

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY MARCH 24, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2435

Introduced by Assembly Member Bonnie Lowenthal
(Coauthor: Assembly Member Ma)

February 19, 2010

An act to amend Sections 28, 2915.5, 2915.7, 4980.37, 4980.39, 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 would encourage the Board of Psychology and the Board of Behavioral Sciences to include in that training 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.

(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, 2018.

This bill would authorize the requisite coursework related to developmental issues and life events to include coursework in abuse and neglect of older and dependent adults.

(4) Existing law requires an applicant for licensure as a marriage and family therapist under (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.

(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.

This bill would encourage those hours of experience 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
5 with victims and potential victims of child, elder, and dependent
6 adult abuse, and abusers and potential abusers of children, elders,
7 and dependent adults are provided with adequate and appropriate
8 training regarding the assessment and reporting of child, elder,
9 and dependent adult abuse which will ameliorate, reduce, and
10 eliminate the trauma of abuse and neglect and ensure the reporting
11 of abuse in a timely manner to prevent additional occurrences.

1 The Board of Psychology and the Board of Behavioral Sciences
2 shall establish required training in the area of child abuse
3 assessment and reporting for all persons applying for initial
4 licensure and renewal of a license as a psychologist, clinical social
5 worker, or marriage and family therapist. This training shall be
6 required one time only for all persons applying for initial licensure
7 or for licensure renewal.

8 All persons applying for initial licensure and renewal of a license
9 as a psychologist, clinical social worker, or marriage and family
10 therapist shall, in addition to all other requirements for licensure
11 or renewal, have completed coursework or training in the child
12 abuse assessment and reporting that meets the requirements of this
13 section, including detailed knowledge of Section 11165 of the
14 Penal Code. The training shall meet all of the following
15 requirements:

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

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

20 (2) A continuing education provider approved by the responsible
21 board.

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

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

26 (c) Include the study of the assessment and method of reporting
27 of sexual assault, neglect, severe neglect, general neglect, willful
28 cruelty or unjustifiable punishment, corporal punishment or injury,
29 and abuse in out-of-home care. The training shall also include
30 physical and behavioral indicators of abuse, crisis counseling
31 techniques, community resources, rights and responsibilities of
32 reporting, consequences of failure to report, caring for a child's
33 needs after a report is made, sensitivity to previously abused
34 children and adults, and implications and methods of treatment
35 for children and adults.

36 (d) An applicant shall provide the appropriate board with
37 documentation of completion of the required child abuse training.

38 The Board of Psychology and the Board of Behavioral Sciences
39 shall exempt an applicant who applies for an exemption from the
40 requirements of this section and who shows to the satisfaction of

1 the board that there would be no need for the training in his or her
2 practice because of the nature of that practice.

3 It is the intent of the Legislature that a person licensed as a
4 psychologist, clinical social worker, or marriage and family
5 therapist have minimal but appropriate training in the areas of
6 child, elder, and dependent adult abuse assessment and reporting.
7 It is not intended that by solely complying with the requirements
8 of this section, a practitioner is fully trained in the subject of
9 treatment of child, elder, and dependent adult abuse victims and
10 abusers.

11 The Board of Psychology and the Board of Behavioral Sciences
12 are encouraged to include coursework regarding the assessment
13 and reporting of elder and dependent adult abuse in the required
14 training on aging and long-term care issues prior to licensure or
15 license renewal.

16 SEC. 2. Section 2915.5 of the Business and Professions Code
17 is amended to read:

18 2915.5. (a) Any applicant for licensure as a psychologist who
19 began graduate study on or after January 1, 2004, shall complete,
20 as a condition of licensure, a minimum of 10 contact hours of
21 coursework in aging and long-term care, which ~~could~~ *may* include,
22 ~~but is not~~ *need not be* limited to, the biological, social, and
23 psychological aspects of aging. On and after January 1, 2012, this
24 coursework shall include instruction on the assessment and
25 reporting of, as well as treatment related to, elder and dependent
26 adult abuse and neglect.

27 (b) Coursework taken in fulfillment of other educational
28 requirements for licensure pursuant to this chapter, or in a separate
29 course of study, may, at the discretion of the board, fulfill the
30 requirements of this section.

31 (c) In order to satisfy the coursework requirement of this section,
32 the applicant shall submit to the board a certification from the chief
33 academic officer of the educational institution from which the
34 applicant graduated stating that the coursework required by this
35 section is included within the institution's required curriculum for
36 graduation, or within the coursework, that was completed by the
37 applicant.

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

1 SEC. 3. Section 2915.7 of the Business and Professions Code
2 is amended to read:

3 2915.7. (a) A licensee who began graduate study prior to
4 January 1, 2004, shall complete a three-hour continuing education
5 course in aging and long-term care during his or her first renewal
6 period after the operative date of this section, and shall submit to
7 the board evidence acceptable to the board of the person's
8 satisfactory completion of that course.

9 (b) The course should include, but is not limited to, the
10 biological, social, and psychological aspects of aging. On and after
11 January 1, 2012, this coursework shall include instruction on the
12 assessment and reporting of, as well as treatment related to, elder
13 and dependent adult abuse and neglect.

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

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

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

25 SEC. 4. Section 4980.37 of the Business and Professions Code
26 is amended to read:

27 4980.37. (a) This section shall apply to applicants for licensure
28 or registration who begin graduate study before August 1, 2012,
29 and complete that study on or before December 31, 2018. Those
30 applicants may alternatively qualify under paragraph (2) of
31 subdivision (a) of Section 4980.36.

32 (b) To qualify for a license or registration, applicants shall
33 possess a doctor's or master's degree in marriage, family, and child
34 counseling, marriage and family therapy, psychology, clinical
35 psychology, counseling psychology, or counseling with an
36 emphasis in either marriage, family, and child counseling or
37 marriage and family therapy, obtained from a school, college, or
38 university accredited by a regional accrediting agency recognized
39 by the United States Department of Education or approved by the
40 Bureau for Private Postsecondary and Vocational Education. The

1 board has the authority to make the final determination as to
2 whether a degree meets all requirements, including, but not limited
3 to, course requirements, regardless of accreditation or approval.
4 In order to qualify for licensure pursuant to this section, a doctor's
5 or master's degree program shall be a single, integrated program
6 primarily designed to train marriage and family therapists and shall
7 contain no less than 48 semester or 72 quarter units of instruction.
8 This instruction shall include no less than 12 semester units or 18
9 quarter units of coursework in the areas of marriage, family, and
10 child counseling, and marital and family systems approaches to
11 treatment. The coursework shall include all of the following areas:

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

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

18 (3) Developmental issues and life events from infancy to old
19 age and their effect on individuals, couples, and family
20 relationships. This may include coursework that focuses on specific
21 family life events and the psychological, psychotherapeutic, and
22 health implications that arise within couples and families,
23 including, but not limited to, childbirth, child rearing, childhood,
24 adolescence, adulthood, marriage, divorce, blended families,
25 stepparenting, abuse and neglect of older and dependent adults,
26 and geropsychology.

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

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

30 (c) (1) In addition to the 12 semester or 18 quarter units of
31 coursework specified in subdivision (b), the doctor's or master's
32 degree program shall contain not less than six semester or nine
33 quarter units of supervised practicum in applied psychotherapeutic
34 technique, assessments, diagnosis, prognosis, and treatment of
35 premarital, couple, family, and child relationships, including
36 dysfunctions, healthy functioning, health promotion, and illness
37 prevention, in a supervised clinical placement that provides
38 supervised fieldwork experience within the scope of practice of a
39 marriage and family therapist.

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

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

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

12 (e) In order to provide an integrated course of study and
13 appropriate professional training, while allowing for innovation
14 and individuality in the education of marriage and family therapists,
15 a degree program that meets the educational qualifications for
16 licensure or registration under this section shall do all of the
17 following:

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

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

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

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

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

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

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

1 (f) Educational institutions are encouraged to design the
2 practicum required by this section to include marriage and family
3 therapy experience in low-income and multicultural mental health
4 settings.

5 (g) 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. 5. Section 4980.39 of the Business and Professions Code
9 is amended to read:

10 4980.39. (a) An applicant for licensure whose education
11 qualifies him or her under Section 4980.37 shall complete, as a
12 condition of licensure, a minimum of 10 contact hours of
13 coursework in aging and long-term care, which may include, but
14 is not limited to, the biological, social, and psychological aspects
15 of aging. On and after January 1, 2012, this coursework shall
16 include instruction on the assessment and reporting of, as well as
17 treatment related to, elder and dependent adult abuse and neglect.

18 (b) Coursework taken in fulfillment of other educational
19 requirements for licensure pursuant to this chapter, or in a separate
20 course of study, may, at the discretion of the board, fulfill the
21 requirements of this section.

22 (c) In order to satisfy the coursework requirement of this section,
23 the applicant shall submit to the board a certification from the chief
24 academic officer of the educational institution from which the
25 applicant graduated stating that the coursework required by this
26 section is included within the institution's required curriculum for
27 graduation, or within the coursework, that was completed by the
28 applicant.

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

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

34 SEC. 6. Section 4980.43 of the Business and Professions Code
35 is amended to read:

36 4980.43. (a) Prior to applying for licensure examinations, each
37 applicant shall complete experience that shall comply with the
38 following:

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

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

2 (3) Not less than 1,700 hours of supervised experience
3 completed subsequent to the granting of the qualifying master's
4 or doctor's degree.

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

7 The applicant shall not be credited with more than 750 hours of
8 counseling and direct supervisor contact prior to completing the
9 master's or doctor's degree.

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

13 (6) No hours of experience gained more than six years prior to
14 the date the application for examination eligibility was filed, except
15 that up to 500 hours of clinical experience gained in the supervised
16 practicum required by subdivision (c) of Section 4980.37 and
17 subparagraph (B) of paragraph (1) of subdivision (d) of Section
18 4980.36 shall be exempt from this six-year requirement.

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

21 (A) Direct supervisor contact.

22 (B) Professional enrichment activities. For purposes of this
23 chapter, "professional enrichment activities" include the following:

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

29 (ii) Participation by the applicant in personal psychotherapy,
30 which includes group, marital or conjoint, family, or individual
31 psychotherapy by an appropriately licensed professional. An
32 applicant shall have no more than 100 hours of participation in
33 personal psychotherapy. The applicant shall be credited with three
34 hours of experience for each hour of personal psychotherapy.

35 (C) Client centered advocacy.

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

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

1 (10) Not less than 500 total hours of experience in diagnosing
2 and treating couples, families, and children. For the first 150 hours
3 of treating couples and families in conjoint therapy, the applicant
4 shall be credited with two hours of experience for each hour of
5 therapy provided.

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

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

13 (b) All applicants, trainees, and registrants shall be at all times
14 under the supervision of a supervisor who shall be responsible for
15 ensuring that the extent, kind, and quality of counseling performed
16 is consistent with the training and experience of the person being
17 supervised, and who shall be responsible to the board for
18 compliance with all laws, rules, and regulations governing the
19 practice of marriage and family therapy. Supervised experience
20 shall be gained by interns and trainees either as an employee or as
21 a volunteer. The requirements of this chapter regarding gaining
22 hours of experience and supervision are applicable equally to
23 employees and volunteers. Experience shall not be gained by
24 interns or trainees as an independent contractor.

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

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

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

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

37 (2) An individual supervised after being granted a qualifying
38 degree shall receive at least one additional hour of direct supervisor
39 contact for every week in which more than 10 hours of client
40 contact is gained in each setting. No more than five hours of

1 supervision, whether individual or group, shall be credited during
2 any single week.

3 (3) For purposes of this section, “one hour of direct supervisor
4 contact” means one hour per week of face-to-face contact on an
5 individual basis or two hours per week of face-to-face contact in
6 a group.

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

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

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

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

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

22 (A) Lawfully and regularly provides mental health counseling
23 or psychotherapy.

24 (B) Provides oversight to ensure that the trainee’s work at the
25 setting meets the experience and supervision requirements set forth
26 in this chapter and is within the scope of practice for the profession
27 as defined in Section 4980.02.

28 (C) Is not a private practice owned by a licensed marriage and
29 family therapist, a licensed psychologist, a licensed clinical social
30 worker, a licensed physician and surgeon, or a professional
31 corporation of any of those licensed professions.

32 (2) Experience may be gained by the trainee solely as part of
33 the position for which the trainee volunteers or is employed.

34 (e) (1) An intern may be credited with supervised experience
35 completed in any setting that meets both of the following:

36 (A) Lawfully and regularly provides mental health counseling
37 or psychotherapy.

38 (B) Provides oversight to ensure that the intern’s work at the
39 setting meets the experience and supervision requirements set forth

1 in this chapter and is within the scope of practice for the profession
2 as defined in Section 4980.02.

3 (2) An applicant shall not be employed or volunteer in a private
4 practice, as defined in subparagraph (C) of paragraph (1) of
5 subdivision (d), until registered as an intern.

6 (3) While an intern may be either a paid employee or a
7 volunteer, employers are encouraged to provide fair remuneration
8 to interns.

9 (4) Except for periods of time during a supervisor's vacation or
10 sick leave, an intern who is employed or volunteering in private
11 practice shall be under the direct supervision of a licensee that has
12 satisfied the requirements of subdivision (g) of Section 4980.03.
13 The supervising licensee shall either be employed by and practice
14 at the same site as the intern's employer, or shall be an owner or
15 shareholder of the private practice. Alternative supervision may
16 be arranged during a supervisor's vacation or sick leave if the
17 supervision meets the requirements of this section.

18 (5) Experience may be gained by the intern solely as part of the
19 position for which the intern volunteers or is employed.

20 (f) Except as provided in subdivision (g), all persons shall
21 register with the board as an intern in order to be credited for
22 postdegree hours of supervised experience gained toward licensure.

23 (g) Except when employed in a private practice setting, all
24 postdegree hours of experience shall be credited toward licensure
25 so long as the applicant applies for the intern registration within
26 90 days of the granting of the qualifying master's or doctor's
27 degree and is thereafter granted the intern registration by the board.

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

31 (i) Trainees, interns, and applicants shall only perform services
32 at the place where their employers regularly conduct business,
33 which may include performing services at other locations, so long
34 as the services are performed under the direction and control of
35 their employer and supervisor, and in compliance with the laws
36 and regulations pertaining to supervision. Trainees and interns
37 shall have no proprietary interest in their employers' businesses
38 and shall not lease or rent space, pay for furnishings, equipment
39 or supplies, or in any other way pay for the obligations of their
40 employers.

1 (j) Trainees, interns, or applicants who provide volunteered
2 services or other services, and who receive no more than a total,
3 from all work settings, of five hundred dollars (\$500) per month
4 as reimbursement for expenses actually incurred by those trainees,
5 interns, or applicants for services rendered in any lawful work
6 setting other than a private practice shall be considered an
7 employee and not an independent contractor. The board may audit
8 applicants who receive reimbursement for expenses, and the
9 applicants shall have the burden of demonstrating that the payments
10 received were for reimbursement of expenses actually incurred.

11 (k) Each educational institution preparing applicants for
12 licensure pursuant to this chapter shall consider requiring, and
13 shall encourage, its students to undergo individual, marital or
14 conjoint, family, or group counseling or psychotherapy, as
15 appropriate. Each supervisor shall consider, advise, and encourage
16 his or her interns and trainees regarding the advisability of
17 undertaking individual, marital or conjoint, family, or group
18 counseling or psychotherapy, as appropriate. Insofar as it is deemed
19 appropriate and is desired by the applicant, the educational
20 institution and supervisors are encouraged to assist the applicant
21 in locating that counseling or psychotherapy at a reasonable cost.

22 SEC. 7. Section 4996.25 of the Business and Professions Code
23 is amended to read:

24 4996.25. (a) Any applicant for licensure as a licensed clinical
25 social worker who began graduate study on or after January 1,
26 2004, shall complete, as a condition of licensure, a minimum of
27 10 contact hours of coursework in aging and long-term care, which
28 could include, but is not limited to, the biological, social, and
29 psychological aspects of aging. On and after January 1, 2012, this
30 coursework shall include instruction on the assessment and
31 reporting of, as well as treatment related to, elder and dependent
32 adult abuse and neglect.

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

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

1 section is included within the institution's required curriculum for
2 graduation, or within the coursework, that was completed by the
3 applicant.

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

6 SEC. 8. Section 4996.26 of the Business and Professions Code
7 is amended to read:

8 4996.26. (a) A licensee who began graduate study prior to
9 January 1, 2004, shall complete a three-hour continuing education
10 course in aging and long-term care during his or her first renewal
11 period after the operative date of this section, and shall submit to
12 the board evidence acceptable to the board of the person's
13 satisfactory completion of the course.

14 (b) The course shall include, but is not limited to, the biological,
15 social, and psychological aspects of aging. On and after January
16 1, 2012, this coursework shall include instruction on the assessment
17 and reporting of, as well as treatment related to, elder and
18 dependent adult abuse and neglect.

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

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

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

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

31 SEC. 9. Section 4999.32 of the Business and Professions Code
32 is amended to read:

33 4999.32. (a) This section shall apply to applicants for
34 examination eligibility or registration who begin graduate study
35 before August 1, 2012, and complete that study on or before
36 December 31, 2018. Those applicants may alternatively qualify
37 under paragraph (2) of subdivision (a) of Section 4999.33.

38 (b) To qualify for examination eligibility or registration,
39 applicants shall possess a master's or doctoral degree that is
40 counseling or psychotherapy in content and that meets the

1 requirements of this section, obtained from an accredited or
2 approved institution, as defined in Section 4999.12. For purposes
3 of this subdivision, a degree is “counseling or psychotherapy in
4 content” if it contains the supervised practicum or field study
5 experience described in paragraph (3) of subdivision (c) and, except
6 as provided in subdivision (d), the coursework in the core content
7 areas listed in subparagraphs (A) to (I), inclusive, of paragraph (1)
8 of subdivision (c).

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

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

16 (A) Counseling and psychotherapeutic theories and techniques,
17 including the counseling process in a multicultural society, an
18 orientation to wellness and prevention, counseling theories to assist
19 in selection of appropriate counseling interventions, models of
20 counseling consistent with current professional research and
21 practice, development of a personal model of counseling, and
22 multidisciplinary responses to crises, emergencies, and disasters.

23 (B) Human growth and development across the lifespan,
24 including normal and abnormal behavior and an understanding of
25 developmental crises, disability, psychopathology, and situational
26 and environmental factors that affect both normal and abnormal
27 behavior.

28 (C) Career development theories and techniques, including
29 career development decisionmaking models and interrelationships
30 among and between work, family, and other life roles and factors,
31 including the role of multicultural issues in career development.

32 (D) Group counseling theories and techniques, including
33 principles of group dynamics, group process components,
34 developmental stage theories, therapeutic factors of group work,
35 group leadership styles and approaches, pertinent research and
36 literature, group counseling methods, and evaluation of
37 effectiveness.

38 (E) Assessment, appraisal, and testing of individuals, including
39 basic concepts of standardized and nonstandardized testing and
40 other assessment techniques, norm-referenced and

1 criterion-referenced assessment, statistical concepts, social and
2 cultural factors related to assessment and evaluation of individuals
3 and groups, and ethical strategies for selecting, administering, and
4 interpreting assessment instruments and techniques in counseling.

5 (F) Multicultural counseling theories and techniques, including
6 counselors' roles in developing cultural self-awareness, identity
7 development, promoting cultural social justice, individual and
8 community strategies for working with and advocating for diverse
9 populations, and counselors' roles in eliminating biases and
10 prejudices, and processes of intentional and unintentional
11 oppression and discrimination.

12 (G) Principles of the diagnostic process, including differential
13 diagnosis, and the use of current diagnostic tools, such as the
14 current edition of the Diagnostic and Statistical Manual, the impact
15 of co-occurring substance use disorders or medical psychological
16 disorders, established diagnostic criteria for mental or emotional
17 disorders, and the treatment modalities and placement criteria
18 within the continuum of care.

19 (H) Research and evaluation, including studies that provide an
20 understanding of research methods, statistical analysis, the use of
21 research to inform evidence-based practice, the importance of
22 research in advancing the profession of counseling, and statistical
23 methods used in conducting research, needs assessment, and
24 program evaluation.

25 (I) Professional orientation, ethics, and law in counseling,
26 including professional ethical standards and legal considerations,
27 licensing law and process, regulatory laws that delineate the
28 profession's scope of practice, counselor-client privilege,
29 confidentiality, the client dangerous to self or others, treatment of
30 minors with or without parental consent, relationship between
31 practitioner's sense of self and human values, functions and
32 relationships with other human service providers, strategies for
33 collaboration, and advocacy processes needed to address
34 institutional and social barriers that impede access, equity, and
35 success for clients.

36 (2) In addition to the course requirements described in paragraph
37 (1), a minimum of 12 semester units or 18 quarter units of advanced
38 coursework to develop knowledge of specific treatment issues,
39 special populations, application of counseling constructs,

1 assessment and treatment planning, clinical interventions,
2 therapeutic relationships, psychopathology, or other clinical topics.

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

7 (A) Applied psychotherapeutic techniques.

8 (B) Assessment.

9 (C) Diagnosis.

10 (D) Prognosis.

11 (E) Treatment.

12 (F) Issues of development, adjustment, and maladjustment.

13 (G) Health and wellness promotion.

14 (H) Other recognized counseling interventions.

15 (I) A minimum of 150 hours of face-to-face supervised clinical
16 experience counseling individuals, families, or groups.

17 (d) (1) An applicant whose degree is deficient in no more than
18 two of the required areas of study listed in subparagraphs (A) to
19 (I), inclusive, of paragraph (1) of subdivision (c) may satisfy those
20 deficiencies by successfully completing post-master's or
21 postdoctoral degree coursework at an accredited or approved
22 institution, as defined in Section 4999.12.

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

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

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

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

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

39 (3) A two semester unit or three quarter unit survey course in
40 psychopharmacology.

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

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

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

14 (7) A minimum of 10 contact hours of instruction in aging and
15 long-term care, which may include, but is not limited to, the
16 biological, social, 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 (8) A minimum of 15 contact hours of instruction in crisis or
21 trauma counseling, including multidisciplinary responses to crises,
22 emergencies, or disasters, and brief, intermediate, and long-term
23 approaches.

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

27 SEC. 10. Section 4999.33 of the Business and Professions
28 Code is amended to read:

29 4999.33. (a) This section shall apply to the following:

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

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

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

38 (b) To qualify for examination eligibility or registration,
39 applicants shall possess a master's or doctoral degree that is
40 counseling or psychotherapy in content and that meets the

1 requirements of this section, obtained from an accredited or
2 approved institution, as defined in Section 4999.12. For purposes
3 of this subdivision, a degree is “counseling or psychotherapy in
4 content” if it contains the supervised practicum or field study
5 experience described in paragraph (3) of subdivision (c) and, except
6 as provided in subdivision (f), the coursework in the core content
7 areas listed in subparagraphs (A) to (M), inclusive, of paragraph
8 (1) of subdivision (c).

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

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

16 (A) Counseling and psychotherapeutic theories and techniques,
17 including the counseling process in a multicultural society, an
18 orientation to wellness and prevention, counseling theories to assist
19 in selection of appropriate counseling interventions, models of
20 counseling consistent with current professional research and
21 practice, development of a personal model of counseling, and
22 multidisciplinary responses to crises, emergencies, and disasters.

23 (B) Human growth and development across the lifespan,
24 including normal and abnormal behavior and an understanding of
25 developmental crises, disability, psychopathology, and situational
26 and environmental factors that affect both normal and abnormal
27 behavior.

28 (C) Career development theories and techniques, including
29 career development decisionmaking models and interrelationships
30 among and between work, family, and other life roles and factors,
31 including the role of multicultural issues in career development.

32 (D) Group counseling theories and techniques, including
33 principles of group dynamics, group process components, group
34 developmental stage theories, therapeutic factors of group work,
35 group leadership styles and approaches, pertinent research and
36 literature, group counseling methods, and evaluation of
37 effectiveness.

38 (E) Assessment, appraisal, and testing of individuals, including
39 basic concepts of standardized and nonstandardized testing and
40 other assessment techniques, norm-referenced and

1 criterion-referenced assessment, statistical concepts, social and
2 cultural factors related to assessment and evaluation of individuals
3 and groups, and ethical strategies for selecting, administering, and
4 interpreting assessment instruments and techniques in counseling.

5 (F) Multicultural counseling theories and techniques, including
6 counselors' roles in developing cultural self-awareness, identity
7 development, promoting cultural social justice, individual and
8 community strategies for working with and advocating for diverse
9 populations, and counselors' roles in eliminating biases and
10 prejudices, and processes of intentional and unintentional
11 oppression and discrimination.

12 (G) Principles of the diagnostic process, including differential
13 diagnosis, and the use of current diagnostic tools, such as the
14 current edition of the Diagnostic and Statistical Manual, the impact
15 of co-occurring substance use disorders or medical psychological
16 disorders, established diagnostic criteria for mental or emotional
17 disorders, and the treatment modalities and placement criteria
18 within the continuum of care.

19 (H) Research and evaluation, including studies that provide an
20 understanding of research methods, statistical analysis, the use of
21 research to inform evidence-based practice, the importance of
22 research in advancing the profession of counseling, and statistical
23 methods used in conducting research, needs assessment, and
24 program evaluation.

25 (I) Professional orientation, ethics, and law in counseling,
26 including California law and professional ethics for professional
27 clinical counselors, professional ethical standards and legal
28 considerations, licensing law and process, regulatory laws that
29 delineate the profession's scope of practice, counselor-client
30 privilege, confidentiality, the client dangerous to self or others,
31 treatment of minors with or without parental consent, relationship
32 between practitioner's sense of self and human values, functions
33 and relationships with other human service providers, strategies
34 for collaboration, and advocacy processes needed to address
35 institutional and social barriers that impede access, equity, and
36 success for clients.

37 (J) Psychopharmacology, including the biological bases of
38 behavior, basic classifications, indications, and contraindications
39 of commonly prescribed psychopharmacological medications so

1 that appropriate referrals can be made for medication evaluations
2 and so that the side effects of those medications can be identified.

3 (K) Addictions counseling, including substance abuse,
4 co-occurring disorders, and addiction, major approaches to
5 identification, evaluation, treatment, and prevention of substance
6 abuse and addiction, legal and medical aspects of substance abuse,
7 populations at risk, the role of support persons, support systems,
8 and community resources.

9 (L) Crisis or trauma counseling, including crisis theory;
10 multidisciplinary responses to crises, emergencies, or disasters;
11 cognitive, affective, behavioral, and neurological effects associated
12 with trauma; brief, intermediate and long-term approaches; and
13 assessment strategies for clients in crisis and principles of
14 intervention for individuals with mental or emotional disorders
15 during times of crisis, emergency, or disaster.

16 (M) Advanced counseling and psychotherapeutic theories and
17 techniques, including the application of counseling constructs,
18 assessment and treatment planning, clinical interventions,
19 therapeutic relationships, psychopathology, or other clinical topics.

20 (2) In addition to the course requirements described in paragraph
21 (1), 15 semester units or 22.5 quarter units of advanced coursework
22 to develop knowledge of specific treatment issues or special
23 populations.

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

28 (A) Applied psychotherapeutic techniques.

29 (B) Assessment.

30 (C) Diagnosis.

31 (D) Prognosis.

32 (E) Treatment.

33 (F) Issues of development, adjustment, and maladjustment.

34 (G) Health and wellness promotion.

35 (H) Professional writing including documentation of services,
36 treatment plans, and progress notes.

37 (I) How to find and use resources.

38 (J) Other recognized counseling interventions.

39 (K) A minimum of 280 hours of face-to-face supervised clinical
40 experience counseling individuals, families, or groups.

1 (d) The 60 graduate semester units or 90 graduate quarter units
2 of instruction required pursuant to subdivision (c) shall, in addition
3 to meeting the requirements of subdivision (c), include instruction
4 in all of the following:

5 (1) The understanding of human behavior within the social
6 context of socioeconomic status and other contextual issues
7 affecting social position.

8 (2) The understanding of human behavior within the social
9 context of a representative variety of the cultures found within
10 California.

11 (3) Cultural competency and sensitivity, including a familiarity
12 with the racial, cultural, linguistic, and ethnic backgrounds of
13 persons living in California.

14 (4) An understanding of the effects of socioeconomic status on
15 treatment and available resources.

16 (5) Multicultural development and cross-cultural interaction,
17 including experiences of race, ethnicity, class, spirituality, sexual
18 orientation, gender, and disability and their incorporation into the
19 psychotherapeutic process.

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

27 (7) Human sexuality, including the study of the physiological,
28 psychological, and social cultural variables associated with sexual
29 behavior, gender identity, and the assessment and treatment of
30 psychosexual dysfunction.

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

33 (9) Child abuse assessment and reporting.

34 (10) Aging and long-term care, including biological, social,
35 cognitive, and psychological aspects of aging. On and after January
36 1, 2012, this coursework shall include instruction on the assessment
37 and reporting of, as well as treatment related to, elder and
38 dependent adult abuse and neglect.

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

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

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

6 (3) Provide the opportunity for students to meet with various
7 consumers and family members of consumers of mental health
8 services to enhance understanding of their experience of mental
9 illness, treatment, and recovery.

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

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

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