

AMENDED IN ASSEMBLY MARCH 24, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2435

Introduced by Assembly Member Bonnie Lowenthal

February 19, 2010

An act to amend Sections 28, 2915.5, 2915.7, 4980.37, 4980.39, ~~and 4980.43~~ 4980.43, 4996.25, 4996.26, 4999.32, and 4999.33 of the Business and Professions Code, relating to elder and dependent adult abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 2435, as amended, Bonnie Lowenthal. Elder and dependent adult abuse.

(1) Existing law provides for the licensing and regulation of psychologists, *professional clinical counselors*, clinical social workers, and marriage and family therapists. Existing law requires a person applying for licensure in these professions to have completed specified coursework or training in child abuse assessment and reporting from certain types of institutions.

This bill, ~~on and after January 1, 2012,~~ would ~~expand the required coursework or~~ *encourage the Board of Psychology and the Board of Behavioral Sciences to include in that training to additionally cover* elder and dependent adult abuse assessment and reporting, *and would make legislative findings with regard to that training.*

(2) *Existing law, with respect to psychologists, licensed clinical social workers, and licensed professional clinical counselors, requires a licensee to complete, as a condition of licensure and relicensure, specified coursework in aging.*

This bill, on and after January 1, 2012, would expand the required coursework to additionally cover elder and dependent adult abuse assessment and reporting.

~~(2)~~

(3) Existing law, with respect to marriage and family therapists, requires an applicant for licensure or registration to possess a doctor’s or master’s degree in various disciplines, including marriage, family, and child counseling, relative to applicants who begin graduate study before August 1, 2012, and complete that study on or before December 31, ~~2008~~ 2018.

~~This bill would instead refer to marriage, family, older adult, and child counseling authorize the requisite coursework related to developmental issues and life events to include coursework in abuse and neglect of older and dependent adults.~~

~~(3)~~

(4) Existing law requires an applicant for licensure as a marriage and family therapist under ~~(2)~~ (3) to complete a minimum of 10 contact hours of coursework in aging and long-term care, which may include the biological, social, and psychological aspects of aging.

This bill, *on and after January 1, 2012*, would require the coursework to include instruction on the assessment and reporting of elder and dependent adult abuse and neglect; and associated treatment.

~~(4)~~

(5) Existing law requires an applicant for licensure as a marriage and family counselor, prior to applying for a licensure examination, to complete certain *hours of experience*, ~~including, among other things, not less than 500 total hours of experience in diagnosing and treating couples, families, and children.~~

~~This bill would include diagnosing and treating older adults within this encourage those hours of experience requirement to include working with elders and dependent adults.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 28 of the Business and Professions Code
- 2 is amended to read:
- 3 28. The Legislature finds that there is a need to ensure that
- 4 professionals of the healing arts who have demonstrable contact

1 with victims and potential victims of child, elder, and dependent
2 adult abuse, and abusers and potential abusers of children, elders,
3 and dependent adults are provided with adequate and appropriate
4 training regarding the assessment and reporting of child, elder,
5 and dependent adult abuse which will ameliorate, reduce, and
6 eliminate the trauma of abuse and neglect and ensure the reporting
7 of abuse in a timely manner to prevent additional occurrences.

8 The Board of Psychology and the Board of Behavioral Sciences
9 shall establish required training in the ~~above-referenced areas of~~
10 *area of child abuse* assessment and reporting for all persons
11 applying for initial licensure and renewal of a license as a
12 psychologist, clinical social worker, or marriage and family
13 therapist. This training shall be required one time only for all
14 persons applying for initial licensure or for licensure renewal. ~~With~~
15 ~~respect to elder and dependent adult abuse, the requirement for~~
16 ~~training shall apply on and after January 1, 2012.~~

17 All persons applying for initial licensure and renewal of a license
18 as a psychologist, clinical social worker, or marriage and family
19 therapist shall, in addition to all other requirements for licensure
20 or renewal, have completed coursework or training in the
21 ~~above-referenced areas of~~ *child abuse* assessment and reporting
22 that meets the requirements of this section, including detailed
23 knowledge of ~~Article 2.5 (commencing with Section 11164) of~~
24 ~~Chapter 2 of Title 1 of Part 4 of the Penal Code. With respect to~~
25 ~~elder and dependent adult abuse, the requirement shall apply on~~
26 ~~and after January 1, 2012. Section 11165 of the Penal Code.~~ The
27 training shall meet all of the following requirements:

28 (a) Be obtained from one of the following sources:

29 (1) An accredited or approved educational institution, as defined
30 in Sections 2902, 4980.36, 4980.37, and 4996.18, including
31 extension courses offered by those institutions.

32 (2) A continuing education provider approved by the responsible
33 board.

34 (3) A course sponsored or offered by a professional association
35 or a local, county, or state department of health or mental health
36 for continuing education and approved by the responsible board.

37 (b) Have a minimum of seven contact hours.

38 (c) Include the study of the assessment and method of reporting
39 of sexual assault, neglect, severe neglect, general neglect, willful
40 cruelty or unjustifiable punishment, corporal punishment or injury,

1 and abuse in out-of-home care. The training shall also include
2 physical and behavioral indicators of abuse, crisis counseling
3 techniques, community resources, rights and responsibilities of
4 reporting, consequences of failure to report, caring for ~~the needs~~
5 ~~of a child, elder, or dependent adult~~ *a child's needs* after a report
6 is made, sensitivity to previously abused children and adults, and
7 implications and methods of treatment for children and adults.

8 (d) An applicant shall provide the appropriate board with
9 documentation of completion of the required ~~child, elder, and~~
10 ~~dependent adult~~ abuse training.

11 The Board of Psychology and the Board of Behavioral Sciences
12 shall exempt an applicant who applies for an exemption from the
13 requirements of this section and who shows to the satisfaction of
14 the board that there would be no need for the training in his or her
15 practice because of the nature of that practice.

16 It is the intent of the Legislature that a person licensed as a
17 psychologist, clinical social worker, or marriage and family
18 therapist have minimal but appropriate training in the areas of
19 child, elder, and dependent adult abuse assessment and reporting.
20 It is not intended that by solely complying with the requirements
21 of this section, a practitioner is fully trained in the subject of
22 treatment of child, elder, and dependent adult abuse victims and
23 abusers.

24 *The Board of Psychology and the Board of Behavioral Sciences*
25 *are encouraged to include coursework regarding the assessment*
26 *and reporting of elder and dependent adult abuse in the required*
27 *training on aging and long-term care issues prior to licensure or*
28 *license renewal.*

29 *SEC. 2. Section 2915.5 of the Business and Professions Code*
30 *is amended to read:*

31 2915.5. (a) Any applicant for licensure as a psychologist who
32 began graduate study on or after January 1, 2004, shall complete,
33 as a condition of licensure, a minimum of 10 contact hours of
34 coursework in aging and long-term care, which could include, but
35 is not limited to, the biological, social, and psychological aspects
36 of aging. *On and after January 1, 2012, this coursework shall*
37 *include instruction on the assessment and reporting of, as well as*
38 *treatment related to, elder and dependent adult abuse and neglect.*

39 (b) Coursework taken in fulfillment of other educational
40 requirements for licensure pursuant to this chapter, or in a separate

1 course of study, may, at the discretion of the board, fulfill the
2 requirements of this section.

3 (c) In order to satisfy the coursework requirement of this section,
4 the applicant shall submit to the board a certification from the chief
5 academic officer of the educational institution from which the
6 applicant graduated stating that the coursework required by this
7 section is included within the institution's required curriculum for
8 graduation, or within the coursework, that was completed by the
9 applicant.

10 (d) The board shall not issue a license to the applicant until the
11 applicant has met the requirements of this section.

12 *SEC. 3. Section 2915.7 of the Business and Professions Code*
13 *is amended to read:*

14 2915.7. (a) A licensee who began graduate study prior to
15 January 1, 2004, shall complete a three-hour continuing education
16 course in aging and long-term care during his or her first renewal
17 period after the operative date of this section, and shall submit to
18 the board evidence acceptable to the board of the person's
19 satisfactory completion of that course.

20 (b) The course should include, but is not limited to, the
21 biological, social, and psychological aspects of aging. *On and after*
22 *January 1, 2012, this coursework shall include instruction on the*
23 *assessment and reporting of, as well as treatment related to, elder*
24 *and dependent adult abuse and neglect.*

25 (c) Any person seeking to meet the requirements of subdivision
26 (a) of this section may submit to the board a certificate evidencing
27 completion of equivalent courses in aging and long-term care taken
28 prior to the operative date of this section, or proof of equivalent
29 teaching or practice experience. The board, in its discretion, may
30 accept that certification as meeting the requirements of this section.

31 (d) The board may not renew an applicant's license until the
32 applicant has met the requirements of this section.

33 (e) A licensee whose practice does not include the direct
34 provision of mental health services may apply to the board for an
35 exception to the requirements of this section.

36 ~~(f) This section shall become operative on January 1, 2005.~~

37 ~~SEC. 2.~~

38 *SEC. 4. Section 4980.37 of the Business and Professions Code*
39 *is amended to read:*

1 4980.37. (a) This section shall apply to applicants for licensure
2 or registration who begin graduate study before August 1, 2012,
3 and complete that study on or before December 31, 2018. Those
4 applicants may alternatively qualify under paragraph (2) of
5 subdivision (a) of Section 4980.36.

6 (b) To qualify for a license or registration, applicants shall
7 possess a doctor's or master's degree in marriage, family, ~~older~~
8 ~~adult~~, and child counseling, marriage and family therapy,
9 psychology, clinical psychology, counseling psychology, or
10 counseling with an emphasis in either marriage, family, and child
11 counseling or marriage and family therapy, obtained from a school,
12 college, or university accredited by a regional accrediting agency
13 recognized by the United States Department of Education or
14 approved by the Bureau for Private Postsecondary and Vocational
15 Education. The board has the authority to make the final
16 determination as to whether a degree meets all requirements,
17 including, but not limited to, course requirements, regardless of
18 accreditation or approval. In order to qualify for licensure pursuant
19 to this section, a doctor's or master's degree program shall be a
20 single, integrated program primarily designed to train marriage
21 and family therapists and shall contain no less than 48 semester
22 or 72 quarter units of instruction. This instruction shall include no
23 less than 12 semester units or 18 quarter units of coursework in
24 the areas of marriage, family, and child counseling, and marital
25 and family systems approaches to treatment. The coursework shall
26 include all of the following areas:

27 (1) The salient theories of a variety of psychotherapeutic
28 orientations directly related to marriage and family therapy, and
29 marital and family systems approaches to treatment.

30 (2) Theories of marriage and family therapy and how they can
31 be utilized in order to intervene therapeutically with couples,
32 families, adults, children, and groups.

33 (3) Developmental issues and life events from infancy to old
34 age and their effect on individuals, couples, and family
35 relationships. This may include coursework that focuses on specific
36 family life events and the psychological, psychotherapeutic, and
37 health implications that arise within couples and families,
38 including, but not limited to, childbirth, child rearing, childhood,
39 adolescence, adulthood, marriage, divorce, blended families,

1 stepparenting, abuse and neglect of older and dependent adults,
2 and geropsychology.

3 (4) A variety of approaches to the treatment of children.

4 The board shall, by regulation, set forth the subjects of instruction
5 required in this subdivision.

6 (c) (1) In addition to the 12 semester or 18 quarter units of
7 coursework specified in subdivision (b), the doctor's or master's
8 degree program shall contain not less than six semester or nine
9 quarter units of supervised practicum in applied psychotherapeutic
10 technique, assessments, diagnosis, prognosis, and treatment of
11 premarital, couple, family, and child relationships, including
12 dysfunctions, healthy functioning, health promotion, and illness
13 prevention, in a supervised clinical placement that provides
14 supervised fieldwork experience within the scope of practice of a
15 marriage and family therapist.

16 (2) For applicants who enrolled in a degree program on or after
17 January 1, 1995, the practicum shall include a minimum of 150
18 hours of face-to-face experience counseling individuals, couples,
19 families, or groups.

20 (3) The practicum hours shall be considered as part of the 48
21 semester or 72 quarter unit requirement.

22 (d) As an alternative to meeting the qualifications specified in
23 subdivision (b), the board shall accept as equivalent degrees those
24 master's or doctor's degrees granted by educational institutions
25 whose degree program is approved by the Commission on
26 Accreditation for Marriage and Family Therapy Education.

27 (e) In order to provide an integrated course of study and
28 appropriate professional training, while allowing for innovation
29 and individuality in the education of marriage and family therapists,
30 a degree program that meets the educational qualifications for
31 licensure or registration under this section shall do all of the
32 following:

33 (1) Provide an integrated course of study that trains students
34 generally in the diagnosis, assessment, prognosis, and treatment
35 of mental disorders.

36 (2) Prepare students to be familiar with the broad range of
37 matters that may arise within marriage and family relationships.

38 (3) Train students specifically in the application of marriage
39 and family relationship counseling principles and methods.

1 (4) Encourage students to develop those personal qualities that
2 are intimately related to the counseling situation such as integrity,
3 sensitivity, flexibility, insight, compassion, and personal presence.

4 (5) Teach students a variety of effective psychotherapeutic
5 techniques and modalities that may be utilized to improve, restore,
6 or maintain healthy individual, couple, and family relationships.

7 (6) Permit an emphasis or specialization that may address any
8 one or more of the unique and complex array of human problems,
9 symptoms, and needs of Californians served by marriage and
10 family therapists.

11 (7) Prepare students to be familiar with cross-cultural mores
12 and values, including a familiarity with the wide range of racial
13 and ethnic backgrounds common among California's population,
14 including, but not limited to, Blacks, Hispanics, Asians, and Native
15 Americans.

16 (f) Educational institutions are encouraged to design the
17 practicum required by this section to include marriage and family
18 therapy experience in low-income and multicultural mental health
19 settings.

20 (g) This section shall remain in effect only until January 1, 2019,
21 and as of that date is repealed, unless a later enacted statute, that
22 is enacted before January 1, 2019, deletes or extends that date.

23 ~~SEC. 3.~~

24 *SEC. 5.* Section 4980.39 of the Business and Professions Code
25 is amended to read:

26 4980.39. (a) An applicant for licensure whose education
27 qualifies him or her under Section 4980.37 shall complete, as a
28 condition of licensure, a minimum of 10 contact hours of
29 coursework in aging and long-term care, which may include, but
30 is not limited to, the biological, social, and psychological aspects
31 of aging. ~~This~~ *On and after January 1, 2012, this* coursework shall
32 include instruction on the assessment and reporting of, as well as
33 treatment related to, elder and dependent adult abuse and neglect.

34 (b) Coursework taken in fulfillment of other educational
35 requirements for licensure pursuant to this chapter, or in a separate
36 course of study, may, at the discretion of the board, fulfill the
37 requirements of this section.

38 (c) In order to satisfy the coursework requirement of this section,
39 the applicant shall submit to the board a certification from the chief
40 academic officer of the educational institution from which the

1 applicant graduated stating that the coursework required by this
2 section is included within the institution’s required curriculum for
3 graduation, or within the coursework, that was completed by the
4 applicant.

5 (d) The board shall not issue a license to the applicant until the
6 applicant has met the requirements of this section.

7 (e) This section shall remain in effect only until January 1, 2019,
8 and as of that date is repealed, unless a later enacted statute, that
9 is enacted before January 1, 2019, deletes or extends that date.

10 ~~SEC. 4.~~

11 *SEC. 6.* Section 4980.43 of the Business and Professions Code
12 is amended to read:

13 4980.43. (a) Prior to applying for licensure examinations, each
14 applicant shall complete experience that shall comply with the
15 following:

16 (1) A minimum of 3,000 hours completed during a period of at
17 least 104 weeks.

18 (2) Not more than 40 hours in any seven consecutive days.

19 (3) Not less than 1,700 hours of supervised experience
20 completed subsequent to the granting of the qualifying master’s
21 or doctor’s degree.

22 (4) Not more than 1,300 hours of supervised experience obtained
23 prior to completing a master’s or doctor’s degree.

24 The applicant shall not be credited with more than 750 hours of
25 counseling and direct supervisor contact prior to completing the
26 master’s or doctor’s degree.

27 (5) No hours of experience may be gained prior to completing
28 either 12 semester units or 18 quarter units of graduate instruction
29 and becoming a trainee except for personal psychotherapy.

30 (6) No hours of experience gained more than six years prior to
31 the date the application for examination eligibility was filed, except
32 that up to 500 hours of clinical experience gained in the supervised
33 practicum required by subdivision (c) of Section 4980.37 and
34 subparagraph (B) of paragraph (1) of subdivision (d) of Section
35 4980.36 shall be exempt from this six-year requirement.

36 (7) Not more than a combined total of 1,250 hours of experience
37 in the following:

38 (A) Direct supervisor contact.

39 (B) Professional enrichment activities. For purposes of this
40 chapter, “professional enrichment activities” include the following:

1 (i) Workshops, seminars, training sessions, or conferences
2 directly related to marriage and family therapy attended by the
3 applicant that are approved by the applicant's supervisor. An
4 applicant shall have no more than 250 hours of verified attendance
5 at these workshops, seminars, training sessions, or conferences.

6 (ii) Participation by the applicant in personal psychotherapy,
7 which includes group, marital or conjoint, family, or individual
8 psychotherapy by an appropriately licensed professional. An
9 applicant shall have no more than 100 hours of participation in
10 personal psychotherapy. The applicant shall be credited with three
11 hours of experience for each hour of personal psychotherapy.

12 (C) Client centered advocacy.

13 (8) Not more than 500 hours of experience providing group
14 therapy or group counseling.

15 (9) Not more than 250 hours of experience administering and
16 evaluating psychological tests, writing clinical reports, writing
17 progress notes, or writing process notes.

18 (10) Not less than 500 total hours of experience in diagnosing
19 and treating couples, families, ~~older adults~~, and children. For the
20 first 150 hours of treating couples and families in conjoint therapy,
21 the applicant shall be credited with two hours of experience for
22 each hour of therapy provided.

23 (11) Not more than 375 hours of experience providing personal
24 psychotherapy, crisis counseling, or other counseling services via
25 telemedicine in accordance with Section 2290.5.

26 (12) *It is anticipated and encouraged that hours of experience*
27 *will include working with elders and dependent adults who have*
28 *physical or mental limitations that restrict their ability to carry*
29 *out normal activities or protect their rights.*

30 (b) All applicants, trainees, and registrants shall be at all times
31 under the supervision of a supervisor who shall be responsible for
32 ensuring that the extent, kind, and quality of counseling performed
33 is consistent with the training and experience of the person being
34 supervised, and who shall be responsible to the board for
35 compliance with all laws, rules, and regulations governing the
36 practice of marriage and family therapy. Supervised experience
37 shall be gained by interns and trainees either as an employee or as
38 a volunteer. The requirements of this chapter regarding gaining
39 hours of experience and supervision are applicable equally to

1 employees and volunteers. Experience shall not be gained by
2 interns or trainees as an independent contractor.

3 (1) If employed, an intern shall provide the board with copies
4 of the corresponding W-2 tax forms for each year of experience
5 claimed upon application for licensure.

6 (2) If volunteering, an intern shall provide the board with a letter
7 from his or her employer verifying the intern's employment as a
8 volunteer upon application for licensure.

9 (c) Supervision shall include at least one hour of direct
10 supervisor contact in each week for which experience is credited
11 in each work setting, as specified:

12 (1) A trainee shall receive an average of at least one hour of
13 direct supervisor contact for every five hours of client contact in
14 each setting.

15 (2) An individual supervised after being granted a qualifying
16 degree shall receive at least one additional hour of direct supervisor
17 contact for every week in which more than 10 hours of client
18 contact is gained in each setting. No more than five hours of
19 supervision, whether individual or group, shall be credited during
20 any single week.

21 (3) For purposes of this section, "one hour of direct supervisor
22 contact" means one hour per week of face-to-face contact on an
23 individual basis or two hours per week of face-to-face contact in
24 a group.

25 (4) Direct supervisor contact shall occur within the same week
26 as the hours claimed.

27 (5) Direct supervisor contact provided in a group shall be
28 provided in a group of not more than eight supervisees and in
29 segments lasting no less than one continuous hour.

30 (6) Notwithstanding paragraph (3), an intern working in a
31 governmental entity, a school, a college, or a university, or an
32 institution that is both nonprofit and charitable may obtain the
33 required weekly direct supervisor contact via two-way, real-time
34 videoconferencing. The supervisor shall be responsible for ensuring
35 that client confidentiality is upheld.

36 (7) All experience gained by a trainee shall be monitored by the
37 supervisor as specified by regulation.

38 (d) (1) A trainee may be credited with supervised experience
39 completed in any setting that meets all of the following:

- 1 (A) Lawfully and regularly provides mental health counseling
- 2 or psychotherapy.
- 3 (B) Provides oversight to ensure that the trainee’s work at the
- 4 setting meets the experience and supervision requirements set forth
- 5 in this chapter and is within the scope of practice for the profession
- 6 as defined in Section 4980.02.
- 7 (C) Is not a private practice owned by a licensed marriage and
- 8 family therapist, a licensed psychologist, a licensed clinical social
- 9 worker, a licensed physician and surgeon, or a professional
- 10 corporation of any of those licensed professions.
- 11 (2) Experience may be gained by the trainee solely as part of
- 12 the position for which the trainee volunteers or is employed.
- 13 (e) (1) An intern may be credited with supervised experience
- 14 completed in any setting that meets both of the following:
- 15 (A) Lawfully and regularly provides mental health counseling
- 16 or psychotherapy.
- 17 (B) Provides oversight to ensure that the intern’s work at the
- 18 setting meets the experience and supervision requirements set forth
- 19 in this chapter and is within the scope of practice for the profession
- 20 as defined in Section 4980.02.
- 21 (2) An applicant shall not be employed or volunteer in a private
- 22 practice, as defined in subparagraph (C) of paragraph (1) of
- 23 subdivision (d), until registered as an intern.
- 24 (3) While an intern may be either a paid employee or a
- 25 volunteer, employers are encouraged to provide fair remuneration
- 26 to interns.
- 27 (4) Except for periods of time during a supervisor’s vacation or
- 28 sick leave, an intern who is employed or volunteering in private
- 29 practice shall be under the direct supervision of a licensee that has
- 30 satisfied the requirements of subdivision (g) of Section 4980.03.
- 31 The supervising licensee shall either be employed by and practice
- 32 at the same site as the intern’s employer, or shall be an owner or
- 33 shareholder of the private practice. Alternative supervision may
- 34 be arranged during a supervisor’s vacation or sick leave if the
- 35 supervision meets the requirements of this section.
- 36 (5) Experience may be gained by the intern solely as part of the
- 37 position for which the intern volunteers or is employed.
- 38 (f) Except as provided in subdivision (g), all persons shall
- 39 register with the board as an intern in order to be credited for
- 40 postdegree hours of supervised experience gained toward licensure.

1 (g) Except when employed in a private practice setting, all
2 postdegree hours of experience shall be credited toward licensure
3 so long as the applicant applies for the intern registration within
4 90 days of the granting of the qualifying master's or doctor's
5 degree and is thereafter granted the intern registration by the board.

6 (h) Trainees, interns, and applicants shall not receive any
7 remuneration from patients or clients, and shall only be paid by
8 their employers.

9 (i) Trainees, interns, and applicants shall only perform services
10 at the place where their employers regularly conduct business,
11 which may include performing services at other locations, so long
12 as the services are performed under the direction and control of
13 their employer and supervisor, and in compliance with the laws
14 and regulations pertaining to supervision. Trainees and interns
15 shall have no proprietary interest in their employers' businesses
16 and shall not lease or rent space, pay for furnishings, equipment
17 or supplies, or in any other way pay for the obligations of their
18 employers.

19 (j) Trainees, interns, or applicants who provide volunteered
20 services or other services, and who receive no more than a total,
21 from all work settings, of five hundred dollars (\$500) per month
22 as reimbursement for expenses actually incurred by those trainees,
23 interns, or applicants for services rendered in any lawful work
24 setting other than a private practice shall be considered an
25 employee and not an independent contractor. The board may audit
26 applicants who receive reimbursement for expenses, and the
27 applicants shall have the burden of demonstrating that the payments
28 received were for reimbursement of expenses actually incurred.

29 (k) Each educational institution preparing applicants for
30 licensure pursuant to this chapter shall consider requiring, and
31 shall encourage, its students to undergo individual, marital or
32 conjoint, family, or group counseling or psychotherapy, as
33 appropriate. Each supervisor shall consider, advise, and encourage
34 his or her interns and trainees regarding the advisability of
35 undertaking individual, marital or conjoint, family, or group
36 counseling or psychotherapy, as appropriate. Insofar as it is deemed
37 appropriate and is desired by the applicant, the educational
38 institution and supervisors are encouraged to assist the applicant
39 in locating that counseling or psychotherapy at a reasonable cost.

1 *SEC. 7. Section 4996.25 of the Business and Professions Code*
 2 *is amended to read:*

3 4996.25. (a) Any applicant for licensure as a licensed clinical
 4 social worker who began graduate study on or after January 1,
 5 2004, shall complete, as a condition of licensure, a minimum of
 6 10 contact hours of coursework in aging and long-term care, which
 7 could include, but is not limited to, the biological, social, and
 8 psychological aspects of aging. *On and after January 1, 2012, this*
 9 *coursework shall include instruction on the assessment and*
 10 *reporting of, as well as treatment related to, elder and dependent*
 11 *adult abuse and neglect.*

12 (b) Coursework taken in fulfillment of other educational
 13 requirements for licensure pursuant to this chapter, or in a separate
 14 course of study, may, at the discretion of the board, fulfill the
 15 requirements of this section.

16 (c) In order to satisfy the coursework requirement of this section,
 17 the applicant shall submit to the board a certification from the chief
 18 academic officer of the educational institution from which the
 19 applicant graduated stating that the coursework required by this
 20 section is included within the institution’s required curriculum for
 21 graduation, or within the coursework, that was completed by the
 22 applicant.

23 (d) The board shall not issue a license to the applicant until the
 24 applicant has met the requirements of this section.

25 *SEC. 8. Section 4996.26 of the Business and Professions Code*
 26 *is amended to read:*

27 4996.26. (a) A licensee who began graduate study prior to
 28 January 1, 2004, shall complete a three-hour continuing education
 29 course in aging and long-term care during his or her first renewal
 30 period after the operative date of this section, and shall submit to
 31 the board evidence acceptable to the board of the person’s
 32 satisfactory completion of the course.

33 (b) The course shall include, but is not limited to, the biological,
 34 social, and psychological aspects of aging. *On and after January*
 35 *1, 2012, this coursework shall include instruction on the assessment*
 36 *and reporting of, as well as treatment related to, elder and*
 37 *dependent adult abuse and neglect.*

38 (c) Any person seeking to meet the requirements of subdivision
 39 (a) of this section may submit to the board a certificate evidencing
 40 completion of equivalent courses in aging and long-term care taken

1 prior to the operative date of this section, or proof of equivalent
2 teaching or practice experience. The board, in its discretion, may
3 accept that certification as meeting the requirements of this section.

4 (d) The board may not renew an applicant's license until the
5 applicant has met the requirements of this section.

6 (e) Continuing education courses taken pursuant to this section
7 shall be applied to the 36 hours of approved continuing education
8 required in Section 4996.22.

9 (f) This section shall become operative on January 1, 2005.

10 *SEC. 9. Section 4999.32 of the Business and Professions Code*
11 *is amended to read:*

12 4999.32. (a) This section shall apply to applicants for
13 examination eligibility or registration who begin graduate study
14 before August 1, 2012, and complete that study on or before
15 December 31, 2018. Those applicants may alternatively qualify
16 under paragraph (2) of subdivision (a) of Section 4999.33.

17 (b) To qualify for examination eligibility or registration,
18 applicants shall possess a master's or doctoral degree that is
19 counseling or psychotherapy in content and that meets the
20 requirements of this section, obtained from an accredited or
21 approved institution, as defined in Section 4999.12. For purposes
22 of this subdivision, a degree is "counseling or psychotherapy in
23 content" if it contains the supervised practicum or field study
24 experience described in paragraph (3) of subdivision (c) and, except
25 as provided in subdivision (d), the coursework in the core content
26 areas listed in subparagraphs (A) to (I), inclusive, of paragraph (1)
27 of subdivision (c).

28 (c) The degree described in subdivision (b) shall contain not
29 less than 48 graduate semester or 72 graduate quarter units of
30 instruction, which shall, except as provided in subdivision (d),
31 include all of the following:

32 (1) The equivalent of at least three semester units or four and
33 one-half quarter units of graduate study in each of following core
34 content areas:

35 (A) Counseling and psychotherapeutic theories and techniques,
36 including the counseling process in a multicultural society, an
37 orientation to wellness and prevention, counseling theories to assist
38 in selection of appropriate counseling interventions, models of
39 counseling consistent with current professional research and

1 practice, development of a personal model of counseling, and
2 multidisciplinary responses to crises, emergencies, and disasters.

3 (B) Human growth and development across the lifespan,
4 including normal and abnormal behavior and an understanding of
5 developmental crises, disability, psychopathology, and situational
6 and environmental factors that affect both normal and abnormal
7 behavior.

8 (C) Career development theories and techniques, including
9 career development decisionmaking models and interrelationships
10 among and between work, family, and other life roles and factors,
11 including the role of multicultural issues in career development.

12 (D) Group counseling theories and techniques, including
13 principles of group dynamics, group process components,
14 developmental stage theories, therapeutic factors of group work,
15 group leadership styles and approaches, pertinent research and
16 literature, group counseling methods, and evaluation of
17 effectiveness.

18 (E) Assessment, appraisal, and testing of individuals, including
19 basic concepts of standardized and nonstandardized testing and
20 other assessment techniques, norm-referenced and
21 criterion-referenced assessment, statistical concepts, social and
22 cultural factors related to assessment and evaluation of individuals
23 and groups, and ethical strategies for selecting, administering, and
24 interpreting assessment instruments and techniques in counseling.

25 (F) Multicultural counseling theories and techniques, including
26 counselors' roles in developing cultural self-awareness, identity
27 development, promoting cultural social justice, individual and
28 community strategies for working with and advocating for diverse
29 populations, and counselors' roles in eliminating biases and
30 prejudices, and processes of intentional and unintentional
31 oppression and discrimination.

32 (G) Principles of the diagnostic process, including differential
33 diagnosis, and the use of current diagnostic tools, such as the
34 current edition of the Diagnostic and Statistical Manual, the impact
35 of co-occurring substance use disorders or medical psychological
36 disorders, established diagnostic criteria for mental or emotional
37 disorders, and the treatment modalities and placement criteria
38 within the continuum of care.

39 (H) Research and evaluation, including studies that provide an
40 understanding of research methods, statistical analysis, the use of

1 research to inform evidence-based practice, the importance of
2 research in advancing the profession of counseling, and statistical
3 methods used in conducting research, needs assessment, and
4 program evaluation.

5 (I) Professional orientation, ethics, and law in counseling,
6 including professional ethical standards and legal considerations,
7 licensing law and process, regulatory laws that delineate the
8 profession's scope of practice, counselor-client privilege,
9 confidentiality, the client dangerous to self or others, treatment of
10 minors with or without parental consent, relationship between
11 practitioner's sense of self and human values, functions and
12 relationships with other human service providers, strategies for
13 collaboration, and advocacy processes needed to address
14 institutional and social barriers that impede access, equity, and
15 success for clients.

16 (2) In addition to the course requirements described in paragraph
17 (1), a minimum of 12 semester units or 18 quarter units of advanced
18 coursework to develop knowledge of specific treatment issues,
19 special populations, application of counseling constructs,
20 assessment and treatment planning, clinical interventions,
21 therapeutic relationships, psychopathology, or other clinical topics.

22 (3) Not less than six semester units or nine quarter units of
23 supervised practicum or field study experience, or the equivalent,
24 in a clinical setting that provides a range of professional clinical
25 counseling experience, including the following:

- 26 (A) Applied psychotherapeutic techniques.
- 27 (B) Assessment.
- 28 (C) Diagnosis.
- 29 (D) Prognosis.
- 30 (E) Treatment.
- 31 (F) Issues of development, adjustment, and maladjustment.
- 32 (G) Health and wellness promotion.
- 33 (H) Other recognized counseling interventions.
- 34 (I) A minimum of 150 hours of face-to-face supervised clinical
35 experience counseling individuals, families, or groups.

36 (d) (1) An applicant whose degree is deficient in no more than
37 two of the required areas of study listed in subparagraphs (A) to
38 (I), inclusive, of paragraph (1) of subdivision (c) may satisfy those
39 deficiencies by successfully completing post-master's or

1 postdoctoral degree coursework at an accredited or approved
2 institution, as defined in Section 4999.12.

3 (2) Coursework taken to meet deficiencies in the required areas
4 of study listed in subparagraphs (A) to (I), inclusive, of paragraph
5 (1) of subdivision (c) shall be the equivalent of three semester units
6 or four and one-half quarter units of study.

7 (3) The board shall make the final determination as to whether
8 a degree meets all requirements, including, but not limited to,
9 course requirements, regardless of accreditation.

10 (e) In addition to the degree described in this section, or as part
11 of that degree, an applicant shall complete the following
12 coursework or training prior to registration as an intern:

13 (1) A minimum of 15 contact hours of instruction in alcoholism
14 and other chemical substance abuse dependency, as specified by
15 regulation.

16 (2) A minimum of 10 contact hours of training or coursework
17 in human sexuality as specified in Section 25, and any regulations
18 promulgated thereunder.

19 (3) A two semester unit or three quarter unit survey course in
20 psychopharmacology.

21 (4) A minimum of 15 contact hours of instruction in spousal or
22 partner abuse assessment, detection, and intervention strategies,
23 including knowledge of community resources, cultural factors,
24 and same gender abuse dynamics.

25 (5) A minimum of seven contact hours of training or coursework
26 in child abuse assessment and reporting as specified in Section 28
27 and any regulations adopted thereunder.

28 (6) A minimum of 18 contact hours of instruction in California
29 law and professional ethics for professional clinical counselors.
30 When coursework in a master's or doctoral degree program is
31 acquired to satisfy this requirement, it shall be considered as part
32 of the 48 semester unit or 72 quarter unit requirement in
33 subdivision (c).

34 (7) A minimum of 10 contact hours of instruction in aging and
35 long-term care, which may include, but is not limited to, the
36 biological, social, and psychological aspects of aging. *On and after*
37 *January 1, 2012, this coursework shall include instruction on the*
38 *assessment and reporting of, as well as treatment related to, elder*
39 *and dependent adult abuse and neglect.*

1 (8) A minimum of 15 contact hours of instruction in crisis or
2 trauma counseling, including multidisciplinary responses to crises,
3 emergencies, or disasters, and brief, intermediate, and long-term
4 approaches.

5 (f) This section shall remain in effect only until January 1, 2019,
6 and as of that date is repealed, unless a later enacted statute that
7 is enacted before January 1, 2019, deletes or extends that date.

8 *SEC. 10. Section 4999.33 of the Business and Professions Code*
9 *is amended to read:*

10 4999.33. (a) This section shall apply to the following:

11 (1) Applicants for examination eligibility or registration who
12 begin graduate study before August 1, 2012, and do not complete
13 that study on or before December 31, 2018.

14 (2) Applicants for examination eligibility or registration who
15 begin graduate study before August 1, 2012, and who graduate
16 from a degree program that meets the requirements of this section.

17 (3) Applicants for examination eligibility or registration who
18 begin graduate study on or after August 1, 2012.

19 (b) To qualify for examination eligibility or registration,
20 applicants shall possess a master's or doctoral degree that is
21 counseling or psychotherapy in content and that meets the
22 requirements of this section, obtained from an accredited or
23 approved institution, as defined in Section 4999.12. For purposes
24 of this subdivision, a degree is "counseling or psychotherapy in
25 content" if it contains the supervised practicum or field study
26 experience described in paragraph (3) of subdivision (c) and, except
27 as provided in subdivision (f), the coursework in the core content
28 areas listed in subparagraphs (A) to (M), inclusive, of paragraph
29 (1) of subdivision (c).

30 (c) The degree described in subdivision (b) shall contain not
31 less than 60 graduate semester or 90 graduate quarter units of
32 instruction, which shall, except as provided in subdivision (f),
33 include all of the following:

34 (1) The equivalent of at least three semester units or four and
35 one-half quarter units of graduate study in all of the following core
36 content areas:

37 (A) Counseling and psychotherapeutic theories and techniques,
38 including the counseling process in a multicultural society, an
39 orientation to wellness and prevention, counseling theories to assist
40 in selection of appropriate counseling interventions, models of

1 counseling consistent with current professional research and
2 practice, development of a personal model of counseling, and
3 multidisciplinary responses to crises, emergencies, and disasters.

4 (B) Human growth and development across the lifespan,
5 including normal and abnormal behavior and an understanding of
6 developmental crises, disability, psychopathology, and situational
7 and environmental factors that affect both normal and abnormal
8 behavior.

9 (C) Career development theories and techniques, including
10 career development decisionmaking models and interrelationships
11 among and between work, family, and other life roles and factors,
12 including the role of multicultural issues in career development.

13 (D) Group counseling theories and techniques, including
14 principles of group dynamics, group process components, group
15 developmental stage theories, therapeutic factors of group work,
16 group leadership styles and approaches, pertinent research and
17 literature, group counseling methods, and evaluation of
18 effectiveness.

19 (E) Assessment, appraisal, and testing of individuals, including
20 basic concepts of standardized and nonstandardized testing and
21 other assessment techniques, norm-referenced and
22 criterion-referenced assessment, statistical concepts, social and
23 cultural factors related to assessment and evaluation of individuals
24 and groups, and ethical strategies for selecting, administering, and
25 interpreting assessment instruments and techniques in counseling.

26 (F) Multicultural counseling theories and techniques, including
27 counselors' roles in developing cultural self-awareness, identity
28 development, promoting cultural social justice, individual and
29 community strategies for working with and advocating for diverse
30 populations, and counselors' roles in eliminating biases and
31 prejudices, and processes of intentional and unintentional
32 oppression and discrimination.

33 (G) Principles of the diagnostic process, including differential
34 diagnosis, and the use of current diagnostic tools, such as the
35 current edition of the Diagnostic and Statistical Manual, the impact
36 of co-occurring substance use disorders or medical psychological
37 disorders, established diagnostic criteria for mental or emotional
38 disorders, and the treatment modalities and placement criteria
39 within the continuum of care.

1 (H) Research and evaluation, including studies that provide an
2 understanding of research methods, statistical analysis, the use of
3 research to inform evidence-based practice, the importance of
4 research in advancing the profession of counseling, and statistical
5 methods used in conducting research, needs assessment, and
6 program evaluation.

7 (I) Professional orientation, ethics, and law in counseling,
8 including California law and professional ethics for professional
9 clinical counselors, professional ethical standards and legal
10 considerations, licensing law and process, regulatory laws that
11 delineate the profession's scope of practice, counselor-client
12 privilege, confidentiality, the client dangerous to self or others,
13 treatment of minors with or without parental consent, relationship
14 between practitioner's sense of self and human values, functions
15 and relationships with other human service providers, strategies
16 for collaboration, and advocacy processes needed to address
17 institutional and social barriers that impede access, equity, and
18 success for clients.

19 (J) Psychopharmacology, including the biological bases of
20 behavior, basic classifications, indications, and contraindications
21 of commonly prescribed psychopharmacological medications so
22 that appropriate referrals can be made for medication evaluations
23 and so that the side effects of those medications can be identified.

24 (K) Addictions counseling, including substance abuse,
25 co-occurring disorders, and addiction, major approaches to
26 identification, evaluation, treatment, and prevention of substance
27 abuse and addiction, legal and medical aspects of substance abuse,
28 populations at risk, the role of support persons, support systems,
29 and community resources.

30 (L) Crisis or trauma counseling, including crisis theory;
31 multidisciplinary responses to crises, emergencies, or disasters;
32 cognitive, affective, behavioral, and neurological effects associated
33 with trauma; brief, intermediate and long-term approaches; and
34 assessment strategies for clients in crisis and principles of
35 intervention for individuals with mental or emotional disorders
36 during times of crisis, emergency, or disaster.

37 (M) Advanced counseling and psychotherapeutic theories and
38 techniques, including the application of counseling constructs,
39 assessment and treatment planning, clinical interventions,
40 therapeutic relationships, psychopathology, or other clinical topics.

- 1 (2) In addition to the course requirements described in paragraph
2 (1), 15 semester units or 22.5 quarter units of advanced coursework
3 to develop knowledge of specific treatment issues or special
4 populations.
- 5 (3) Not less than six semester units or nine quarter units of
6 supervised practicum or field study experience, or the equivalent,
7 in a clinical setting that provides a range of professional clinical
8 counseling experience, including the following:
- 9 (A) Applied psychotherapeutic techniques.
10 (B) Assessment.
11 (C) Diagnosis.
12 (D) Prognosis.
13 (E) Treatment.
14 (F) Issues of development, adjustment, and maladjustment.
15 (G) Health and wellness promotion.
16 (H) Professional writing including documentation of services,
17 treatment plans, and progress notes.
18 (I) How to find and use resources.
19 (J) Other recognized counseling interventions.
20 (K) A minimum of 280 hours of face-to-face supervised clinical
21 experience counseling individuals, families, or groups.
- 22 (d) The 60 graduate semester units or 90 graduate quarter units
23 of instruction required pursuant to subdivision (c) shall, in addition
24 to meeting the requirements of subdivision (c), include instruction
25 in all of the following:
- 26 (1) The understanding of human behavior within the social
27 context of socioeconomic status and other contextual issues
28 affecting social position.
- 29 (2) The understanding of human behavior within the social
30 context of a representative variety of the cultures found within
31 California.
- 32 (3) Cultural competency and sensitivity, including a familiarity
33 with the racial, cultural, linguistic, and ethnic backgrounds of
34 persons living in California.
- 35 (4) An understanding of the effects of socioeconomic status on
36 treatment and available resources.
- 37 (5) Multicultural development and cross-cultural interaction,
38 including experiences of race, ethnicity, class, spirituality, sexual
39 orientation, gender, and disability and their incorporation into the
40 psychotherapeutic process.

1 (6) Case management, systems of care for the severely mentally
2 ill, public and private services for the severely mentally ill,
3 community resources for victims of abuse, disaster and trauma
4 response, advocacy for the severely mentally ill and collaborative
5 treatment. The instruction required in this paragraph may be
6 provided either in credit level coursework or through extension
7 programs offered by the degree-granting institution.

8 (7) Human sexuality, including the study of the physiological,
9 psychological, and social cultural variables associated with sexual
10 behavior, gender identity, and the assessment and treatment of
11 psychosexual dysfunction.

12 (8) Spousal or partner abuse assessment, detection, intervention
13 strategies, and same-gender abuse dynamics.

14 (9) Child abuse assessment and reporting.

15 (10) Aging and long-term care, including biological, social,
16 cognitive, and psychological aspects of aging. *On and after*
17 *January 1, 2012, this coursework shall include instruction on the*
18 *assessment and reporting of, as well as treatment related to, elder*
19 *and dependent adult abuse and neglect.*

20 (e) A degree program that qualifies for licensure under this
21 section shall do all of the following:

22 (1) Integrate the principles of mental health recovery-oriented
23 care and methods of service delivery in recovery-oriented practice
24 environments.

25 (2) Integrate an understanding of various cultures and the social
26 and psychological implications of socioeconomic position.

27 (3) Provide the opportunity for students to meet with various
28 consumers and family members of consumers of mental health
29 services to enhance understanding of their experience of mental
30 illness, treatment, and recovery.

31 (f) (1) An applicant whose degree is deficient in no more than
32 three of the required areas of study listed in subparagraphs (A) to
33 (M), inclusive, of paragraph (1) of subdivision (c) may satisfy
34 those deficiencies by successfully completing post-master's or
35 postdoctoral degree coursework at an accredited or approved
36 institution, as defined in Section 4999.12.

37 (2) Coursework taken to meet deficiencies in the required areas
38 of study listed in subparagraphs (A) to (M), inclusive, of paragraph
39 (1) of subdivision (c) shall be the equivalent of three semester units
40 or four and one-half quarter units of study.

- 1 (3) The board shall make the final determination as to whether
- 2 a degree meets all requirements, including, but not limited to,
- 3 course requirements, regardless of accreditation.

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