

**ASSEMBLY BILL**

**No. 428**

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**Introduced by Assembly Member Eggman**

February 15, 2013

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An act to amend Sections 4980.41 and 4996.2 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 428, as introduced, Eggman. Healing arts: marriage and family therapists: clinical social workers: coursework.

Existing law provides for the licensure or registration and regulation of marriage and family therapists and interns by the Board of Behavioral Sciences. Under existing law, until January 1, 2019, an applicant for a marriage and family therapist licensure or registration who began graduate study before August 1, 2012, and completes that study on or before December 31, 2018, is required to complete prescribed coursework or training to be eligible to sit for a licensing examination.

Under existing law, the prescribed coursework and training require, among other things, that a master's or doctor's degree qualifying for licensure include specific instruction in alcoholism and other chemical substance dependency.

This bill would specify that coursework requirement may be satisfied if taken in fulfillment of other educational requirements for licensure or in a separate course, and that the applicant may satisfy the requirement by successfully completing the coursework with a master's or doctoral degree program at an accredited or approved institution or with a board-approved provider of continuing education, as specified.

The prescribed coursework and training also require that a master's or doctor's degree qualifying for licensure include coursework in spousal

or partner abuse assessment, detection, and intervention, as specified. Existing law provides that those requirements may be satisfied if taken in fulfillment of other educational requirements for licensure or in a separate course, and may be satisfied by a specified certification from the chief academic officer of the educational institution from which the applicant graduated.

This bill would specify that the applicant may meet this requirement by successfully completing this coursework with a master’s or doctoral degree program at an accredited or approved institution or with a board-approved provider of continuing education, as described. This bill would delete provisions that permit the board to accept as satisfaction of those coursework requirements certification from the chief academic officer of the educational institution.

Existing law provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences. Under existing law, an applicant for a clinical social worker license is required to furnish to the board evidence that he or she has, among other things, completed instruction and training in spousal or partner abuse assessment, detection, and intervention strategies, as specified, which may be satisfied by a specified certification from the chief academic officer of the educational institution from which the applicant graduated.

This bill would delete provisions that permit the board to accept as satisfaction of those coursework requirements certification from the chief academic officer of the educational institution.

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 4980.41 of the Business and Professions
- 2 Code is amended to read:
- 3 4980.41. (a) An applicant for licensure whose education
- 4 qualifies him or her under Section 4980.37 shall complete the
- 5 following coursework or training in order to be eligible to sit for
- 6 the licensing examinations as specified in subdivision (d) of Section
- 7 4980.40:
- 8 (1) A two semester or three quarter unit course in California
- 9 law and professional ethics for marriage and family therapists,
- 10 which shall include, but not be limited to, the following areas of
- 11 study:

1 (A) Contemporary professional ethics and statutory, regulatory,  
2 and decisional laws that delineate the profession's scope of  
3 practice.

4 (B) The therapeutic, clinical, and practical considerations  
5 involved in the legal and ethical practice of marriage and family  
6 therapy, including family law.

7 (C) The current legal patterns and trends in the mental health  
8 profession.

9 (D) The psychotherapist-patient privilege, confidentiality, the  
10 patient dangerous to self or others, and the treatment of minors  
11 with and without parental consent.

12 (E) A recognition and exploration of the relationship between  
13 a practitioner's sense of self and human values and his or her  
14 professional behavior and ethics.

15 This course may be considered as part of the 48 semester or 72  
16 quarter unit requirements contained in Section 4980.37.

17 (2) A minimum of seven contact hours of training or coursework  
18 in child abuse assessment and reporting as specified in Section 28  
19 and any regulations promulgated thereunder.

20 (3) A minimum of 10 contact hours of training or coursework  
21 in human sexuality as specified in Section 25, and any regulations  
22 promulgated thereunder. When coursework in a master's or  
23 doctor's degree program is acquired to satisfy this requirement, it  
24 shall be considered as part of the 48 semester or 72 quarter unit  
25 requirement contained in Section 4980.37.

26 (4) For persons who began graduate study on or after January  
27 1, 1986, a master's or doctor's degree qualifying for licensure shall  
28 include specific instruction in alcoholism and other chemical  
29 substance dependency as specified by regulation. When coursework  
30 in a master's or doctor's degree program is acquired to satisfy this  
31 requirement, it shall be considered as part of the 48 semester or  
32 72 quarter unit requirement contained in Section 4980.37.  
33 *Coursework required under this paragraph may be satisfactory if*  
34 *taken either in fulfillment of other educational requirements for*  
35 *licensure or in a separate course. The applicant may satisfy this*  
36 *requirement by successfully completing this coursework with a*  
37 *master's or doctoral degree program at an accredited or approved*  
38 *institution, as described in subdivision (b) of Section 4980.37, or*  
39 *with a board-approved provider of continuing education, as*  
40 *described in Section 4980.54.*

1 (5) For persons who began graduate study during the period  
2 commencing on January 1, 1995, and ending on December 31,  
3 2003, a master's or doctor's degree qualifying for licensure shall  
4 include coursework in spousal or partner abuse assessment,  
5 detection, and intervention. For persons who began graduate study  
6 on or after January 1, 2004, a master's or doctor's degree qualifying  
7 for licensure shall include a minimum of 15 contact hours of  
8 coursework in spousal or partner abuse assessment, detection, and  
9 intervention strategies, including knowledge of community  
10 resources, cultural factors, and same gender abuse dynamics.  
11 Coursework required under this paragraph may be satisfactory if  
12 taken either in fulfillment of other educational requirements for  
13 licensure or in a separate course. ~~The requirement for coursework~~  
14 ~~shall be satisfied by, and the board shall accept in satisfaction of~~  
15 ~~the requirement, a certification from the chief academic officer of~~  
16 ~~the educational institution from which the applicant graduated that~~  
17 ~~the required coursework is included within the institution's required~~  
18 ~~curriculum for graduation.~~ *The applicant may satisfy this*  
19 *requirement by successfully completing this coursework with a*  
20 *master's or doctoral degree program at an accredited or approved*  
21 *institution, as described in subdivision (b) of Section 4980.37, or*  
22 *with a board-approved provider of continuing education, as*  
23 *described in Section 4980.54.*

24 (6) For persons who began graduate study on or after January  
25 1, 2001, an applicant shall complete a minimum of a two semester  
26 or three quarter unit survey course in psychological testing. When  
27 coursework in a master's or doctor's degree program is acquired  
28 to satisfy this requirement, it may be considered as part of the 48  
29 semester or 72 quarter unit requirement of Section 4980.37.

30 (7) For persons who began graduate study on or after January  
31 1, 2001, an applicant shall complete a minimum of a two semester  
32 or three quarter unit survey course in psychopharmacology. When  
33 coursework in a master's or doctor's degree program is acquired  
34 to satisfy this requirement, it may be considered as part of the 48  
35 semester or 72 quarter unit requirement of Section 4980.37.

36 (8) The requirements added by paragraphs (6) and (7) are  
37 intended to improve the educational qualifications for licensure in  
38 order to better prepare future licentiates for practice and are not  
39 intended in any way to expand or restrict the scope of practice for  
40 marriage and family therapists.

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

4 SEC. 2. Section 4996.2 of the Business and Professions Code  
5 is amended to read:

6 4996.2. Each applicant shall furnish evidence satisfactory to  
7 the board that he or she complies with all of the following  
8 requirements:

9 (a) Is at least 21 years of age.

10 (b) Has received a master's degree from an accredited school  
11 of social work.

12 (c) Has had two years of supervised post-master's degree  
13 experience, as specified in Section 4996.23.

14 (d) Has not committed any crimes or acts constituting grounds  
15 for denial of licensure under Section 480. The board shall not issue  
16 a registration or license to any person who has been convicted of  
17 any crime in this or another state or in a territory of the United  
18 States that involves sexual abuse of children or who is required to  
19 register pursuant to Section 290 of the Penal Code or the equivalent  
20 in another state or territory.

21 (e) Has completed adequate instruction and training in the  
22 subject of alcoholism and other chemical substance dependency.  
23 This requirement applies only to applicants who matriculate on or  
24 after January 1, 1986.

25 (f) Has completed instruction and training in spousal or partner  
26 abuse assessment, detection, and intervention. This requirement  
27 applies to an applicant who began graduate training during the  
28 period commencing on January 1, 1995, and ending on December  
29 31, 2003. An applicant who began graduate training on or after  
30 January 1, 2004, shall complete a minimum of 15 contact hours  
31 of coursework in spousal or partner abuse assessment, detection,  
32 and intervention strategies, including knowledge of community  
33 resources, cultural factors, and same gender abuse dynamics.  
34 Coursework required under this subdivision may be satisfactory  
35 if taken either in fulfillment of other educational requirements for  
36 licensure or in a separate course. ~~This requirement for coursework  
37 shall be satisfied by, and the board shall accept in satisfaction of  
38 the requirement, a certification from the chief academic officer of  
39 the educational institution from which the applicant graduated that~~

1 ~~the required coursework is included within the institution's required~~  
2 ~~curriculum for graduation.~~

3 (g) Has completed a minimum of 10 contact hours of training  
4 or coursework in human sexuality as specified in Section 1807 of  
5 Title 16 of the California Code of Regulations. This training or  
6 coursework may be satisfactory if taken either in fulfillment of  
7 other educational requirements for licensure or in a separate course.

8 (h) Has completed a minimum of seven contact hours of training  
9 or coursework in child abuse assessment and reporting as specified  
10 in Section 1807.2 of Title 16 of the California Code of Regulations.

11 This training or coursework may be satisfactory if taken either in  
12 fulfillment of other educational requirements for licensure or in a  
13 separate course.