

AMENDED IN SENATE APRIL 29, 2013

**SENATE BILL**

**No. 243**

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**Introduced by Senator Wyland**

February 12, 2013

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An act to amend Section ~~17070.15 of the Education Code, 4999.20 of the Business and Professions Code~~, relating to ~~school facilities~~.  
*healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

SB 243, as amended, Wyland. ~~School facilities~~. *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 provides that professional clinical counseling does not include the assessment or treatment of couples or families unless the clinical counselor has completed specified training and education in addition to the minimum training and education required for licensure.*

*This bill would instead provide that professional clinical counseling does not include the assessment or treatment of couples or families unless the clinical counselor has completed specified training and education.*

~~Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, and defines various terms for purposes of those provisions.~~

~~This bill would make a nonsubstantive change to this 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 4999.20 of the Business and Professions

2     Code is amended to read:

3     4999.20. (a) (1) “Professional clinical counseling” means the  
 4 application of counseling interventions and psychotherapeutic  
 5 techniques to identify and remediate cognitive, mental, and  
 6 emotional issues, including personal growth, adjustment to  
 7 disability, crisis intervention, and psychosocial and environmental  
 8 problems. “Professional clinical counseling” includes conducting  
 9 assessments for the purpose of establishing counseling goals and  
 10 objectives to empower individuals to deal adequately with life  
 11 situations, reduce stress, experience growth, change behavior, and  
 12 make well-informed, rational decisions.

13     (2) “Professional clinical counseling” is focused exclusively on  
 14 the application of counseling interventions and psychotherapeutic  
 15 techniques for the purposes of improving mental health, and is not  
 16 intended to capture other, nonclinical forms of counseling for the  
 17 purposes of licensure. For purposes of this paragraph, “nonclinical”  
 18 means nonmental health.

19     (3) “Professional clinical counseling” does not include the  
 20 assessment or treatment of couples or families unless the  
 21 professional clinical counselor has completed all of the following  
 22 ~~additional training and education, beyond the minimum training~~  
 23 ~~and education required for licensure:~~ *education:*

24     (A) One of the following:

25     (i) Six semester units or nine quarter units specifically focused  
 26 on the theory and application of marriage and family therapy.

27     (ii) A named specialization or emphasis area on the qualifying  
 28 degree in marriage and family therapy; marital and family therapy;  
 29 marriage, family, and child counseling; or couple and family  
 30 therapy.

31     (B) No less than 500 hours of documented supervised experience  
 32 working directly with couples, families, or children.

33     (C) A minimum of six hours of continuing education specific  
 34 to marriage and family therapy, completed in each license renewal  
 35 cycle.

1 (4) “Professional clinical counseling” does not include the  
2 provision of clinical social work services.

3 (b) “Counseling interventions and psychotherapeutic techniques”  
4 means the application of cognitive, affective, verbal or nonverbal,  
5 systemic or holistic counseling strategies that include principles  
6 of development, wellness, and maladjustment that reflect a  
7 pluralistic society. These interventions and techniques are  
8 specifically implemented in the context of a professional clinical  
9 counseling relationship and use a variety of counseling theories  
10 and approaches.

11 (c) “Assessment” means selecting, administering, scoring, and  
12 interpreting tests, instruments, and other tools and methods  
13 designed to measure an individual’s attitudes, abilities, aptitudes,  
14 achievements, interests, personal characteristics, disabilities, and  
15 mental, emotional, and behavioral concerns and development and  
16 the use of methods and techniques for understanding human  
17 behavior in relation to coping with, adapting to, or ameliorating  
18 changing life situations, as part of the counseling process.  
19 “Assessment” shall not include the use of projective techniques  
20 in the assessment of personality, individually administered  
21 intelligence tests, neuropsychological testing, or utilization of a  
22 battery of three or more tests to determine the presence of  
23 psychosis, dementia, amnesia, cognitive impairment, or criminal  
24 behavior.

25 (d) Professional clinical counselors shall refer clients to other  
26 licensed health care professionals when they identify issues beyond  
27 their own scope of education, training, and experience.

28 ~~SECTION 1. Section 17070.15 of the Education Code is~~  
29 ~~amended to read:~~

30 ~~17070.15. The following terms, wherever used or referred to~~  
31 ~~in this chapter, shall have the following meanings, respectively,~~  
32 ~~unless a different meaning is apparent from the context:~~

33 (a) ~~“Apportionment” means a reservation of funds for the~~  
34 ~~purpose of eligible new construction, modernization, or hardship~~  
35 ~~approved by the board for an applicant school district.~~

36 (b) ~~“Attendance area” means the geographical area serving an~~  
37 ~~existing high school and those junior high schools and elementary~~  
38 ~~schools included therein.~~

39 (c) ~~“Board” means the State Allocation Board as established by~~  
40 ~~Section 15490 of the Government Code.~~

- 1     ~~(d) “Committee” means the State School Building Finance~~
- 2     ~~Committee established pursuant to Section 15909.~~
- 3     ~~(e) “County fund” means a county school facilities fund~~
- 4     ~~established pursuant to Section 17070.43.~~
- 5     ~~(f) “Department” means the Department of General Services.~~
- 6     ~~(g) “Fund” means the applicable 1998 State School Facilities~~
- 7     ~~Fund, the 2002 State School Facilities Fund, or the 2004 State~~
- 8     ~~School Facilities Fund, established pursuant to Section 17070.40.~~
- 9     ~~(h) “Good repair” has the same meaning as specified in~~
- 10    ~~subdivision (d) of Section 17002.~~
- 11    ~~(i) “Modernization” means any modification of a permanent~~
- 12    ~~structure that is at least 25 years old, or in the case of a portable~~
- 13    ~~classroom, that is at least 20 years old, that will enhance the ability~~
- 14    ~~of the structure to achieve educational purposes.~~
- 15    ~~(j) “Portable classroom” means a classroom building of one or~~
- 16    ~~more stories that is designed and constructed to be relocatable and~~
- 17    ~~transportable over public streets, and with respect to a single story~~
- 18    ~~portable classroom, is designed and constructed for relocation~~
- 19    ~~without the separation of the roof or floor from the building and~~
- 20    ~~when measured at the most exterior walls, has a floor area not in~~
- 21    ~~excess of 2,000 square feet.~~
- 22    ~~(k) “Property” includes all property, real, personal or mixed,~~
- 23    ~~tangible or intangible, or any interest therein necessary or desirable~~
- 24    ~~for carrying out the purposes of this chapter.~~
- 25    ~~(l) “School building capacity” means the capacity of a school~~
- 26    ~~building to house pupils.~~
- 27    ~~(m) “School district” means a school district or a county office~~
- 28    ~~of education. For purposes of determining eligibility under this~~
- 29    ~~chapter, “school district” may also mean a high school attendance~~
- 30    ~~area.~~