

**Introduced by Senator Wyland**

February 14, 2011

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An act to amend Section 4999.54 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 274, as introduced, Wyland. Professional clinical counselors.

Existing law, the Licensed Professional Clinical Counselor Act, provides for the licensure and regulation of professional clinical counselors by the Board of Behavioral Sciences. Existing law authorizes the board to issue a license to any person submitting an application between January 1, 2011, and June 30, 2011, if that applicant meets specified requirements.

This bill would make a nonsubstantive, technical change to that provision.

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

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

- 1 SECTION 1. Section 4999.54 of the Business and Professions
- 2 Code is amended to read:
- 3 4999.54. (a) Notwithstanding Section 4999.50, the board may
- 4 issue a license to any person who submits an application for a
- 5 license between January 1, 2011, and June 30, 2011, provided that
- 6 all documentation is submitted within 12 months of the board's
- 7 evaluation of the application, and provided he or she meets one of
- 8 the following sets of criteria:
- 9 (1) He or she meets all of the following requirements:

1 (A) Has a master’s or doctoral degree from a school, college,  
 2 or university as specified in Section 4999.32, that is counseling or  
 3 psychotherapy in content. If the person’s degree does not include  
 4 all the graduate coursework in all nine core content areas as  
 5 required by paragraph (1) of subdivision (c) of Section 4999.32,  
 6 a person shall provide documentation that he or she has completed  
 7 the required coursework prior to licensure pursuant to this chapter.  
 8 Except as specified in clause (ii), a qualifying degree must include  
 9 the supervised practicum or field study experience as required in  
 10 paragraph (3) of subdivision (c) of Section 4999.32.

11 (i) A counselor educator whose degree contains at least seven  
 12 of the nine required core content areas shall be given credit for  
 13 coursework not contained in the degree if the counselor educator  
 14 provides documentation that he or she has taught the equivalent  
 15 of the required core content areas in a graduate program in  
 16 counseling or a related area.

17 (ii) Degrees issued prior to 1996 shall include a minimum of  
 18 30 semester units or 45 quarter units and at least six of the nine  
 19 required core content areas specified in paragraph (1) of subdivision  
 20 (c) of Section 4999.32 and three semester units or four and one-half  
 21 quarter units of supervised practicum or field study experience.  
 22 The total number of units shall be no less than 48 semester units  
 23 or 72 quarter units.

24 (iii) Degrees issued in 1996 and after shall include a minimum  
 25 of 48 semester units or 72 quarter units and at least seven of the  
 26 nine core content areas specified in paragraph (1) of subdivision  
 27 (c) of Section 4999.32.

28 (B) Has completed all of the coursework or training specified  
 29 in subdivision (e) of Section 4999.32.

30 (C) Has at least two years, full-time or the equivalent, of  
 31 postdegree counseling experience, that includes at least 1,700 hours  
 32 of experience in a clinical setting supervised by a licensed marriage  
 33 and family therapist, a licensed clinical social worker, a licensed  
 34 psychologist, a licensed physician and surgeon specializing in  
 35 psychiatry, or a master’s level counselor or therapist who is  
 36 certified by a national certifying or registering organization,  
 37 including, but not limited to, the National Board for Certified  
 38 Counselors or the Commission on Rehabilitation Counselor  
 39 Certification.

40 (D) Has a passing score on *all of* the following examinations:

- 1 (i) The National Counselor Examination for Licensure and  
2 Certification or the Certified Rehabilitation Counselor  
3 Examination.
- 4 (ii) The National Clinical Mental Health Counselor Examination.
- 5 (iii) A California jurisprudence and ethics examination, when  
6 developed by the board.
- 7 (2) Is currently licensed as a marriage and family therapist in  
8 the State of California, meets the coursework requirements  
9 described in subparagraph (A) of paragraph (1), and passes the  
10 examination described in subdivision (b).
- 11 (3) Is currently licensed as a clinical social worker in the State  
12 of California, meets the coursework requirements described in  
13 subparagraph (A) of paragraph (1), and passes the examination  
14 described in subdivision (b).
- 15 (b) (1) The board and the Office of Professional Examination  
16 Services shall jointly develop an examination on the differences,  
17 if any differences exist, between the following:
- 18 (A) The practice of professional clinical counseling and the  
19 practice of marriage and family therapy.
- 20 (B) The practice of professional clinical counseling and the  
21 practice of clinical social work.
- 22 (2) If the board, in consultation with the Office of Professional  
23 Examination Services, determines that an examination is necessary  
24 pursuant to this subdivision, an applicant described in paragraphs  
25 (2) and (3) of subdivision (a) shall pass the examination as a  
26 condition of licensure.
- 27 (c) Nothing in this section shall be construed to expand or  
28 constrict the scope of practice of professional clinical counseling,  
29 as defined in Section 4999.20.

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