

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY MARCH 24, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2435**

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

February 19, 2010

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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~~ *also apply* that training *and coursework requirement to professional clinical counselors*.

(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

1 eliminate the trauma of abuse and neglect and ensure the reporting  
2 of abuse in a timely manner to prevent additional occurrences.

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

10 All persons applying for initial licensure ~~and or~~ renewal of a  
11 license as a psychologist, clinical social worker, *professional*  
12 *clinical counselor*, or marriage and family therapist shall, in  
13 addition to all other requirements for licensure or renewal, have  
14 completed coursework or training in child abuse assessment and  
15 reporting that meets the requirements of this section, including  
16 detailed knowledge of ~~Section 11165 of the Penal Code~~ *the Child*  
17 *Abuse and Neglect Reporting Act (Article 2.5 (commencing with*  
18 *Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code).*

19 The training shall meet all of the following requirements:

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

21 (1) An accredited or approved educational institution, as defined  
22 in Sections 2902, 4980.36, 4980.37, ~~and 4996.18~~ *4996.18, and*  
23 *4999.12*, including extension courses offered by those institutions.

24 (2) A continuing education provider approved by the responsible  
25 board.

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

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

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

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

3 The Board of Psychology and the Board of Behavioral Sciences  
4 shall exempt an applicant who applies for an exemption from the  
5 requirements of this section and who shows to the satisfaction of  
6 the board that there would be no need for the training in his or her  
7 practice because of the nature of that practice.

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

16 The Board of Psychology and the Board of Behavioral Sciences  
17 are encouraged to include coursework regarding the assessment  
18 and reporting of elder and dependent adult abuse in the required  
19 training on aging and long-term care issues prior to licensure or  
20 license renewal.

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

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

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

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

1 graduation, or within the coursework, that was completed by the  
2 applicant.

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

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

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

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

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

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

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

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

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

36 (b) To qualify for a license or registration, applicants shall  
37 possess a doctor's or master's degree in marriage, family, and child  
38 counseling, marriage and family therapy, psychology, clinical  
39 psychology, counseling psychology, or counseling with an  
40 emphasis in either marriage, family, and child counseling or

1 marriage and family therapy, obtained from a school, college, or  
2 university accredited by a regional accrediting agency recognized  
3 by the United States Department of Education or approved by the  
4 Bureau for Private Postsecondary and Vocational Education. The  
5 board has the authority to make the final determination as to  
6 whether a degree meets all requirements, including, but not limited  
7 to, course requirements, regardless of accreditation or approval.  
8 In order to qualify for licensure pursuant to this section, a doctor's  
9 or master's degree program shall be a single, integrated program  
10 primarily designed to train marriage and family therapists and shall  
11 contain no less than 48 semester or 72 quarter units of instruction.  
12 This instruction shall include no less than 12 semester units or 18  
13 quarter units of coursework in the areas of marriage, family, and  
14 child counseling, and marital and family systems approaches to  
15 treatment. The coursework shall include all of the following areas:

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

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

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

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

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

34 (c) (1) In addition to the 12 semester or 18 quarter units of  
35 coursework specified in subdivision (b), the doctor's or master's  
36 degree program shall contain not less than six semester or nine  
37 quarter units of supervised practicum in applied psychotherapeutic  
38 technique, assessments, diagnosis, prognosis, and treatment of  
39 premarital, couple, family, and child relationships, including  
40 dysfunctions, healthy functioning, health promotion, and illness

1 prevention, in a supervised clinical placement that provides  
2 supervised fieldwork experience within the scope of practice of a  
3 marriage and family therapist.

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

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

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

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

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

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

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

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

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

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

38 (7) Prepare students to be familiar with cross-cultural mores  
39 and values, including a familiarity with the wide range of racial  
40 and ethnic backgrounds common among California's population,

1 including, but not limited to, Blacks, Hispanics, Asians, and Native  
2 Americans.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

15 (6) No hours of experience gained more than six years prior to  
16 the date the application for examination eligibility was filed, except  
17 that up to 500 hours of clinical experience gained in the supervised  
18 practicum required by subdivision (c) of Section 4980.37 and  
19 subparagraph (B) of paragraph (1) of subdivision (d) of Section  
20 4980.36 shall be exempt from this six-year requirement.

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

23 (A) Direct supervisor contact.

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

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

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

37 (C) Client centered advocacy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (A) Lawfully and regularly provides mental health counseling  
27 or psychotherapy.

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

32 (C) Is not a private practice owned by a licensed marriage and  
33 family therapist, a licensed psychologist, a licensed clinical social  
34 worker, a licensed physician and surgeon, or a professional  
35 corporation of any of those licensed professions.

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

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

- 1 (A) Lawfully and regularly provides mental health counseling
- 2 or psychotherapy.
- 3 (B) Provides oversight to ensure that the intern’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 (2) An applicant shall not be employed or volunteer in a private
- 8 practice, as defined in subparagraph (C) of paragraph (1) of
- 9 subdivision (d), until registered as an intern.
- 10 (3) While an intern may be either a paid employee or a
- 11 volunteer, employers are encouraged to provide fair remuneration
- 12 to interns.
- 13 (4) Except for periods of time during a supervisor’s vacation or
- 14 sick leave, an intern who is employed or volunteering in private
- 15 practice shall be under the direct supervision of a licensee that has
- 16 satisfied the requirements of subdivision (g) of Section 4980.03.
- 17 The supervising licensee shall either be employed by and practice
- 18 at the same site as the intern’s employer, or shall be an owner or
- 19 shareholder of the private practice. Alternative supervision may
- 20 be arranged during a supervisor’s vacation or sick leave if the
- 21 supervision meets the requirements of this section.
- 22 (5) Experience may be gained by the intern solely as part of the
- 23 position for which the intern volunteers or is employed.
- 24 (f) Except as provided in subdivision (g), all persons shall
- 25 register with the board as an intern in order to be credited for
- 26 postdegree hours of supervised experience gained toward licensure.
- 27 (g) Except when employed in a private practice setting, all
- 28 postdegree hours of experience shall be credited toward licensure
- 29 so long as the applicant applies for the intern registration within
- 30 90 days of the granting of the qualifying master’s or doctor’s
- 31 degree and is thereafter granted the intern registration by the board.
- 32 (h) Trainees, interns, and applicants shall not receive any
- 33 remuneration from patients or clients, and shall only be paid by
- 34 their employers.
- 35 (i) Trainees, interns, and applicants shall only perform services
- 36 at the place where their employers regularly conduct business,
- 37 which may include performing services at other locations, so long
- 38 as the services are performed under the direction and control of
- 39 their employer and supervisor, and in compliance with the laws
- 40 and regulations pertaining to supervision. Trainees and interns

1 shall have no proprietary interest in their employers' businesses  
2 and shall not lease or rent space, pay for furnishings, equipment,  
3 or supplies, or in any other way pay for the obligations of their  
4 employers.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 4999.32. (a) This section shall apply to applicants for  
38 examination eligibility or registration who begin graduate study  
39 before August 1, 2012, and complete that study on or before

1 December 31, 2018. Those applicants may alternatively qualify  
2 under paragraph (2) of subdivision (a) of Section 4999.33.

3 (b) To qualify for examination eligibility or registration,  
4 applicants shall possess a master’s or doctoral degree that is  
5 counseling or psychotherapy in content and that meets the  
6 requirements of this section, obtained from an accredited or  
7 approved institution, as defined in Section 4999.12. For purposes  
8 of this subdivision, a degree is “counseling or psychotherapy in  
9 content” if it contains the supervised practicum or field study  
10 experience described in paragraph (3) of subdivision (c) and, except  
11 as provided in subdivision (d), the coursework in the core content  
12 areas listed in subparagraphs (A) to (I), inclusive, of paragraph (1)  
13 of subdivision (c).

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

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

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

28 (B) Human growth and development across the lifespan,  
29 including normal and abnormal behavior and an understanding of  
30 developmental crises, disability, psychopathology, and situational  
31 and environmental factors that affect both normal and abnormal  
32 behavior.

33 (C) Career development theories and techniques, including  
34 career development decisionmaking models and interrelationships  
35 among and between work, family, and other life roles and factors,  
36 including the role of multicultural issues in career development.

37 (D) Group counseling theories and techniques, including  
38 principles of group dynamics, group process components,  
39 developmental stage theories, therapeutic factors of group work,  
40 group leadership styles and approaches, pertinent research and

1 literature, group counseling methods, and evaluation of  
2 effectiveness.

3 (E) Assessment, appraisal, and testing of individuals, including  
4 basic concepts of standardized and nonstandardized testing and  
5 other assessment techniques, norm-referenced and  
6 criterion-referenced assessment, statistical concepts, social and  
7 cultural factors related to assessment and evaluation of individuals  
8 and groups, and ethical strategies for selecting, administering, and  
9 interpreting assessment instruments and techniques in counseling.

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

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

24 (H) Research and evaluation, including studies that provide an  
25 understanding of research methods, statistical analysis, the use of  
26 research to inform evidence-based practice, the importance of  
27 research in advancing the profession of counseling, and statistical  
28 methods used in conducting research, needs assessment, and  
29 program evaluation.

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



- 1 (2) In addition to the course requirements described in paragraph  
2 (1), a minimum of 12 semester units or 18 quarter units of advanced  
3 coursework to develop knowledge of specific treatment issues,  
4 special populations, application of counseling constructs,  
5 assessment and treatment planning, clinical interventions,  
6 therapeutic relationships, psychopathology, or other clinical topics.
- 7 (3) Not less than six semester units or nine quarter units of  
8 supervised practicum or field study experience, or the equivalent,  
9 in a clinical setting that provides a range of professional clinical  
10 counseling experience, including the following:
- 11 (A) Applied psychotherapeutic techniques.
  - 12 (B) Assessment.
  - 13 (C) Diagnosis.
  - 14 (D) Prognosis.
  - 15 (E) Treatment.
  - 16 (F) Issues of development, adjustment, and maladjustment.
  - 17 (G) Health and wellness promotion.
  - 18 (H) Other recognized counseling interventions.
  - 19 (I) A minimum of 150 hours of face-to-face supervised clinical  
20 experience counseling individuals, families, or groups.
- 21 (d) (1) An applicant whose degree is deficient in no more than  
22 two of the required areas of study listed in subparagraphs (A) to  
23 (I), inclusive, of paragraph (1) of subdivision (c) may satisfy those  
24 deficiencies by successfully completing post-master's or  
25 postdoctoral degree coursework at an accredited or approved  
26 institution, as defined in Section 4999.12.
- 27 (2) Coursework taken to meet deficiencies in the required areas  
28 of study listed in subparagraphs (A) to (I), inclusive, of paragraph  
29 (1) of subdivision (c) shall be the equivalent of three semester units  
30 or four and one-half quarter units of study.
- 31 (3) The board shall make the final determination as to whether  
32 a degree meets all requirements, including, but not limited to,  
33 course requirements, regardless of accreditation.
- 34 (e) In addition to the degree described in this section, or as part  
35 of that degree, an applicant shall complete the following  
36 coursework or training prior to registration as an intern:
- 37 (1) A minimum of 15 contact hours of instruction in alcoholism  
38 and other chemical substance abuse dependency, as specified by  
39 regulation.

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

4 (3) A two semester unit or three quarter unit survey course in  
5 psychopharmacology.

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

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

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

19 (7) A minimum of 10 contact hours of instruction in aging and  
20 long-term care, which may 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 (8) A minimum of 15 contact hours of instruction in crisis or  
26 trauma counseling, including multidisciplinary responses to crises,  
27 emergencies, or disasters, and brief, intermediate, and long-term  
28 approaches.

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

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

34 4999.33. (a) This section shall apply to the following:

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

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

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

3 (b) To qualify for examination eligibility or registration,  
4 applicants shall possess a master's or doctoral degree that is  
5 counseling or psychotherapy in content and that meets the  
6 requirements of this section, obtained from an accredited or  
7 approved institution, as defined in Section 4999.12. For purposes  
8 of this subdivision, a degree is "counseling or psychotherapy in  
9 content" if it contains the supervised practicum or field study  
10 experience described in paragraph (3) of subdivision (c) and, except  
11 as provided in subdivision (f), the coursework in the core content  
12 areas listed in subparagraphs (A) to (M), inclusive, of paragraph  
13 (1) of subdivision (c).

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

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

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

28 (B) Human growth and development across the lifespan,  
29 including normal and abnormal behavior and an understanding of  
30 developmental crises, disability, psychopathology, and situational  
31 and environmental factors that affect both normal and abnormal  
32 behavior.

33 (C) Career development theories and techniques, including  
34 career development decisionmaking models and interrelationships  
35 among and between work, family, and other life roles and factors,  
36 including the role of multicultural issues in career development.

37 (D) Group counseling theories and techniques, including  
38 principles of group dynamics, group process components, group  
39 developmental stage theories, therapeutic factors of group work,  
40 group leadership styles and approaches, pertinent research and

1 literature, group counseling methods, and evaluation of  
2 effectiveness.

3 (E) Assessment, appraisal, and testing of individuals, including  
4 basic concepts of standardized and nonstandardized testing and  
5 other assessment techniques, norm-referenced and  
6 criterion-referenced assessment, statistical concepts, social and  
7 cultural factors related to assessment and evaluation of individuals  
8 and groups, and ethical strategies for selecting, administering, and  
9 interpreting assessment instruments and techniques in counseling.

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

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

24 (H) Research and evaluation, including studies that provide an  
25 understanding of research methods, statistical analysis, the use of  
26 research to inform evidence-based practice, the importance of  
27 research in advancing the profession of counseling, and statistical  
28 methods used in conducting research, needs assessment, and  
29 program evaluation.

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

1 institutional and social barriers that impede access, equity, and  
2 success for clients.

3 (J) Psychopharmacology, including the biological bases of  
4 behavior, basic classifications, indications, and contraindications  
5 of commonly prescribed psychopharmacological medications so  
6 that appropriate referrals can be made for medication evaluations  
7 and so that the side effects of those medications can be identified.

8 (K) Addictions counseling, including substance abuse,  
9 co-occurring disorders, and addiction, major approaches to  
10 identification, evaluation, treatment, and prevention of substance  
11 abuse and addiction, legal and medical aspects of substance abuse,  
12 populations at risk, the role of support persons, support systems,  
13 and community resources.

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

21 (M) Advanced counseling and psychotherapeutic theories and  
22 techniques, including the application of counseling constructs,  
23 assessment and treatment planning, clinical interventions,  
24 therapeutic relationships, psychopathology, or other clinical topics.

25 (2) In addition to the course requirements described in paragraph  
26 (1), 15 semester units or 22.5 quarter units of advanced coursework  
27 to develop knowledge of specific treatment issues or special  
28 populations.

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

33 (A) Applied psychotherapeutic techniques.

34 (B) Assessment.

35 (C) Diagnosis.

36 (D) Prognosis.

37 (E) Treatment.

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

39 (G) Health and wellness promotion.

- 1 (H) Professional writing including documentation of services,  
2 treatment plans, and progress notes.
- 3 (I) How to find and use resources.
- 4 (J) Other recognized counseling interventions.
- 5 (K) A minimum of 280 hours of face-to-face supervised clinical  
6 experience counseling individuals, families, or groups.
- 7 (d) The 60 graduate semester units or 90 graduate quarter units  
8 of instruction required pursuant to subdivision (c) shall, in addition  
9 to meeting the requirements of subdivision (c), include instruction  
10 in all of the following:
- 11 (1) The understanding of human behavior within the social  
12 context of socioeconomic status and other contextual issues  
13 affecting social position.
- 14 (2) The understanding of human behavior within the social  
15 context of a representative variety of the cultures found within  
16 California.
- 17 (3) Cultural competency and sensitivity, including a familiarity  
18 with the racial, cultural, linguistic, and ethnic backgrounds of  
19 persons living in California.
- 20 (4) An understanding of the effects of socioeconomic status on  
21 treatment and available resources.
- 22 (5) Multicultural development and cross-cultural interaction,  
23 including experiences of race, ethnicity, class, spirituality, sexual  
24 orientation, gender, and disability and their incorporation into the  
25 psychotherapeutic process.
- 26 (6) Case management, systems of care for the severely mentally  
27 ill, public and private services for the severely mentally ill,  
28 community resources for victims of abuse, disaster and trauma  
29 response, advocacy for the severely mentally ill, and collaborative  
30 treatment. The instruction required in this paragraph may be  
31 provided either in credit level coursework or through extension  
32 programs offered by the degree-granting institution.
- 33 (7) Human sexuality, including the study of the physiological,  
34 psychological, and social cultural variables associated with sexual  
35 behavior, gender identity, and the assessment and treatment of  
36 psychosexual dysfunction.
- 37 (8) Spousal or partner abuse assessment, detection, intervention  
38 strategies, and same-gender abuse dynamics.
- 39 (9) Child abuse assessment and reporting.

1 (10) Aging and long-term care, including biological, social,  
2 cognitive, and psychological aspects of aging. ~~On and after January~~  
3 ~~1, 2012, this~~ *This* coursework shall include instruction on the  
4 assessment and reporting of, as well as treatment related to, elder  
5 and dependent adult abuse and neglect.

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

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

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

13 (3) Provide the opportunity for students to meet with various  
14 consumers and family members of consumers of mental health  
15 services to enhance understanding of their experience of mental  
16 illness, treatment, and recovery.

17 (f) (1) An applicant whose degree is deficient in no more than  
18 three of the required areas of study listed in subparagraphs (A) to  
19 (M), inclusive, of paragraph (1) of subdivision (c) may satisfy  
20 those 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 (M), 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.

O