
Board	11/4-5/2021	Virtual	Y/N
Board	2/10-11/2022	Virtual	Y/Y
Board	5/5-6/2022	Sacramento	N/N
Board	8/11-12/2022	Sacramento	Y/Y
Board	11/3-4/2022	Sacramento	Y/Y
Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Webex	Y
Board	8/17-18/2023	Sacramento	N/N
Licensing Committee	10/27/2023	Hybrid/Sacramento	Y
Board	11/16-17/2023	Sacramento	Y/Y
Workforce Development Committee	1/19/2024	Hybrid/Sacramento	Y
Board	2/29 & 3/29/2024	Sacramento	Y/Y
Workforce Development Committee	4/19/2024	Hybrid/Sacramento	Y
Board	5/16/2024	Sacramento	Y/Y

ABIGAIL ORTEGA-LCSW (Appointed 11/10/2021)

Meeting Type	Meeting Date	Meeting Location	Attended?
Board	2/10-11/2022	Virtual	Y/Y
Board	5/5-6/2022	Sacramento	Y/Y
Policy & Advocacy Committee	7/29/2022	Sacramento	Y
Board	8/11-12/2022	Sacramento	Y/Y
Policy & Advocacy Committee	10/14/2022	Webex	Y
Board	11/3-4/2022	Sacramento	Y/Y
Policy & Advocacy Committee	1/13/2023	Webex	Y
Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Webex	Y
Policy & Advocacy Committee	7/21/2023	Sacramento	Y
Board	8/17-18/2023	Sacramento	Y/Y
Board	11/16-17/2023	Sacramento	Y/Y
Policy & Advocacy Committee	1/19/2024	Sacramento	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Policy & Advocacy Committee	4/12/2024	Sacramento	Y
Board	5/16-17/2024	Sacramento	Y/Y

ANNETTE WALKER-PUBLIC (Appointed 11/10/2021)

Meeting Type	Meeting Date	Meeting Location	Attended?
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Board	2/10-11/2022	Virtual	Y/Y
Board	5/5-6/2022	Sacramento	Y/Y
Board	8/11-12/2022	Sacramento	Y/Y
Board	11/3-4/2022	Sacramento	Y/Y
Licensing Committee	1/13/2023	Webex	Y
Board	2/2-3/2023	Sacramento	Y/Y
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Webex	Y
Board	8/17-18/2023	Sacramento	Y/Y
Licensing Committee	10/27/2023	Webex	Y
Board	11/16-17/2023	Sacramento	Y/Y
Workforce Development Committee	1/19/2024	Webex	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Workforce Development Committee	4/19/2024	Webex	Y
Board	5/16-17/2024	Sacramento	Y/Y

ELEANOR URIBE-LCSW (Appointed 8/2/2022)			
Date Appointed:	8/2/2022		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board	8/11-12/2022	Sacramento	Y/Y
Board	11/3-4/2022	Sacramento	Y/Y
Licensing Committee	1/13/2023	Webex	Y
Board	2/2-3/2023	Sacramento	N/N
Board	5/4-5/2023	Orange	Y/Y
Board	6/8/2023	Webex	Y
Board	8/17-18/2023	Sacramento	Y/Y
Licensing Committee	10/27/2023	Webex	Y
Board	11/16-17/2023	Sacramento	Y/Y
Workforce Development Committee	1/19/2024	Webex	Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Workforce Development Committee	4/19/2024	Webex	Y
Board	5/16-17/2024	Sacramento	Y/Y

AIMEE ENG-PUBLIC			
Date Appointed:	6/2/2023		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board	5/4-5/2023	Orange	N/N
Board	6/8/2023	Sacramento	N
Board	8/17-18/2023	Sacramento	N/N
Board	11/16-17/2023	Sacramento	N/N
Board	2/29 & 3/1/2024	Sacramento	N/N

NICHOLAS BOYD-LPCC (Appointed 6/28/2023)			
Meeting Type	Meeting Date	Meeting Location	Attended?
Board	8/17-18/2023	Sacramento	N/N
Board	11/16-17/2023	Sacramento	Y/Y
Board	2/29 & 3/1/2024	Sacramento	Y/Y
Board	5/16-17/2024	Sacramento	Y/Y

The current composition of the Board is as follows:

Member Name	Original Appointment Date	Appointment Date	Date Term Expires	Appointing Authority
<p>John Sovec LMFT Member John Sovec is a therapist in private practice in Pasadena California who specializes in supporting the needs of the LGBTQ community. He is the clinical consultant for The Life Group LA, adjunct faculty at Phillips Graduate Institute, and guest lecturer at Alliant University and USC School of Social Work. Mr. Sovec is a nationally recognized expert on creating affirmative LGBTQ support and is the author of multiple publications and speaks at conferences nationwide. He provides training for community agencies, schools, non-profits, and provides professional consultation on LGBTQ competencies.</p>	12/11/2019	6/18/2022	6/1/26	Governor
<p>Wendy Strack (Vice-Chairperson) Public Member Wendy Strack was appointed by the Governor in February 2020. She is currently the CEO of Wendy J Strack Consulting LLC, with more than 20 years of experience in creating and delivering award winning advocacy, communications, and outreach programs in Southern California. Strack is a member of California Women Lead, Women’s Transportation Seminar (WTS), and the California Association of Public Information Officials (CAPIO). She also holds certifications in Basic and Advanced Public Information Officer/Joint Information Center/Joint Information Systems from the California Office of Emergency Services and the Federal Emergency Management Agency. Strack has a B.A. in Political Science from the University of California, Riverside and an M.P.A. from the University of Southern California. She has also</p>	1/29/2020	6/12/2023	6/1/27	Governor

served on the City of Riverside Human Resources Board since 2018.				
<p>Susan Friedman Public Member Susan Friedman was appointed by the Governor Newsom in March 2020. Ms. Friedman was an Emmy-award winning network news producer for NBC News from 1982 to 2008 and from 1968 to 1977. She was a reporter and producer for the local Public Broadcasting Service (PBS) from 1977 to 1982. She is a founding member of the Alliance for Children’s Rights Board of Directors and vice chair and commissioner of the Los Angeles County Mental Health Commission.</p>	3/5/20	6/21/2022	6/1/26	Governor
<p>Christopher Jones (Chairperson) LEP Member Christopher C. Jones is a Licensed Educational Psychologist (LEP #2819) and Nationally Certified School Psychologist (NCSP). He is the President and CEO of Dynamic Interventions, the first incorporation of Licensed Educational Psychologists in the history of California. He earned his Bachelor of Arts degree in Child Development from California State University, Northridge, and his Master of Arts degree and Certificate of Advanced Graduate Study (CAGS) in School Psychology from Tufts University. He worked as a school psychologist in Massachusetts and California, then left public education to open Dynamic Interventions in 2006.</p>	6/29/20	6/5/2024	6/1/28	Governor
<p>Kelly Ranasinghe Public Member Kelly Ranasinghe was appointed by Governor Newsom in July of 2020. He currently is a Deputy County Counsel in Imperial County, California practicing child welfare law in juvenile court. Previously, Mr. Ranasinghe was a partner at the law firm of Henderson and Ranasinghe LLP and a senior program attorney at National Council of Juvenile and Family Court Judges, where he focused on domestic violence and child sex trafficking. He is a member of the National Alliance of Mental Illness (NAMI) and a certified peer mental health facilitator through the NAMI Connections program. Mr. Ranasinghe is also a member of the National Association of Counsel for Children</p>	6/29/20	6/28/2021	6/1/25	Governor

(NACC) and a board-certified child welfare law specialist. Mr. Ranasinghe earned a Juris Doctor from California Western School of Law in 2005.				
Justin Huft LMFT Member Justin Huft has been a Marriage and Family Therapist and Clinical Program Director at Creative Care Calabasas since 2016, Adjunct Lecturer for the Psychology and Sociology Departments at California State University, Fullerton since 2016 and Adjunct Lecturer for the Psychology Department at El Camino Community College since 2018. He was an Adjunct Lecturer in Psychological Sciences at the University of California, Irvine from 2019 to 2020, and in Psychology at Saddleback College from 2016 to 2018. He is a member of the California Marriage and Family Therapy Association, American Association of Marriage and Family Therapists, American Sociological Association and Pacific Sociological Association. Huft earned a Master of Arts degree in marriage and family therapy from Chapman University and a Master of Arts degree in sociology from Arizona State University.	9/23/21	N/A	6/1/25	Governor
Abigail Ortega LCSW Member Abigail Ortega has been a Licensed Clinical Social Worker at Love Listen and Play, a private psychotherapy practice, since 2016. Before starting her private counseling practice, Ortega worked in several community and medical settings. Her diverse experience included providing assessments and therapy to people and families of all ages and backgrounds. Ortega was a Licensed Clinical Social Worker at the Wilmington Community Clinic from 2016 to 2021 and at Counseling4Kids from 2017 to 2020. She was a Medical Social Worker at the Children’s Clinic from 2014 to 2015. Ortega held several positions at Children’s Institute Inc. from 2011 to 2014, including Therapist II and Clinical Domestic Violence Team Lead. She was a Psychiatric Social Worker at the Child Center of New York from 2010 to 2011.	11/10/21	N/A	6/1/25	Governor
Dr. Annette Walker Public Member Dr. Annette Walker has served as a School	11/10/21	N/A	6/1/25	Governor

<p>Board Member at Hayward Unified School District from 2012 to 2020, where she was Personnel Commissioner from 2010 to 2011. Dr. Walker was Diversity and Inclusion Officer at Life Chiropractic College West from 2020 to 2021. She was Director of Graduate Admissions and Kaleidoscope Mentoring Program Coordinator at California State University, East Bay from 2005 to 2019. She was a Psychology Instructor and General Counselor at Chabot College from 1999 to 2004, where she was a Psychology Instructor from 1998 to 1999. Dr. Walker was a Bilingual Elementary School Teacher at Ravenswood City School District from 1993 to 1997. She earned a Master of Science degree in education and psychological studies from California State University, East Bay and a Doctor of Education degree in Organization and Leadership from the University of San Francisco. She was a delegate for the California School Board Association, representing California's seventh district, and Legislative Committee member.</p>				
<p>Eleanor Uribe LCSW Member Eleanor Uribe was appointed to the Board of Behavioral Sciences in August 2022. Eleanor has been the Faculty Field Liaison at California State University, Fresno since 2012. She worked as a Licensed Clinical Social Worker for the California Department of Corrections and Rehabilitation from 2008-2012. She was a Social Worker Practitioner at the Fresno County Department of Social Services from 1994 to 2008. Uribe earned her Master of Social Work degree from California State University, Fresno.</p>	8/2/22	N/A	6/1/26	Governor
<p>Dr. Nicholas Boyd LPCC Member Nick is a California LPCC and a Nationally Certified Counselor by the National Board of Certified Counselors. He has held various clinical, research, and leadership appointments within the Department of Defense (DoD), Veterans Affairs (VA), and community. Nick is the Lead Licensed Professional Mental Health Counselor (LPMHC) and LPMHC Director of</p>	6/28/23	6/5/2024	6/1/28	Governor

<p>Clinical Training with the VA San Diego Healthcare System and Assistant Professor with the University of San Diego. Previously, Nick was an Adjunct Professor in the San Diego City College Alcohol and Other Drug Studies program. He was also the Clinical Director and Cofounder of e3 Civic High’s school-based mental health counseling program. Before his appointment with the Board of Behavioral Sciences, Nick was a California Association for Licensed Professional Clinical Counselors (CALPCC) board member and the Legislative and Advocacy Committee co-chair. Nick is an Army Veteran and has served in the Oregon and California Army National Guard as enlisted military police. He continues to serve in the California State Guard as a Behavioral Health Officer supporting National Guard soldiers across Southern California. Nick received his M.A. in Clinical Mental Health Counseling from the University of San Diego and his PhD. in Counselor Education and Supervision from the University of the Cumberland.</p>				
<p>Lorez Bailey Public Member Lorez Bailey is an accomplished media professional and community advocate, most recently serving as Publisher of the North Bay Business Journal. Known as “The Connector,” she excels in building professional networks and fostering collaboration. She was honored as "Woman of the Year" by U.S. Congressman Mike Thompson for her impactful work with Sonoma County students. Lorez holds degrees from Sacramento State University and Sonoma State University. She has led significant workforce development initiatives and served in leadership roles at Chop's Teen Club and Social Advocates for Youth. She is an active member of Alpha Kappa Alpha Sorority, Inc., and serves on several advisory boards in her community.</p>	8/7/24	N/A	6/1/27	Senate
<p>VACANT</p>	-	-	6/1/25	Governor
<p>VACANT</p>	-	-	6/1/27	Assembly

MAJOR CHANGES SINCE LAST BOARD SUSNET REVIEW

Change in Leadership

Kim Madsen, the Executive Officer of the Board, retired and Steve Sodergren was appointed as the interim Executive Officer of the Board on December 21, 2020, and as permanent Executive Officer on March 3, 2021. Steve had previously served as the Board's Assistant Executive Officer. In October of 2021, Marlon McManus was hired as the Board's Assistant Executive Officer. Marlon had previously served as the Board's Consumer Complaint Manager.

License Portability

In 2019, the Board introduced a new portability pathway for licensure, as established by SB 679 (Bates, Chapter 380, Statutes of 2019), allowing licensees from other jurisdictions to obtain licensure through a more streamlined application process. To apply for a license under this pathway, the applicant must hold an unrestricted license, at the highest level of independent practice, in another U.S. jurisdiction for at least two years and meet certain education requirements. Additionally, the applicant must take and pass the California Board of Behavioral Sciences' Law and Ethics Examination and complete additional continuing education in specific coursework.

Supervision Regulations

The Board implemented regulatory changes designed to strengthen supervised experience requirements in ways that benefit and provide clarity to supervisors, agencies, and supervisees; to address issues that may arise during supervised experience; and, to reduce the problems sometimes encountered by supervisees in the process of applying for licensure. Changes included documentation for deceased or incapacitated supervisors, required documentation of supervised experience, placement by temporary staffing agencies, supervisor requirements, substitute supervisors, supervisor training, and the deletion of the LPCC assessment or treatment of couples and families.

Occupational Analysis and Examinations

With the assistance of DCA's Office of Professional Examination Services, the Board conducted an occupational analysis for Licensed Marriage and Family Therapist (LMFT), Licensed Clinical Social Workers (LCSW), and Licensed Education Psychologists (LEP). The result of the occupational analysis provides a description of practice for the licensed professions and provide the basis for constructing a valid and legally defensible examination.

Registration & Licensing Unit Restructure

To enhance efficiency, improve productivity, and allow for more effective staffing alignment, the Board restructured its Registration and Licensing units. Previously, one licensing manager oversaw the Board's four licensing programs, while the registrant manager managed a multidisciplinary unit that included cashiering and examinations. The addition of two managers reduced the span of responsibility for the licensing and registrant managers and enabled the creation of a standalone registration unit. Furthermore, the Board bolstered staffing by adding additional evaluator positions.

Strategic Plan

In collaboration with stakeholders, the Board developed the 2022-2026 Strategic Plan, focusing on reducing unnecessary barriers to licensure, supporting a culturally responsive workforce, increasing access through technology, and enhancing Board accountability. The ongoing effort to create an efficient, streamlined, and technologically friendly environment remains a priority. In September 2022, Governor Gavin Newsom issued Executive Order N-16-22, directing state agencies and departments to embed equity analysis and considerations into their policies and practices, including the strategic planning process. Reflecting this directive, the Board adopted an amended 2022-2026 Strategic Plan in May 2024. This updated plan reaffirms the Board's mission to "protect and serve Californians by setting, communicating, and enforcing standards for safe and competent mental health practices."

Population Increase

Since the 2019 sunset review, the Board has experienced significant growth in its licensing population, which has increased by 22%, from 118,000 licensees and registrants to over 140,000. This growth can be attributed to the heightened focus on mental health services at both the state and national levels. Additionally, the introduction of the Board's portability pathway has led to a rise in out-of-state licensees applying for licensure.

Transition to Hybrid Work Environment

The Board successfully transitioned to a remote work force in response to the COVID-19 pandemic. The transition created opportunities to improve Board services to the public, such as utilizing technology to provide options to submit required licensure documentation electronically; and initiating virtual meetings for all Board and Committee meetings. The Board also sought opportunities to support its licensees and registrants by obtaining waivers related to renewal and examination requirements without compromising public protection.

Organizational Improvement Process Mapping

Board staff collaborated with DCA's Organizational Improvement Office (OIO) to map out the Board's current processes and to identify possible improvements. This included a review of the licensing application process and the enforcement complaint process. Over two dozen board staff participated in OIO workshops that culminated in 75 current processes at the Board being mapped. The insights gained from this evaluation, along with the recommendations made by OIO, will be utilized by the Board in future seeking process improvement and appropriate staffing levels.

Technological Advancements

Since 2019 the Board has established online applications for supervisor self-assessments, law and ethics re-examination, LMFT clinical re-examination, initial license, name changes, address changes, and license upgrades. Additionally, the Board entered a memorandum of understanding with DCA's Business Services Office—Records Imaging Services Unit to assist in the conversion and imaging of licensing records.

New Publications

The Board released three new handbooks to assist applicants for licensed marriage and family therapist, licensed clinical social worker, and licensed professional clinical counselor positions. Each handbook provides an overview of the licensure process and tips to help applicants avoid common pitfalls. Additionally, the Board created a telehealth best practice document: one for telehealth therapy providers, one for tele-supervision providers, and one for consumers receiving telehealth therapy. The Board also drafted a consumer outreach document to explain its regulated professions to the public.

Social Media

Since January 2020, the Board has significantly increased its use of social media to enhance outreach efforts. This includes more frequent posts and the introduction of live Facebook events called "Facebook Fridays." These events provide updates on the Board's operations and allow registrants and licensees to ask questions and receive immediate answers. The initiative has received positive feedback, and the Board's following has more than doubled, with Facebook followers increasing from approximately 5,000 in 2020 to 32,000 today.

Pathway to Licensure Videos

Board staff partnered with the Department of Consumer Affairs (DCA) Office of Public Affairs to develop ten instructional videos for applicants. The topics include pathway to licensure, degree requirements for the different license types, tips for registrants, supervision overview, 90-day rule overview, and applicant conviction reporting.

Fee Change

Pursuant to AB 3330 (Chapter 359, Statutes of 2020), the Board's fees for each of its license type increased on January 1, 2021. A 2018 audit performed by CPS HR Consulting (CPS), an independent firm, found that during the previous four years, while revenues increased by almost 39 percent, expenditures increased by approximately 42 percent. This imbalance was attributed to many factors such as a steady increase in application volume and registrant/licensee population, as well as increasing costs over the years in areas such as staff salary, health insurance, Attorney General costs, and other overhead costs.

Telehealth Training

The Governor recently signed AB 1759 (Chapter 520, Statutes of 2022). Under this new law, effective July 1, 2023, the Board will begin requiring both applicants for licensure and licensees to have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which must include law and ethics related to telehealth.

Law & Ethics Continuing Education For Registrants

All registrants who renew their registration or whose registration expires on or after January 1, 2023, must take a minimum of 3 hours of continuing education (CE) coursework in California law and ethics during each renewal period to be eligible to renew their registration.

Video-supervision Allowances

AB 1758, effective August 29, 2022, changed the law regarding supervision. It allows face-to-face direct supervisor contact between a supervisor and a supervisee in all settings to be either in-person, via two-way real-time videoconferencing, or a combination of both. Within 60 days of starting supervision, the supervisor must assess the appropriateness of using videoconferencing for supervision. This assessment must consider the supervisee's abilities, the preferences of both parties, and the privacy of their locations during supervision. The supervisor must document the assessment results, and if videoconferencing is deemed inappropriate, it must not be used.

LEGISLATION SPONSORED BY AND AFFECTING THE BOARD SINCE THE LAST SUNSET REVIEW

Many legislative changes relevant to the Board of Behavioral Sciences' duties have been enacted since the last sunset review in 2019. The changes are listed in chronological order.

LEGISLATION (BOARD SPONSORED)

AB 3330 (Calderon, Chapter 359, Statutes of 2020) Department of Consumer Affairs: Boards: Licensees: Regulatory Fees

The Board sponsored provisions of this bill that increased the Board's licensing, registration, and examination fees. The fee increases became effective on January 1, 2021.

AB 690 (Arambula, Chapter 747, Statutes of 2021) Marriage and Family Therapists: Clinical Social Workers: Professional Clinical Counselors

This bill reclassified all psychotherapy settings as either exempt or non-exempt from licensure and registration requirements, as defined. This bill also increased the maximum number of persons a supervising psychotherapist licensed under the Board may supervise from three persons to six persons.

SB 801 (Archuleta, Chapter 647, Statutes of 2021) Healing Arts: Board of Behavioral Sciences: Board of Psychology: Licensees

This bill was the sunset vehicle for the Board. It made several changes to improve the Board's licensing and administrative functions, including, among other things: extending the operations of the Board to January 1, 2026; making structural changes to conform the Board's denial of licensure authority with AB 2138 (Chiu, Chapter 995, Statutes of 2018); expanding the scope of telehealth providers; clarifying the scope of practice for Licensed Marriage and Family Therapists; updating the Board's patient notice requirements; adding "prognosis" as an acceptable term to the Board's practice act; making minor conforming alterations to the Board's statutory fee cap for Licensed Clinical Social Workers; and requiring Board applicants, registrants, and licensees to provide their e-mail to the Board so the Board can use e-mail as its primary means of communication.

AB 1758 (Aguilar-Curry, Chapter 204, Statutes of 2022) Board of Behavioral Sciences: Marriage and Family Therapists: Clinical Social Workers: Professional Clinical Counselors: Supervision of Applicants for Licensure via Videoconferencing

This bill allowed required weekly supervision of pre-licensed supervisees to be conducted via two-way, real-time videoconferencing in all settings, if the supervisor makes an assessment that this is appropriate. This bill also required the sunset of these provisions in 2026. This bill was an urgency measure and took effect immediately upon signing.

AB 1759 (Aguiar-Curry, Chapter 520, Statutes of 2022) Board of Behavioral Sciences: Licensees and Registrants: Marriage and Family Therapy, Educational Psychology, Clinical Social Work, and Professional Clinical Counseling

This bill required Board applicants for licensure and current licensees to complete three hours of training or coursework related to providing mental health services via telehealth. This bill also requires Board registrants to complete a three-hour continuing education course each renewal cycle in California law and ethics. Additionally, the bill made amendments to clarify that associate clinical social workers, associate professional clinical counselors, and clinical counselor trainees may provide services with clients via telehealth.

SB 1495 (Committee on Business, Professions and Economic Development, Chapter 511, Statutes of 2022) Professions and Vocations

This was the omnibus bill for the Senate Committee on Business, Professions and Economic Development. The Board sponsored provisions of this bill to correct two minor reference errors in its practice acts.

AB 232 (Aguiar-Curry, Chapter 640, Statutes of 2023) Temporary Practice Allowances

This bill allows a 30-day temporary practice allowance to qualifying marriage and family therapists, clinical social workers, and professional clinical counselors licensed in another state whose client is visiting California, or is in the process of moving to California, if certain specified conditions are met.

SB 887 (Committee on Business, Professions and Economic Development, Chapter 510, Statutes of 2023) Consumer Affairs

This was the omnibus bill for the Senate Committee on Business, Professions and Economic Development. The Board sponsored two minor technical changes to its statutes. The first was to include marriage and family therapist trainees in the list of allowable LEP supervisees. The second was to affirmatively state in the law that the Board's online license lookup may be used to verify a license or registration.

SB 1024 (Ochoa Bogh, Chapter 160, Statutes of 2024) Healing Arts: Board of Behavioral Sciences: Licensees and Registrants

This bill, effective January 1, 2025, clarifies two of the Board's statutory requirements:

1. The requirement to physically display a license or registration; and
2. The allowable number of "supervisees" that a supervisor is permitted to oversee.

SB 1526 (Senate Business, Professions and Economic Development Committee) Consumer Affairs (Omnibus Bill Proposal)NOT SIGNED YET****

This was the omnibus bill for the Senate Committee on Business, Professions and Economic Development. The Board sponsored one provision of this bill to make a minor, technical clarification related to continuing education.

LEGISLATION (AFFECTING THE BOARD)

AB 1145 (Garcia, Chapter 180, Statutes of 2020): Child Abuse: Reportable Conduct

This bill specified that voluntary acts of sodomy, oral copulation, and sexual penetration are not considered acts of sexual assault that must be reported by a mandated reporter as child abuse if there are no indicators of abuse, unless it is between a person age 21 or older and a minor under age 16.

AB 2113 (Low, Chapter 186, Statutes Of 2020) Refugees, Asylees, And Special Immigrant Visa Holders: Professional Licensing: Initial Licensure Process

This law requires boards and bureaus within the DCA to expedite the initial licensure process for an applicant who supplies satisfactory evidence that they are a refugee, have been granted asylum, or have a special immigrant visa, as specified. This law also allows boards and bureaus to assist these applicants during the initial licensure process. This law further specifies that persons applying for expedited licensure will still be required to meet all applicable statutory and regulatory licensure requirements.

SB 878 (Jones, Chapter 131, Statutes Of 2020) Department Of Consumer Affairs: License: Application: Processing Time Frames

Beginning July 1, 2021, this law requires each board and bureau within the DCA that issues licenses, to prominently display on their websites each quarter either the current average time frame for processing initial and renewal license applications, or the combined current average time frame for processing both initial and renewal license applications. This law will also require each board or bureau to quarterly post on their websites either the current average processing time frame for each licensing type administered by the program, or the combined current average time frame for processing all licensing types administered by the program.

SB 1474 (Business, Professions And Economic Development Committee, Chapter 312, Statutes Of 2020) Business And Professions

This law provides a one-year sunset extension for the following DCA programs that were undergoing the sunset review process prior to COVID-19: Board of Barbering and Cosmetology, Board of Behavioral Sciences, Board of Psychology, Board of Vocational Nursing and Psychiatric Technicians, Bureau for Private Postsecondary Education, Bureau of Real Estate Appraisers, California State Board of Pharmacy, Physician Assistant Board, Podiatric Medical Board of California, and the Veterinary Medical Board.

AB 107 (Salas, Chapter 693, Statutes Of 2021) Licensure: Veterans And Military Spouses

This bill, after July 1, 2023, requires most boards and bureaus within DCA to issue temporary licenses to military spouses meeting specified criteria within 30 days, including passing a background check if one is required for licensure. This bill also requires DCA and boards and bureaus to post license information for military spouses on their websites and requires DCA to submit an annual report on licensure of military members, veterans, and spouses.

AB 133 (Committee on Budget, Chapter 143, Statutes of 2021) Health

This bill requires healing arts boards under the Department of Consumer Affairs to request specified workforce demographic data from their licensees and registrants at the time of electronic license or registration renewal.

AB 462 (Carrillo, Chapter 440, Statutes of 2021) Licensed Professional Clinical Counselor Act

This bill removed existing requirements for licensed professional clinical counselors (LPCCs) to gain at least 150 hours of clinical experience in a hospital or community mental health setting. This bill also removed the existing requirement for LPCCs to complete specified additional education, supervised experience, and continuing education related to marriage and family therapy in order to treat couples or families.

AB 468 (Friedman, Chapter 168, Statutes Of 2021) Emotional Support Animals

This bill prohibits a health care practitioner from providing documentation relating to an individual's need for an emotional support dog that is not a service dog unless the health care practitioner complies with specified requirements. This bill also requires a written notice by a seller of emotional support animals, and associated certificates or equipment, that they do not have the same rights as service dogs. Individuals who violate the provisions of this bill may be charged with a misdemeanor.

SB 607 (Min, Chapter 367, Statutes of 2021) Business and Professions

This bill requires licensing boards under the Department of Consumer Affairs to waive the licensure application fee and initial license fee for an applicant with a current license in the same profession in another state who is a military spouse.

SB 731 (Durazo, Chapter 814, Statutes of 2022) Criminal Records: Relief

This bill, among other provisions, expands the types of arrest records that are eligible to be automatically sealed to include more types of felonies under specified circumstances. This bill also allows certain felony convictions that resulted in incarcerations to be automatically sealed as long as the individual has completed their sentence and has not been convicted of a new felony within four years. It also expands the date range for which arrests and convictions are eligible to be automatically sealed. These provisions became operative on July 1, 2023.

SB 966 (Limon, Chapter 607, Statutes of 2022) Federally Qualified Health Centers and Rural Health Clinics: Visits

This bill allows Medi-Cal reimbursement for covered mental health services provided by an associate clinical social worker or an associate marriage and family therapist who is under appropriate supervision and who is employed by a federally qualified health center or a rural health clinic.

SB 1002 (Portantino, Chapter 609, Statutes of 2022) Workers' Compensation: Licensed Clinical Social Workers

This bill added licensed clinical social workers as providers in the workers' compensation system.

SB 1237 (Newman, Chapter 386, Statutes of 2022) Licenses: Military Service This bill clarifies that military members on active duty with the California National Guard or members of the military on non-temporary assignments stationed outside California are eligible for a waiver of license renewal fees, continuing education requirements, and other license renewal requirements.

AB 665 (Carrillo, Chapter 338, Statutes of 2023) Minors: Consent to Mental Health Services Beginning July 1, 2024, this bill made the requirements for a minor to consent to mental health treatment equal for both Medi-Cal recipients and non-Medi-Cal recipients.

SB 143 (Committee on Budget and Fiscal Review, Chapter 196, Statutes of 2023) State Government

This bill conforms state statutes with recent federal law enabling the portability of professional licenses for servicemembers and spouses if specified requirements are met. The federal law requires state licensing entities, for a military member or their spouse who relocates due to military orders for military service, to consider their license valid if it is a similar scope of practice if they provide specified information.

SB 372 (Menjivar, Chapter 225, Statutes of 2023) Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes

This bill requires a licensing board under the Department of Consumer Affairs 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.

SB 525 (Durazo, Chapter 890, Statutes of 2023) Minimum Wage: Health Care Workers

This bill sets a multi-tiered statewide minimum wage for health care workers employed by covered healthcare facilities.

SB 544 (Laird, Chapter 216, Statutes of 2023) Bagley-Keene Open Meeting Act: Teleconferencing

This bill modernizes the Bagley-Keene Open Meeting Act requirements to allow for new options for remote participation for some Board members under specified circumstances.

PENDING REGULATIONS

The following changes to title 16 of Division 18 of the CCR have been proposed, are in various stages of the regulatory process as follows:

Disciplinary Guidelines: Amend title 16, CCR 1888

This proposal would result in updates to the Board's "Uniform Standards Related to Substance Abuse and Disciplinary Guidelines, which are incorporated by reference into the Board's regulations. The proposed changes fall into three general categories:

1. Amendments seeking to amend certain penalties that are available to the Board;
2. Amendments seeking to update regulations or the Uniform Standards/Guidelines in

- response to statutory changes to the Business and Professions Code; and
3. Amendments to clarify language that has been identified as unclear or needing further detail.

Status: Submitted to DCA Office of Legal Affairs to Begin Initial Review Process (Production Phase)

Unprofessional Conduct: Amend title 16, CCR 1845, 1858, 1881, 1886.30 and 1886.40

This proposal would result in updates to the Board's Unprofessional Conduct regulations. The proposed changes would result in striking regulations that duplicate statutory law, and would provide for transparency by adding requirements related to the Confidentiality in Medical Information Act.

Status: Public Comment Period Ended March 25, 2024; Comment Received; Modified Text Proposed

Telehealth Standards of Practice: Amend title 16, CCR 1815.5

This proposal would require a license be "current and active" to engage in telehealth instead of "valid and current" to conform with the actual license status types in the Board's online licensing system; require licensees providing services via telehealth to ensure that the technology, method and equipment used to provide services complies with all applicable federal and state privacy, confidentiality and security laws; and, strike a provision that states that violation of this section is unprofessional conduct, as this authority is already provided for in statute.

Status: Approved by the Board at its March 1, 2024, meeting.

MAJOR STUDIES PERFORMED BY THE BOARD

2021 Telehealth and Supervision via Videoconferencing Surveys for Students, Associates, Supervisors, and Schools

In 2021, the Board conducted four separate surveys to obtain feedback about student and associate experiences with providing services to clients via telehealth, supervision of applicants who are providing telehealth services, providing supervision via videoconferencing, and gathering topics related to telehealth where training may be needed. The surveys included:

Supervisor survey: This survey was designed for supervisors of students and associates pursuing LMFT, LPCC or LCSW licensure. 1,938 completed surveys were received. 46% of respondents supervise in a nonprofit and charitable setting, with the second most common being private practice at 27%.

Trainee and associate survey: separate surveys were created, one for students currently enrolled in a LCSW, LMFT and/or LPCC program, and one designed for associates. 784 completed surveys were received from students, and 2,523 from associates.

School survey: This survey was sent via email to the program's director at each school

with a California LCSW, LMFT and/or LPCC program. The survey was also sent via the methods listed above. 188 completed surveys were received.

The results of the survey can be found in Section 12, C1

2023 Online-Only Therapy Platform Survey

As part of the work of the Telehealth Committee, the Board conducted a survey to whether the use of online therapy platforms pose any new public protection concerns that the Board needs to address. The survey was developed for licensees and registrants who had experience working for one of these platforms, to gain more information about their experiences.

The survey was open from April 10 through May 15, 2023. The survey received over 1,700 responses.

The results of the survey can be found in Section 12, C2

2024 Pathway to Licensure Survey

This survey was developed to seek input from Board registrants and licensees about barriers that they are facing, or may have faced, during the pathway to licensure. The survey consisted of thirty questions organized into three thematic segments that relate to the major milestones of the licensure pathway: education experience, supervision experience, examination experience.

For each major milestone, the survey asked for details about a participant's experience, how effective this experience was in preparing them for the next licensure milestone, and to what extent certain factors may have presented a barrier in obtaining that milestone. Also, the survey allowed for participants to include comments and additional information for each milestone. The survey closed on April 9, 2024, and resulted in 3,170 complete responses.

The results of the survey can be found in Section 12, C3

NATIONAL ASSOCIATION MEMBERSHIP

The Board is a current member of the Association of Marriage and Family Therapy Regulatory Board (AMFTRB), the American Association of State Counseling Boards (AASCB), National Board of Certified Counselors (NBCC), and the Association of Social Work Boards (ASWB). The Board's membership in each of these associations includes voting privileges. The Board is also a member of the Council on Licensure, Enforcement, and Regulation (CLEAR). This membership does not include any voting privileges. Rather, the membership allows the Board to access resources and information relating to regulatory agencies and licensure examinations.

Since the Board's 2019 Sunset Review, Board representatives were approved to attend the following professional association meetings:

- ASWB Annual Meeting of the Delegate Assembly – 2020 (Virtual), 2021 (Virtual), 2022 (Virtual), 2023 (Tennessee)
- AASCB Annual Meeting – 2020(Virtual), 2021 (Virtual), 2022 (Virtual), 2024 (Arizona)
- NBCC Counseling Regulatory Board Summit – 2022 (Pennsylvania)
- The Board's executive officer participated on the following national professional association committees:
- AASCB-AI Committee 2024 (Virtual)

NATIONAL EXAMINATION ACTIVITY

The Board uses two national examinations for licensure in California. The National Board of Certified Counselor's (NBCC) National Counselor Mental Health Clinical Examination (NCMHCE) for LPCC licensure and the Association of Social Work Boards (ASWB) national examination for LCSW licensure.

The Board continues to evaluate all applications for the licensure examination to confirm that the candidate satisfies the statutory requirements for licensure. Once a candidate is deemed eligible for the licensure examination, the candidate's eligibility is transmitted to the testing vendor, allowing the candidate to schedule their examination.

Examination development, scoring, and analysis involve the participation of subject matter experts (licensees). Each national examination adheres to the same five-year to seven-year standard for conducting an occupational analysis (practice analysis). Like the Board's examination development process, the national examinations use the occupational analysis results to develop questions for the national examination. California licensees participate in the occupational analysis for both national examinations.

The Board partners with the NBCC and ASWB to recruit California subject matter experts (SME) to participate in the development of the national examination. The California SMEs serve as item writers (examination questions); participate in workshops to review the items; and establish a pass score for each version of the examination.

The Board is currently considering adopting the National Exam provided by the Association of Marital and Family Therapy Regulatory Boards (AMFTRB). In its May 2024 meeting, the Board voted to initiate the process of pursuing legislation or regulations to formally accept the AMFTRB National Exam, contingent on meeting certain conditions. The Board has directed staff to complete the following steps before seeking final approval for the regulatory or legislative amendments required to adopt the AMFTRB National Exam:

- Collaborate with legal counsel to draft the necessary legislative or regulatory language to accept the AMFTRB National Exam for licensure.
- Work with AMFTRB to address concerns related to examination content and measurement scope.
- Ensure accessibility for all candidates by collaborating with AMFTRB to mitigate any adverse effects on exam candidates during the transition to the AMFTRB National Exam.

Section 2 – Fiscal and Staff

FISCAL

The Board is self-supporting, special fund agency that obtains its revenue primarily from licensing and renewal fees. The Board does not receive any general fund revenue. The Legislature determines the Board's annual budget, and the Board's expenses cannot exceed authorized expenditures. Any unspent funds are allocated to the Board's reserve fund, which at the end of FY 2023-24 was the Board's reserve fund, which at the end of FY 2023-24 was \$13,968,000, equivalent to 11 months in reserve. The Board estimates fiscal year 2024-25 reserve balance to be approximately \$19,575,000 equaling 15.1 months in reserve.

Table 2. Fund Condition (list dollars in thousands)						
(Dollars in Thousands)	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24**	FY 2024-25***	FY 2025-26***
Beginning Balance ¹	\$3,597	\$6,195	\$11,194	\$18,461	\$13,968	\$19,575
Revenues and Transfers	\$13,041	\$17,422*	\$20,422	\$20,605	\$20,902	\$20,813
Total Resources	\$16,638	\$23,617	\$31,616	\$39,066	\$34,870	\$40,388
Budget Authority	\$12,046	\$13,132	\$13,593	\$14,148	\$14,300	\$14,307
Expenditures ²	\$11,102	\$12,569	\$13,155	\$15,098	\$15,295	\$15,566
Loans to General Fund	\$0	\$0	\$0	-\$10,000	\$0	\$0
Accrued Interest, Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Loans Repaid From General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Fund Balance	\$5,536	\$11,048	\$18,461	\$13,968	\$19,575	\$24,822
Months in Reserve	5.3	10.1	14.7	11.0	15.1	18.6

The most recent fee change for the Board was initiated by Assembly Bill 3330, which was passed in 2020. This law increased various licensure fees for all license types effective January 1, 2021. The fee adjustment was necessary to address the rising operational costs

the Board was facing, including increased application volumes, staff salaries, and general overhead expense. It was the first increase in the Board's fee structure in over 20 years. Since the fee increase the Board has recognized an increasing reserve. Although there is no statutory minimum reserve level, existing law prohibits the Board from accumulating more than 24 months in reserve. (Future Budget Change Proposals to augment staffing or to support operational functions may assist in reducing the reserve.

In 2020 the board received a final payment for general loan funds for three loans totaling \$12.3 million dollars. In 2024, the made Board made a general loan fund of \$10.0 dollars. The loan is expected to be repaid in a future year when if the Board's budget demonstrates a need for the moneys or there is no longer a need for the moneys in the General Fund.

Table 3. Expenditures by Program Component (list dollars in thousands)										
	FY 2019/20		FY 2020/21		FY 2021/22		FY 2022/23		FY 2023/24	
	PS*	OE&E**	PS	OE&E	PS	OE&E	PS	OE&E	PS	OE&E
Enforcement	\$1952	\$2728	\$1946	\$1307	\$2343	\$1380	\$2481	\$1392	-	-
Examination	\$522	\$1406	\$539	\$1307	\$667	\$1380	\$782	\$1392	-	-
Licensing	\$1535	\$1406	\$1668	\$1307	\$1927	\$1380	\$2003	\$1392	-	-
Administration ***	\$989	\$1406	\$966	\$1307	\$1143	\$1380	\$1243	\$1392	-	-
DCA Pro Rata	\$0	\$2671	\$0	\$2262	\$0	\$2608	\$0	\$2553	-	-
Diversion (if applicable)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	-	-
TOTALS	\$4998	\$9617	\$5119	\$7490	\$6080	\$8128	\$6509	\$8121		
*Personnel Services										
**Operating Expense & Equipment										
***Administration includes costs for executive staff, board, administrative support, and fiscal services.										

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)								
Fee	Current Fee Amount	Statutory Limit	FY 2019/20 Revenue	FY 2020/21 Revenue	FY 2021/22 Revenue	FY 2022/23 Revenue	FY 2023/24 Revenue	% of Total Revenue
LMFT/LCSW/LEP /LPCC Exam Rescore	\$20.00	\$20.00	\$40	\$0	\$0	\$0		
Duplicate Doc	\$20.00	\$20.00	\$57,895	\$81,620	\$81,470	\$83,680		
Certification	\$25.00	\$25.00	\$42,265	\$65,415	\$80,719	\$76,590		
Cite & Fine Recovery	VARIOUS	VARIOUS	\$96,743	\$46,198	\$22,896	\$23,481		
Misc. to the Public	VARIOUS	VARIOUS	\$0	\$265	\$1	\$90		
LMFT Application	\$250.00	\$500.00	\$277,900	\$411,230	\$537,950	\$665,475		
MFT Intern	\$150.00	\$300.00	\$263,475	\$406,425	\$610,500	\$679,650		

Application								
LMFT Initial License	\$200.00	\$400.00	\$309,255	\$501,520	\$559,200	\$481,000		
LMFT Law & Ethics	\$150.00	\$300.00	\$381,275	\$484,500	\$630,100	\$725,100		
LMFT Written Clinical	\$250.00	\$500.00	\$375	\$0	\$0	\$0		
LMFT Clinical	\$250.00	\$500.00	\$417,303	\$635,599	\$878,050	\$962,325		
LCSW Written Clinical	\$250.00	\$500.00						
LCSW Law & Ethics	\$150.00	\$300.00	\$426,650	\$533,600	\$709,700	\$844,721		
LCSW Application	\$250.00	\$500.00	\$240,375	\$456,481	\$737,156	\$783,600		
Associate LCSW Application	\$150.00	\$300.00	\$295,275	\$452,324	\$654,150	\$661,450		
LCSW Initial License	\$200.00	\$400.00	\$193,827	\$425,500	\$480,400	\$554,050		
LPCC Intern Application	\$150.00	\$300.00	\$128,075	\$181,175	\$232,950	\$262,325		
LPCC Initial License	\$200.00	\$400.00	\$69,730	\$90,000	\$116,000	\$144,600		
LPCC Exam Application	\$250.00	\$500.00	\$96,120	\$143,910	\$207,760	\$240,250		
LPCC Law & Ethics	\$150.00	\$300.00	\$142,900	\$191,950	\$262,000	\$311,725		
LEP Application	\$250.00	\$500.00	\$15,100	\$21,184	\$33,000	\$48,500		
LEP Written Exam	\$250.00	\$500.00	\$19,800	\$27,550	\$44,000	\$62,500		
LEP Initial License	\$200.00	\$400.00	\$8,880	\$15,600	\$22,000	\$23,000		
Over/Short Fees	VARIOUS	VARIOUS	\$11	\$6	\$5	\$0		
Suspended Revenue	VARIOUS	VARIOUS	\$15,190	\$18,316	\$15,193	\$8,835		
LMFT Biennial Renewal	\$200.00	400.00	\$2,244,363	\$3,049,701	\$3,767,475	\$4,443,930		
MFT Intern Annual Renewal	\$150.00	\$300.00	\$770,225	\$1,015,530	\$1,535,550	\$1,560,000		
LMFT Inactive Renewal	\$100.00	\$200.00	\$140,890	\$155,495	\$197,200	\$202,200		
LMFT Retired License	\$40.00	\$40.00	\$4,760	\$4,040	\$5,520	\$5,400		

LMFT Inactive to Active	\$100.00	\$200.00	\$22,625	\$10,005	\$11,600	\$12,000		
LCSW Inactive to Active	\$100.00	\$200.00	\$3,500	\$5,450	\$5,400	\$7,500		
LEP Inactive to Active	\$100.00	\$200.00	\$720	\$260	\$700	\$700		
LPCC Inactive to Active	\$100.00	\$200.00	\$788	\$700	\$1,000	\$600		
LMFT Retired to Active	\$200.00	\$400.00	\$130	\$330	\$1,000	\$1,000		
LCSW Biennial Renewal	\$200.00	\$400.00	\$1,096,260	\$1,780,565	\$2,445,270	\$3,079,775		
LCSW Inactive Renewal	\$100.00	\$200.00	\$61,700	\$81,550	\$118,030	\$120,070		
LCSW Retired to Active	\$200.00	\$400.00	\$200	\$300	\$1,000	\$600		
Associate LCSW Annual Renewal	\$150.00	\$300.00	\$755,930	\$1,006,990	\$1,725,050	\$1,818,350		
LCSW Retired License	\$40.00	\$40.00	\$2,840	\$2,200	\$2,720	\$2,880		
LEP Biennial Renewal	\$200.00	\$400.00	\$50,640	\$82,250	\$133,650	\$141,600		
LEP Inactive Renewal	\$100.00	\$200.00	\$7,025	\$9,925	\$15,400	\$15,700		
LEP Retired to Active	\$200.00	\$400.00		\$0	\$0	\$0		
LEP Retired License	\$40.00	\$40.00	\$200	\$280	\$120	\$120		
LPCC Intern Annual Renewal	\$150.00	\$300.00	\$230,800	\$302,100	\$460,800	\$495,150		
LPCC Retired to Active	\$200.00	\$400.00	\$0	\$175	\$0	\$0		
LPCC Biennial Renewal	\$200.00	\$400.00	\$130,725	\$150,000	\$226,320	\$248,200		
LPCC Inactive Renewal	\$100.00	\$200.00	\$26,163	\$6,125	\$9,900	\$7,300		
LPCC Retired License	\$40.00	\$40.00	\$200	\$120	\$120	\$160		
Over/Short Fees	VARIOUS	VARIOUS	\$7	\$27	\$5	\$30		

LMFT Inactive Renewal Delinquent Fee	\$50.00	\$100.00	\$18,525	\$17,525	\$13,850	\$12,600		
LMFT Renewal Delinquent Fee	\$100.00	\$200.00	\$54,145	\$77,390	\$95,250	\$98,900		
LCSW Inactive Renewal Delinquent Fee	\$50.00	\$100.00	\$8,615	\$8,300	\$7,750	\$7,450		
LCSW Renewal Delinquent Fee	\$100.00	\$200.00	\$18,650	\$34,450	\$39,400	\$43,950		
LEP Inactive Renewal Delinquent Fee	\$50.00	\$100.00	\$1,520	\$1,310	\$1,300	\$1,200		
LEP Renewal Delinquent Fee	\$100.00	\$200.00	\$4,080	\$6,500	\$9,600	\$9,000		
LPCC Renewal Delinquent Fee	\$100.00	\$200.00	\$3,675	\$4,438	\$5,200	\$6,100		
LPCC Inactive Renewal Delinquent Fee	\$50.00	\$100.00	\$0	\$250	\$550	\$350		
Total Revenue								

The budget change proposals submitted in the last five years are as follows:

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services		OE&E			
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved

1111-034-BCP-2020-GB	2020-21	Facilities Operations Funding Augmentation					\$189,000	\$189,000
1111-037-BCP-2020-GB	2020-21	BreEZe System Maintenance and Credit Card Funding					\$616,000	\$616,000
1111-038-BCP-2020-GB	2020-21	Board and Bureau Workload - Regulatory Staff Augmentation	1.0 AGPA	1.0 AGPA	\$120,000	\$120,000	\$25,000	\$25,000
1111-079-BCP-2022-GB	2022-23	BreEZe System Maintenance and Credit Card Funding					\$593,000	\$593,000
1111-023-BCP-2023-GB	2023-24	Office of Administrative Hearings – Budget Augmentation					\$153,000	\$153,000
1111-025-BCP-2024-GB	2024-25	BreEZe System Maintenance and Credit Card Funding					\$722,000	\$722,000

STAFF

Board operations are overseen by an Executive Officer (EO) and Assistant Executive Officer (AEO). Steve Sodergren was appointed as the interim Executive Officer of the Board on December 21, 2020, and as permanent Executive Officer on March 3, 2021. Steve had previously served as the Board's Assistant Executive Officer. In October of 2021, Marlon McManus was hired as the Board's Assistant Executive Officer. Marlon had previously served as the Board's Consumer Complaint Manager. The Board currently has 65.5 authorized positions. The oversight of Board staff is organized into seven distinct units: Administration, Cashiering and Examinations, Registration, Licensing, Criminal Conviction, Consumer Complaint, and Discipline and Probation.

Staffing Issues

Over the past four years, the Board has maintained an average vacancy rate of approximately 14 percent across its positions, largely due to retirements and staff transitions to other state agencies or higher classifications within the Board. Notably, critical management positions have become vacant primarily because of retirements.

The Board has implemented significant restructuring efforts designed to improve operational efficiency, increase management effectiveness, assist with employee retention, support the career growth of Board staff, and ultimately enhance the Board's ability to serve its constituents:

- A restructure of the Board's Registration, Examination, and Cashiering Unit (REC). This unit was split into two distinct units: the Registration Unit and the Examination & Cashiering Unit. This change necessitated the creation of a new managerial position for the Registration Unit, achieved by upgrading an Office Assistant (OA) position that was being underutilized in the Administrative Unit to a Staff Services Manager I (SSMI)

position. The Board also created two Lead Associate Evaluator positions for the Registration Unit, by reclassifying a vacant Management Services Technician (MST) position to a Staff Services Analyst (SSA), and by redirecting a vacant SSA position from the Criminal Conviction Unit. The additional manager allowed the Board to establish a unit that is solely focused on the review and approval of registrant applications. The Lead Associate Evaluator positions ensures the Registration Unit will have staff available to independently evaluate, research, analyze, interpret and apply statutes and regulations in addition to creating a career path for first-level associate evaluators.

- A restructure to the Board's Licensing Unit. Previously, the Licensing Manager oversaw activities for all four license types (LMFT, LCSW, LPCC, and LEP). The restructure consisted of adding a second Licensing Manager and assigning each manager to oversee two license types. To necessitate the creation of a new managerial position, the Board reclassified an Associate Governmental Program Analyst (AGPA) position to a SSMI position.
- Reclassified an AGPA position in the Administration Unit to a SSMI Specialist that serves as the Legislative Manager for the Board. Reclassified an AGPA position in the Administration Unit to a SSMI Specialist that serves as the Regulation Manager for the Board. The reclassifications of the positions allow the Board to remain competitive with qualified applicants when factoring similar duties and salary, as comparable positions throughout state service are at the SSMI Specialist classification.
- Established a Limited Term SSA position in the Licensing Unit. The Limited Term SSA is responsible for evaluating LMFT applications for licensure.
- Established a Limited Term MST position in the Registration Unit. The Limited Term MST is responsible for evaluating ASW registration applications.
- Established a Limited Term AGPA position in the Administration Unit, responsible for special projects and research for the Board.

In response to extended processing times affecting both the LMFT and LCSW units, management has initiated cross-training for the two LPCC analysts. This training covers both the LMFT and LCSW clinical exam applications, enabling a flexible workforce that can be dynamically allocated based on workload demands. We plan to continue this cross-training initiative in the coming months to ensure our Licensing Analysts are deployed where they are most needed.

Staff Development

The Board continually encourages and promotes staff development. These efforts include courses through DCA SOLID Training and Planning Solutions; group activities to promote awareness at quarterly staff meetings; providing informational sessions related to upward mobility; and meeting individually with staff members to develop their skills.

Since the last sunset review, the Board has averaged nearly \$3,000 annually on staff training. Many of the training courses staff elects to attend are offered through DCA SOLID training, which is funded through the Board's pro rata. However, staff is not limited to courses through DCA SOLID training and may select other training courses through various vendors.

Diversity, Equity, and Inclusion

Board staff participated in three diversity, equity, and inclusion trainings facilitated by DCA's SOLID Training and Planning Solutions to help create a culture of awareness of implicit bias and how it may impact the decision-making process. In addition, Board staff learned to navigate the diversity in communication preferences by discovering the strengths, values, and needs of individuals.

The Board has incorporated inclusive hiring principles when recruiting for vacant positions. This includes encouraging all hiring managers, and panel members to take DEI-related trainings, assembling a diverse interview panel, and development of the interview questions and rating criteria.

Executive Staff developed hiring process procedures and a new employee onboarding checklist for Board management. An effective onboarding process for new employees can have a positive impact on engagement, productivity, job satisfaction, and retention. A successful onboarding experience provides a new employee with the tools, resources, and information they need to quickly integrate into an organization's culture, and it builds the foundation for future success.

Licensing Program

The Board oversees the licensing, regulation, and professional practice of various mental health professionals in California. The licensure structure under the Board includes several categories of mental health professionals, divided into two specific groups:

Pre-licensed individuals (Registered Associates): these individuals are in the process of completing their supervised clinical experience and work under supervision of licensed professionals. They are registered with the Board as: Associate Clinical Social Workers (ASWs), Associate Marriage and Family Therapists (AMFTs), Associate Professional Clinical Counselors (APCCs).

Licensed Individuals: these individuals have completed all education, supervised experience, and examination requirements and are licensed to practice independently. They include Licensed Clinical Social Workers (LCSWs), Licensed Marriage and Family Therapists (LMFTs), Licensed Professional Clinical Counselors (LPCCs), and Licensed Educational Psychologists (LEPs).

The Board's licensee and registrant population currently totals approximately 148,000 individuals, with marriage and family therapists representing the largest segment. The registrant population, consisting of individuals practicing under the supervision of a licensed professional, includes AMFTs (17,314), ASWs (19,908), and APCCs (7,216). The population of licensed individuals, who can practice independently, includes LMFTs (55,380), LCSWs (39,928), LPCCs (5,020), and LEPs (2,280). The Board oversees the highest number of marriage and family therapists and clinical social workers of any jurisdiction in the world. On average, the Board has recognized a yearly 5% increase in its licensed population.

Table 6. Licensee Population						
		FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Associate Marriage and Family Therapists	Active ³	12,844	12,413	12,502	13,497	15,042
	Delinquent	3,074	2,435	2,176	2,054	1,903
Associate Social Worker	Active	12,980	13,564	14,170	15,245	16,517
	Delinquent	3,489	3,048	3,146	3,236	3,057
Associate Professional Clinical Counselor	Active	3,269	3,926	4,210	4,601	5,112
	Delinquent	1,590	1,698	1,894	2,072	2,136
Licensed Marriage and Family Therapist	Active	40,696	43,039	44,828	46,281	47,978
	Delinquent	3,055	3,537	3,233	3,349	3,378
	Inactive	4,098	3,832	3,743	3,732	3,646
	Retired	1,401	1,501	1,634	1,768	1,888
Licensed Clinical Social Worker	Active	26,810	29,252	30,863	33,014	35,062
	Delinquent	1,860	2,088	1,895	1,991	2,136
	Inactive	2,289	2,204	2,254	2,230	2,227
	Retired	772	826	893	964	1,025
Licensed Professional Clinical Counselor	Active	2,067	2,541	3,025	3,730	4,534
	Delinquent	73	79	89	105	146
	Inactive	136	138	152	158	182
	Retired	4	6	6	8	9
Licensed Educational Psychologist	Active	1,445	1,502	1,530	1,572	1,702
	Delinquent	274	325	321	319	299
	Inactive	366	307	304	294	279
	Retired	109	116	119	122	133
Temporary Military Spouse Provisional Associate Social Worker	Active	N/A	N/A	N/A	N/A	5
Temporary Military Spouse Provisional Licenses Clinical Social Worker	Active	N/A	N/A	N/A	N/A	2
30 Temporary Allowance	Active	N/A	N/A	N/A	N/A	225
		120,415	125,928	130,335	137,480	148,648

Registered Associates

Individuals seeking associate registration must first demonstrate that they have obtained a qualifying master's degree. A registration allows them to work under supervision while accumulating the required supervised experience hours for full licensure. During their registration, associates must take the California Law & Ethics Examination each renewal period until they pass. Associate registrations are valid for five renewal periods and will expire six years from the original issuance date. If an individual has not completed the necessary supervised experience hours or met licensure requirements within this timeframe, they may apply for a subsequent registration. This additional registration permits them to continue working under supervision and collecting hours but prohibits them from providing services in a private practice or a professional corporation.

Educational Requirements

California law requires Licensed Marriage and Family Therapists (LMFTs), Licensed Clinical Social Workers (LCSWs), Licensed Professional Clinical Counselors (LPCCs), and Licensed

Educational Psychologists (LEPs) to hold a master's or doctoral degree. Specific requirements for each license are as follows:

- **LMFTs** must hold a master's or doctoral degree in marriage, family, and child counseling; marital and family therapy; psychology; clinical psychology; counseling psychology; or counseling with an emphasis on marriage, family, and child counseling or marriage and family therapy. The degree must be from an accredited or approved institution. If the applicant's graduate study began before August 2012 and was completed before December 31, 2018, it must contain 48 semester units or 72 quarter units of required instruction. If the applicant's graduate study began after August 1, 2012, or was completed after December 31, 2018, it must contain 60 semester units or 90 quarter units of required instruction.
- **LCSWs** must hold a master's degree in social work (MSW) from a program accredited by the Council on Social Work Education (CSWE).
- **LPCCs** must possess a master's or doctoral degree in counseling or psychotherapy, with coursework covering specific areas such as counseling and psychotherapy, professional ethics, assessment, diagnosis, and research. The degree must be from a program accredited by a accrediting agency recognized by USDE, or BPPE approved.
- **LEPs** must hold a master's degree in psychology, educational psychology, school psychology, counseling and guidance, or an equivalent degree approved by the Board. They must also complete 60 semester or 90 quarter units of postgraduate coursework in pupil personnel services from a Board-approved educational institution.

Experience Requirements

Before being licensed as an LMFT, LCSW, LPCC, or LEP, applicants must complete the required supervised work experience, in addition to the educational requirements. The method of completing these hours varies according to the specific profession.

- **LMFT:** LMFT applicants can earn experience as both a trainee (before earning the degree) and an associate registered with the Board (after earning the degree). At least 3,000 hours of supervised experience over at least 104 weeks are required. No more than 1,300 hours may be completed prior to earning the degree, and at least 1,700 post-degree hours must be completed as a registered associate.
- **LCSW:** LCSW applicants may only begin earning supervised experience after completing their degree and registering as an Associate Clinical Social Worker (ASW) with the Board. A minimum of 3,000 hours of supervised experience must be completed over at least 104 weeks. At least 1,700 hours must be completed under the supervision of an LCSW, and the remaining 1,300 hours can be supervised by another licensed mental health professional acceptable to the Board. The 3,000 hours must include at least 2,000 hours of clinical psychosocial diagnosis, assessment, and treatment (including psychotherapy or counseling), with no more than 1,000 hours in client-centered advocacy, consultation, evaluation, and research.
- **LPCC:** LPCC applicants must complete at least 3,000 hours of post-degree supervised experience over a minimum of 104 weeks. Experience must include at least 1,750 hours of direct counseling with individuals or groups. The remaining hours may consist of non-clinical work such as client-centered advocacy, administering and evaluating

psychological tests, or writing clinical reports or progress notes. Supervision must be provided by an LPCC or another licensed mental health professional acceptable to the Board.

- **LEP:** LEP applicants are not required to register with the Board while gaining experience. They must have at least two years of full-time experience as a credentialed school psychologist in public schools or equivalent experience in private or parochial schools. Applicants must also complete either one year of supervised professional experience in a school psychology program or an additional year of full-time experience as a credentialed school psychologist in public schools under the direction of a licensed educational psychologist or a licensed psychologist.

Currently, the Board does not have reciprocity with any other state licensing board. However, it has three options for those coming from elsewhere.

1. There is one main, regular out-of-state pathway for those licensed in another state or country who are seeking a California license.
2. There is a more streamlined “licensure by credential” pathway for those who hold an equivalent LMFT, LCSW, or LPCC license in another jurisdiction of the United States for the past two years.
3. The Board has a temporary practice allowance for those who hold an equivalent LMFT, LCSW, or LPCC license in another state, which allows those out-of-state license holders to provide temporary services for 30 days to an existing client travelling in California.

Regular Out-of-State Pathway to Licensure

A person from another state seeking licensure as an LMFT, LCSW, LEP, or LPCC in California following this pathway to licensure is required to demonstrate compliance with all California licensing requirements, pass the required licensing examinations and apply for licensure. The statutory requirements for out-of-state or out-of-country applicants are as follows:

- **LMFT:** an applicant who holds a valid registration or license issued by a board of marriage counselor examiners, board of marriage and family therapists, or a corresponding authority from any state or country, provided that certain requirements are met. The applicant's education must be substantially equivalent to California's standards. If the applicant obtained their degree from an institution outside the United States, they must provide a comprehensive evaluation of the degree conducted by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) and supply any other documentation required by the Board. The applicant's supervised experience must also be substantially equivalent to the requirements set by the Board, with consideration given to experience obtained outside California within the six years immediately preceding the date the applicant obtained their license in another state or country. Additionally, the applicant must complete any required additional coursework, be at least 18 years of age, and pass the necessary examinations for licensure.

- **LCSW:** an applicant who, at the time of application, holds a valid, active clinical social work registration or license from a board of clinical social work examiners or a corresponding authority in any state, provided they pass the required licensing examinations, pay the necessary fees, and meet the following criteria. The applicant must have a master's degree from an accredited school of social work and be at least 21 years of age. Experience gained outside of California will be accepted toward licensure if it is deemed substantially equivalent to California's requirements. The applicant must also complete any required additional coursework. For applicants trained outside the United States, they must demonstrate that their Master of Social Work degree is equivalent to one issued by a school or department of social work accredited by the Commission on Accreditation of the Council on Social Work Education. Finally, the applicant must pass all examinations required for licensure.
- **LEP:** The applicant must possess, at a minimum, a master's degree in psychology, educational psychology, school psychology, counseling and guidance, or a degree deemed equivalent. This degree must be obtained from an educational institution accredited by one of the recognized accrediting bodies, such as the Western Association of Schools and Colleges or other similar regional associations. If the applicant's degree was earned outside the United States, it must be evaluated by the Credentials Evaluation Service of the International Education Research Foundation, Inc., to determine equivalency to the required degrees. Additionally, the applicant must be at least 18 years old and have successfully completed 60 semester hours of postgraduate work in pupil personnel services. The applicant must also have two years of full-time experience, or the equivalent, as a credentialed school psychologist in a public school, as well as one year of supervised professional experience in an accredited school psychology program or equivalent experience as a school psychologist under the supervision of a Licensed Educational Psychologist or Licensed Psychologist. Finally, the applicant must pass the required examination to obtain a license.
- **LPCC:** an applicant who, at the time of application, holds a valid registration or license as a professional clinical counselor, or another counseling license allowing independent clinical mental health services, from another jurisdiction, provided certain requirements are met. The applicant's master's degree must be in counseling or psychotherapy and be deemed substantially equivalent to California's educational standards. Experience gained outside California will be accepted if it meets substantially equivalent requirements. The applicant must also complete any additional coursework required by the Board. If the applicant's degree was earned from an institution outside the United States, they must provide evidence that their degree is equivalent to one from an accredited institution in the U.S. This evaluation must be done by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), along with any other documentation the Board requires. Finally, the applicant must pass the required examinations to obtain licensure.

Streamlined "Licensure By Credential" Pathway to Licensure

The passage of Senate Bill 679 (Bates, Chapter 380, Statutes of 2019) significantly streamlined the licensure process for an LMFT, LCSW, or LPCC applicant licensed in another state to improve license portability between states. The bill, effective January 1, 2020, eliminated

many of the existing education and experience requirements in law for qualifying out-of-state applicants. To qualify, they must meet all of the following conditions:

- The applicant already holds a license in another United States jurisdiction that is the same license type as the one they are applying for in California. The existing license must permit them to practice their profession in the other jurisdiction at the highest level for independent clinical practice.
- The applicant's license in the other jurisdiction must be, and must have been current, active, and unrestricted for at least two years immediately before the date the Board of Behavioral Sciences (Board) receives the application.
- They must disclose any past restrictions or disciplinary action on their license to the Board.
- The qualifying degree was a master's or doctoral degree that was obtained from an accredited or approved educational institution.
- They comply Board's fingerprint requirement.
- They complete certain California-specific coursework (a 12-hour California law and ethics course, a 15-hour course in California cultures, and a 7-hour course in California specific training in child abuse assessment and reporting.)
- They pass the Board's California Law and Ethics examination

Temporary Practice Allowance

Effective January 1, 2024, LMFTs, LCSWs, and LPCCs who are equivalently licensed in another U.S. state who do not wish to pursue full California licensure, but who have an existing client who is traveling in California who they wish to provide temporary services to, have the option to request a free temporary practice allowance from the Board. A temporary practice allowance may only be requested one time per calendar year, and it is valid for 30 consecutive days. To qualify, all of the following requirements must be met:

- They must hold a license as either a marriage and family therapist, professional clinical counselor, or clinical social worker in another jurisdiction of the United States. That license must permit practice at the highest level for independent clinical practice in that jurisdiction.
- The license must be current, active, and unrestricted.
- They must never have held a license that was suspended or revoked by the California Board of Behavioral Sciences.
- Their client must be located in California during the time for which they are seeking to provide care. The client must also be a current client, and there must already be an established, ongoing client-provider relationship with that person.
- They must inform the client that they are not licensed in California, and that the services provided to them while they are located in California are for a limited time.
- They must provide the client with the California Board of Behavioral Sciences' website address (www.bbs.ca.gov).
- They must inform the client of the jurisdiction in which they hold a license and provide them with the type of license held and license number.

- They must provide the Board with specified identifying information, contact information, information about the license held, and the date on which the temporary practice will begin.
- If issued a temporary practice allowance, they are deemed to have agreed to be practicing under the Board's jurisdiction and are bound by the laws of the State of California.

Average Application Processing Times

The Board's goal is, as outlined in the California Business and Professions Code, Section 1805.1, is to process registration application with 30 business days and licensure applications within 60 business days from receipt by the Board.

APPLICATION	PROCESSING TIMES (BUSINESS DAYS)
AMFT, ASW, APCC Registration Applications	30 Days
LMFT, LCSW, LPCC, LEP Licensure Applications	60 Days
Initial License Issuance	30 Days

Over the past five years, application volumes have steadily increased, a trend that is expected to continue. The Board has observed an average annual increase of 5% in registration applications and 1% in licensure applications. For many months of the year, the Board is unable to meet its processing timelines of 30 days for registration applications and 60 days for licensure applications. To address these challenges, the Board has made efforts to meet its processing goals by temporarily reallocating staff, offering overtime to evaluators, and implementing process improvements. Despite these measures, the growing demand has made it difficult to consistently maintain timely processing.

Table 7a. Licensing Data by Type									
		Received	Approved /Issued	Closed	Pending Applications			Application Process Times	
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*
FY 2019/2020	AMFT Registration	2,851	2,705	N/A	2,705	2,396	309	51	87
	AMFT Subsequent Registration	743	639	N/A	639	579	60	26	70
	LMFT Licensure	3,013	3,057	N/A	3,057	1,984	1,073	118	185
	LMFT Initial License	786	111	N/A	111	111	0	10	0
	LMFT Upgrade	2,327	2,219	N/A	2,219	2,219	0	11	0
	ASW Initial License	3,423	3,082	N/A	3,082	2,787	295	26	60

	ASW Subsequent License	593	498	N/A	498	457	41	32	71
	LCSW Clinical Exam	2,234	1,936	N/A	1,936	1,296	640	102	167
	LCSW Initial License	699	179	N/A	179	179	0	16	0
	LCSW Upgrade	1,752	1,652	N/A	1,652	1,652	0	13	0
	APCC Initial License	1,282	1,095	N/A	1,095	785	310	22	105
	APCC Subsequent License	49	40	N/A	40	40	0	11	0
	LPCC Clinical Exam	411	333	N/A	333	204	129	20	92
	LPCC Initial License	149	73	N/A	73	73	0	14	0
	LPCC Upgrade	276	257	N/A	257	256	1	31	90
	LEP Exam	156	139	N/A	139	107	32	28	87
	LEP Initial License	149	104	N/A	104	104	0	14	0
FY 2020/2021	AMFT Initial License	3,249	3,009	N/A	3,009	2,756	253	41	71
	AMFT Subsequent License	780	688	N/A	688	643	45	45	116
	LMFT Clinical Exam	3,324	2,691	N/A	2,691	1,906	785	89	137
	LMFT Initial License	486	143	N/A	143	142	1	7	144
	LMFT Upgrade	3,217	3,302	N/A	3,302	3,302	0	11	N/A
	ASW Initial License	3,752	3,588	N/A	3,588	3,115	473	51	71
	ASW Subsequent License	691	607	N/A	607	569	38	46	69
	LCSW Clinical Exam	2,665	2,939	N/A	2,939	2,102	837	75	140
	LCSW Initial License	615	293	N/A	293	293	0	24	N/A
	LCSW Upgrade	2,834	2,551	N/A	2,551	2,551	0	14	N/A
	APCC Initial License	1,507	1,305	N/A	1,305	1,078	227	55	135
	APCC Subsequent License	62	59	N/A	59	59	0	25	N/A
	LPCC Clinical Exam	480	386	N/A	386	208	178	31	104
	LPCC Initial License	186	140	N/A	140	140	0	19	N/A
	LPCC Upgrade	387	304	N/A	304	304	0	36	N/A
LEP Exam	161	155	N/A	155	115	40	39	109	

	LEP Initial License	218	119	N/A	119	119	0	26	N/A
FY 2021/2022	AMFT Initial License	3,466	3,389	N/A	3,389	3,264	125	51	58
	AMFT Subsequent License	688	603	N/A	603	585	18	50	127
	LMFT Clinical Exam	2,209	2,668	N/A	2,668	1,940	728	95	188
	LMFT Initial License	20	22	N/A	22	21	1	13	69
	LMFT Upgrade	2,906	2,758	N/A	2,758	2,758	0	8	N/A
	ASW Initial License	3,692	3,564	N/A	3,564	2,970	594	51	67
	ASW Subsequent License	723	618	N/A	618	569	49	36	75
	LCSW Clinical Exam	2,644	2,514	N/A	2,514	1,946	568	91	143
	LCSW Initial License	266	263	N/A	263	261	2	17	237
	LCSW Upgrade	2,285	2,119	N/A	2,119	2,119	0	12	N/A
	APCC Initial License	1,479	1,318	N/A	1,318	1,129	189	54	127
	APCC Subsequent License	85	81	N/A	81	79	2	32	95
	LPCC Clinical Exam	585	505	N/A	505	285	220	37	113
	LPCC Initial License	196	199	N/A	199	199	N/A	18	N/A
	LPCC Upgrade	408	379	N/A	379	379	N/A	29	N/A
	LEP Exam	135	136	N/A	136	115	21	39	80
LEP Initial License	193	100	N/A	100	100	N/A	18	N/A	
FY 2022/2023	AMFT Initial License	4,057	3,761	N/A	3,761	3,211	550	63	84
	AMFT Subsequent License	623	575	N/A	575	517	58	39	92
	LMFT Clinical Exam	2,736	2,197	N/A	2,197	1,408	789	84	134
	LMFT Initial License	45	41	N/A	41	41	N/A	18	N/A
	LMFT Upgrade	2,503	2,366	N/A	2,366	2,366	N/A	6	N/A
	ASW Initial License	4,019	4,016		4,016	3,406	610	60	77
	ASW Subsequent License	661	592	N/A	592	532	60	40	83
	LCSW Clinical Exam	2,798	2,488	N/A	2,488	1,919	569	79	133
	LCSW Initial License	396	387	N/A	387	385	2	15	45

	LCSW Upgrade	2,559	2,328	N/A	2,328	2,328	N/A	9	N/A
	APCC Initial License	1,761	1,563	N/A	1,563	1,025	538	62	108
	APCC Subsequent License	113	98	N/A	98	96	2	22	65
	LPCC Clinical Exam	685	661	N/A	661	367	294	45	116
	LPCC Initial License	244	240	N/A	240	240	N/A	13	N/A
	LPCC Upgrade	528	479	N/A	479	479	N/A	30	N/A
	LEP Exam	227	189	N/A	189	160	29	36	58
	LEP Initial License	189	117	N/A	117	117	N/A	19	N/A
FY 2023/2024	AMFT Initial License	4,265	4,336	N/A	4,336	3,621	715	64	82
	AMFT Subsequent License	628	581	N/A	581	532	49	24	162
	LMFT Clinical Exam	2,932	2,671	N/A	2,671	1,732	939	112	159
	LMFT Initial License	52	50	N/A	50	50	N/A	22	N/A
	LMFT Upgrade	2,665	2,552	N/A	2,552	2,552	N/A	5	N/A
	ASW Initial License	3,914	3,994	N/A	3,994	3,430	564	55	61
	ASW Subsequent License	815	771	N/A	771	730	41	31	82
	LCSW Clinical Exam	2,815	2,839	N/A	2,839	2,021	818	99	142
	LCSW Initial License	435	436	N/A	436	436	N/A	16	N/A
	LCSW Upgrade	2,427	2,304	N/A	2,304	2,304	N/A	9	N/A
	APCC Initial License	1,873	1,716	N/A	1,716	1,168	548	63	100
	APCC Subsequent License	81	78	N/A	78	76	2	36	226
	LPCC Clinical Exam	701	732	N/A	732	381	351	33	96
	LPCC Initial License	277	273	N/A	273	273	N/A	15	N/A
	LPCC Upgrade	689	633	N/A	633	633	N/A	30	N/A
	LEP Exam	166	191	N/A	191	149	42	40	95
	LEP Initial License	258	182	N/A	182	182	N/A	11	N/A
	* Optional. List if tracked by the board.								

Verification of Applicant Information

The Board employs various methods to verify the accuracy of an applicant's declarations. For out-of-state applicants, the Board verifies licensure status and violation history through

the relevant state regulatory boards, including any existing disciplinary history. For in-state applicants, the Board uses the DCA BreEZe System to check for prior disciplinary actions. To confirm educational requirements, the Board requires either a sealed transcript or an electronic transcript sent directly from the educational institution or a secure third-party vendor, such as Parchment or the National Student Clearinghouse. Additionally, when an applicant holds an out-of-state license, licensure certifications from the other state licensing board are required.

Regarding criminal conviction history, California law authorizes the Board to conduct criminal background checks to determine an applicant's eligibility for licensure or registration. All applicants must submit fingerprints through the Department of Justice (DOJ), which provides access to the Criminal Offender Record Information (CORI) Database. Both DOJ and FBI background checks are mandatory for all applicants.

Under current law, applicants must declare, under penalty of perjury, whether they have ever been convicted of, pled guilty to, or pled nolo contendere to any misdemeanor or felony. They must also disclose whether they have ever been denied a professional license, had their license suspended, revoked, or disciplined, or voluntarily surrendered a professional license in California or another state. If an applicant reports any such incidents, they are required to provide a written explanation, documentation of the conviction or disciplinary action, and information on rehabilitative efforts or steps taken to prevent future occurrences.

EXAMINATIONS

LMFT, LCSW, and LPCC candidates are required to take and pass two examinations for licensure. LMFT candidates are required to take and pass the California Law and Ethics Examination and a clinical examination. The Law and Ethics Examination consists of 75 questions and the Clinical Examination consists of 150 questions. Both the LMFT Law and Ethics Examination and the LMFT Clinical Examination are developed by the Board.

LCSW candidates are required to take and pass both the California Law and Ethics examination and the Association of Social Work Boards (ASWB) National examination. The California Law and Ethics Examination consists of 75 questions and is developed by the Board. The ASWB National Examination consists of 170 items.

LPCC candidates must take and pass a California Law and Ethics examination and the National Clinical Mental Health Counseling Examination (NCMHCE). The NCMHCE is administered and developed by the National Board of Certified Counselors (NBCC). The California Law and Ethics Examination consists of 75 questions and the NCMHCE consists of 11 clinical mental health counseling case studies.

LEP candidates are only required to take and pass the LEP Written Examination, which consists of 125 questions. This written examination is developed by the Board. LEPs are not required to take a separate California Law and Ethics examination because these items are incorporated within the LEP Written Examination.

The Board works year-round with the Office of Professional Examination Services and Board subject matter experts to develop its examinations. The examinations are multiple-choice and are administered electronically at sites throughout the state and worldwide. All Board examinations are offered in English only. However, an applicant for whom English is a second

language may receive additional time to take the examinations if they meet specific criteria demonstrating limited English proficiency.

All examinations are administered in English. The pass rates for first time test takers and retakes are reflected in the following table.

Table 8(a). Examination Data¹						
California Developed Examinations						
License Type		LMFT	LMFT	LCSW	LPCC	LEP
Exam Title		Clinical	Law & Ethics	Law & Ethics	Law & Ethics	Standard Written
FY 2020/21	Number of Candidates	3,118	2,947	3,081	1,024	113
	First Time Pass %	77%	82%	80%	75%	73%
	Re-take Pass %	84%	87%	87%	85%	77%
	Overall Pass %	65%	77%	77%	72%	61%
	Overall Fail %	35%	23%	23%	28%	39%
FY 2021/22	Number of Candidates	2,732	2,981	3,442	1,200	101
	First Time Pass %	80%	79%	77%	75%	63%
	Re-take Pass %	79%	85%	84%	83%	84%
	Overall Pass %	65%	74%	75%	73%	63%
	Overall Fail %	35%	26%	25%	27%	37%
FY 2022/23	Number of Candidates	2,322	3,489	3,653	1,259	119
	First Time Pass %	82%	81%	71%	70%	63%
	Re-take Pass %	78%	81%	81%	81%	82%
	Overall Pass %	65%	75%	69%	66%	58%
	Overall Fail %	35%	25%	31%	34%	42%
FY 2023/24	Number of Candidates	2,545	3,821	4,531	1,472	188
	First Time Pass %	85%	80%	78%	72%	77%
	Re-take Pass %	82%	81%	76%	78%	76%
	Overall Pass %	69%	74%	74%	67%	70%

¹ This table includes exams and license types, as well as pass/fail rates.

Overall Fail %	31%	26%	26%	33%	30%
Date of Last OA	2020	2023	2023	2023	2022
Name of OA Developer	OPES	OPES	OPES	OPES	OPES
Target OA Date	2025	2028	2028	2028	2027

The Board also excepts two national examinations for licensure. The pass rates for first time test takers and retakes are reflected in the following table.

Table 8(b). National Examinations			
License Type		LCSW	LPCC
Exam Title		ASWB Clinical	NCMHCE
FY 2020/21	Number of Candidates	2,714	306
	First Time Pass %	80%	92%
	Re-take Pass %	87%	90%
	Overall Pass %	65%	91%
	Overall Fail %	35%	9%
FY 2021/22	Number of Candidates	2,042	375
	First Time Pass %	75%	72%
	Re-take Pass %	81%	91%
	Overall Pass %	55%	68%
	Overall Fail %	45%	32%
FY 2022/23	Number of Candidates	2,335	496
	First Time Pass %	76%	77%
	Re-take Pass %	83%	80%
	Overall Pass %	57%	72%
	Overall Fail %	43%	28%
FY 2023/24	Number of Candidates	2,251	620
	First Time Pass %	73%	80%
	Re-take Pass %	80%	83%
	Overall Pass %	51%	71%
	Overall Fail %	49%	29%
Date of Last OA		2022	2019
Name of OA Developer		ASWB	NBCC
Target OA Date		2027	2024

All Board examinations are administered using computer-based testing. Once the Board approves a candidate's application, the Board sends the candidate's information to the

contracted testing vendor. The candidates are sent information that instructs them to contact the testing vendor to schedule the examination. Currently the Board's testing vendors offer multiple testing sites throughout California and worldwide sites at which candidates can schedule to take these examinations. The Board's current testing vendor for Board-developed examinations offers testing six days a week (Monday through Saturday) and year-round, except major holidays.

NBCC offers the NCMHCE examination Monday through Friday on authorized dates. Specifically, the NCMHCE examination is offered the first two weeks of every month.

ASWB (LCSW national examination vendor) is offered to candidates at testing centers worldwide. Most test centers are open Monday through Friday during customary business hours, and some centers are open on Saturday.

The Board has not identified any current statutes that are hindering the processing of applications or examinations. The Board has not identified any reason to update, revise, or eliminate its current California-specific examinations.

School Approvals

The Board does not approve schools. The Board will confirm a school's degree program contains coursework that satisfies the educational requirements for licensure.

Applicants for licensure as a LMFT must obtain a doctor's or master's degree from a school, college, or university approved by or accredited by the following entities:

- Bureau for Private Postsecondary Education (BPPE)
- Commission on the Accreditation of Marriage and Family Therapy Education; or,
- A regional accrediting agency recognized by the U.S. Department of Education.

Applicants for licensure as a LCSW must obtain a master's degree from a school of social work, accredited by the Commission on Accreditation of the Council on Social Work Education.

LEP licensure candidates must obtain a master's degree from a regionally accredited university. Regionally accredited schools include:

- Western Association of Schools and Colleges
- Northwest Association of Secondary and Higher Schools
- Middle States Association of Colleges and Secondary Schools
- New England Association of Colleges and Secondary Schools
- North Central Association of Colleges and Secondary Schools
- Southern Association of Colleges and Schools

Applicants for licensure as a Licensed Professional Clinical Counselor ("LPCC") must obtain a doctor's or master's degree from a school, college, or university approved by or accredited by the following entities:

- BPPE;

- Western Association of Schools and Colleges, or,
- A regional accrediting agency recognized by the U.S. Department of Education.

Section 4 – Enforcement Program

In 2010, DCA introduced standard performance measures for each board and bureau to assess the effectiveness of their enforcement programs. To ensure timely resolution of consumer complaints, DCA set an overall target of resolving cases within 12 to 18 months (Performance Measure 4). Each board and bureau is responsible for determining their specific performance targets to meet this 12- to 18-month goal.

DCA established a performance target for PM 4 of 540 days (18 months). Achieving this target depends on the staffing and workload of external agencies like the Attorney General's Office (AGO) and the Office of Administrative Hearings (OAH), factors beyond the Board's control. For Performance Measure 1 (intake), the Board set a goal of assigning cases for investigation within 10 days of receiving a complaint. For Performance Measure 2 (investigation), the goal is to complete the investigation within 180 days once assigned to an investigator. The Board is consistently meeting its performance measure goals.

The number of complaints received per fiscal year, since the 2019-2020, have been approximately the same number, which is over 1,800 but less than 1,900. During FY 2023/24 there was slight increase. This could be because the Board has been receiving more redundant complaints this year than most. Also, the number of pending cases per fiscal year has been decreasing, since the 2019-2020, from 60 to 52 to 20 to 1 (2022-2023 fiscal year).

The Board utilizes the expertise of subject matter experts to review Board cases in determining if a violation of law occurred. These subject matter experts review the evidence obtained during the Board investigation and consider the standard of care for the profession in determining if a violation occurred. Further, the subject matter experts provide testimony at an administrative hearing, when appropriate. The subject matter expert's role is vital to the Board's mandate to protect the public.

It is crucial for the Board to have a robust pool of subject matter experts (SMEs) to ensure that each expert possesses the necessary qualifications to thoroughly review cases and provide credible testimony. However, the Board has faced significant challenges in recruiting and retaining these experts, largely due to the limited compensation offered. The compensation may not be competitive enough to attract top-tier professionals, especially when compared to the earnings available in clinical practice or other consulting opportunities. Additionally, the demands of serving as an SME—such as case reviews, attending hearings, and managing extensive paperwork—can be cumbersome and time-consuming. These factors often discourage qualified professionals from participating in the process. The Board may need to consider an augmentation to its SME budget line in the

future to support increased compensation for SMEs.

The Board continues to evaluate workload data and procedures to identify the resources necessary to improve the enforcement program. The additional resources will be requested through the appropriate process. The following tables reflect the Board's enforcement statistics.

Table 9a. Enforcement Statistics					
	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
COMPLAINTS					
Intake					
Received	1,854	1,803	1,878	1,888	2,127
Closed without Referral for Investigation	543	828	784	685	911
Referred to INV	1,308	983	1,127	1,217	1,213
Pending (close of FY)	60	52	20	4	7
Conviction / Arrest					
CONV Received	1,113	1,225	1,226	1,010	846
CONV Closed Without Referral for Investigation	0	1	1	5	6
CONV Referred to INV	1,106	1,231	1,215	1,009	841
CONV Pending (close of FY)	12	4	13	11	11
Source of Complaint ⁶					
Public	854	709	882	1,021	952
Licensee/Professional Groups	5	5	6	14	27
Governmental Agencies	1,019	1,080	1,018	1,138	1,006
Internal	627	358	406	156	81
Other	22	15	67	17	119
Anonymous	32	20	25	36	18
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	6	8	7	4	3
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	42	31	33	46	70
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)					
INVESTIGATION					
Desk Investigations					
Opened	2,555	2,185	2,399	2,375	2,200
Closed	2,454	2,144	2,223	2,217	2,186
Average days to close (from assignment to investigation closure)	42	31	33	46	70
Pending (close of FY)	143	177	230	342	353
Non-Sworn Investigation					
Opened	86	192	114	135	96
Closed	80	178	98	115	108
Average days to close (from assignment to investigation closure)	119	110	159	130	150
Pending (close of FY)	39	55	71	51	58
Sworn Investigation					

Opened	14	6	5	11	9
Closed	9	11	3	5	10
Average days to close (from assignment to investigation closure)	206	229	560	449	355
Pending (close of FY)	10	5	7	13	12

All investigations⁷					
Opened	2,655	2,383	2,518	2,500	2,305
Closed	2,543	2,333	2,324	2,337	2,304
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	44	38	39	52	76
Average days for investigation closures (from start investigation to investigation closure)					
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)					
Average days from receipt of complaint to investigation closure					
Pending (close of FY)	192	237	308	406	423
CITATION AND FINE					
Citations Issued	251	32	21	15	36
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	51	213	220	287	190
Amount of Fines Assessed	\$245,250	\$72,200	\$28,950	\$30,250	\$39,100
Amount of Fines Reduced, Withdrawn, Dismissed	\$96,250	\$34,100	\$12,000	\$7,750	\$3,600
Amount Collected	\$73,550	\$22,600	\$16,950	\$14,000	\$12,200
CRIMINAL ACTION					
Referred for Criminal Prosecution	0	0	2	0	1
ACCUSATION					
Accusations Filed	101	64	51	71	54
Accusations Declined	0	1	0	0	0
Accusations Withdrawn	4	4	1	1	2
Accusations Dismissed	0	0	0	0	0
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)					
INTERIM ACTION					
ISO & TRO Issued	0	0	0		
PC 23 Orders Issued	3	1	0	4	2
Other Suspension/Restriction Orders Issued	0	0	0	0	1
Referred for Diversion	N/A	N/A	N/A	N/A	N/A
Petition to Compel Examination Ordered	1	2	1	3	6
DISCIPLINE					
AG Cases Initiated (cases referred to the AG in that year)	135	105	69	123	115
AG Cases Pending Pre-Accusation (close of FY)					
AG Cases Pending Post-Accusation (close of FY)					
DISCIPLINARY OUTCOMES					
Revocation	23	25	11	21	10
Surrender	21	18	9	14	11

Suspension only	0	0	0	0	0
Probation with Suspension	0	0	0	0	0
Probation only	40	48	23	39	47
Public Reprimand / Public Reproval / Public Letter of Reprimand	1	3	0	0	0
Other	3	0	1	0	1

Table 10. Enforcement Aging							
	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	Cases Closed	Average %
Investigations (Average %)							
Closed Within:							
90 Days	2,149	1,912	1,997	1,835	1,650	9,543	85%
91 - 180 Days	212	168	153	273	300	1,106	9.9%
181 - 1 Year	65	44	50	76	162	397	3.5%
1 - 2 Years	24	19	16	29	64	152	1.4%
2 - 3 Years	4	1	7	4	10	26	0.2%
Over 3 Years	0	0	0	0	0	0	0
Total Investigation Cases Closed	2,454	2,144	2,223	2,217	2,186	11,224	2,245 per fiscal year
Attorney General Cases (Average %)							
Closed Within:							
0 - 1 Year	29	24	20	23	44	140	32%
1 - 2 Years	65	60	16	28	20	189	43.5%
2 - 3 Years	16	27	19	16	3	81	19%
3 - 4 Years	8	3	3	6	2	22	5%
Over 4 Years	1	0	0	1	0	2	0.5%
Total Attorney General Cases Closed	119	114	58	74	69	434	87 cases per fiscal year

The Board's enforcement workload has continued to grow. Since the 2019 sunset review, the number of statements of issues and accusations filed has risen by 23%, while final disciplinary actions (including proposed/default decisions and stipulations) have surged by 98%. This increase in disciplinary actions has led to a 33% rise in new probationers monitored by the Board. To manage the increased workload, the Board previously reorganized its Enforcement Program into three specialized units: the Criminal Complaint Unit, the Consumer Complaint Unit, and the Disciplinary and Probation Unit. Each of these units operates under the oversight of a dedicated manager, enabling the Board to keep pace with the growing demands.

Compliant Prioritization

The Board developed its Complaint Prioritization Guidelines in 2009 using the DCA model guidelines for health care agencies. Although similar to the DCA model, the Board modified the complaint categories in the DCA guidelines to reflect the subject areas unique to the Board. Using these guidelines, complaints are reviewed by Board staff and categorized. Complaints categorized as "urgent" demonstrate conduct or actions by the licensee or registrant that pose a serious risk to the public's health, safety, or welfare. These complaints

receive the immediate attention of the Enforcement manager to initiate the appropriate action.

Complaints categorized as “high” involve allegations of serious misconduct, but the licensee’s or registrant’s actions do not necessarily pose an immediate risk to the public’s health, safety, or welfare. “Routine” complaints involve possible violations of the Board’s statutes and regulations, but the licensee’s or registrant’s actions do not pose a risk to the public’s health, safety, or welfare.

Mandatory Reporting Requirements

The Board has various mandatory reporting requirements:

- BPC section 801 (b) requires every insurer providing professional liability insurance to a Board licensee to report any settlement or arbitration award over \$10,000 of a claim or action for damages for death or personal injury caused by the licensee’s negligence, error or omission in practice, or by rendering of unauthorized professional services. This report must be sent to the Board within 30 days of the disposition of the civil case.
- BPC section 802(b) requires Board licensees and claimants (or, if represented by counsel) to report any settlement, judgment, or arbitration award over \$10,000 of a claim or action for damages for death or personal injury caused by the licensee’s negligence, error or omission in practice, or by rendering of unauthorized professional services. This report must be submitted to the Board within 30 days after the written settlement agreement.
- BPC section 803(a) requires the clerk of the court to report, within 10 days after judgment made by the court in California, any person who holds a license or certificate from the Board who has committed a crime or is liable for any death or personal injury resulting in a judgment for an amount in excess of \$30,000 caused by his or her negligence, error or omission in practice, or by rendering of unauthorized professional services.
- BPC section 803.5 requires a district attorney, city attorney, or other prosecuting agency to report any filing against a licensee of felony charges and the clerk of the court must report a conviction within 48 hours.
- BPC section 805(b) requires the chief of staff, chief executive officer, medical director, or administrator of any peer review body and the chief executive officer or administrator of any licensed health care facility or clinic to file an 805 report within 15 days after the effective date which any of the following occurs as a result of an action taken by the peer review body of a Licensed Marriage and Family Therapist, Licensed Clinical Social Worker, Licensed Educational Psychologist, or Licensed Professional Clinical Counselor: 1) The licentiate’s application for staff privileges or membership is denied or rejected for a medical disciplinary cause or reason; 2) the licentiate’s membership, staff privileges, or employment is terminated or revoked for medical disciplinary cause or reason; or, 3) Restrictions are imposed, or voluntarily accepted,

on staff privileges, membership, or employment for a cumulative total of 30 days or more for any 12-month period, for a medical disciplinary cause or reason.

- Penal Code section 11105.2 establishes a protocol whereby the DOJ reports to the Board whenever Board applicants, registrants, or licensees are arrested or convicted of crimes. In such instances, the DOJ notifies the Board of the identity of the arrested or convicted applicant, registrant, or licensee in addition to specific information concerning the arrest or conviction.

Additionally, registrants and licensees are required to disclose at the time of renewal all convictions since their last renewal. Although the number of reports the Board received from the required entities is low, the Board is not currently experiencing any problems regarding the receipt of reports from entities required to report identified incidents to the Board.

Settlements

After concluding its investigation and determining that a violation of the statutes and regulations has occurred, the Board determines the appropriate penalty based on the Uniform Standards Related to Substance Abuse and Disciplinary Guidelines (USRSADG). The guidelines provide a minimum and maximum penalty based on a violation category. The Board expects the penalty imposed to be commensurate with the nature and seriousness of the violation. The USRSADG apply in all cases in which a license or registration is placed on probation due in part to a substance abuse violation.

For cases referred to the AGO which the Board would consider settling, the Board will provide proposed settlement terms based on USRSADG with the referral. The intent of this procedure is to engage in settlement discussions with the respondent after the respondent receives notice of the proposed disciplinary action.

The Board does not settle a case prior to an accusation or statement of issues being filed. Since the Board implemented providing settlement terms at the time a case is referred to the AGO, the number of voluntary surrenders has increased.

Statutes of Limitations

The Board is subject to a statute of limitations period as set forth in BPC section 4990.32 and 4982.05. An accusation must be filed within three years from the date the Board discovers the alleged act or violation or within seven years from the incident date, whichever occurs first. Cases regarding procurement of a license by fraud or misrepresentation are not subject to the limitations.

An accusation alleging sexual misconduct must be filed within three years after the Board discovers the act or omission alleged as the ground for disciplinary action, or within 10 years after the act or omission alleged as the ground for disciplinary action occurs, whichever occurs first. In cases involving a minor patient, the 7- and 10-year limitation is tolled until the child reaches 18 years of age.

The Board implemented monitoring procedures to ensure that limitation deadlines are identified and that cases are monitored closely through the review and investigation process. If a case is forwarded for formal investigation, the investigator is informed of the limitation deadline and staff frequently follows up with the assigned investigator to track the progress. If violations are confirmed and the case is transmitted to the AGO, the deputy attorney general assigned to the case is informed of the limitations deadline to ensure prompt filing of charges. In the last four years the Board has not lost jurisdiction on a case due to the statute of limitations period.

Unlicensed Activities

The Board provides several publications and information to consumers on its website relating to the selection of a mental health practitioner and verification of an individual's license status. Any complaint received by the Board related to unlicensed activity is investigated. Investigations confirming unlicensed activity result in the Board issuing a citation and fine up to \$5,000 to the unlicensed individual or referring the case to the local district attorney's office for appropriate action.

Cite and Fine

A citation and fine order is an alternative means by which the Board can take an enforcement action against a licensed or unlicensed individual who is found to be in violation of the Board's statutes and regulations. The citation and fine program increase the effectiveness of the Board's disciplinary process by providing a more effective method to address relatively minor violations that normally would not warrant more serious license discipline to protect the public.

Citations and fine orders are not considered formal disciplinary actions, but they are matters of public record. BPC section 125.9 authorizes the Board to issue citations and fines for certain types of violations. A licensee or registrant who fails to pay the fine cannot renew his/her license until the fine is paid in full. The Board has not increased its maximum fine since the last sunset review.

A citation and fine is appropriate if an investigation substantiates a violation of the Board's statutes and regulations, but the violation does not warrant formal disciplinary action. A citation and fine order contain a description of the violation, an order of abatement which directs the subject to discontinue the illegal activity, a fine (based on gravity of the violation, intent of the subject and the history of previous violations), and procedures for appeal. Payment of a fine does not constitute an admission of the violation charged, but only as satisfactory resolution of the citation and fine order.

Frequently, citations are issued for violations related to unlicensed practice, practicing with an expired license, record keeping, failing to complete the required continuing education courses within a renewal period, advertising violations or failure to provide treatment records in accordance with the law.

In assessing a fine, the Board, considers the appropriateness of the amount of the fine with respect to factors such as the gravity of the violation, the good faith of the licensee, and the history of previous violations.

Informal Citation Conferences

An individual to whom a citation is issued may choose to appeal his/her case at an informal office conference. The informal office conference is a forum for the individual to provide information or mitigation not previously considered by the Board.

Documentary evidence such as sworn witness statements and other records will be accepted. The individual can be present at the informal office conference with or without counsel or he or she may choose to be represented by counsel alone. All information submitted will be considered. The Board may affirm, modify, or withdraw the citation. Most citations are uncontested and result in full payment.

Since the last review the Board has averaged two informal office conferences per month. There have been 98 informal conferences in the last four fiscal years. During this same time period the Board received four requests for an administrative hearing to appeal the citation and fine.

Citations: Five Most Common Violations

The five most common violations for which citations are issued are as follows:

- Failure to complete specific continuing education coursework requirements.
- Failure to maintain patient confidentiality.
- Providing services for which licensure is required.
- Misrepresentation as to the type or status of a license or registration held.
- Misrepresentation as to the completion of continuing education requirements.

Franchise Tax Board Intercepts

A licensee who fails to pay an uncontested fine cannot renew his/her license until the fine is paid in full. In addition, the Board utilizes the Franchise Tax Board Intercept Program which allows tax returns to be intercepted as payment for any outstanding fines. Typically, uncollected fines are related to unlicensed individuals that the Board has limited information on to pursue collection.

Cost Recovery and Restitution

Pursuant to BPC section 125.3, the Board is authorized to request that its licensees who are disciplined through the administrative process reimburse the Board for its costs of investigating and prosecuting the cases. The Board seeks cost recovery regardless of whether the case is settled by stipulation or proceeds to an administrative hearing.

Probationers are afforded a payment schedule to satisfy the cost recovery. However, compliance with cost recovery is also a condition of probation. Noncompliance with this condition may result in the case returning to the AGO to seek revocation or to extend the probation term until the cost recovery is made in full.

During the settlement process, the Board will frequently offer to reduce costs as an incentive to settle a case prior to a hearing. This strategy is beneficial to all parties in that hearing costs and time to resolve the matter are reduced, the individual may continue to practice while

on probation, and the individual's violations and probation terms are publicly disclosed sooner.

Probationers are required to pay the cost recovery ordered as a condition of probation and must be paid in full prior to the end of probation. The Board establishes a payment schedule for probationers to pay their cost recovery, spreading the payments throughout the probation term.

Cost recovery is not always collected in disciplinary cases that resulted in the surrender of a license. Often, one of the terms in the final order accepting the license surrender requires that the cost recovery must be paid in full, if the individual were to reapply to the Board. In these situations, the individual may never reapply, and the Board will not collect the cost recovery.

The Board seeks cost recovery in every formal disciplinary case although administrative law judges often reduce the amount of cost recovery payable to the Board. The Board's request is made to the administrative law judge who presides over the hearing. The administrative law judge may award full or partial cost recovery to the Board or may reject the Board's request for cost recovery.

Section 5 – Public Information Policies

The Board uses a multifaceted approach of keep stakeholders and public informed about the Board's activities. Meeting agendas for Board and Committee meetings are posted to the Board's website at a minimum of ten days before the date of the meeting. Additionally, an announcement that the agenda has been posted is sent by email to individuals who have signed up for Board subscriber alerts as well as posted on the Board's social media accounts. Board meeting agendas and materials remain on the Board's website for seven years. Draft meeting minutes are included with the materials for subsequent meetings.

The Board webcasts all its meetings and the meeting recordings are available for seven years. During its third quarter meeting the Board will establish its meeting calendar for the following year. This information is usually posted to the web around October or November.

Section 6 – Online Practice Issues

The increasing use of online-only therapy platforms and alternative methods of therapy, such as apps, email, and texting, raises concerns about potential public protection issues that the Board may need to address. Many clients now seek therapy through platforms like BetterHelp, Talkspace, LiveHealth Online, and Cerebral. These platforms typically offer various plans, including video therapy, text or messaging therapy, or a combination, often facilitated through an app.

Board registrants and licensees are required to comply with all California laws and regulations governing the practice of therapy, including those related to privacy, confidentiality, and informed consent. Therapists using online platforms must adhere to the same standards of care as they would in traditional, in-person settings. This includes maintaining confidentiality, ensuring appropriate professional boundaries, delivering evidence-based treatments, and safeguarding their clients' well-being.

The Board's Enforcement Unit reports that complaints about online therapy platforms constitute a small proportion of the total complaints it receives. Past complaints have included issues such as:

- Unlicensed practice concerns.
- Client difficulties in obtaining billing codes for insurance reimbursement.
- Therapist concerns about company incentives that encourage prolonging therapy unnecessarily.
- Advertising or listing of therapists' professional information without permission.
- Concerns over the wording of client user agreements.
- The lack of therapist access to a client's legal name or location in case of an emergency.

The Board's Telehealth Committee discussed these issues at meetings on December 8, 2022, and March 16, 2023. At the March meeting, the Committee approved a survey for licensees and registrants with experience working on these platforms to gather more information. Conducted from April 10 through May 15, 2023, the survey received over 1,700 responses.

The survey results were discussed at the Committee's June 8, 2023, meeting, identifying three potential areas of concern:

- Therapists being matched with clients in states where they are not licensed.
- Issues with record management and informed consent.
- The absence of an emergency plan for clients.

In response to these concerns, the Board sponsored AB 1759 (Aguilar-Curry, Chapter 520, Statutes of 2022), which requires Board applicants and current licensees to complete three hours of training or coursework on providing mental health services via telehealth. This mandate ensures that therapists offering online services are trained in teletherapy best practices and are prepared to address the unique challenges of virtual care.

Additionally, the Committee developed and published three key documents:

- "A Note About Use of Online-Only Therapy Platforms"
- "Providing Mental Health Services via Telehealth"
- "Considering Mental Health Services via Telehealth as a Consumer"

The Board will continue to monitor trends in online therapy, along with any corresponding increase in consumer complaints. This issue will remain a focus of ongoing committee and board discussions and may result in further regulations.

Section 7 – Workforce Development and Job Creation

Current Workforce Initiatives

California is experiencing a significant mental health workforce shortage, which has been a growing concern for several years. This shortage is particularly acute in certain regions and for specific types of mental health professionals. The Board established a Workforce Development Committee in 2023 to conduct an in-depth discussion about several topics related to the pathway towards licensure with the goal of reducing any unnecessary barriers in the process. Topics of discussion have centered around the three major milestones in the licensure pathway: education, supervision, and examinations.

The Board has revised supervision requirements to allow for more flexibility in how supervision is provided. For example, telehealth supervision has been increasingly accepted, especially in response to the COVID-19 pandemic, which has made it easier for candidates to access qualified supervisors, regardless of location. Expanded Supervisor Pool: The Board has taken steps to expand the pool of qualified supervisors by allowing a broader range of licensed professionals to provide supervision, thus increasing the availability of supervision opportunities.

The Board is streamlining the licensure process to make it easier and faster for new professionals to enter the workforce. The BBS has moved many of its licensure application and renewal processes online. Efforts have been made to simplify and consolidate forms and documentation requirements, reducing the administrative burden on applicants.

The Board supports and promotes state and federal loan repayment and forgiveness programs aimed at reducing the financial burden on candidates pursuing licensure, particularly for those willing to work in underserved areas. Recently the Board's executive officer has been part of HCAI's Behavioral Health Workforce Strategy advisory group.

The Board has developed clear guidance documents, FAQs, and other resources to help candidates navigate the licensure process. These resources are designed to clarify common areas of confusion, such as specific requirements for hours of supervised experience, examination processes, and application procedures. Additionally, the Board hosts webinars and informational sessions to educate candidates about the licensure process, including detailed explanations of requirements, timelines, and common pitfalls.

Barriers to Licensure

At the April 2024 committee meeting staff presented a summary of the data collected from the Board's Licensure Pathway Survey. That survey was completed on April 19, 2024, and resulted in 3,170 complete responses, including free form comments that numbered from 600 to over a thousand per question. This survey was developed to seek input from Board registrants and licensees about barriers that they are facing, or may have faced, during their

pathway to licensure. The survey focused on three key milestones in the pathway to licensure and the findings were as follows:

- **Education:** common barriers identified by respondents include the challenge of balancing full-time work, school, and unpaid practicum positions. Many reported difficulties in finding practicum placements that fit within their personal schedules, compounded by a perceived lack of culturally competent and trauma-informed professors, as well as inadequate preparation for practicums. Additionally, respondents noted a lack of training provided by educational institutions regarding the licensure pathway and examinations.
- **Supervision:** significant barriers include challenges in finding qualified or available supervisors, coupled with the high cost of supervision. Respondents also expressed concerns about inadequate supervision environments that fail to sufficiently prepare them for the licensing process and exams. Scheduling supervision hours that align with other job responsibilities and personal commitments is another major hurdle, particularly for those balancing part-time work. There is also a prevalent concern that supervisors may not be fully knowledgeable about the licensing laws relevant to the supervisee's licensure pathway. Moreover, certain agency policies and job structures are perceived to negatively impact the quality of supervision. The extensive number of required supervision hours, including specific types such as those with children or couples, and the challenge of accumulating these hours without compensation were also highlighted.
- **Examinations:** the length and perceived difficulty of licensure exams were frequently mentioned as significant barriers, with many individuals finding the exams exceedingly challenging, thereby increasing anxiety and stress. Balancing professional responsibilities with exam preparation is particularly challenging for those working full-time. The costs associated with exams, including study materials and application fees, further add to the burden. The comprehensive nature of the exams, requiring extensive preparation often beyond what is covered in standard educational programs, was another major concern.

Although the survey primarily focused on education, supervision, and examinations, respondents also identified barriers associated with the overall licensing process. These include long waiting times to get hours certified and processed, as well as administrative hurdles such as the 90-day rule for live scans post-graduation. Navigating the licensing requirements, particularly in keeping up with changes that may necessitate additional coursework, posed further challenges. Understanding and tracking requirements for specific types of hours, such as those involving children or couples, also proved difficult for many. The 6-year rule, which invalidates previously accumulated hours if not completed within six years, was another significant barrier identified by respondents.

This information will be utilized by the Board's Workforce Development Committee to advance proposals aimed at strengthening workforce development initiatives.

Section 8 – Current Issues

Describe how the board is participating in development of online application and payment capability and any other secondary IT issues affecting the board. Is the board utilizing BreEze? What Release was the board included in? What is the status of the board's change requests?

Section 9 – Board Action and Response to Prior Sunset Issues

The Board was last reviewed by the Legislature through sunset review in 2019-2020. During the previous sunset review, 11 issues were raised. In January 2025, BBS submitted its required sunset report to the Senate Committee on Business, Professions, and Economic Development and Assembly Committee on Business and Professions (Committees). In this report, the Board described actions it has taken since its prior review to address the recommendations made. The following are some of the more important programmatic and operational changes, enhancements and other important policy decisions or regulatory changes made. For those which were not addressed, and which may still be of concern to the Committees, they are addressed and more fully discussed under “Current Sunset Review Issues.”

PAST ISSUE #1: What is the status of the Board’s implementation of Assembly Bill 2138 (Chui/Low) and are any statutory changes needed to enable the Board to better carry out the intent of the Fair Chance Licensing Act?

Upon passage of AB 2138, the Board reviewed its existing practice acts to ensure that they were consistent with the provisions of the bill. It identified the need for some technical clean up amendments needed for consistency, and those amendments were made in its last sunset bill, SB 801 (Archuleta, Chapter 647, Statutes of 2021)

In addition, the Board successfully ran a regulation package, titled “Substantial Relationship and Rehabilitation Criteria”, which was run in order to provide the regulation changes needed to implement AB 2138. That regulation proposal was approved by the Office of Administrative Law and became effective on December 14, 2020.

PAST ISSUE #5: How does the Board ensure that supervisors are not supervising more registrants or trainees than authorized and how does the Board ensure individuals are earning reported hours?

The Board amended its supervision regulations. These became effective January 1, 2022. The amendments did the following:

- Revised the qualifications to become supervisor.
- Required supervisors to perform a self-assessment of qualifications and submit the self-assessment to the Board.
- Set forth requirements for substitute supervisors.

- Updated and strengthened supervisor training requirements.
- Strengthened supervisor responsibilities, including provisions pertaining to monitoring and evaluating supervisees.
- Strengthened requirements pertaining to documentation of supervision.
- Made supervision requirements consistent across the three licensed professions.
- Addressed supervision gained outside of California.
- Addressed documentation required when a supervisor is incapacitated or deceased.
- Set forth terms relating to registrant placement by temporary staffing agencies.

Additionally, in 2024, the Board sponsored SB 1024 (Ochoa Bogh, Chapter 160, Statutes of 2024). Effective January 1, 2025, this bill took steps to clarify who qualifies as a supervisee in group supervision, which is capped at eight individuals; and second, it specified who is included in the limit of six supervisees receiving individual or triadic supervision per supervisor in nonexempt settings. Previously, there had been some confusion about who counted as a supervisee in these instances.

PAST ISSUE #6: Is clarity needed for what places are considered exempt settings?

AB 690 (Arambula, Chapter 747, Statutes of 2021) reclassified all psychotherapy settings as either exempt or non-exempt from licensure and registration requirements and provided more specific definitions. This bill also increased the maximum number of persons a supervising psychotherapist licensed under the Board may supervise in a non-exempt setting from three persons to six persons.

PAST ISSUE #11: Should the licensing and regulation of the BBS be continued and be regulated by its current membership?

SB 1474 (Senate Committee on Business, Professions, and Economic Development, Chapter 312, Statutes of 2020) extended the Board's sunset date for one year, to January 1, 2022. Subsequently, SB 801 (Archuleta), Chapter 647, Statutes of 2021 extended the Board's sunset date to January 1, 2026.

Section 10 – New Issues

ISSUE #1: Technical, Clean-up Legislation

Background: The Board requests several technical, clean up amendments be included in this year's sunset bill. The amendments were approved by the Board at the _____ Board meeting.

Sunset Provisions

The Board has two key provisions in statute that are 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 sunset provisions of law are as follows:

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, not just in exempt settings. This bill was run as an urgency measure.

After evaluating the success of the allowance, including reviewing current research papers on supervision via videoconferencing, seeking feedback from supervisors and supervisees, and noting the lack of enforcement complaints on the topic, the Board proposes that the sunset date _____. (Decision to be discussed at 9/20/24 Board meeting.)

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 1st and mid-July.

The Board is proposing to extend the temporary practice allowance sunset date to _____ to allow more time to gather data about the success of the program over time.

Advertising Requirements

The Board is requesting technical amendments to the definition of "advertising" in its four practice acts. LPCC statute defines "advertising" in a slightly different way than the other 3 license types. The definition, which is located in BPC §4999.12(g), does not reference a public communication as defined in BPC §651 (a), as the definition for the Board's other 3 license types do.

This omission could affect the clarity of how advertising is defined for LPCCs. Specifically, §651's "public communication" definition includes electronic communications, while §4999.12(g) for LPCCs does not loop this in. Although §651 applies to LPCCs by default (they are a healing art license type and thus subject to the statute), it may be preferable to clarify this in §4999.12, like the other practice acts do.

The Board's proposal includes additional technical amendments to make the exact wording of the "advertising" definition in each practice act the same. In addition, language referencing "notices in church bulletins," has been changed to reference "notices in bulletins from a religious organization" so that it is consistent across license types.

Supervisory Ratios for Associate Social Workers

Associates who perform more than 10 hours of certain types of supervised experience per week in a setting are required to have at least one additional hour of direct supervisor contact for that week for that setting.

It was brought to the Board's attention that there is some confusion surrounding which type of experience hours trigger the required extra hour of supervision per week for Associate Clinical Social Workers (ASWs). The Board is proposing making some changes to the wording of the requirement, which is located in BPC §4996.23.1(a)(2), to clarify its interpretation in a manner that is consistent with the law for the Board's LMFT and LPCC license types.

LMFT enforcement statute of limitations

The Board considered whether Business and Professions Code (BPC) §4982.05, which details the enforcement statute of limitations for licensed marriage and family therapists (LMFTs), is necessary. This is because BPC §4990.32, which is the Board's general statute that applies to all 4 of its practice acts, contains very similar language.

After legal review, it was determined that BPC §4982.05 contains nearly duplicative language, and in some cases, BPC §4990.32 contains more specific detail. Therefore, the Board is requesting that BPC §4982.05 be deleted.

Association of Marital and Family Therapist National Examination

To become a Licensed Marriage and Family Therapist (LMFT) in California, passing the Board-administered LMFT clinical exam is mandatory. This exam is developed by the Board with the assistance of Department of Consumer Affairs' (DCA's) Office of Professional Examination Services (OPES). In contrast, all other states require passing the Association of Marital and Family Therapy Regulatory Board's (AMFTRB) Marital and Family Therapy National Examination (AMFTRB National Exam).

While the Board has already adopted national clinical examinations for Licensed Clinical Social Workers (LCSW) and Licensed Professional Clinical Counselors (LPCC), it has yet to adopt the AMFTRB National Exam for LMFT licensure. Adopting a national clinical exam will allow a California LMFT license to be more portable to other states. At its May 2024 Board meeting, the Board voted to begin the process of drafting the necessary law changes to accept the AMFTRB National Exam as the clinical exam, and to collaborate with AMFTRB on addressing the Board's outstanding concerns.

The Board has determined that statutory amendments are needed as a first step to allow it the authority to adopt a national clinical exam via regulations if it desires. An amendment to the Board's clinical exam fee in statute is also needed to allow a national examination entity to charge the fee they determine necessary.

Statutory amendments would not adopt the AMFTRB National Exam; they would simply lay the groundwork to allow the adoption of the AMFTRB National Exam if the Board chose to do so via regulations. After statutory amendments are successfully adopted via legislation, the Board would need regulatory amendments to officially name the AMFTRB National Exam as the clinical exam accepted by the Board for LMFT licensure.

ISSUE #2: LEP Education and Experience Requirements Amendments

Background: The Board requests that proposed amendments to its LEP licensing requirements be included in this year's sunset bill. The amendments were approved at the _____ Board meeting.

The proposed statutory amendments to BPC §4989.20 fall into three categories:

- Specifying Experience Requirements in Greater Detail
- Clarifying Requirements for In-State Versus Out-of-State School Psychologists
- Adding an Age Limit to a Passing Score on the LEP Exam

The Board believes that together, these amendments will provide greater clarity to the LEP licensure requirements and will provide a process for out-of-state LEP applicants to qualify for licensure.

ISSUE #3: Retired License Amendments

Background: The Board requests that proposed amendments to requirements to retire a license be included in this year's sunset bill. These amendments were approved at the _____ Board meeting.

The proposal makes the following changes to the requirements to retire a license in the LMFT, LEP, LCSW, and LPCC practice acts:

- Instead of requiring one's license either be current and active or inactive to retire it, the proposal instead requires a license to be current and active, inactive, or expired within the past 3 years (this timeframe was chosen because an expired license is renewable for 3 years, after which it is cancelled). This added allowance would remove the barrier of requiring someone who had let their license expire from having to pay to reactivate it (to either active or inactive status) in order to then retire it.
- Clarifies what "subject to disciplinary action" means. A licensee who wishes to retire their license must not be subject to disciplinary action, but current law does not explicitly state what this means.
- Specifies what information needs to be provided to the Board in the application to retire a license and in the application to restore a retired license to active status.
- Specifies the professional title that a retired licensee is permitted to use.

- Limits a retired licensee from reactivating their license to one time only.
- Specifies the amount of renewal fee to be paid when reactivating a retired license based on the upcoming expiration date.
- Extends the time that a retired license can be reactivated without meeting certain additional requirements from three years to seven years, with the new requirements being as follows:
 - If the retired license was issued less than 7 years prior, the applicant must pay the renewal fee, fingerprint, complete continuing education (18 or 36 hours, depending on how long they've been retired, including 6 hours in California law and ethics), and if retired for 3 or more years, pass the California law and ethics exam (LEP only: pass the LEP written exam if retired 3 or more years).
 - If the retired license was issued 7 or more years prior, the applicant must pay the renewal fee, fingerprint, complete 36 hours of continuing education (including 6 hours in California law and ethics), and either pass the current exams required for licensure (California law and ethics and clinical exam) or hold a current, active and unrestricted equivalent license in the same profession in another U.S. jurisdiction and pass the California law and ethics exam.

ISSUE #4: *Should the Board consider expanding its LPCC Professional Representation?*

Background: The original language of SB 788 (Wyland, Chapter 629, Statutes of 2009) included the addition of two Licensed Professional Clinical Counselors (LPCCs) to the board composition. As enacted the bill only made provisions for one LPCC member. It is unclear as to why this change was made.

While LPCC licensees account for approximately 3% of the Board's licensee population, over the last four years LPCCs have had the largest increase in population (39%) when compared to LMFTs (15%) and LCSWs (20%). This increase is only projected to continue as the population of the corresponding registrant level of licensure that leads to a LPCC license, the Associate Professional Clinical Counselor (APCC), has increased approximately 50% over the same four years. The Board has not had any formal discussions regarding its professional membership representation.

Staff Recommendation: The Board and the Legislature should consider expanding the LPCC professional representation by adding an additional LPCC member.

ISSUE #5: *Supervision: Pre-Licensed Individuals. Does the Board need to amend its statutes or regulations to strengthen supervision of pre-licensed individuals?*

Background: Trainees are unlicensed individuals currently enrolled in a master's or doctoral degree program designed to qualify them for licensure. These individuals must have completed at least 12 semester units or 18 quarter units of coursework in a qualifying

program. The "90-day rule" is a provision in the law that allows applicants for registration as an Associate Marriage and Family Therapist, Associate Professional Clinical Counselor, or Associate Clinical Social Worker to count supervised experience gained during the period between the degree award date and the issuance of the Associate registration number. This is only applicable if the application for Associate registration is submitted within 90 days of the degree award date.

While the Board has established supervision requirements for trainees and individuals covered by the "90-day rule," it does not have direct oversight of these individuals during this period. There is growing concern about whether the supervision they receive is sufficient to adequately prepare them for licensure and maintain consumer protection.

Staff Recommendation: The Board should review current supervision requirements and the "90-day" rule and consider whether amendments to the current statutes or regulations are necessary to ensure consumer protection.

ISSUE #6: Processing Timelines. What changes can the Board implement to the application

Background: Over the past five years, application volumes have steadily increased, a trend that is expected to continue. The Board has observed an average annual increase of 5% in registration applications and 1% in licensure applications. For many months of the year, the Board is unable to meet its processing timelines of 30 days for registration applications and 60 days for licensure applications. To address these challenges, the Board has made efforts to meet its processing goals by temporarily reallocating staff, offering overtime to evaluators, and implementing process improvements. Despite these measures, the growing demand has made it difficult to consistently maintain timely processing.

Staff Recommendation: The Board should evaluate workload volumes and staffing requirements to develop a plan that addresses the increasing workload and ensures compliance with processing timelines.

ISSUE #4: Artificial Intelligence. Does the Board need to amend current law to ensure

Background: Currently, there is a lack of clear regulations and guidelines regarding the use of Artificial Intelligence (AI) in mental health care. This uncertainty makes it difficult to ensure that AI tools are used safely and effectively. While AI tools currently available can offer some great assistance to a practitioner, the use in mental health care raises significant ethical issues, including privacy, confidentiality, and informed consent.

Staff Recommendation: The board should research the use of AI in mental health care and consider whether amendments to its current statutes or regulations are needed to ensure consumer safety.

ISSUE #9: Outreach & Education. How can the Board increase its engagement with

Background: In the Board's strategic plan for 2022-26 the following goals were identified for outreach and education:

- Create a more responsive and robust consumer and licensing education program through videos, social media campaigns, and electronic publications to ensure understanding of new changes in laws and regulations.
- Collaborate with entities that work with consumers to increase equitable and inclusive outreach to diverse populations.
- Increase and diversify Board engagement with schools, training programs, public events, and relevant professional organizations to raise awareness of the Board's role and activities.
- Identify and implement strategies to gain increased participation in Board meetings from a wider group of stakeholders.
- Increase awareness of the profession by using outreach to build relationships with underserved communities and diversify the workforce.

Staff Recommendation: The Board, through its Outreach and Education Committee, should actively discuss, identify, and pursue initiatives that align with and advance its strategic plan goals for outreach and education.

ISSUE #10: Interstate Compacts. Should California join the interstate compact for Licensed Professional Clinical Counselors and Licensed Clinical Social Workers?

Background: Currently, two interstate compacts relevant to the Board's licensure are in effect: the Clinical Counselor Compact and the Social Work Compact.

Staff Recommendation: The Board evaluated and took a position on AB 2566 (Wilson) during the 2024 Legislative Session. That bill proposed having the Board join interstate compact for Licensed Professional Clinical Counselors. At the time, the Board took an "oppose" position on that bill, citing numerous concerns.

The Board should continue to evaluate and discuss the interstate compacts to determine whether joining them would be beneficial and appropriate for California. It should also continue a dialogue with and negotiate with the compact agencies to determine if any concerns can be addressed.

ISSUE #11: AMFTRB National Exam. Should the Board consider the Association of Marital and Family Therapy Regulatory Boards National Exam for licensure in California.

Background: To become a Licensed Marriage and Family Therapist (LMFT) in California, passing the Board-administered LMFT clinical exam is mandatory. This exam is developed by the Board with the assistance of Department of Consumer Affairs' (DCA's) Office of

Professional Examination Services (OPES). In contrast, all other states require passing the Association of Marital and Family Therapy Regulatory Board's (AMFTRB) Marital and Family Therapy National Examination (AMFTRB National Exam). While the Board has already adopted national clinical examinations for Licensed Clinical Social Workers (LCSW) and Licensed Professional Clinical Counselors (LPCC), it has yet to adopt the AMFTRB National Exam for LMFT licensure.

The Board discussed potentially accepting AMFTRB's exam, most recently at its May 2024 meeting. At the May meeting, the Board voted to begin the process of pursuing legislation and/or regulations accepting the AMFTRB National Exam, assuming some conditions can be met. At its August 9, 2024, meeting, the Board's Policy and Advocacy directed staff to bring the statutory amendments to the Board for consideration as a legislative proposal. (The regulatory amendments would need to be adopted separately at a later date, once the Board believes all implementation issues have been properly addressed and the Board is ready to proceed with the final step in accepting the national exam.)

Staff Recommendation: The Board should continue discussions with AMFTRB on outstanding conditions, and also continue work on pursuing the necessary legislative and regulatory changes to accept the AMFTRB National Exam for licensure in California.

Section 11 – Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).