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To: Committee Members

Date: December 17, 2024

From: Rosanne Helms
Legislative Manager

Subject: Amendments to Retired License Statute

Background

The Board's retired license status was established in 2011. The retired license status was created because previously, a licensee who wished to "retire" only had two options: they could place their license in inactive status and would need to continue paying a biennial renewal fee of half the regular fee, or they could allow their license to become delinquent, and it would automatically be cancelled after three years.

Retiring a License

A licensee who chooses to retire their license may not engage in any activity that requires a license, including providing psychotherapy or providing supervision. The Board's current retired license requirements are as follows:

- For a license to be eligible for retirement, it must be current and active, or in an inactive status.
- The license must also not be suspended, revoked, restricted, or subject to any disciplinary action.
- The licensee must submit a retired license application and a one-time fee of \$40.
- Once retired, the license no longer needs to be renewed.

Restoring a Retired License

A retired license can only be restored to active status for up to three years. To restore a retired license to active status, the retired licensee must submit an application to restore to active status, pay the renewal fee, complete up to 36 hours of continuing education, and submit fingerprints.

If a license has been retired for three years or more, the applicant must apply for a new license (including paying application fees), meet all current licensing requirements, pass all exams required for licensure, and submit fingerprints (**Chart 1**).

Retired License Statistics

The Board currently has 2,943 retired licensees. (1,820 retired LMFTs, 989 retired LCSWs, 125 retired LEPs, and 9 retired LPCCs)

Occasionally, a retired licensee will change their mind and apply to restore their license to active status. This has happened 66 times since 2014, as follows:

2014	5
2015	7
2016	6
2017	7
2018	4
2019	3
2020	2
2021	4
2022	14
2023	2

Previous Committee Discussions

In early 2024, the Board's Policy and Advocacy Committee (Committee) began discussing amending the Board's retired license statute to incorporate some of the features of the Board of Registered Nursing's recently revamped retired license laws with a focus on reducing barriers in the retired license reactivation process. It also reviewed several other boards' retired license statutes and regulations (**Attachment B**). Discussion continued at the April and August Committee meetings.

Originally, the proposal developed focused on eliminating the requirement that a retired licensee who wishes to restore the license to active status after being retired for 3 or more years must apply for a brand new license and established alternative requirements instead. It had proposed permitting reinstatement for the LMFT, LPCC, and LCSW license types for up to seven years, and allowed a pathway after seven years that did not require the clinical exam if licensed equivalently in another state.

However, the Board's Legal Counsel had concerns about unintended consequences of allowing reinstatements beyond three years. Staff also had concerns that the process of having different reinstatement requirements after differing numbers of years (3 years and 7 years) created a more confusing process. It also created a discrepancy in requirements between the LEP license and the Board's other license types, due to the differing exam process for the LEP license. For these reasons, staff and the Legal Counsel determined that extending reinstatements could be problematic, and decided instead to focus on other clarifications that could be made to the retired license statutes.

Current Proposal

The proposal for consideration today is shown in **Attachment A** and does the following:

- 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). Permitting a license that has been expired for up to 3 years to be retired removes the barrier of requiring someone who had let their license expire from having to pay to reactivate it (to either active or inactive status) simply to then retire it.
- Clarifies the meaning of "subject to disciplinary action." A licensee retiring their license must not be subject to disciplinary action, but that term is undefined.
- 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.
- Restricts a retired licensee to reactivating their license only once.
- Corrects a reference to fingerprint submission requirements.
- Specifies that the continuing education required to restore a retired license must have been taken within the past 2 years and must include at least 6 hours in the subject of California law and ethics.
- Clarifies that a license that has been retired for 3 or more years cannot be restored, and that a new license must be applied for to resume practice.

Recommendation

Conduct an open discussion regarding the proposed amendments to the retired license statute (**Attachment A**). Direct staff to make any discussed changes and any non-substantive changes and bring to the Board for consideration as a legislative proposal.

Attachments and Charts

Chart 1: Summary of Requirements to Restore a Retired License to Active Status

Attachment A: Board Retired License Statutes: Proposed Amendments

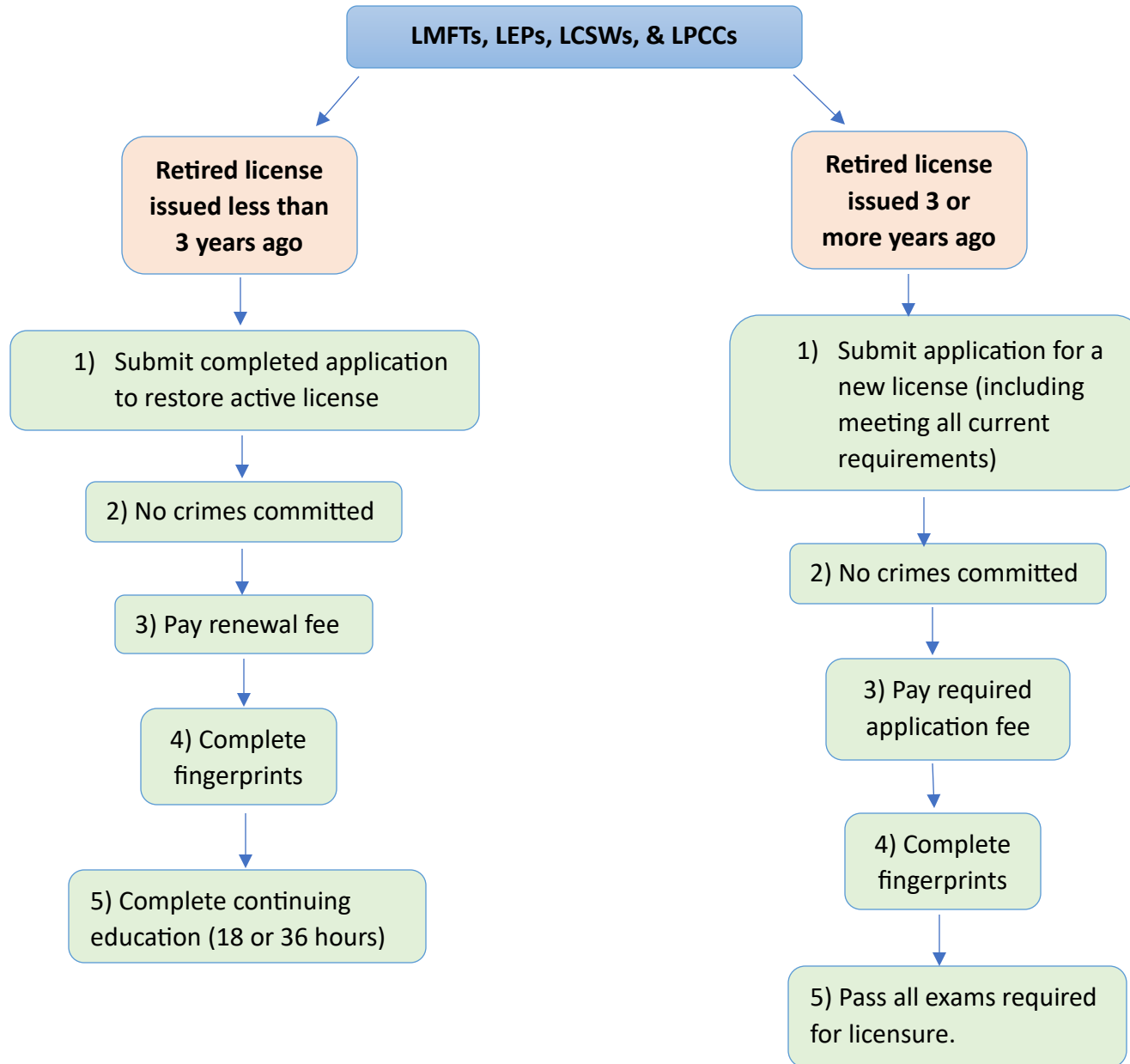
Attachment B: Retired License Requirements for Other DCA Boards

Attachment C: Application for Retired License

Attachment D: Application for Retired to Active License Status Change

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Chart 1
Summary of Requirements to Restore a Retired License to Active Status



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ATTACHMENT A
BOARD RETIRED LICENSE STATUTES – PROPOSED AMENDMENTS

LMFT

AMEND BPC §4984.41.

(a) (1) The board shall issue, upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter, a retired license to a marriage and family therapist who holds a license that is current and active or a license that is inactive, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(2) A marriage and family therapist license that has expired shall be issued a retired license by the board upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter if all of the following requirements are met:

(A) The license expired within three years from the date of the board’s receipt of a completed application;

(B) Immediately preceding the license expiration, and after the license expiration, the license was not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(3) For purposes of this section, “subject to disciplinary action” shall mean that the licensee had an unsatisfied cost recovery, fine or restitution order, an Accusation or Petition to Revoke Probation that has been served on the licensee alleging violations of their probation or the chapter, or an unresolved complaint or investigation pending with the board.

(b) To apply for a retired license, the applicant shall submit a completed application to the board providing all of the following information:

(1) Full name as filed with the board;

(2) Board license type, license number, and expiration date;

(3) Date of birth;

(4) Social security number or individual taxpayer identification number;

(5) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant understands that the holder of a retired license may not engage in any activity for which the active license was issued, and that the applicant hereby requests their license to be changed to retired status.

(b)(c) The holder of a retired license issued pursuant to this section shall not engage in any activity for which an active marriage and family therapist license is required.

(d) The holder of a retired license shall utilize their professional title only with the unabbreviated word “retired” directly preceding or directly following the professional title.

~~(e)~~(e) The holder of a retired license shall not be required to renew that license.

~~(d)~~(f) The holder of a retired license may apply to restore to active status ~~his or her~~ their license to practice marriage and family therapy if that retired license was issued less than three years prior to the date the application to restore the retired license is received by the board application date. A retired license may be restored to active status one time only. and the applicant meets all of the following requirements: To restore a retired license to active status, the applicant must meet all of the following requirements:

(1) Submits a completed application to the board containing all of the following information:

(A) Full name as filed with the board;

(B) Original board license type and original license number and expiration date;

(C) Date of birth;

(D) Social security number or individual taxpayer identification number;

(E) Whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the issuance of the retired license.

(F) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant did not engage in any activity for which an active license is required while the license was in retired status, and that the applicant hereby requests their license to be changed to "active" status.

~~(1)~~(2) Has not committed an act or crime constituting grounds for denial of licensure.

~~(2)~~(3) Pays the renewal fee required by this chapter.

~~(3)~~(4) Completes the required continuing education as specified in Section 4980.54.

~~(4)~~(5) Complies with the fingerprint submission requirements established by ~~the board in regulation.~~ Section 144.

~~(e)~~(g) An applicant requesting to restore ~~his or her~~ their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section less than one year from the date ~~of~~ the application to restore the retired license is received by the board, shall complete 18 hours of continuing education ~~as specified in Section 4980.54.~~ taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(f)~~(h) An applicant requesting to restore ~~his or her~~ their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section one or more years from the date ~~of~~ the application to restore the retired license is received by the board, shall complete 36 hours of continuing education ~~as specified in Section 4980.54.~~

taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(g)(i) The holder of a retired license may apply to restore to active status his or her license to practice marriage and family therapy if that retired license was issued three or more years prior to the application date, and the applicant meets all of the following requirements: A retired license that was issued three or more years prior shall not be restored. The holder of the retired license may apply for and obtain a new license if all of the following criteria are satisfied:~~

- (1) Has not committed an act or crime constituting grounds for denial of licensure.
- (2) Applies for licensure and pays the fee required by this chapter.
- (3) Passes the examinations required for licensure.
- (4) Complies with the fingerprint submission requirements established by ~~the board in regulation.~~Section 144.

LEP

AMEND BPC §4989.45

(a) (1) The board shall issue, upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter, a retired license to a licensed educational psychologist who holds a license that is current and active or a license that is inactive, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(2) An educational psychologist license that has expired shall be issued a retired license by the board upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter if all of the following requirements are met:

(A) The license expired within three years from the date of the board's receipt of a completed application;

(B) Immediately preceding the license expiration, and after the license expiration, the license was not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(3) For purposes of this section, "subject to disciplinary action" shall mean that the licensee had an unsatisfied cost recovery, fine or restitution order, an Accusation or Petition to Revoke Probation that has been served on the licensee alleging violations of their probation or the chapter, or an unresolved complaint or investigation pending with the board.

(b) To apply for a retired license, the applicant shall submit a completed application to the board providing all of the following information:

(1) Full name as filed with the board;

(2) Board license type, license number, and expiration date;

(3) Date of birth;

(4) Social security number or individual taxpayer identification number;

(5) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant understands that the holder of a retired license may not engage in any activity for which the active license was issued, and that the applicant hereby requests their license to be changed to retired status.

~~(b)~~(c) The holder of a retired license issued pursuant to this section shall not engage in any activity for which an active educational psychologist license is required.

(d) The holder of a retired license shall utilize their professional title only with the unabbreviated word "retired" directly preceding or directly following the professional title.

~~(c)~~(e) The holder of a retired license shall not be required to renew that license.

~~(d)~~(f) The holder of a retired license may apply to restore to active status ~~his or her~~their license to practice educational psychology if that retired license was issued less than three years prior to the ~~application date, and the applicant meets all of the following requirements:~~date the application to restore the retired license is received by the board. A retired license may be restored to active status one time only. To restore a retired license to active status, the applicant must meet all of the following requirements:

(1) Submits a completed application to the board containing all of the following information:

(A) Full name as filed with the board;

(B) Original board license type and original license number and expiration date;

(C) Date of birth;

(D) Social security number or individual taxpayer identification number;

(E) Whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the issuance of the retired license.

(F) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant did not engage in any activity for which an active license is required while the license was in retired status, and that the applicant hereby requests their license to be changed to "active" status.

~~(1)~~(2) Has not committed an act or crime constituting grounds for denial of licensure.

~~(2)~~(3) Pays the renewal fee ~~fixed~~required by this chapter.

~~(3)~~(4) Completes the required continuing education as specified in Section 4989.34.

~~(4)~~(5) Complies with the fingerprint submission requirements established by ~~the board in regulation~~Section 144.

~~(e)~~(g) An applicant requesting to restore ~~his or her~~their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section less than one year from the date ~~of~~ the application to restore the retired license is received by the board, shall complete 18 hours of continuing education ~~as specified in Section 4989.34~~taken within the two years prior to the date the application to restore the retired license is received by the board. The coursework must include a minimum of six hours in the subject of California law and ethics.

~~(f)~~(h) An applicant requesting to restore ~~his or her~~their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section one or more years from the date ~~of~~the application to restore the retired license is received by the board, shall complete 36 hours of continuing education ~~as specified in Section 4989.34~~taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(g)~~(i) ~~The holder of a retired license may apply to restore to active status his or her license to practice educational psychology if that retired license was issued three or more years prior to the application date, and the applicant meets all of the following requirements: A retired license that was issued three or more years prior shall not be restored. The holder of the retired license may apply for and obtain a new license if all of the following criteria are satisfied:~~

- (1) Has not committed an act or crime constituting grounds for denial of licensure.
- (2) Applies for licensure and pays the required fee.
- (3) Passes the examinations required for licensure.
- (4) Complies with the fingerprint submission requirements established by ~~the board in regulation~~Section 144.

LCSW

AMEND BPC §4997.1

(a)(1) The board shall issue, upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter, a retired license to a

licensed clinical social worker who holds a license that is current and active or a license that is inactive, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(2) A clinical social worker license that has expired shall be issued a retired license by the board upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter if all of the following requirements are met:

(A) The license expired within three years from the date of the board's receipt of a completed application;

(B) Immediately preceding the license expiration, and after the license expiration, the license was not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(3) For purposes of this section, "subject to disciplinary action" shall mean that the licensee had an unsatisfied cost recovery, fine or restitution order, an Accusation or Petition to Revoke Probation that has been served on the licensee alleging violations of their probation or the chapter, or an unresolved complaint or investigation pending with the board.

(b) To apply for a retired license, the applicant shall submit a completed application to the board providing all of the following information:

(1) Full name as filed with the board;

(2) Board license type, license number, and expiration date;

(3) Date of birth;

(4) Social security number or individual taxpayer identification number;

(5) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant understands that the holder of a retired license may not engage in any activity for which the active license was issued, and that the applicant hereby requests their license to be changed to retired status.

~~(b)~~(c) The holder of a retired license issued pursuant to this section shall not engage in any activity for which an active clinical social worker license is required.

(d) The holder of a retired license shall utilize their professional title only with the unabbreviated word "retired" directly preceding or directly following the professional title.

~~(e)~~(e) The holder of a retired license shall not be required to renew that license.

~~(d)~~(f) The holder of a retired license may apply to restore to active status ~~his or her~~their license to practice clinical social work if that retired license was issued less than three years prior to the ~~application date, and the applicant meets all of the following requirements:~~ date the application to restore the retired license is received by the board. A retired license may be restored to active status one time only. To restore a retired license to active status, the applicant must meet all of the following requirements:

(1) Submits a completed application to the board containing all of the following information:

(A) Full name as filed with the board;

(B) Original board license type and original license number and expiration date;

(C) Date of birth;

(D) Social security number or individual taxpayer identification number;

(E) Whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the issuance of the retired license.

(F) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant did not engage in any activity for which an active license is required while the license was in retired status, and that the applicant hereby requests their license to be changed to "active" status.

~~(1)~~(2) Has not committed an act or crime constituting grounds for denial of licensure.

~~(2)~~(3) Pays the required renewal fee.

~~(3)~~(4) Completes the required continuing education as specified in Section 4996.22.

~~(4)~~(5) Complies with the fingerprint submission requirements established by ~~the board in regulation~~Section 144.

~~(e)~~(g) An applicant requesting to restore ~~his or her~~their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section less than one year from the date ~~of the application~~ to restore the retired license is received by the board, shall complete 18 hours of continuing education ~~as specified in Section 4996.22~~ taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(f)~~(h) An applicant requesting to restore ~~his or her~~their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section one or more years from the date ~~of the application~~ to restore the retired license is received by the board, shall complete 36 hours of continuing education ~~as specified in Section 4996.22~~ taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(g)(i) The holder of a retired license may apply to restore to active status his or her license to practice clinical social work if that retired license was issued three or more years prior to the application date, and the applicant meets all of the following requirements: A retired license that was issued three or more years prior shall not be restored. The holder of the retired license may apply for and obtain a new license if all of the following criteria are satisfied:~~

- ~~(1) Has not committed an act or crime constituting grounds for denial of licensure.~~
- ~~(2) Applies for licensure and pays the required fees.~~
- ~~(3) Passes the examinations required for licensure.~~
- ~~(4) Complies with the fingerprint submission requirements established by the board in regulation, Section 144.~~

LPCC

AMEND BPC §4999.113

(a) (1) The board shall issue, upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter, a retired license to a professional clinical counselor who holds a license that is current and active or a license that is inactive, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(2) A professional clinical counselor license that has expired shall be issued a retired license by the board upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter if all of the following requirements are met:

(A) The license expired within three years from the date of the board's receipt of a completed application;

(B) Immediately preceding the license expiration, and after the license expiration, the license was not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(3) For purposes of this section, "subject to disciplinary action" shall mean that the licensee had an unsatisfied cost recovery, fine or restitution order, an Accusation or Petition to Revoke Probation that has been served on the licensee alleging violations of their probation or the chapter, or an unresolved complaint or investigation pending with the board.

(b) To apply for a retired license, the applicant shall submit a completed application to the board providing all of the following information:

(1) Full name as filed with the board;

(2) Board license type, license number, and expiration date;

(3) Date of birth;

(4) Social security number or individual taxpayer identification number;

(5) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant understands that the holder of a retired license may not engage in any activity for which the active license was issued, and that the applicant hereby requests their license to be changed to retired status.

~~(b)~~(c) The holder of a retired license issued pursuant to this section shall not engage in any activity for which an active professional clinical counselor license is required.

(d) The holder of a retired license shall utilize their professional title only with the unabbreviated word "retired" directly preceding or directly following the professional title.

~~(e)~~(e) The holder of a retired license shall not be required to renew that license.

~~(d)~~(f) The holder of a retired license may apply to restore to active status ~~his or her~~ their license to practice professional clinical counseling if that retired license was issued less than three years prior to the ~~application date, and the applicant meets all of the following requirements:~~date the application to restore the retired license is received by the board. A retired license may be restored to active status one time only. To restore a retired license to active status, the applicant must meet all of the following requirements:

(1) Submits a completed application to the board containing all of the following information:

(A) Full name as filed with the board;

(B) Original board license type and original license number and expiration date;

(C) Date of birth;

(D) Social security number or individual taxpayer identification number;

(E) Whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the issuance of the retired license.

(F) A statement signed under penalty of perjury that the information provided on the application is true and correct, that the applicant did not engage in any activity for which an active license is required while the license was in retired status, and that the applicant hereby requests their license to be changed to "active" status.

~~(1)~~(2) Has not committed an act or crime constituting grounds for denial of licensure.

~~(2)~~(3) Pays the required renewal fee.

~~(3)~~(4) Completes the required continuing education as specified in Section 4999.76.

~~(4)~~(5) Complies with the fingerprint submission requirements established by ~~the board in regulation.~~Section 144.

~~(e)~~(g) An applicant requesting to restore ~~his or her~~their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section less than one year from the date ~~of~~ the application to restore the retired license is received by the board, shall complete 18 hours of continuing education ~~as specified in Section 4999.76.~~ taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(f)~~(h) An applicant requesting to restore ~~his or her~~their license pursuant to subdivision ~~(d)~~(f), whose retired license was issued in accordance with this section one or more years from the date ~~of~~ the application to restore the retired license is received by the board, shall complete 36 hours of continuing education ~~as specified in Section 4999.76.~~ taken within the two years prior to the date the application to restore the retired license is received by the board. This coursework must include a minimum of six hours in the subject of California law and ethics.

~~(g)~~(i) ~~The holder of a retired license may apply to restore to active status his or her license to practice professional clinical counseling if that retired license was issued three or more years prior to the application date, and the applicant meets all of the following requirements:~~A retired license that was issued three or more years prior shall not be restored. The holder of the retired license may apply for and obtain a new license if all of the following criteria are satisfied:

(1) Has not committed an act or crime constituting grounds for denial of licensure.

(2) Applies for licensure and pays the required fees.

(3) Passes the examinations required for licensure.

(4) Complies with the fingerprint submission requirements established by ~~the board in regulation.~~Section 144.

ATTACHMENT B RETIRED LICENSE REQUIREMENTS FOR OTHER DCA BOARDS

Board of Registered Nursing Retired License Model

[AB 633](#) (Chapter 449, Statutes of 2023) recently revamped the retired license for registered nurses in California. Features of the Board of Registered Nursing's (BRN) new retired license program are as follows:

- The nurse must hold an unrestricted license on the date of retired license application.
- A retired licensee may provide free nursing services in any public health program created by federal, state, or local law or administered by a federal, state, county, or local government entity, under the supervision of a licensee.
- Retired licensees are exempt from continuing education requirements.
- The fee for a retired license must be established at no less than one-half of the regular renewal fee. (This is similar to this Board's inactive license fee.)
- A retired license may be reinstated to an active status one time only.

In order to do a one-time reinstatement of a retired license to active status, the retired licensee must complete the requirements to renew a license, including providing fingerprints, and paying any required renewal fees, and one of the following:

- If retired 8 years or less, have completed 30 hours of continuing education in the past 2 years.
- If retired more than 8 years, they must either hold a current valid active and clear registered nurse license in another U.S. state or territory, or Canada; or pass the current licensure exam.

Other DCA Boards

Other DCA Boards offer retired licenses with varying features. Some examples are as follows:

Board of Psychology¹

- License must be current and active or current and inactive, capable of being renewed, and not subject to discipline.
- One-time fee of \$75
- May be reinstated within 3 years without passing an exam and applying for a new license.
- The Board will not grant a license retired status more than twice.

¹ Business and Professions Code [§2988.5](#), California Code of Regulations Title 16, [§1381.10](#).

Board of Occupational Therapy²

- License must be current and active or capable of being renewed, and not subject to discipline.
- One-time fee of \$25.
- Must meet additional coursework or exam requirements if retired for more than 5 years.
- A retired license status will be granted no more than twice.

Board of Optometry³

- License must be current and active.
- One-time fee of \$25.
- Must reapply for license and pass exams to reinstate after 3 years.

Department of Consumer Affairs

Legislation was run in 2016 to provide the remaining DCA entities that had not established a retired license in statute yet, with the statutory authority to establish a retired license via regulations. [BPC §464](#) applies only to boards that do not have other statutory authority to establish a retired license, and specifies the following criteria to qualify for a retired license:

- License must be active or inactive.
- The Board must establish a fee for the retired license.
- Specifies a process to restore a license to active status.

² Business and Professions Code [§2570.17](#), California Code of Regulations Title 16, [§4128](#).

³ Business and Professions Code [§§3151](#), [3147](#), and [3147.6](#).

Instructions and Important Information

Read Carefully Before Completing Your Application

ELIGIBILITY FOR RETIRED LICENSE STATUS

To be eligible for a retired license, your license must meet both of the following:

- Your license status must be current and active OR current and inactive
- Your license must not be suspended, revoked or otherwise punitively restricted by the Board of Behavioral Sciences or subject to disciplinary action by the Board.

PLEASE BE AWARE

- A retired license can ONLY be reactivated within three (3) years from the date the retired license was issued (see below for details).
- A holder of a retired license is not required to renew that license.
- A licensee is not entitled to payment by a client or an insurer for services performed while license is expired, inactive or retired.
- A licensee may not supervise or sign off experience hours toward licensure while a license is expired, inactive or retired.

3-YEAR TIME LIMIT FOR REACTIVATION OF A RETIRED LICENSE

Once your retired license is three years old, it is no longer eligible to be reactivated. If after three years you wish to obtain an active license, you must apply for licensure as if applying for the first time, which includes meeting all current requirements and passing the licensing examinations.

If you wish to reactivate within three years from your retired license's issue date, you must meet all reinstatement requirements. This includes completing the fingerprinting and continuing education requirements, submitting the *Retired to Active License Status Change* form, and paying the appropriate fee.

INACTIVE STATUS AS AN ALTERNATIVE

Instead of applying for a retired license, you may apply for an inactive license status upon your next renewal. There is no penalty for having an inactive status, and you can renew with an inactive status indefinitely. Continuing education (CE) is not required to renew an inactive license or to change your license status to inactive.

INACTIVE STATUS AS AN ALTERNATIVE (continued)

An inactive license can be reactivated at any time by completing the CE required at the time of reactivation and submitting the *Inactive to Active License Status Change Application* with the appropriate fee. More information is available on the Board's website at <https://www.bbs.ca.gov/licensees/manage.html>.

HOW CAN I REFER TO MYSELF ONCE I'VE BEEN ISSUED A RETIRED LICENSE?

Retired licensees may continue list their license type, as long as the word "retired" is included. For example, "Jamie Garcia, LMFT, Retired."

LAWS RELATING TO RETIRED LICENSES

California Business and Professions Code sections 4984.41, 4984.41, 4989.45, 4997.1 and 4999.113 authorize the Board to issue retired licenses and set forth related requirements. See the Board's *Statutes and Regulations* online at <https://www.bbs.ca.gov/pdf/publications/lawsregs.pdf>.

HOW TO APPLY

- Complete the attached application.
- **FEE: Attach a \$40 check or money order payable to "Behavioral Sciences Fund."**
- **Submit your application and fee to the address below:**

Board of Behavioral Sciences
1625 North Market Blvd., Suite S200
Sacramento CA 95834

TO CONFIRM RECEIPT OF APPLICATION:

To confirm receipt, mail your application using a method that includes tracking. You may also contact your bank to see if your check has been cashed.

ADDRESS CHANGE:

If your address has changed, be sure to update it ASAP online at www.breeze.ca.gov.

APPLICATION PROCESSING TIME

Allow 30 days for processing. Once your request has been approved, your retired status will appear online at www.breeze.ca.gov and you will receive a retired status certificate in the mail.

QUESTIONS?

Please visit the **Contact Us** link at www.bbs.ca.gov and select an option under "Message the Board."

APPLICATION FOR
RETIRED LICENSE



Office Use Only:

Carefully read the "Instructions and Important Information" FIRST

Attach a \$40 Fee

Allow 30 Days for Processing

License Type and Number (mark one):	<input type="checkbox"/> LMFT # _____	<input type="checkbox"/> LPCC # _____	License Expiration Date:
	<input type="checkbox"/> LCSW # _____	<input type="checkbox"/> LEP # _____	

SSN or ITIN*:	Birth Date mm/dd/yyyy:
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Legal Name**:	Last	First	Middle
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* You may provide either your Social Security Number, your Federal Employer Identification Number, or Individual Taxpayer Identification Number, as applicable.

** You must use your legal name. Your "legal name" is the name established legally by your birth certificate, marriage or domestic partnership certificate, or divorce decree (for example). If you have a name change that you would like processed with your application, you must attach the "Notification of Name Change" form and all required documentation. This form is available online at https://www.bbs.ca.gov/pdf/forms/change_name.pdf. Your license will reflect your new name only if a complete "Notification of Name Change" is received with your application. Do not send original documents unless specifically requested.

IMPORTANT

- A holder of a retired license may not engage in any activity for which an active license is required.
- Reactivation of a retired license is only possible within three (3) years from the date the retired license was issued.

I have read and understand the information provided, and hereby request that my license be changed to "Retired" status.

Signature of Licensee

Date

APPLICATION FOR
**RETIRED
TO ACTIVE
LICENSE STATUS CHANGE**

ATTACHMENT D



Instructions and Important Information

Read Carefully Before Completing Your Application

ELIGIBILITY FOR REINSTATEMENT

Your license can only be reactivated if your *Application for Retired to Active License Status Change* is received **within three (3) years** from the date your retired license was issued.

REQUIRED CONTINUING EDUCATION (CE)

To return your license to Active status, you must meet the following overall continuing education (CE) requirements. Courses must be taken from a Board-accepted provider within the two years prior to submission of your request for reactivation:

- 18 hours if retired license issued **less than one year** from the date of your reactivation request.
- 36 hours if retired license issued **more than one year** from the date of your reactivation request.
- **Law and Ethics Course (6 hours):** If you have not taken this course during your current renewal period [*the two-year period which spans from a license's prior expiration date (or issue date) to the license's next expiration date*], this course must be included in the above hours.

You must also meet the following ONE-TIME CE requirements:

1. **Suicide Risk Assessment and Intervention (6-Hour Training):** If you have not previously taken this one-time training, you must complete a 6-hour CE course or receive 6 hours of supervised training in this area if not previously taken. See [FAQ](#) for more information (*access at www.bbs.ca.gov> FAQs/Updates>Updates*).
2. **Provision of Mental Health Services via Telehealth (3 hours):** If your reactivation application is postmarked on or after July 1, 2023, you must complete this one-time course if not previously taken (must include law and ethics related to telehealth). See [FAQ](#) for more information.
 - ⇒ Courses for #1 and #2 above can be taken any time prior to submission of your reactivation application. However, for a course to count toward your 18 or 36 hours of CE, it must be taken from a Board-accepted provider within two years prior to submission of this application.

Do NOT submit proof of CE with your application. You must retain your CE certificates for at least two years from the date of your request for reactivation. The Board performs random CE audits. If you are audited, you must provide copies of your CE certificates at that time. A citation and

fine and/or disciplinary action may be assessed if you are found to be out of compliance.

FINGERPRINT REQUIREMENT

Your license cannot be reactivated until fingerprint clearance has been received. Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal history background checks are required.

If you currently reside in California:

Download the *Request for Live Scan Service Applicant Submission* (Form BCII 8016) from the Board's [website](#) (access at www.bbs.ca.gov> Consumers>Fingerprinting) and follow the instructions.

- The information on your Live Scan form must match the information you provide on your reactivation application.
- The second copy of your Live Scan form, with box 6 completed, must be submitted WITH your application.
- DO NOT COMPLETE FINGERPRINTS MORE THAN 60 DAYS PRIOR TO SUBMITTING YOUR APPLICATION. Fingerprint results without an application on file will only be held for 6 months.

If you currently reside out of state:

You must use the "hard card" fingerprint method unless you can access a California Live Scan Service operator. To request fingerprint hard cards, send an email to BBS.Fingerprint@dca.ca.gov with "Fingerprint Hard Cards" in the subject line, and we will mail them to you.

- YOU MUST SUBMIT YOUR TWO COMPLETED FINGERPRINT CARDS and a \$49 hard card fingerprinting fee TO THE BOARD WITH YOUR APPLICATION. We are unable to process them until your application is received.
- DOJ processing time for hard card fingerprints is **8 or more weeks**.

HOW TO APPLY

- **Complete the attached application.**
- **Complete the fingerprinting requirements AND attach the second copy of your completed *Request for Live Scan Service Applicant Submission* form OR hard cards.**
- **FEE:** Attach a check or money order payable to "Behavioral Sciences Fund" in the amount indicated below:
 - **LCSW, LMFT or LPCC: \$220** **LEP: \$200**
 - **Fingerprint Hard Card Fee (if applicable): \$49**
- **If you have a name change that you would like processed with your application, you must attach the "Notification of Name Change" form and all required documentation.** This form is available online at https://www.bbs.ca.gov/pdf/forms/change_name.pdf. Your license will reflect your new name only if a complete application is received. Do not send original documents unless specifically requested.

- **Submit your application, attachments and fee to the address below:**

Board of Behavioral Sciences
1625 North Market Blvd., Suite S200
Sacramento CA 95834

TO CONFIRM RECEIPT OF APPLICATION

To confirm receipt, mail your application using a method that includes tracking. You may also contact your bank to see if your check has been cashed.

APPLICATION PROCESSING TIME

Allow 30 days for processing. Once your request is approved, including fingerprint clearance, your active status will first appear on www.breeze.ca.gov, and you will receive confirmation in the mail. **Do not assume your license has been reactivated until you verify your status online.**

EMAIL AND MAILING ADDRESS REQUIREMENTS

Licensees are required to maintain a current mailing address with the Board. This address will appear on public license searches. Licensees are also required to maintain a current email address with the Board if they have one. Email addresses are not subject to public disclosure. If either of your addresses have changed, be sure to update it ASAP online at www.breeze.ca.gov.

YOUR NEXT LICENSE RENEWAL

Reactivating your license does not change your license's expiration date. Your new expiration date will be the same if your license had remained active. After your license has been changed to Active status, you must renew your license prior to its usual expiration date, regardless of how soon it occurs.

To renew after reactivation, you must meet all renewal requirements, including the full renewal fee and 36 hours of CE (including the 6-hour law and ethics course). However, you can count any CE completed for your license activation toward the renewal CE requirement IF those hours were completed during the current renewal period (*the two-year period which spans from your license's expiration date to your license's next expiration date*).

NOTICE ON COLLECTION OF PERSONAL INFORMATION

Please read the [Notice on Collection of Personal Information](#) (access at bbs.ca.gov>About the Board>Other Information> Policies).

QUESTIONS?

Visit the **Contact Us** link at www.bbs.ca.gov and select an option under "Message the Board."

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APPLICATION FOR
**RETIRED TO ACTIVE
 LICENSE STATUS CHANGE**



Office Use Only:

Carefully read the "Instructions and Important Information" FIRST

**Attach Fee and Completed Live Scan Form
 or Hard Cards**

Allow 30 Days for Processing

License Type and Number:	<input type="checkbox"/> LMFT # _____	<input type="checkbox"/> LCSW # _____	License Expiration Date:
	<input type="checkbox"/> LPCC # _____	<input type="checkbox"/> LEP # _____	
SSN or ITIN*:		Birth Date mm/dd/yyyy:	
Legal Name**:	Last	First	Middle

* You may provide either your Social Security Number, your Federal Employer Identification Number, or Individual Taxpayer Identification Number, as applicable.

** You must use your legal name as established by your birth certificate, marriage or domestic partnership certificate, or divorce decree (for example). If you have a name change that you would like processed with your application, see "How to Apply" in the attached Instructions.

1. Mark one: Have you completed the fingerprinting requirements and attached the Live Scan form or hard cards as described in the <i>Instructions and Important Information</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Mark one: I have completed all of the required continuing education (CE) necessary to reinstate my license as described in the attached <i>Instructions and Important Information</i> .	Yes: 18 hours <input type="checkbox"/> Yes: 36 hours <input type="checkbox"/>
3. Within the 7 years preceding your submission of this application, were you denied a professional health care license ("license" includes registrations, certificates, or other means to engage in practice) OR had a professional health care license privilege suspended, revoked, or otherwise disciplined, OR voluntarily surrendered any such license in California or any other state or territory of the United States, or by any other governmental agency or a foreign country? Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>If YES to question 3, we recommend that you complete Part C of the Background Statement form, available on the Board's website, to facilitate processing of your application (access at bbs.ca.gov> Consumers> Criminal Convictions>Forms). We recommend that you answer "Yes" even if you have previously reported it to the Board, and indicate the type of professional license that was denied, suspended, disciplined, or surrendered, including the date(s) of the denial, suspension, disciplinary action. You do not need to resubmit documentation previously on file.</i>

Applicant Name: Last	First	Middle
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BACKGROUND QUESTIONS – RESPONSE IS OPTIONAL

Providing an answer to the following questions is voluntary. Providing responses now, instead of waiting for the Board to receive your fingerprint results, will facilitate processing of your application. Your decision not to disclose information will not be a factor in the Board’s decision to grant or deny an application. For more information, see the [Criminal Conviction FAQ](#) (access at [bbs.ca.gov>Consumers>Criminal Convictions>Publications](http://bbs.ca.gov/Consumers/Criminal%20Convictions/Publications)).

<p>A. Have you been convicted of, pled guilty to, or pled nolo contendere to any misdemeanor or felony in the United States, its territories, or a foreign country?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><i>If YES, we recommend that you complete Part A of the Background Statement form, available on the Board’s website, to facilitate processing of your application (access at bbs.ca.gov>Consumers>Criminal Convictions>Forms).</i></p> <p><i>If the conviction(s) have been previously reported to the Board, we recommend that you include a written statement listing each conviction, including the date(s) of the conviction(s). You do not need to resubmit documentation previously on file.</i></p>
<p>B. Is any criminal action pending against you, or are you currently awaiting judgment and sentencing following entry of a plea or jury verdict?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><i>If YES we recommend that you complete Part B of the Background Statement form, available on the Board’s website, to facilitate processing of your application.</i></p>

DECLARATION

- I have read and understand the attached *Instructions and Important Information*. I hereby request that my license be changed from Retired status to Active status.
- During the time I had a retired license, I did not engage in any activity for which an active license is required.

I swear under penalty of perjury under the laws of the State of California that all statements, answers and representations on this form are true, complete and accurate. I understand that knowingly making a false statement of fact that is required to be revealed in this application may be grounds for denial of this application.

Signature of Applicant _____
Date