

AMENDED IN SENATE MAY 27, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 956

Introduced by Assembly Member Roger Hernández
(Coauthor: Assembly Member Bonnie Lowenthal)

February 18, 2011

An act to amend Sections 4980.44 and 4980.48 of the Business and Professions Code, relating to marriage and family therapy.

LEGISLATIVE COUNSEL'S DIGEST

AB 956, as amended, Roger Hernández. Marriage and family therapy: interns and trainees: advertisements.

Existing law, the Marriage and Family Therapist Act, provides for the licensure or registration and regulation of marriage and family therapists and interns by the Board of Behavioral Sciences and makes a violation of its provisions a crime. Existing law requires marriage and family therapist interns, trainees, and applicants for licensure or registration to at all times be under supervision. Existing law requires interns and trainees to inform each client or patient prior to performing any professional services that he or she is unlicensed and under the supervision of a licensed marriage and family therapist, licensed clinical social worker, licensed psychologist, or a licensed physician and surgeon certified in psychiatry. Existing law requires any person that advertises services performed by a trainee to include the trainee's name, the supervisor's license designation or abbreviation, and the supervisor's license number.

This bill would require an intern or trainee, prior to performing professional services, to provide each client or patient with the name of his or her employer and indicate whether he or she is under the

supervision of a licensed marriage and family therapist, licensed clinical social worker, licensed psychologist, or a licensed physician and surgeon certified in psychiatry. *The bill would require an intern, prior to performing professional services, to provide a client or patient with the intern’s registration number.* The bill would require any advertisement by or on behalf of an intern or trainee to include specified information, including the name of the employer of the intern or trainee and that the intern or trainee is supervised by a licensed person. The bill would also require an advertisement for ~~interns~~ *an intern* to include *the intern’s registration number* and the title “marriage and family therapist registered intern” if the abbreviation MFTI is used in the advertisement.

Because a violation of the bill’s provisions would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 4980.44 of the Business and Professions
- 2 Code is amended to read:
- 3 4980.44. An unlicensed marriage and family therapist intern
- 4 employed under this chapter shall comply with the following
- 5 requirements:
- 6 (a) Possess, at a minimum, a master’s degree as specified in
- 7 Section 4980.36 or 4980.37, as applicable.
- 8 (b) Register with the board prior to performing any duties,
- 9 except as otherwise provided in subdivision (g) of Section 4980.43.
- 10 (c) Prior to performing any professional services, inform each
- 11 client or patient that he or she is an unlicensed marriage and family
- 12 therapist registered intern, provide *his or her registration number*
- 13 *and* the name of his or her employer, and indicate whether he or
- 14 she is under the supervision of a licensed marriage and family
- 15 therapist, licensed clinical social worker, licensed psychologist,
- 16 or a licensed physician and surgeon certified in psychiatry by the
- 17 American Board of Psychiatry and Neurology.

1 (d) (1) Any advertisement by or on behalf of a marriage and
2 family therapist registered intern shall include, at a minimum, all
3 of the following information:

4 (A) That he or she is a marriage and family therapist registered
5 intern.

6 (B) *The intern's registration number.*

7 ~~(B)~~

8 (C) The name of his or her employer.

9 ~~(C)~~

10 (D) That he or she is supervised by a licensed person.

11 (2) The abbreviation "MFTI" shall not be used in an
12 advertisement unless the title "marriage and family therapist
13 registered intern" appears in the advertisement.

14 SEC. 2. Section 4980.48 of the Business and Professions Code
15 is amended to read:

16 4980.48. (a) A trainee shall, prior to performing any
17 professional services, inform each client or patient that he or she
18 is an unlicensed marriage and family therapist trainee, provide the
19 name of his or her employer, and indicate whether he or she is
20 under the supervision of a licensed marriage and family therapist,
21 a licensed clinical social worker, a licensed psychologist, or a
22 licensed physician certified in psychiatry by the American Board
23 of Psychiatry and Neurology.

24 (b) Any person that advertises services performed by a trainee
25 shall include the trainee's name, the supervisor's license
26 designation or abbreviation, and the supervisor's license number.

27 (c) Any advertisement by or on behalf of a marriage and family
28 therapist trainee shall include, at a minimum, all of the following
29 information:

30 (1) That he or she is a marriage and family therapist trainee.

31 (2) The name of his or her employer.

32 (3) That he or she is supervised by a licensed person.

33 SEC. 3. No reimbursement is required by this act pursuant to
34 Section 6 of Article XIII B of the California Constitution because
35 the only costs that may be incurred by a local agency or school
36 district will be incurred because this act creates a new crime or
37 infraction, eliminates a crime or infraction, or changes the penalty
38 for a crime or infraction, within the meaning of Section 17556 of
39 the Government Code, or changes the definition of a crime within

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

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